

# MISSISSIPPI ASSOCIATION FOR ASSESSMENT

## REFORM (MAAR)

APRIL 8, 2005

I copied this article from the George Lucas website, Edutopia. (Yes, the same Lucas from *Star Wars*.) Monty Neill of Fairtest has this warning: As always, Jim Popham has some important observations about the testing. But he inevitably comes back to improved tests as the solution. His recommendations would make for better tests, but so long as high stakes are attached to one measure, there will be many negative consequences. In addition, the better tests would still be limited in what they can be used to assess, so important areas would remain unassessed. This was acknowledged in the report Jim cited, and the recommendation was to include other, local measures. However, the report also suggests that in deciding what is most important, measurability by a standardized test should be a guiding factor. To the contrary, determinations by educators, parents, communities on what is most important should guide decisions on what to assess. If, for example, people think students should learn to write for a variety of needs and purposes, then most likely a portfolio of student writing would be needed since a one-shot, write to a prompt test will be inadequate.

Thus, do use Jim's article for what it helpfully reveals about the testing, but use his recommendations with caution.

[http://www.edutopia.org/magazine/ed1article.php?id=art\\_1267&issue=apr\\_05](http://www.edutopia.org/magazine/ed1article.php?id=art_1267&issue=apr_05)

For the last four decades, students' scores on standardized tests have increasingly been regarded as the most meaningful evidence for evaluating U.S. schools. Most Americans, indeed, believe students' standardized test performances are the only legitimate indicator of a school's instructional effectiveness. Yet, although test-based evaluations of schools seem to occur almost as often as fire drills, in most instances these evaluations are inaccurate. That's because the standardized tests employed are flat-out wrong.

Standardized tests have been used to evaluate America's schools since 1965, when the U.S. Elementary and Secondary Education Act (ESEA) became law. That statute

provided for the first major infusion of federal funds into local schools and required educators to produce test-based evidence that ESEA dollars were well spent. But how, you might ask, could a practice that's been so prevalent for so long be mistaken? Just think back to the many years we forced airline attendants and nonsmokers to suck in secondhand toxins because smoking on airliners was prohibited only during takeoff and landing. Some screwups can linger for a long time. But mistakes, even ones we've lived with for decades, can often be corrected once they've been identified, and that's what we must do to halt today's wrongheaded school evaluations. If enough educators -- and noneducators -- realize that there are serious flaws in the way we evaluate our schools, and that those flaws erode educational quality, there's a chance we can stop this absurdity.

### **Instructionally Insensitive**

First, some definitions.

A standardized test is any test that's administered, scored, and interpreted in a standard, predetermined manner. Standardized aptitude tests are designed to make predictions about how a test taker will perform in a subsequent setting. For example, the SAT and ACT are used to predict the grades that high school students will earn when they get to college. In contrast, standardized achievement tests indicate how well a test taker has acquired knowledge and mastered certain skills.

Although students' scores on standardized aptitude tests are sometimes unwisely stirred into the school-evaluation stew, scores on standardized achievement tests are typically the ones used to judge a school's success. Two kinds of standardized achievement tests commonly used for school evaluations are ill suited for that measurement.

The first of these categories are nationally standardized achievement tests like the Iowa Tests of Basic Skills, which employ a comparative measurement strategy. The fundamental purpose of all such tests is to compare a student's score with the scores earned by a previous group of test takers (known as the "norm group"). It can then be determined if Johnny scored at the 95th percentile on a given test (attaboy!) or at the 10th percentile (son, we have a problem).

Because of the need for nationally standardized achievement tests to provide fine-grained, percentile-by-percentile comparisons, it is imperative that these tests produce a considerable degree of score-spread -- in other words, plenty of differences among test takers' scores. So producing score-spread often preoccupies those who construct standardized achievement tests.

Statistically, a question that creates the most score-spread on standardized achievement tests is one that only about half the students answer correctly. Over the years, developers of standardized achievement tests have learned that if they can link students' success on a question to students' socioeconomic status (SES), then that item is usually answered correctly by about half of the test takers. If an item is answered correctly more often by

students at the upper end of the socioeconomic scale than by lower-SES kids, that question will provide plenty of score-spread. After all, SES is a delightfully spread-out variable and one that isn't quickly altered. As a result, in today's nationally standardized achievement tests, there are many SES-linked items.

