

# Accountability: AYP and Sanctions for Low-Performing Schools and Districts

## Issue #5: Should AYP be maintained, tweaked, or scrapped?

### Current Law

The requirements for Adequate Yearly Progress are set forth in Section 1111(b)(2)(C) (Title I). AYP is both a school rating system (schools either “meet” or “do not meet” AYP goals each year) and a trigger for a series of consequences. Prior to NCLB, AYP applied only to schools receiving Title I funds. Since 2001, states have been required to have one definition of AYP that applied to all schools in a state (though AYP triggers consequences only in Title I schools). The new definition has both a “status” and a “progress” component. More recently, the Department of Education has permitted states to incorporate growth models as part of their AYP definitions. Here’s some more nitty-gritty:

- **Performance targets (status).** States are required to include annual statewide measurable objectives for improved achievement in reading/English language arts and math for all students as well as for specific groups, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency. The overall goals are set so that all students will meet the “proficient” level by the end of the 2013–14 school year. AYP is based primarily on state assessments; one additional academic indicator is required (graduation rates in high school and typically attendance rates in elementary and middle school) and other indicators are permitted, but they may not be used to change the identity of schools otherwise subject to improvement under Section 1116. Each student group must meet the statewide achievement goal for a school to make AYP. At least 95 percent of each group must participate in state assessments.
- **Safe harbor (progress).** In cases where a group does not meet the state goal, the school can be considered to have made AYP if over the course of the year it reduces by at least 10 percent the number of students in that group not reaching the proficient level. Because of this safe harbor provision, schools can continue to make AYP, even if they do not reach, or even come close to, 100 percent proficiency.
- **Growth models.** Regulations issued by the Department of Education in 2008 codified the Growth Model Pilot Program, which was launched in 2007. These regulations allow states to request waivers in order to incorporate growth into their definitions of AYP, so long as they meet certain conditions. For example, states could not expect different subgroups to make progress at different rates. Growth models that require only a year’s growth in a year’s time are also not adequate, since they would not result in sufficient growth toward the proficiency goal.<sup>8</sup> By 2010, seventeen states had implemented growth models, and thirteen were in the process of developing them.<sup>9</sup>

<sup>8</sup> For more information on the detailed requirements for growth models, see Secretary Spellings’s policy letter to chief state school officers, August 18, 2008, <http://www2.ed.gov/policy/gen/guid/secletter/080818.html>.

<sup>9</sup> Sarah D. Sparks, “Study Flags Drawbacks in Growth Models for AYP,” *Education Week*, April 6, 2011, <http://www.edweek.org/ew/articles/2011/04/01/27growth.h30.html>.

## Background

There is widespread consensus that AYP needs to be fixed, if not scrapped. Here are some of the major complaints:

- **Too many ways to fail.** AYP is currently a pass/fail system: Either schools make AYP, or they don't. But because AYP is measured separately for reading and math, and every subgroup must meet performance targets, there are dozens of ways for schools not to make AYP. While states have had flexibility to tailor interventions differently for schools that miss AYP due to one subgroup (as opposed to schools that miss it because the vast majority of students are not proficient), the perception has been that once a school misses AYP it is a “failing” school.
- **Incentive to keep standards low.** Congress recognized that there would be a built-in incentive for states to lower their proficiency standards in order for schools to make AYP, which is why it required states to participate in the National Assessment of Educational Progress (NAEP). The idea was that the rigor of state expectations—or lack of rigor—would be transparent, thus providing an incentive for states to aim high. Still, while there hasn't been an out-and-out “race to the bottom,” there is reason to believe that AYP has discouraged states from defining “proficiency” at a high level.<sup>10</sup>
- **Possibility of gaming the system.** States have the flexibility to set annual measurable objectives. Some have chosen a linear tack to 100 percent proficiency, while others are waiting until the very end to make the most gains. States also can have significant impact on the effect of AYP targets through their “minimum group size” and “confidence interval” decisions. States decide whether particular subgroups of low-income or LEP students, for instance, are large enough that their test results are counted separately for determining their school's AYP status, in addition to being counted within the general school population. A low minimum group size would mean that more schools would be held accountable for the achievement of subgroups. States can also apply confidence intervals (margins of error) to schools' proficiency rates, which means that schools can make AYP even if they do not come close to meeting their performance targets.<sup>11</sup>

In short, AYP's complexity makes it hard to understand—and hard to trust.

<sup>10</sup> John Cronin, Michael Dahlin, Deborah Adkins, and G. Gage Kinsbury, *The Proficiency Illusion* (Washington, D.C.: Thomas B. Fordham Institute, 2007), <http://www.edexcellence.net/publications-issues/publications/theproficiencyillusion.html>.

<sup>11</sup> For a discussion of these issues, see John Cronin, Michael Dahlin, Yun Xiang, and Donna McCahon, *The Accountability Illusion* (Washington, D.C.: Thomas B. Fordham Institute, 2009), <http://www.edexcellence.net/publications-issues/publications/the-accountability-illusion.html>.

## Options

**Option 5A:** Maintain the basic structure of current AYP requirements, but allow for growth models that ensure that students are on track to achieve proficiency within three years. Add science to AYP measures. Eliminate or postpone the 2014 deadline.

