

Making the 'No Child Left Behind Act' Work

for Children Who Struggle to Learn: A Parent's Guide

Revised August 2005





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SYMBOLS USED IN THIS GUIDE

This NCLB guide for parents uses the following symbols throughout the publication to help you quickly identify information about:

- NCLB provisions that apply to all schools 
- NCLB provisions that apply only to Title I schools 



When the No Child Left Behind Act (NCLB) was signed into law, it ushered in some of the most sweeping changes the American educational system has seen in decades. As a result, NCLB has received mounting attention from school officials, parents, and the media. While both praise and criticism abound, this heightened attention to the quality of public education creates new opportunities to improve services for all students, including those with learning disabilities.

The National Center for Learning Disabilities and Schwab Learning have joined forces to address the special issues, challenges, and opportunities facing parents whose children are struggling to learn. Whether your child is a young learner showing early signs of difficulty, or a student receiving special education services under the Individuals with Disabilities Education Act (IDEA), it is likely that the No Child Left Behind Act is already affecting your child's education in important ways.

This guide introduces you to several key parts of NCLB that you can use as tools to improve educational services for your child. It highlights the law's emphasis on accountability, NCLB's mandate of Adequate Yearly Progress (AYP) for all schools, what these requirements mean for you and your child, what happens if your child's school does not make AYP, and much more.

Today, parents face an educational landscape very different from that of only a few years ago. We hope this guide will help you to navigate the complexities of NCLB, to begin to understand its many new provisions, and — equipped with this knowledge — to further your advocacy efforts on behalf of your child.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Wendorf". The signature is fluid and cursive.

James H. Wendorf, Executive Director
National Center for Learning Disabilities
New York, New York

A handwritten signature in black ink, appearing to read "Jodell Seagrave". The signature is fluid and cursive.

Jodell Seagrave, Managing Director
Schwab Learning
San Mateo, California



The **Elementary and Secondary Education Act (ESEA)** is the nation's major federal law related to education in grades pre-kindergarten through high school. In its most recent Congressional reauthorization, ESEA became known as the **No Child Left Behind Act (NCLB) of 2001**.

Purpose of the NCLB Act

Signed into law in January 2002, NCLB is built on four basic principles:

- Accountability for results
- An emphasis on doing what works based on scientific research
- Expanded parental involvement and options
- Expanded local control and flexibility

Building on the standards-based reform efforts put into place under the previous version of ESEA, NCLB seeks to:

- **Raise the academic achievement of all students**
- **Close the achievement gap between groups of students** that historically perform poorly and their better performing peers

Schools' accountability for the performance of students who struggle with learning is a major focus of NCLB, creating unprecedented opportunities to improve the academic performance of these learners.

NCLB provides federal funds to states and local school districts through its Title I grant program. Currently all states accept Title I funds and about 90 percent of school districts and 60 percent of schools accept funds through a Title I grant. In return, NCLB requires accountability and results from the schools, districts, and states that accept Title I funds.

What All States Must Do

NCLB requires all states that accept Title I funds to bring all students to a proficient level in reading, math, and science by 2014. To achieve that goal, states are required to:

- Develop academic content standards (what a student must know and be able to do) that are the same for every student
- Develop challenging student academic achievement standards (how well students must master knowledge and skills) aligned with the content standards, and describe at least three levels of achievement (basic, proficient, and advanced)
- Develop yearly student academic assessments in reading/language arts, math and science
- Ensure that there is a highly qualified teacher in every classroom by the end of the 2005-2006 school year
- Set yearly progress targets and annual measurable objectives for student progress

- Define the amount of academic progress that school districts and schools must achieve each year in order to reach the proficiency goal by 2014, known as “adequate yearly progress” or “AYP”
- Determine a minimum size for required subgroups of students to be included in yearly progress calculations
- Ensure that school districts assess at least 95 percent of all students
- Ensure the availability of reasonable adaptations and accommodations for students with disabilities
- Produce an annual statewide Report Card of performance and make the report available to the public