Unfortunately, this kind of test tends to measure not what students have been taught in school but what they bring to school. That's the reason there's such a strong relationship between a school's standardized-test scores and the economic and social makeup of that school's student body. As a consequence, most nationally standardized achievement tests end up being instructionally insensitive. That is, they're unable to detect improved instruction in a school even when it has definitely taken place. Because of this insensitivity, when students' scores on such tests are used to evaluate a school's instructional performance, that evaluation usually misses the mark.

A second kind of instructionally insensitive test is the sort of standardized achievement test that has been developed for accountability by many states during the past two decades. Such tests were typically created to better assess students' mastery of the officially approved skills and knowledge. Those skills and knowledge, sometimes referred to as goals or curricular aims, are usually known these days as content standards. Thus, such state-developed standardized assessments -- like the Florida Comprehensive Assessment Test (FCAT) -- are frequently described as "standards-based" tests.

Because these customized standards-based tests were designed (almost always with the assistance of an external test-development contractor) to be aligned with a state's curricular aspirations, it would seem that they would be ideal for appraising a school's quality. Unfortunately, that's not the way it works out. When a state's education officials decide to identify the skills and knowledge that students should master, the typical procedure for doing so hinges on the recommendations of subject-matter specialists from that state. For example, if authorities in Ohio or New Mexico want to identify their state's official content standards for mathematics, then a group of, say, 30 math teachers, math curriculum consultants, and university math professors are invited to form a statewide content-standards committee. Typically, when these committees attempt to identify the skills and knowledge the students should master, their recommendation -- not surprisingly -- is that students should master everything. These committees seem bent on identifying skills that they fervently wish students would possess. Regrettably, the resultant litanies of committee-chosen content standards tend to resemble curricular wish lists rather than realistic targets.

Whether or not the targets make sense, there tend to be a lot of them, and the effect is counterproductive. A state's standards based tests are intended to evaluate schools based on students' test performances, but teachers soon become overwhelmed by too many targets. Educators must guess about which of this multitude of content standards will actually be assessed on a given year's test. Moreover, because there are so many content standards to be assessed and only limited testing time, it is impossible to report any meaningful results about which content standards have and haven't been mastered.

After working with standards-based tests aimed at so many targets, teachers understandably may devote less and less attention to those tests. As a consequence, students' performances on this type of instructionally insensitive test often become dependent upon the very same SES factors that compromise the utility of nationally standardized achievement tests when used for school evaluation.

### **Wrong Tests, Wrong Consequences**

Bad things happen when schools are evaluated using either of these two types of instructionally insensitive tests. This is particularly true when the importance of a school evaluation is substantial, as it is now. All of the nation's public schools are evaluated annually under the provisions of the federal No Child Left Behind Act (NCLB). Not only are the results of the NCLB school-by-school evaluations widely disseminated, there are also penalties for schools that receive NCLB funds yet fail to make sufficient test-based progress. These schools are placed on an improvement track that can soon "improve" them into nonexistence. Educators in America's public schools obviously are under tremendous pressure to improve their students' scores on whatever NCLB tests their state has chosen.

With few exceptions, however, the assessments that states have chosen to implement because of NCLB are either nationally standardized achievement tests or state developed standards-based tests--both of which are flawed. Here, then, are three adverse classroom consequences seen in states where instructionally insensitive NCLB tests are used:

- **Curricular reductionism.**

In an effort to boost their students' NCLB test scores, many teachers jettison curricular content that -- albeit important -- is not apt to be covered on an upcoming test. As a result, students end up educationally shortchanged.

- **Excessive drilling.**

Because it is essentially impossible to raise students' scores on instructionally insensitive tests, many teachers -- in desperation -- require seemingly endless practice with items similar to those on an approaching accountability test. This dreary drilling often stamps out any genuine joy students might (and should) experience while they learn.

- **Modeled dishonesty.**

Some teachers, frustrated by being asked to raise scores on tests deliberately designed to preclude such score raising, may be tempted to adopt unethical practices during the administration or scoring of accountability tests. Students learn that whenever the stakes are high enough, the teacher thinks it's OK to cheat. This is a lesson that should never be taught.

These three negative consequences of using instructionally insensitive standardized tests as measuring tools, taken together, make it clear that today's widespread method of judging schools does more than lead to invalid evaluations. Beyond that, such tests can dramatically lower the quality of education.

