

## NEWS RELEASE

## FOR IMMEDIATE RELEASE

Thursday, October 7

Contacts: Avni Gupta, Yale Law School, (203) 231-9950  
Eliza Leighton, Yale Law School, (203) 464-7977  
Shelley Geballe, Connecticut Voices for Children, (203) 498-4240

## **Connecticut Educators Say *No Child Left Behind* Law In Need of Improvement**

***First-ever statewide survey finds the law's assessment measures, inflexible rules, and lack of funding imperil its promise***

The state and federal government must significantly improve the *No Child Left Behind Act* for the initiative to have a positive effect on Connecticut's schools, according to a new report released by the Legislative Advocacy Clinic at Yale Law School and Connecticut Voices for Children. The *No Child Left Behind Act* is a controversial federal law that sets strict student and school performance requirements for schools that receive federal money.

"No Child Left Behind has the potential to improve education for Connecticut's students, but to do so the law must be adapted to account for the needs and realities of the educators on the ground," said Eliza Leighton, a member of the Legislative Advocacy Clinic, which wrote the report.

The report combined the first-ever statewide survey of superintendents and principals on this issue with site visits and in-depth interviews with school staff in four representative school districts across the state (New Haven, West Hartford, Meriden and New Milford). Among the highlights of its findings:

- **The Act's measures of "Adequate Yearly Progress" in educational performance are fundamentally flawed, because they fail to track students over time, they set unrealistic requirements, and they do not fairly assess the performance of special education or English Language Learning students.** Nearly all superintendents (88%) expressed concerns that the Adequate Yearly Progress measures are not "appropriate and achievable." The Act requires schools to compare one year's students to the previous year's students' performance, rather than tracking the same students over time. Administrators expressed concern about this lack of "longitudinal tracking." As one superintendent explained, "Success should be based on the same students over time, not different groups each year." In interviews and in a written survey, many educators expressed concerns about the tests' appropriateness for special education students, who

are evaluated using the same measures and criteria as other students. One superintendent observed, “Special ed kids are identified for a reason. It’s not a level playing field. The whole assumption that they will make the same gains is ludicrous.” Another concern was the lack of translated versions of standardized tests for English Language Learning (ELL) students, as well as the short time frame within which English language learners are expected to take the tests in English. As a superintendent commented, “They need to recognize that they made a mistake and give ELL kids a waiver that makes sense – at least three years to acquire enough English.” Most principals (57%) felt NCLB had a negative effect on these students.

- **The Act's requirements for teacher and paraprofessional qualifications are inflexible, relying too heavily on formal certification and degrees rather than actual classroom performance.** Nearly two-thirds of superintendents (64%) did not agree that NCLB would lead to an improvement of the quality of the teacher workforce over time. Administrators often found fault with the implicit assumption that certification is equivalent to qualification. One superintendent remarked, “‘Highly qualified’ should first and foremost be a function of actual classroom teaching.”
- **The sanctions schools face under the Act—in particular the sanctions related to not meeting Annual Yearly Progress goals and the labeling of schools as “in need of improvement” and staff as “not highly qualified”—are more likely to hurt rather than help improve student achievement.** Over three-quarters of superintendents (86%) said that the sanctions were not consistent with their efforts to raise student achievement, and over two-thirds (70%) said that the sanctions would hurt, rather than help schools labeled as “in need of improvement”.
- **The federal government has not adequately funded many provisions of the Act, and its full implementation will prove quite costly at the school district level.** Nearly every superintendent surveyed (97%) agreed that the federal government has not provided Connecticut with adequate funds to meet NCLB’s requirements. They reported that the NCLB requirements would impose “substantial” costs on their school districts for test administration (58%), record-keeping (58%), school choice transportation (45%) and supplemental services (50%). A majority of principals (60%) indicated that the Act has diverted funds from extracurricular activities such as music, drama, athletics, and clubs. One third of principals (34%) reported that the Act has taken resources away from academic support services, such as after-school tutoring.

“Without additional federal dollars, school districts will either have to seek additional state and local funds and/or divert existing resources from other school services and activities that are important to the healthy growth and development of our children and youth,” said Shelley Geballe, Co-President of Connecticut Voices for Children.

“We must change the assessment measures and enhance the funding to make this law helpful instead of counter-productive,” said Avni Gupta, a member of the Legislative Advocacy Clinic. “Policymakers at both the federal and state level have a responsibility to make the necessary repairs to this Act.”

As it currently stands, No Child Left Behind is primarily a tool for sanctions based on a random one-day image of a school. The state can fill in the rest of the picture by building a more comprehensive system for accountability. The report calls for some specific changes to state and federal laws and regulations to remove these obstacles and transform *No Child Left Behind* from a tool of punishment to one of progress. They include:

- **Revamping the Act’s Annual Yearly Progress measures to allow for testing of the same students over time, more appropriate evaluation methods for special education students, and translated tests or extended “grace periods” before English Language Learners are tested at their grade level.**
- **Increasing the flexibility to define qualifications and standards for teachers and paraprofessionals.**
- **Enhancing federal funding and making some requirements of the Act contingent on receiving adequate funding.**

The Legislative Advocacy Clinic is part of the Yale Law School’s Jerome N. Frank Legal Services Organization, which provides students and faculty-led representation to individuals and organizations throughout Connecticut who cannot afford private attorneys ([www.law.yale.edu](http://www.law.yale.edu)). Connecticut Voices for Children is a statewide, research-based policy and advocacy organization committed to promoting leadership, policy change, and investments to enable all Connecticut’s children and youth to achieve their full potential ([www.ctkidslink.org](http://www.ctkidslink.org)).

The report, “Early Changes, Enduring Challenges: Connecticut Educators Speak Out About the Impact of the No Child Left Behind Act”, is available at [www.ctkidslink.org](http://www.ctkidslink.org).

**-END-**