Important: NCLB is a complex law that allows much flexibility among states. States are free to extend NCLB requirements to schools that don't accept Title I funds, and some states have done so. Therefore, you are encouraged to investigate your state's policies and procedures regarding its implementation of NCLB. For information on your state's NCLB policies, visit your state's department of education website, using the list available at: http://wdcrobcolp01.ed.gov/Programs/EROD/org_list.cfm?category_ID=SEA

Testing that NCLB Requires of All Schools

Annual statewide academic assessments (or tests) of student progress are the centerpiece of the expanded accountability principle of NCLB. Data from these assessments, combined with other important indicators, are used to determine if schools and school districts achieve AYP.

NCLB Testing Requirements

By the 2005-2006 school year:

Subject area: **Reading/Language Arts & Math**
 Grades tested: Each year, grades 3 through 8
 Once during grades 10-12

By the 2007-2008 school year:

Subject area: **Science***
 Grades tested: Once during grades 3-5
 Once during grades 6-9
 Once during grades 10-12

How NCLB Test Results Are Reported

In addition to reporting the assessment results for the entire school, results must be disaggregated, or broken out, by specific groups of students, including groups that historically underachieve. These groups are known as “subgroups.” A student’s performance data is included in every applicable subgroup. However, the performance of subgroups is only reported, and included in determining a school’s or district’s achievement of AYP, if the size of the subgroup meets or exceeds the minimum size set by the state. The minimum size of each subgroup varies greatly among states. To learn about the minimum size for subgroups in your state, visit your state’s department of education website, using the list available at:

http://wdcrobcolp01.ed.gov/Programs/EROD/org_list.cfm?category_ID=SEA

**Note: While all schools are required to administer science assessments, schools are not held accountable for student performance on science assessments.*

NCLB Subgroup Reporting Requirements:

- Economically disadvantaged students
- Students with disabilities (served under IDEA)
- Students with limited English proficiency
- Students from major racial/ethnic groups

To ensure that the majority of students are included in the assessment program, NCLB also requires schools to test at least 95 percent of the students in the grades assessed, as well as 95 percent of the students within each subgroup.

How NCLB Test Results Are Used

The results of these student assessments, along with other indicators, are used to determine if schools are providing substantial and continuous improvement in the academic achievement of its students and to determine if schools are making AYP.

Schools that do not achieve AYP for two consecutive years, either in overall academic achievement or in the achievement of **any** subgroup, are considered “in need of improvement.” Title I schools must undertake efforts to improve the academic achievement of students through a variety of activities. Those schools that persistently fall short of AYP goals must also provide new options for parents, as well as be subjected to a variety of corrective actions designed to improve performance. (See “Options for Students in Low-Performing Schools,” page 19.)

How Title I Can Work for You

The Elementary and Secondary Education Act (ESEA) was enacted in 1965 as part of the nation’s war on poverty. Intended to address the inequity of educational opportunities for America’s economically underprivileged children, in its most recent reauthorization ESEA became known as the No Child Left Behind Act.

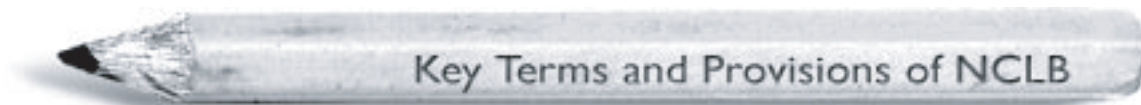
Based on that historic mandate, NCLB provides federal funds to states and local school districts through its Title I grant programs. These federal funds are designed to supplement the state and local funds for schools with large populations of disadvantaged children so that the education for those students can be improved. For fiscal year 2005, Title I grants from the federal government totaled \$12.7 billion.

NCLB applies differently to schools and school districts that accept Title I federal funds than to those that do not. To fully understand your opportunities under NCLB, it’s important to determine if your child’s school is a “Title I school.”