## **An Antidote**

Is it possible to build accountability tests that both supply accurate evidence of school quality and promote instructional improvement? The answer is an emphatic yes. In 2001, prior to the enactment of NCLB, an independent national study group, the Commission on Instructionally Supportive Assessment, identified three attributes that an "instructionally supportive" accountability test must possess:

- A modest number of supersignificant curricular aims.

To avoid overwhelming teachers and students with daunting lists of curricular targets, an instructionally supportive accountability test should measure students' mastery of only an intellectually manageable number of curricular aims, more like a half-dozen than the 50 or so that a teacher may encounter today. However, because fewer curricular benchmarks are to be measured, they must be truly significant.

- Lucid descriptions of aims.

An instructionally helpful test must be accompanied by clear, concise, and teacherpalatable descriptions of each curricular aim to be assessed. With clear descriptions, teachers can direct their instruction toward promoting students' mastery of skills and knowledge rather than toward getting students to come up with correct answers to particular test items.

- Instructionally useful reports.

Because an accountability test that supports teaching is focused on only a very limited number of challenging curricular aims, a student's mastery of each subject can be meaningfully measured, letting teachers determine how effective their instruction has been. Students and their parents can also benefit from such informative reports.

These three features can produce an instructionally supportive accountability test that will accurately evaluate schools and improve instruction. The challenge before us, clearly, is how to replace today's instructionally insensitive accountability tests with better ones. Fortunately, at least one state, Wyoming, is now creating its own instructionally supportive NCLB tests. More states should do so.

## **What You Can Do**

If you want to be part of the solution to this situation, it's imperative to learn all you can about educational testing. Then learn some more. For all its importance, educational testing really isn't particularly complicated, because its fundamentals consist of commonsense ideas, not numerical obscurities. You'll not only understand better what's going on in the current mismeasurement of school quality, you'll also be able to explain it to others. And those "others," ideally, will be school board members, legislators, and concerned citizens who might, in turn, make a difference. Simply hop on the Internet or head to your local library and hunt down an introductory book or two about educational assessment. (I've written several such books that, though not as engaging as a crackling good spy thriller, really aren't intimidating.)

With a better understanding of why it is so inane -- and destructive -- to evaluate schools using students' scores on the wrong species of standardized tests, you can persuade anyone who'll listen that policy makers need to make better choices. Our 40-year saga of unsound school evaluation needs to end. Now.

*W. James Popham, who began his career in education as a high school teacher in Oregon, is professor emeritus at the University of California- Los Angeles School of Education and Information Studies. Author of 25 books, he is a former president of the American Educational Research Association. Write to [letters@edutopia.org](mailto:letters@edutopia.org).*

### **HOT LINK**

Take the next step toward a better understanding of assessment by visiting the Edutopia Web site, where you'll find articles and documentaries on alternative forms of assessment, interviews and opinion pieces by experts in the field, and a wealth of useful and informative resources, including an instructional module on building an evidence-based assessment.

- [www.edutopia.org/assessment](http://www.edutopia.org/assessment)

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[www.glef.org](http://www.glef.org)

This report is from Connecticut. No one has done this sort of analysis for Mississippi. Finding out information from the MDE is harder than cutting through the CIA. I'm satisfied that the 80 million dollar problem here could be solved by eliminating the Federally mandated tests (and associated miseducational responsibilities).

Excellent report: NCLB Cost Analysis Report - March 2, 2005 (PDF)  
<[http://www.state.ct.us/sde/NCLB\\_Study\\_2\\_28\\_05.pdf](http://www.state.ct.us/sde/NCLB_Study_2_28_05.pdf)>

"The cost estimates in this report are sobering. Through FY08, there is a burden of approximately \$41.6 million on the State of CT to meet the requirement of the No Child Left Behind (NCLB) Act."

[http://www.state.ct.us/sde/NCLB\\_Study\\_2\\_28\\_05.pdf](http://www.state.ct.us/sde/NCLB_Study_2_28_05.pdf)

Great companion with Commissioner of Education Sternberg's Comments on Testing, NCLB and Closing the Gaps

<http://www.state.ct.us/sde/>

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I have already addressed Open Court and Success for All. Here is a colleague's description of the new one out there - Tungsten. We'll see it at JPS before long.

