



NEWS RELEASE

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States Use Increased Flexibility Under No Child Left Behind Law To Try New Approaches to Helping Lowest Performing Schools

Georgia, Maryland, New York, and Ohio Design Accountability Frameworks That Differ Substantially from Past NCLB Systems

WASHINGTON — September 3, 2009 — A report released today by the Center on Education Policy (CEP) offers new insight on how four states are using flexibility from federal education rules to develop new and diverse strategies to help their lowest performing schools. These strategies are more ambitious and diverse than those originally specified in the No Child Left Behind (NCLB) Act, and shed light on innovations that are likely to be in play as the federal law is reauthorized, the report notes.

The report, *Mining the Opportunities in "Differentiated Accountability": Lessons from the No Child Left Behind Pilots in Four States*, is part of CEP's broader ongoing study of school restructuring under NCLB. The states studied for the report are Georgia, Maryland, New York, and Ohio. The four states studied were among 17 states chosen in the last year by the U.S. Department of Education to participate in a Differentiated Accountability Pilot program, giving them new flexibility to intervene in struggling schools. The program allows them to vary the intensity and type of interventions they use and to focus resources on schools with the greatest needs.

Common Themes Across All Four States

The report finds several common themes emerging from the states' pilot programs. First, all four states have moved away from NCLB labels for schools that fail to make adequate yearly progress (AYP) for two consecutive years and instead are opting for fewer labels and their own terminology for struggling schools. Second, all four states are also putting more focus on schools and districts to use data to inform instruction and other decisions. Third, to ensure that improvement plans have been well implemented, the states have created opportunities for on-site monitoring of at least some of their most academically needy schools.

"These states are using the flexibility in these new pilots to try their own approaches because what schools have been required to do under NCLB has not worked in many cases," said Jack Jennings, CEP's president and CEO. "This experiment shows the need to re-think NCLB's approach to school improvement."

Tailoring Plans to Meet Local Needs

In its report, CEP finds that, overall, the new differentiated accountability systems being implemented in the four states are quite diverse. In particular, each has changed and developed policies and practices for school improvement based on the needs of their schools and what they believe will work best in their states. Georgia, Maryland, and Ohio implemented their differentiated accountability pilots in the 2008-09 school year; New York will begin implementing its pilot in the 2009-10 school year.

Georgia used the new flexibility to accelerate intervention for schools in need of improvement. Interventions that had formerly been reserved for schools that had spent multiple years in NCLB's school improvement process are now provided much sooner. For example, Georgia now requires schools to offer tutoring in year one of school improvement and offers students school choice transfers to higher-performing schools in year two.

In its accountability pilot program, **Maryland** labels schools in improvement differently based on the number of years they have failed to make AYP and the number of subgroups that have contributed to this failure to make AYP. All schools in improvement in Maryland complete a needs assessment, but those in school improvement for multiple years or those where the "all students" subgroup failed to make AYP must complete a school climate survey. In addition, these schools must consult with the state's new "Breakthrough Center" that assists schools improvement.

Beginning in this school year, **New York** will attempt to simplify accountability by merging the state and federal accountability systems and making no distinctions between the supports and labels for schools that receive federal "Title I" funds for disadvantaged students and those that do not. In addition, schools identified for improvement will be grouped into one of just three phases: improvement, corrective action, or restructuring. Schools at all three phases will conduct diagnostic assessments, create two-year improvement plans, and receive additional oversight and support.

Ohio's new accountability pilot, called the Ohio Improvement Process, differs from other state approaches by focusing on high-need districts rather than individual schools. Districts in improvement are categorized for support based on the collective percentage of students not meeting AYP targets across the district. Ohio has also developed new interventions to be used with districts at different levels of need.

CEP is releasing three additional state-specific reports that analyze NCLB school restructuring efforts in Georgia, Ohio, and New York. To **request any of these reports**, contact Chloe Louvouezo at (202) 955-9450, ext. 320 or clouvouezo@communicationworks.com. Other CEP publications are available at www.cep-dc.org.

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Based in Washington, D.C., and founded in 1995, by Jack Jennings, the Center on Education Policy is a national independent advocate for public education and for 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. The Center does not represent special interests. Instead, it helps citizens make sense of conflicting opinions and perceptions about public education and create conditions that will lead to better public schools.