You can contact your school or school district office for information about the Title I status of your child’s school or learn about your child’s school by searching the Public Schools database supplied by the National Center for Education Statistics. Here’s how:

1. Visit the National Center for Education Statistics search page at;
<http://nces.ed.gov/globallocator/>
2. Enter the school name in the “Name” field.
3. Click “Public Schools” under “Institutions.”
4. Click “Search.”
5. Click on the school name in the search results.
6. Click on “More Information” at the top of the school data page.
7. The school’s Title I status is listed in the “School Characteristics” section of the page.

Now that you have some basic information about NCLB goals and structure, read through the “Key Terms and Provisions” on the next page to familiarize yourself with special terms that will be used in this guide.



In the pages that follow, you'll learn how to use these NCLB requirements to help your child.

Academic Achievement Standards

Achievement standards must describe at least three levels of achievement (advanced, proficient, and basic) that define how well children are mastering the material in the academic content standards. Each state determines its own academic achievement standards. *Alternate academic achievement standards* typically reflect reduced depth, breadth, or complexity of learning, while maintaining alignment to the grade-level academic content standards.

Academic Content Standards

Standards that specify what children are expected to know and be able to do; they must be coherent and rigorous, and encourage the teaching of advanced skills. Each state determines its own academic content standards. All students should have access to and be assessed on their enrolled-grade-level content.

Accommodations

Changes in testing materials or procedures that ensure that an assessment measures the student's knowledge and skills, rather than the student's disabilities. Accommodations are generally grouped into the following categories:

- **Presentation** (example: repeat directions, read aloud, use larger bubbles, etc.)
- **Response** (example: mark answers in book, use reference aids, point, use computer, etc.)
- **Setting** (example: study carrel, special lighting, separate room, etc.)
- **Timing/Scheduling** (example: extended time, frequent breaks, etc.)

Adequate Yearly Progress (AYP)

Annual improvement that states, school districts, and schools must make each year in order to reach the NCLB goal of having every student proficient by the year 2014. The AYP requirement holds schools accountable for continuous progress in student achievement in reading/language arts and mathematics.

Annual Statewide Academic Assessment

Another term for student "testing" used to measure student performance and progress. Annual assessments must be aligned with your state's challenging academic content standards and challenging academic achievement standards.

Achievement Data by Subgroup

Student performance data sorted into student subgroups. The NCLB requirement for this disaggregated data is designed to help school districts and schools close the achievement gap between subgroups of children who have historically underachieved and their better performing peers. In order to make AYP, schools must test at least 95 percent of their students in each of the subgroups.

Highly Qualified Teachers and Paraprofessionals

New educational requirements for teachers and paraprofessionals (often referred to as aides), designed to ensure that all students are taught by highly qualified instructional staff.

Parent Involvement and Empowerment

An array of requirements designed to improve parental involvement, particularly in low-performing schools, as well as provide information on school performance, teacher qualifications, graduation rates, and other critical performance indicators.

Professional Development

Training that must directly address the academic achievement problem that is resulting in the lack of student progress. Title I schools not achieving AYP must spend not less than 5 percent of Title I funds on training for teachers and principals.

State, District, and School Report Cards

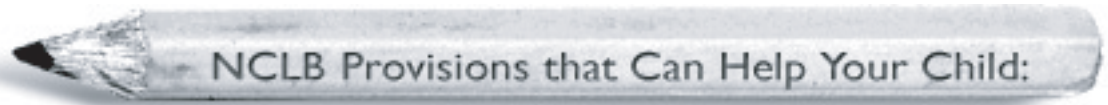
Annual reports that include specific information about the academic achievement of students — both overall and by subgroup — as well as information about teacher qualifications and other indicators of academic quality.

Public School Choice

Opportunities made available to students in Title I schools that are identified as “in need of improvement” that allow them to transfer to another school that is achieving better results. Schools must provide transportation for students who transfer.