Grand Rapids Public Schools purchased Tungsten Learning. The kids hate it. The teachers hate it. It's very expensive. And in the long run, it will do nothing to improve student achievement. Teachers feel compelled to teach to the Tungsten assessments. Tungsten claims that they tailor their assessments to state standards. You will be able to decide for yourself whether they do that.

The charts and graphs are wonderfully colorful. I'm not sure how meaningful they are, but they are colorful.

Tungsten is owned by Edison, one of the groups that is waiting in the wings when a school fails and is taken over. How fishy is it that Tungsten assessments, owned by Edison, is marketed to schools who have failed to make annual yearly progress?

What's sad about Tungsten and Grand Rapids is the fact that the teachers are being encouraged to use more student centered active instructional strategies, but they have a tough time do that and preparing students for the rote memorization types of questions on the Tungsten assessments.

Tungsten seems to be desperate for good press. I acknowledged teachers difficulties in trying to meet the expectations of Tungsten and do more active inquiry based things in their classrooms. Word of that got to a vice president of Tungsten who contacted me. She wanted to sit down and show me how wonderful Tungsten is. That person then contacted another professor. Pretty cheeky if you ask me. That, or I have far more power than I realize.

Nancy Patterson, PhD  
Literacy Studies Program Chair  
College of Education  
Grand Valley State University

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### **Educators' Challenge: Teaching pre-kindergartners to standard**

**Yes, a rich curriculum *can* be developmentally appropriate. But we know that Standards become checklists, and checklists become curricula. Note that no matter how challenging the curriculum, there is still no room for phonics worksheets.**

PALM BEACH GARDENS — At the ripe old age of 4, Ryan faces a litany of things the state of Florida wants him to learn in pre-kindergarten.

They are outlined in four pages titled "Florida's Early Learning Standards" and include skills and concepts in mathematical process, analysis, geometry, measurement, scientific thinking, reading, writing, social studies and the arts. The state asks that he develop self-concept and self-control, manage transitions and make friends.

Next fall, these standards will apply to any 4-year-old who enters the state's free pre-kindergarten.

It will be up to each school that participates to figure out how to do it.

The state isn't going to pick a curriculum for all schools, or even provide a list to choose from. There are dozens upon dozens out there. That means it will be up to parents to make sure the school they pick is imparting those lessons.

So what should a 4-year-old's curriculum look like?

"It should look like play," said Susan Neuman, a University of Michigan professor of early childhood education, who has reviewed Florida's standards. "It should look like play, but it must be much more."

Ryan's day starts when he "signs in" at preschool. He and all his classmates, depending on their abilities, write their name or some letters or a symbol for their names as they enter class at the Center for Early Learning in Palm Beach Gardens.

They are surrounded by blocks and books and toys. The walls are papered with numbers, letters, words, pictures. One is a daily schedule illustrated with stick figures and numbered in order.

At 9:30 a.m., the nine preschoolers break into two groups. Ms. Catherine (Stefano) reads her group a story about five caterpillars who turn into five big butterflies.

Then it's time to play a game with oversized dominoes that have numbers on one half and collections of toothbrushes, cups, fish in varying numbers on the other.

Ms. Catherine puts down her cards matching up the number 3 with another card also with the number three.

She turns to Veronica, "Do you have a 3?" Veronica scans her cards. No. But she has a 0, that would match another card on the table. And so it begins.

In minutes they break for the play area.

"Everyone go and get a red block," she instructs.

The cylindrical blocks are in various sizes.

"Who has a block this size?" Ms. Catherine asks holding up a long yellow block. Ryan does, so it's his turn to decide where he's going to play next.

He's going to play with the big blocks, he announces.

"What are you going to build?"

"A building."

"Will it be a tall building or a long building?"

"Long."

Ms. Catherine pulls out another block and the routine begins again with the other children.

Ryan, Veronica and their pals don't know it, but they've covered a lot of ground in a couple hours. They've been counting, matching, comparing. Ms. Catherine is sneaking in math concepts into almost every conversation.

The reading and writing is there too.

Children listen to Ms. Pat (Normandale) read a book and then guess at what might happen next as they go along.

But a math and language alone do not a good curriculum make. Children need to be exposed to lots of ideas, experiences and concepts, particularly poor children, Neuman said.

