



## **No Child Left Behind Fact Sheet on Sanctions for Schools In Need of Improvement**

### **What is the No Child Left Behind Act of 2001?**

The *No Child Left Behind (NCLB) Act of 2001* is a major legislative reform of the *Elementary and Secondary Education Act (ESEA)*—the principal federal law affecting education from kindergarten through high school) that is designed to improve student achievement and change the culture of America's schools. Enacted on January 8, 2002, the 2003-2004 school year is the second year of implementation of NCLB. Title 1 of the Act focuses on improving the academic achievement for the disadvantaged.

### **What are the principal components of NCLB?**

The objectives of NCLB are built on four themes: (1) accountability for results; (2) an emphasis on doing what works based on scientific research; (3) expanded parental options; and (4) expanded local control and flexibility. Issues that significantly impact speech-language pathologists and audiologists in school settings include:

- ∄ “highly qualified” teachers and paraprofessionals;
- ∄ use of accommodations, modifications, and alternate assessments for students with disabilities;
- ∄ assessment of English language learners;
- ∄ sanctions for schools identified as in need of improvement, including the provision of supplemental services; and
- ∄ accountability and adequate yearly progress.

### **What does the term *in need of improvement* mean?**

Under NCLB, every state must set the goals that each school must meet. Schools that do not make adequate yearly progress (AYP) for two consecutive years will be identified as needing improvement.

### **Who determines if a school or district is making AYP?**

States must determine if each school and district (even those that do not receive Title I funds) make AYP.

### **What is the school improvement timeline?**

- Year 1: Miss AYP
- Year 2: Miss AYP / School Improvement Year 1 (choice)
- Year 3: Miss AYP / School Improvement Year 2 (supplemental educational services)
- Year 4: Miss AYP / Corrective Action
- Year 5: Miss AYP / Restructure (planning year)
- Year 6: Miss AYP / Restructure (implement plan)

## **Year 2: School Improvement Year 1**

- € Each Title I district must identify for school improvement any Title I school that fails to make AYP for 2 consecutive years.
- € Identification must take place before the beginning of the school year following the failure to make AYP.
  - € Within 3 months, an identified school must develop a school plan, in consultation with parents, school staff, district, and outside experts.
  - € Parents have the option to transfer to another public school in the district not in school improvement.

## **Year 3: School Improvement Year 2**

If a school fails to make AYP for 3 consecutive years, by the end of the first full year after identification the district must—

- € continue to provide technical assistance;
- € continue to make public school choice available; and
- € make supplemental educational services available.

## **Year 4: Corrective Action**

If a school fails to make AYP for 4 consecutive years, by the end of the second full school year after identification the district must—

- € continue to make public school choice available;
- € continue to make supplemental services available;
- € continue technical assistance;
- € identify the school for corrective action; and
- € take at least one of the following actions:
  - replace school staff relevant to the failure;
  - institute and implement a new curriculum
  - significantly decrease management authority in the school;
  - appoint outside experts to advise the school;
  - extend school year or school day; or
  - restructure internal organization of the school.

## **Year 5: Restructure (planning year)**

If a school fails to make AYP for 5 consecutive years, after one full year of corrective action the district must—

- € continue to make public school choice available;
- € continue to make supplemental services available; and
- € prepare a plan to restructure the school.

## **Year 6: Restructure (implement plan)**

By the beginning of the next school year, the district must implement one of the following alternative governance arrangements consistent with State law:

- € reopen school as a public charter school;
- € replace all or most of school staff, including the principal;
- € enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness to operate the school;
- € have the state takeover; or

€ impose another major restructuring of the school's governance arrangement.

### **How many schools are in need of improvement?**

According to state departments of education, more than 7,000 schools nationwide are considered in need of improvement—a significant number of them are in the second year of this status. Therefore, the disadvantaged students who attend those schools are eligible for extra help. Each state is also required to publish a list of schools deemed to be in need of improvement. Individuals may contact the U.S. Department of Education, which is tracking school improvement for parents.

### **What are supplemental educational services?**

Supplemental educational services refer to tutoring and other supplemental academic enrichment services, usually in reading, language arts or math. This extra help can be provided before or after school, on weekends, or in the summer. Supplemental services are available to students from low-income families who attend schools that have not made adequate yearly progress for two years, as well as schools that have not improved after the initial two-year period, and are subject to corrective action or restructuring.

### **What entities can serve as supplemental service providers?**

Providers may include non-profit entities, for-profit entities, local educational agencies, public schools, public charter schools, private schools, public or private institutions of higher education, and faith-based organizations. All providers must meet the same identification criteria developed and applied by the state educational agency (SEA) and must undergo the same selection process. No entity can automatically be considered a supplemental services provider. The SEA must maintain a list of all approved providers in the State.

### **Can a speech-language pathologist (SLP) apply to be a supplemental educational services provider?**

Yes, an SLP can apply to become a supplemental educational service provider if he/she is organized as a non-profit or for-profit entity and meets the applicable statutory and regulatory requirements, as well as the State's criteria for approval. For more information on how to become a supplemental educational services provider, contact your state education agency.

### **Resources:**

U.S. Department of Education website on supplemental services:

<http://www.ed.gov/parents/academic/involve/suppservices/index.html>

U.S. Department of Education link to state education agencies:

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