Supplemental Educational Services

Opportunities for additional academic assistance for students from low-income families in Title I schools that fail to make AYP for a third year. Supplemental services, including tutoring, remediation, after-school programs, and summer school are provided at no cost to parents.



INCREASED FOCUS ON READING



WHY THIS IS IMPORTANT

Too many of our nation's children experience reading failure. In fact, according to the National Assessment of Educational Progress (NAEP) on reading in 2003, 37 percent of fourth-graders are reading below the Basic Proficiency level. This is the same level of failure that was reported in 1992. While the scores for the nation's highest-performing students have improved over time, those of its lowest-performing students have declined.

Learning to read well in the early grades is a major focus of NCLB. Effective, research-based reading instruction in the early grades can prevent reading difficulties for many children. And, research shows that reading difficulties, left untreated, are much harder to remediate in later grades. Therefore, under NCLB, Title I funds must be used only for effective methods and instructional strategies that are grounded in scientifically based research.

Now, you can use various provisions of NCLB to ensure that your child has access to proven instruction that can pave the way to academic success. NCLB includes a definition of reading, and the essential components of reading instruction. Be sure you are familiar with both!

NCLB Definition of Reading

Reading is a complex system of deriving meaning from print that requires all of the following:

- The skills and knowledge to understand how phonemes, or speech sounds, are connected to print
- The ability to decode unfamiliar words
- The ability to read fluently
- Sufficient background information and vocabulary to foster reading comprehension
- The development of appropriate active strategies to construct meaning from print
- The development and maintenance of a motivation to read

NCLB's Five Essential Components of Reading Instruction

The term "essential components of reading instruction" means explicit and systematic instruction in:

- Phonemic awareness
- Phonics
- Vocabulary development
- Reading fluency, including oral reading skills
- Reading comprehension strategies

A Plan to Help

School districts that receive Title I funds are required under NCLB to have a plan to help low-achieving children meet challenging academic standards. Information from student assessments should be used to identify learning problems and improve instruction for individual students.

To meet NCLB requirements, the school district's plan must include:

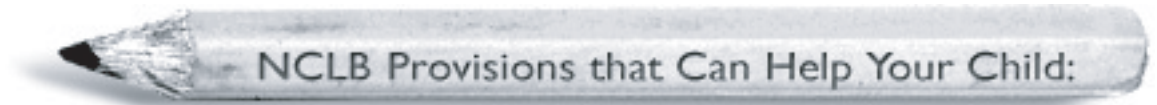
- How student assessments will be used to effectively identify students who may be at risk for reading failure or who are having difficulty reading, through the use of screening, diagnostic, and classroom-based instructional reading assessments
- A description of how the district will provide additional educational assistance to individual students assessed as needing help
- A description of how the district will coordinate and integrate Title I services with other educational services, such as services for children with disabilities

This plan is a public record, so feel free to ask to see your district's plan.

ACTIONS PARENTS CAN TAKE

To make sure the school is meeting the NCLB requirements above, which can improve your child's academic performance, find out if:

- Your child is receiving research-based reading instruction that provides all of the essential components required, particularly in the early grades
- Your school is utilizing reading assessments that adequately determine any difficulties your child may have in learning to read, and the potential causes of such difficulties
- Your school is providing additional educational assistance, tailored to specific needs identified by the assessments, in order to enable your child to meet the state's academic achievement standards



IMPROVED OPPORTUNITY TO LEARN

NCLB requires states to assess all students against the same high academic standards. (See box below.) This means that your child must have the opportunity to learn the academic content on which the state tests are based.