"When I observe classrooms I look for the richness of the vocabulary and experience," she said. "In one class I was in, for example, they were learning about a water tower. What is a water tower? How does it work? They were actually making one and learning about pressure

using shaving cream cans. They were playing with the cans, but they were learning about pressure. That's what we need to see."

In another school in Baltimore, Neuman praised a teacher teaching what it is to be a "Meet-E-or-ol-lo-gist." The teacher stretched out the word as she said it. The children donned boots and splashed in rain puddles, talked about weather, pretended they were "Meet-E-or-ol-lo-gists."

Neuman has reviewed Florida's standards and says they're "excellent." Still, she worries that a nationwide trend toward voluntary pre-kindergarten and an emphasis on literacy, may push schools to push reading and writing too hard.

She fears schools may adopt curriculum that drills on letter writing and phonics to the extent that there's no time for other lessons or that does it in a way that's not appropriate for a 4-year-old.

"It's important for teachers to have goals and objectives and lesson plans just like they do with older kids, but the way they do it, the way it looks should be very, very different," Neuman said.

"The concern we all have is that we not force children to do things beyond what they can do," added Andrea Gralnick, who heads the Palm Beach County School District's pre-kindergarten program.

"We need to make sure they teach them to think rather than just memorize numbers and letters," she said.

Still, one of the most important elements of the classroom remains un-legislatable: the teacher.

Ryan's school, run by Palm Beach Community College, uses the High/Scope curriculum created decades ago and with piles of research to show it succeeds. But it is up to Ms. Catherine and Ms. Pat to connect with their little charges.

And many experts advise parents to observe classrooms for teacher-student interaction before enrolling.

"A lot of what's going on out there is barely good," said Mark Tompkins, a preschool principal in Michigan who was in town this month to train High/Scope teachers from across the state. He describes what he looks for like this:

The best teachers get down to their students' level — literally, as in on

their knees.

They let the children do the talking. "It's more important for children to talk, they're the ones developing language."

They demonstrate first, elaborate with words after, lest they lose their temperamental audience.

Instead of watching the children play, they play too, engaging the child at their level.

"It doesn't really matter what content the states will define until you can reach the child."

— Sonja Isger  
*Palm Beach Post*  
2005-03-28  
[http://www.palmbeachpost.com/localnews/content/local\\_news/epaper/2005/03/28/s1b\\_prekcurric\\_0328.html](http://www.palmbeachpost.com/localnews/content/local_news/epaper/2005/03/28/s1b_prekcurric_0328.html)

And now:

### **Screening of Florida kindergartners finds about 40% lack basic 'prereading' skills.**

When Standardistos disfigure the definition of kindergarten, turning it into a skill acquisition zone, then it follows that vast numbers of kindergartners will be labeled as deficient. The atrocity is that this *deficiency* label then damages a child's entire school career. Any of these people ever read Piaget?

About 40 percent of Florida's kindergartners are at risk of struggling with reading, with up to 22 percent at "high risk" of failure, according to the first statewide screening of youngsters' early literacy skills.

(Yeah, and if they keep trying to shove reading down the throats of young learners, the percentage will only grow. blf)

About 175,000 children underwent screening at the start of this school year. At least 58 percent of them had needed skills, meaning they could identify letters and some letter sounds. Those children likely will learn to read with little trouble.

But 37 percent to 42 percent of the group -- about 70,000 children -- showed a lack of basic skills, suggesting they'll need extra help to

become solid readers.

State education officials said Tuesday that the newly released information, while sobering, isn't unexpected, as it mirrors national figures on students who start school ill-prepared for lessons.

"It's a lot of kids across the country that are at risk of not meeting higher standards of reading," said Pat Howard, director of assessment for the Florida Center for Reading Research, which helps oversee the literacy screening.

"It's kind of a sad commentary, I suppose, but maybe it's going to help us even more strongly focus our efforts."

The information, Howard and others said, should eventually help reduce the failure rates on the reading section of the Florida Comprehensive Assessment Test, which students take in grades 3 through 10.

That's because the information from the kindergarten "readiness" screenings should help schools provide intensive instruction to students at the start of their schooling, when it is easier to make up deficits.

"As we say in the training, catch them before they fall," Howard said.

For years, Florida has administered "readiness" screenings to incoming kindergartners. But those screenings assessed developmental readiness for school, testing such things as whether kids could hop on one foot or describe a picture.