Pros	Cons
<ul style="list-style-type: none"> <li>• Allows for individual measures of student growth, making the identification of truly “failing” schools (those with low test scores <i>and</i> making little progress) more accurate</li> <li>• Maintains the current law’s focus on the performance of subgroups—which can encourage schools and districts to focus on children who had previously been “left behind”</li> </ul>	<ul style="list-style-type: none"> <li>• Maintains AYP’s Rube Goldberg-like complexity</li> <li>• Continues to provide dozens of ways for schools to fail to make AYP</li> <li>• Maintains an incentive to keep proficiency cut scores low (since it is easier to show progress toward these scores)</li> </ul>

**Option 5B:** Set a new goal, to be met by 2020, that all students will graduate from high school ready for college or a career. Require states to set performance targets (based on whole-school and subgroup achievement) to ensure that schools are on track. Include a measure of student growth. Require states to include math and reading results and graduation rates in their accountability measures. Require science achievement and growth to be reported. (Administration’s proposal)

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<ul style="list-style-type: none"> <li>• Allows for individual measures of student growth, making the identification of truly “failing” schools (those with low test scores <i>and</i> making little progress) more accurate</li> <li>• Maintains a sense of urgency with the 2020 deadline</li> </ul>	<ul style="list-style-type: none"> <li>• Seems to create a predicament similar to that created by the 2013–14 proficiency goal—that is, the 2020 goal of college and career readiness for all graduates encourages states to define weak “readiness” targets</li> <li>• Maintains most of the current law’s complexity</li> </ul>

**Option 5C:** Eliminate AYP altogether. Instead, require states (as a condition of Title I funding) to adopt a school rating system (pegged to college and career readiness and, for high schools, graduation rates) that provides transparent information to educators, parents, and taxpayers alike. Require state systems to include the following elements:

1. **Annual reporting.** States must rate all schools on their effectiveness every year.
2. **Multiple labels.** State rating systems cannot be pass/fail, but should indicate a range of effectiveness. States could adopt an A–F rating system, for example.
3. **College and career readiness.** The primary benchmark in school ratings should be their effectiveness in preparing all students to be college- and career-ready. High schools should be judged, in part, by how many of their students graduate ready for college or a career (as determined by state assessments). All schools should be judged, at least in part, by how many of their students are on a trajectory to reach college and career readiness by the end of the twelfth grade. States should have the flexibility to determine how to develop these trajectories.
4. **Student growth.** Individual student growth must feed into a school’s rating system, though states should have the flexibility to determine the specifics of this requirement. States must have data systems that make this possible.
5. **Tested subjects.** States must report separately their schools’ reading, math, science, and history scores.
6. **Disaggregated data.** Data must be reported by disaggregated subgroups (racial/ethnic groups, low-income, etc.) as required by current law. In addition to releasing “proficiency rates” by subgroups, states should also release scale scores and percentile rankings for these groups, as well as data on student progress. (This will enable watchdog groups to develop their own school rating and reporting systems and to monitor the state systems.)
7. **Subgroup performance.** State rating systems must incorporate subgroup performance into school ratings. Schools may not receive the highest rating if any of their subgroups is performing poorly.
8. **Participation rates.** Schools must continue to report aggregate and disaggregated student participation rates on tests.
9. **Graduation rates.** States, districts, and schools must report an adjusted cohort graduation rate, as required by current regulations.
10. **NAEP.** Schools must participate in state NAEP exams, as required by current law; they should also be required to participate in science and U.S. history NAEP exams.
11. **Peer review.** State systems should be subject to federal peer review to ensure that all requirements are being met.
12. **Penalty.** Title I funds may be withheld if a state is determined not to have met transparency requirements.

Pros	Cons
<ul style="list-style-type: none"><li>• Focuses on transparency and ensuring that data are clear and understandable to parents, teachers, and the public</li><li>• Removes the perverse incentives to lower expectations, because it leaves the details to the states and focuses on “transparency” instead of “accountability”</li><li>• Puts responsibility fully on the states—no more blame shifting or gaming a federal system</li><li>• Allows for a new age of innovation in accountability systems</li></ul>	<ul style="list-style-type: none"><li>• Ensures that similar schools will continue to be treated differently across state lines</li><li>• Assumes sophisticated state data systems, which may be hard to build during this time of limited financial resources</li><li>• Doesn’t prevent states from making questionable decisions that let schools off the hook for the poor performance of some students</li></ul>

### The Reform Realism Position: Option 5C

AYP has outlived its usefulness. Designed to force states to make public the performance of schools’ neediest students, it has become a straitjacket that prevents rating systems from evolving and getting smarter. We propose to replace the current version of “accountability” with “transparency.” In return for federal funds, states should provide reams of data on student performance, sliced and diced in every way imaginable, and pegged to standards and tests that are meaningful. When it comes to turning those data points into school ratings, states should have plenty of flexibility. In turn, state and national watchdog groups should be able to get the data and offer their own assessments—including those that could be consistent across state lines (at least for states participating in the Common Core assessments). And states should continue to participate in NAEP as an external check.

Eliminate AYP altogether. Instead, require states (as a condition of Title I funding) to adopt a school rating system (pegged to college and career readiness and, for high schools, graduation rates) that provides transparent information to educators, parents, and taxpayers alike. Require state systems to include the following elements:

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