WHY THIS IS IMPORTANT

Currently, students receiving special education services for learning disabilities (LD) aren't making adequate gains. Recently released findings of a study of special education students at the secondary level reveal that more than two-thirds are reading three or more grade levels behind. Twenty percent are reading five or more grade levels behind.¹

Until now, many students with disabilities, including learning disabilities, have been excluded from state and local assessments or tested at levels far below their grade assignment. Many states have failed to comply with the federal Individuals with Disabilities Education Act (IDEA) requirements to assess all special education students and publicly report the results of those assessments. Because of this lack of accountability, your child may not have been given the opportunity to learn the same content that general education students were learning. In fact, only seven states — Arizona, Colorado, Hawaii, Illinois, Minnesota, New Jersey, and South Carolina — require that the Individualized Education Programs (IEPs) of special education students address state content standards — the same standards on which NCLB assessments are based.²

This lack of exposure to the general education curriculum at the appropriate grade level frequently results from a student's reading deficits. After all, if your child can't read at or near grade level, it is difficult if not impossible for him to understand the material. NCLB's requirements to test every student against the same academic standards will help improve the opportunity for special education students to learn. (For additional information on assessment options for students with disabilities, see "School Accountability through Student Assessment," page 15.)

Important: Under NCLB provisions, only a very limited number of special education students can be tested using alternate assessments based on either modified or alternate academic achievement standards developed by the state. Testing special education students using tests for students in lower grades (generally called "out-of-level" or "instructional-level" testing) falls under the same strict limitation.

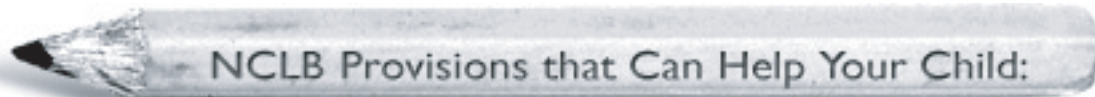
1. Wagner, M., Marder, C., Blackorby, J., Cameto, R., Newman, L., Levine, P. & Davies-Mercier, E. (with Chorost, M., Garza, N., Guzman, A. & Sumi, C.). Youth with Disabilities: The Achievements of Youth with Disabilities During Secondary School, reports from the *National Longitudinal Transition Study-2 (NLTS2)*, 2003.

2. Quality Counts 2004: Count Me In, *Education Week*, January 8, 2004.

ACTIONS PARENTS CAN TAKE

To make sure the school is meeting the NCLB requirements above, which can improve your child's academic performance, find out if:

- Your child is being given access to the same curriculum, based on your state's academic content standards (see page 7), as students without disabilities; and is being provided the opportunity to learn the academic content on which the annual performance assessments are based
- Your child's teacher uses test results to identify areas where your child needs extra help
- Your child's Individualized Education Program (IEP) contains information about how your child will be taught grade-level content in core academic areas such as reading and math
- Your child is provided the necessary accommodations in order to learn grade-level content



BETTER TRAINED TEACHERS

WHY THIS IS IMPORTANT

Well-trained, highly qualified teachers and paraprofessionals are essential to improving your child's academic success. Unfortunately, poorly trained, uncertified teachers are teaching too many children.

A recent survey showed that roughly 10 percent of special education positions nationally — more than 39,000 positions — are filled by uncertified personnel who serve approximately 600,000 students with disabilities.³

“Highly Qualified” Teachers

To help improve the nation's teaching force and put a qualified teacher in every classroom, NCLB requires that:

- Ⓐ All general education teachers of core academic subjects* must be “highly qualified” by the end of the 2005-2006 school year in each core subject they teach. To be considered highly qualified, teachers must have a bachelor's degree and full state certification or licensure, and demonstrate content mastery in each subject they teach. Elementary school teachers must demonstrate knowledge of teaching reading and math. Some exceptions apply. For example, teachers hired after the start of the 2002-03 school year to teach in Title I schools had to meet the highly qualified teacher requirement when hired, while multi-subject teachers in small rural schools have some added flexibility in meeting the highly qualified teacher requirements.
- Ⓐ All special education teachers (whether they teach core subjects or not) must be “highly qualified” by the end of the 2005-2006 school year. To be considered highly qualified, special education teachers must hold at least a bachelor's degree; and obtain full state special education certification or equivalent licensure.
- Ⓐ In addition to the above requirement, special education teachers who provide direct instruction in core academic subjects* must also demonstrate competence in all the core subject areas they teach. Special education teachers who provide consultative services to highly qualified general education teachers need not demonstrate subject-matter competency. Some special education teachers have different requirements to be considered highly qualified. One example is special education teachers who teach students with disabilities who are assessed against “alternative academic achievement standards” under NCLB, presumably the students with the most significant levels of cognitive disabilities. Another example is new special education teachers who teach two or more core academic subjects and who are highly qualified in either math, language arts, or science.
- Ⓐ General and special education teachers who hold emergency, temporary, or provisional certification do not meet these requirements.