By that screening, 84 percent of the children tested at the start of the current school year were ready for school.

But that assessment doesn't delve into skills needed to absorb reading lessons, said Joseph Torgesen, director of the state reading center at Florida State University.

"When you actually look at their preliteracy skills," Torgesen said, "many more aren't ready."

The state used two tests to evaluate prereading skills, part of a nationally recognized package known as DIBELS, developed at the University of Oregon.

One test gauged youngsters' ability to name upper- and lower-case letters presented out of alphabetical order. The other tested their ability

to name the starting sounds of words. For example, students were shown pictures of a whale, a fence, tools and a stick, and then were asked to identify which picture begins with the sound of the letter W.

The ability to easily name letters and beginning sounds is a key skill as students start learning to read, experts say. So the tests are considered good predictors of who will learn to read with ease and who will struggle.

Statewide, 20 percent of kindergartners were at high risk on the letter-naming test, and 22 percent were at high risk on the initial-sounds test, meaning they scored well below grade level and need serious help if they are to catch up. Another 17 percent to 20 percent were at "moderate risk" on the two tests.

On the positive side, 48 percent of Florida students scored above average on the letter-naming test, as did 39 percent on the initial-sounds test.

As typically happens, students in Central Florida's more well-off counties of Brevard and Seminole did better on the kindergarten screenings than those in poorer counties, such as Osceola and Polk.

The results, officials said, highlight the need for pre-kindergarten programs that focus on early literacy. Florida is to start its free pre-K program in August -- and that will make the new literacy screening controversial.

In a move many educators opposed, state lawmakers decided that pre-K providers will be judged on how their students do when they start kindergarten and are given the tests.

The state expects to set a "readiness rate" this summer, deciding what percentage of students must be ready for school for a pre-K program to pass. Pre-K providers that fail for several years could be kicked out of the state program.

Educators don't like using the readiness tests to judge pre-K programs, mostly because such a system doesn't take into account where the students started when they enrolled in pre-K as 4-year-olds, so it doesn't give credit for progress.

But many say the tests can help schools pinpoint who needs help.

Robert Allen, principal of Tangelo Park Elementary in Orange County, said the Oregon tests are an "excellent assessment" that have helped

teachers focus on reading skills early on in kindergarten in a way the old assessments did not.

"Of course, the bar has been raised a little bit," Allen said. "We've had to look at real academic things rather than the social, touchy-feely sort of things."

The new assessments aren't helpful, though, unless schools use the results to provide students with assistance, Allen added.

At Tangelo Park, students who score in the "high risk" category are getting 30 minutes of extra literacy lessons a day, reading coach Mitz Oates said.

"We know they need additional help, in what area, and they're getting that additional help," Oates said.

[lpostal@orlandosentinel.com](mailto:lpostal@orlandosentinel.com)

— Leslie Postal  
*Orlando Sentinel*  
2005-03-30

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## WAYS TO ENSURE THAT NO CHILD IS LEFT BEHIND

EDUCATOR CALLS FOR MORE FUNDING, BETTER TEACHERS  
Philadelphia Inquirer -- April 4, 2005  
by Dan Hardy

To really "leave no child behind," we must give low-income and minority students better resources and better teachers, rather than simply depend on high-stakes tests and punitive sanctions, a nationally known educator says.

That pointed assessment of the federal No Child Left Behind Law from Linda Darling-Hammond set the theme for a three-day conference at Bryn Mawr College on "Educating All Children: Challenges, Possibilities, and 'No Child Left Behind.' "

In her address Thursday, Darling-Hammond, professor of education at Stanford University and former executive director of the National Commission for Teaching and America's Future, said the achievement gap

between white and minority students had widened since 1990.

Some people explain this by saying that a "culture of poverty" discourages achievement or that some families and communities don't support learning, said Darling-Hammond, a 1973 Yale graduate whose doctorate is from Temple University. She also has taught in several Philadelphia-area school districts.

And, she said, some educators and officials want more accountability, and "typically, what accountability means today is 'we need more testing.' "

But Darling-Hammond had a different explanation: Schools serving minority and low-income students are larger and have larger classes, receive less funding, and have fewer qualified teachers, college prep or advanced placement courses, and computers, books and supplies.

Nationwide, "the top 10 percent of districts spend 10 times more than the bottom 10 percent," she said. "In Pennsylvania, as in most states, the ratio between the high-spending and low-spending districts is at least three or four to one."

When provided with good teachers and comparable curriculums, she said, minority and white students do equally well. But "we have systematically structured what is now an apartheid school system... we have schools that might as well be in South Africa."

She said the No Child Left Behind Law, with its emphasis on testing and sanctions for schools that do not perform well, is not the answer to educational ills. Students in states with assessment tests that are used to target resources for improvement of children's education perform better than children in states where tests are used to impose student or school sanctions, she said.

Darling-Hammond said that many people have come to accept the inequities between better-off and poorer schools. Their attitude, she said, often is, "It's not my problem if your kids can't get an education."

"We have to turn that around... . People who live in places like Bryn Mawr have to be willing to fight for the education of people who live in Philadelphia and Chester. It has to become as much a part of civic responsibility as worrying about our own local community."

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Here is the Dept of Ed press release on what passes for more flexibility in the administration. It gives a link for more info at the end, but as of now it appears there isn't any - I assume the Dept will issue guidance later. Few details, but they created a new

category within disability category, to be up to 2 percent of all students, who can have separate assessments - available to 'good' states only, and on top of in addition to the current 1 percent who can be exempted from AYP due to disabilities - how it will play out in practice, I don't know, but I assume it will have the effect of diminishing the number of failing schools, at least for a while. Monty Neill, FairTest

#### Secretary Spellings Announces More Workable, "Common Sense" Approach To Implement No Child Left Behind Law

New policy remains true to law's mission to raise student achievement, takes into account each state's unique situation

Special education first example of new policy

FOR RELEASE:

April 7, 2005 Contact: Susan Aspey, Samara Yudof  
(202) 401-1576

Under a new approach to implementing the No Child Left Behind law, states will have additional alternatives and flexibility if they can show they are raising student achievement and closing the achievement gap, U.S. Secretary of Education Margaret Spellings announced today. Secretary Spellings made the announcement during a meeting with the nation's state education chiefs and other education leaders at George Washington's Mount Vernon estate near Washington, D.C.

Secretary Spellings said the new guidelines, Raising Achievement: A New Path for No Child Left Behind, are a comprehensive approach to implementing the law and she reiterated that "the bright lines of the statute"-such as annual testing to determine student achievement, reporting results by student subgroups and highly qualified teachers-are not up for negotiation.

"We have learned a lot over the last three years as our infant law has matured, and these past three years have helped us be smarter about how this law is working in the schools," Secretary Spellings said. "These new guidelines show us the way forward given what we've learned. They focus on results for all students, the fundamental mission of the No Child Left Behind Act.

"States that show results and follow the principles of No Child Left Behind will be eligible for new tools to help them meet the law's goals of getting every child to grade level by 2013-14. It's a shared responsibility.

"Think of this new policy as an equation: the principles of the law, such as annual testing and reporting of subgroup data, plus student achievement and a narrowing of the achievement gap, plus overall sound state education policies, equals a new, common sense approach to implementation of No Child Left Behind.

"In other words, it is the results that truly matter, not the bureaucratic way that you get there. That's just common sense, sometimes lost in the halls of the government."

Raising Achievement: A New Path includes the four key principles of No Child Left Behind:

- a.. Ensuring students are learning: Raising overall achievement and closing the achievement gap;
- b.. Making the school system accountable: Including all students in all schools and districts in the state; ensuring all students are part of a state's accountability system and are tested in reading and math in grades three through eight and once in high school by the 2005-06 school year; providing data on student achievement by subgroup;
- c.. Ensuring information is accessible and parents have options: Informing parents in a timely manner about the quality of their child's school and their school choice options, identifying schools and districts that need to improve, developing a dynamic list of after-school tutors, encouraging public school choice and the creation of charter schools and creating easily accessible and understandable school and district report cards; and
- d.. Improving teacher quality: Providing parents and the public with accurate information on the quality of their local teaching force, implementing a rigorous system for ensuring teachers are highly qualified and making aggressive efforts to ensure all children are taught by highly qualified teachers.

"This is a comprehensive approach to the implementation of this law," Secretary Spellings said. "States seeking additional flexibility will get credit for the work they have done to reform their education systems as a whole."

"States that understand this new way of doing things will be gratified. It makes sense, plain and simple. Others looking for excuses to simply take the federal funds, ignore the intent of the law and have minimal results to show for their millions upon millions in federal funds will think otherwise and be disappointed."