Note: The highly qualified requirements do not apply to private school teachers in either general or special education.

- Ⓘ Paraprofessionals in Title I programs must complete two years of college or pass a rigorous skills test by the end of the 2005-2006 school year. Paraprofessionals may not provide instruction unless under the direct supervision of, and in close proximity to, a highly qualified teacher. Paraprofessionals who provide translation services, health related services, or conduct parent involvement activities are not subject to these requirements.

* Core academic subjects include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. Special education is not considered a core academic subject.

3. Westat, *Study of Personnel Needs in Special Education*, 2002.

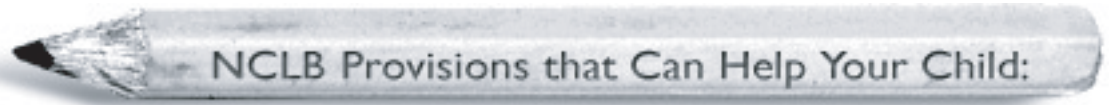
Professional Development

- **TI** In addition to the teacher quality requirements of NCLB, Title I schools that do not achieve adequate yearly progress goals must spend at least 5 percent of Title I funds on high quality professional development for teachers and principals. These professional development activities must directly address the academic achievement problem that caused the school to be identified as "in need of improvement."
- **TI** In addition, schools identified for improvement must:
 - Incorporate strategies based on scientifically based research that will strengthen the core academic subjects in the school.
 - Establish annual, specific, and measurable objectives for continuous and substantial progress by each subgroup of students, including students with disabilities.

ACTIONS PARENTS CAN TAKE

To make sure the school is meeting the NCLB requirements above, which can improve your child's academic performance, find out if:

- A highly qualified teacher, who is knowledgeable in the content area of instruction, is teaching your child. If your child routinely receives instructional support from a paraprofessional or teacher's aide, find out if the paraprofessional is both highly qualified and well supervised.
- **TI** Note: If your child attends a Title I school, you have the right to request information about the qualifications of your child's teacher(s), including whether the teacher has met the state qualification and licensing criteria, whether the teacher has an emergency or provisional status, and details about degrees held.
- Ongoing professional development activities are available to teachers at your child's school. If your child's school did not achieve adequate yearly progress, ask if the training activities are designed to address the academic weaknesses of the school.



SCHOOL ACCOUNTABILITY THROUGH STUDENT ASSESSMENT

WHY THIS IS IMPORTANT

The annual testing requirements of NCLB, particularly in the early grades, are keys to improving the academic performance of **all** students. State assessments (or testing) are the mechanism for checking whether schools have been successful in teaching students the knowledge and skills defined by the state content standards. For that reason, these assessments must be aligned with each state's high academic standards and, with only limited exceptions for students with significant cognitive disabilities, **all** students must be tested against the **same** standards. Schools that test less than 95 percent of the total student body, or less than 95 percent of each subgroup, will not achieve the adequate yearly progress (AYP) required by NCLB.

Important: States have the flexibility to add "high stakes" for students to their state accountability systems. In some states students are required to pass one or more high school assessments to receive a standard diploma. Some states require students to achieve at certain levels on assessments to be promoted to subsequent grades. However, **such "high stakes" are not a requirement of NCLB.**

Accommodations **ALL**

Students with disabilities, including those with learning disabilities, must be provided the necessary reasonable accommodations to fully participate in all statewide and district-wide assessments. You and the other members of your child's Individualized Education Program (IEP) team or Section 504 team will make all decisions regarding the accommodations your child needs to fully participate in the state assessments. Those accommodations should be part of your child's IEP or Section 504 Plan. Students with Section 504 Plans must participate in the regular grade-level assessments, with or without accommodations, while students with IEPs have several assessment options.