Secretary Spellings announced that the first example of this "workable, sensible approach" would be to apply the latest scientific research and allow states to use modified assessments for their students with persistent academic disabilities who need more time and instruction to make substantial progress toward grade-level achievement. These scores will be limited to 2 percent of all students for accountability purposes; this is a separate policy from the current regulation that allows up to 1 percent of all students being tested (those with the most significant cognitive disabilities) to take an alternate assessment.

"This new approach recognizes that these children should not all be treated alike. By relying on the most current and accurate information on how children learn and how to best serve their academic needs, this new policy focuses on children. They continue to be included in the accountability system because we know that otherwise, they risk being ignored, as was often the case before No Child Left Behind."

Secretary Spellings also announced that she was directing an additional \$14 million in

immediate support for these students and that the Department would provide states with a comprehensive tool kit to help them identify and assess students with disabilities.

"It's you-the educators out in the states-who are closing the achievement gap. You're demanding more and getting more. You're refusing to accept old excuses for poor performance. Thanks to your leadership, we are seeing significant educational improvement on a national scale. And as we continue to watch this law grow and mature, we will address other concerns raised by educators-again, as long as the children are learning."

No Child Left Behind is the bipartisan landmark education reform law designed to change the culture of America's schools by closing the achievement gap among groups of students, offering more flexibility to states, giving parents more options and teaching students based on what works. Under the law's strong accountability provisions, states must describe how they will close the achievement gap and make sure all students, including those with disabilities, achieve academically.

More information about today's announcement, including the Secretary's speech and fact sheets on the new policy and the No Child Left Behind Act is available at [www.ed.gov](http://www.ed.gov).

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Wait! There's more. . .

Scientifically proven – Only 2% of children in school are disabled to the point that they cannot reach grade level?

## ALTERNATE ASSESSMENTS FOR STUDENTS WITH DISABILITIES

**WHAT:** The U.S. Department of Education announces a new policy with respect to students with persistent academic disabilities under the bipartisan No Child Left Behind (NCLB) education reform law.

**New Policy:** States may develop modified academic achievement standards and use alternate assessments based on those modified achievement standards for students with persistent academic disabilities and served under the Individuals with Disabilities Education Act. States may include proficient scores from such assessments in making adequate yearly progress (AYP) decisions but those scores will be capped at 2.0% of the total tested population. This provision does not limit how many students may be assessed against modified achievement standards. Individualized education program (IEP) teams

will make the decision about which individual students should take such an assessment.

**Continued Policy:** States may continue to use alternate assessments based on alternate achievement standards for students with the most significant cognitive disabilities. States may continue to include proficient scores from such assessments in making AYP decisions and those scores will still be capped at 1.0% of the total tested population. Proficiency for all other students above the 1% and 2% cap will be measured against grade-level achievement standards. IEP teams will continue making the decision about which individual students should take such an assessment.

**WHY:** Like the regulation for students with the most significant cognitive disabilities, this provision is tailored to the needs of the student while ensuring the goals of No Child Left Behind are achieved. This provision ensures that the success of a child who takes an assessment based on modified achievement standards will count and be recognized for his or her achievement in calculating school and district performance under AYP. This policy is for those students who are not likely to reach grade-level achievement because of their disability in the same timeframe as all other students, but who can make significant progress.

**Research.** This new policy best tracks the available research and findings about students with disabilities. In addition to students with the most significant cognitive disabilities, these findings suggest that there are about 2% of children who are not able to reach grade-level standards, even with the best instruction.

**HOW:** To implement this policy for students with persistent academic disabilities, States must develop modified achievement standards and improved alternate assessments as well as agree to several activities related to assessment, accountability, professional development, and training for IEP team members and teachers.

**Action Plan.** The Department will unveil a comprehensive technical assistance plan designed to help States with these activities. This technical assistance will provide needed resources to improve instruction, assessments, and accountability for all students with disabilities.

**WHEN:** This new policy will be released in a notice of proposed rulemaking later this

spring. The Department anticipates that most States implementing this policy will be able to develop modified achievement standards and assessments based on those standards by 2005-2006 or (at the latest) 2006-07. In the short-term, the Department will establish interim State-specific flexibility agreements that may include amendments to accountability plans