Assessment Options **ALL**

Special education students have several test options. Your child's IEP team will determine the assessment option that's right for your child. While it is the responsibility of the IEP team to make decisions about which assessment option is to be used, the team may not exempt your child from participating in the assessments required by NCLB. Options for testing students with IEPs include:

- Regular assessment based on the state's academic content standards scored against the state's grade-level academic achievement standards
- Regular assessment based on the state's academic content standards scored against the state's grade-level academic achievement standards, with appropriate accommodations (as allowed by state guidelines)
- Alternate assessment based on grade-level academic content standards scored against the state's grade-level academic achievement standards, with or without appropriate accommodations. This option is not available in all states.

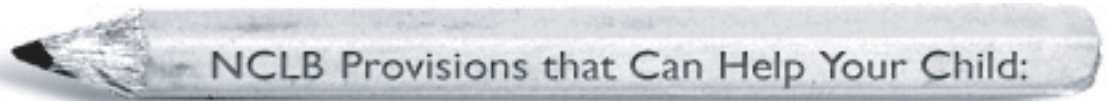
- *Alternate assessment based on grade-level academic content standards scored against modified academic achievement standards with or without appropriate accommodations). This option is not available in all states.
- *Alternate assessment aligned with grade-level academic content standards scored against alternate academic achievement standards, including “out-of-level” or “instructional-level” assessment (See the box on page 11 for a definition of these terms.)

** States are limited on the number of student scores attained under these assessment options that can be counted toward AYP determinations.*

ACTIONS PARENTS CAN TAKE

To make sure the school is meeting NCLB performance testing requirements above, which can improve your child’s academic performance, find out if:

- Your child is being provided all reasonable accommodations necessary to appropriately measure his knowledge
- The assessment option selected for your child will lead to a standard diploma. It is important to fully understand the implications of each assessment option. Alternate assessments scored against *modified* or *alternate* academic achievement standards are reserved for certain students whose impairments may prevent them from attaining grade-level achievement standards, even with the very best instruction. In many states, these assessments will **not** lead to a standard diploma.
- Your child’s academic performance is being measured and reported as part of the total school performance, and as part of all appropriate subgroups. Make sure your child attends school on the days that state assessments are administered.



INCREASED PARENT INVOLVEMENT

WHY THIS IS IMPORTANT

Involved, well-informed parents are an essential ingredient of improving student and school performance. NCLB requires that schools, school districts, and states provide a variety of information to parents.

Report Cards for Schools **ALL**

Issued in the form of Report Cards, this information is designed to give the public timely, easy-to-read reports on the performance of schools and school districts. To meet NCLB requirements, the Report Cards must contain:

- Student achievement data for each school
- Student achievement data for each subgroup within the school (provided the subgroup meets or exceeds the size established by the state)
- Information about the professional qualifications of the teachers

You will also receive information about the **individual** performance of your child on the state assessments required by NCLB. These reports, which are **not** made public, give you objective data on where your child stands academically, particularly in the critically important areas of reading and math.

Unlike the progress reports you routinely receive, such as report cards and progress on individualized goals, including those contained in Individualized Education Programs (IEPs), results on state assessments provide important information about your child compared to where he should be on the grade level of a typical student his age.

NCLB requires that the results of assessments be reported to you **in writing** along with an **explanation of what those test results mean**.

Did You Know? Grades given to secondary school students with disabilities have been found to have no correlation to real academic functioning, misleading parents about how their child is actually performing.

Source: *National Longitudinal Transition Study-2 (NLTS2)*, Youth with Disabilities: The Achievements of Youth with Disabilities During Secondary School, 2003.

Parent Involvement Policies **TI**

In addition to Report Cards, Title I school districts are required to have a parent involvement policy and to distribute their policy to parents. Additional requirements for Title I schools within the district include:

- Providing parents with opportunities to participate in their child's class and to observe classroom activities
- Providing parents with opportunities to inspect instructional materials used in the curriculum

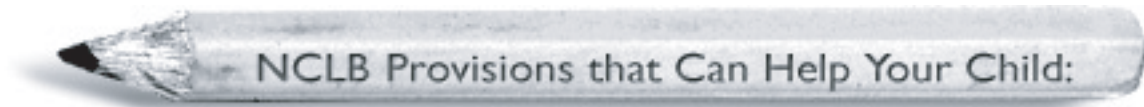
- Notifying parents of their right to request information about the education, training, and qualifications of their child’s teachers and paraprofessionals
- Notifying parents when a teacher who is not “highly qualified” teaches their child for four consecutive weeks

ACTIONS PARENTS CAN TAKE

Use NCLB Report Cards and parent involvement requirements to:

- **Understand the performance of your child’s school.** Pay particular attention to the school’s performance by subgroup, including the subgroup of special education students. If your school’s enrollment in certain student subgroups is less than the state established minimum for AYP determinations, be sure to check the district’s performance by subgroup. The subgroup performance data will let you know if your school and district are teaching all students to high academic standards in reading/language arts and math.
- **Find out if your child is progressing adequately on NCLB assessments of reading and math.** If you do not understand the test results report for your child, ask your child’s school to provide a written interpretation of your child’s performance, including how your child is doing in grade-level equivalents. If your child’s progress is poor, promptly inquire about his specific academic weaknesses and ask for additional assistance for him.
- **Request information on the qualifications of all teachers and paraprofessionals** providing instruction to your child at the beginning of each school year. Find out if they are highly qualified and, in the case of special educators providing direct instruction to your child, are knowledgeable in the core academic content area they are teaching.
- **Observe the instruction and inspect the instructional materials** being used in your child’s classroom. Instructional materials, particularly in the area of reading, must be research based and provide the essential components of reading instruction, as prescribed in NCLB. (See page 9.)

Finding out about your child’s performance on state assessments, along with the performance of the school and important subgroup populations, allows you to be an “informed consumer” on behalf of your child’s educational needs.



OPTIONS FOR STUDENTS IN LOW-PERFORMING SCHOOLS **II**

WHY THIS IS IMPORTANT

If your child attends a Title I school that persistently does not achieve the required amount of academic progress for all students, and for all student subgroups, you now have new options under NCLB. These options include:

- **After two consecutive years of not achieving AYP**, your school must:
 - Offer all children in the school, including special education students, the opportunity to attend another public or public charter school within the district that has met the state goals for adequate yearly progress or AYP. If such a school does not exist within your school district, NCLB encourages districts to seek cooperative agreements with neighboring districts or offer students supplemental educational services (as described below) to help improve their academic achievement.
 - Offer students with disabilities, including those with learning disabilities, school choice opportunities just as is required for non-disabled students. However, the choices your student is offered need not be the same as those for non-disabled students, and in making decisions about school offerings, school districts may match the abilities and needs of students with schools.
- **After three years of not achieving AYP**, your school must:
 - Continue to offer school choice as described above.
 - Offer supplemental educational services (SES), such as academic tutoring, to children from low-income families, at no cost to the families.

States must develop a list of approved providers of supplemental services. Approved providers (which may include individuals or such organizations as educational service agencies, institutions of higher education, faith-based and community-based organizations, or private businesses) must use high-quality, research-based instructional strategies and have a history of success in improving student academic achievement.

For students with learning disabilities, supplemental services providers who can provide the necessary accommodations must be available. (If an SES provider who can provide needed accommodations is not available, the school district must provide the services, either directly or through a contract.) Services provided as “supplemental educational services” should be academic in nature and should correspond to the student’s area of academic weakness, as measured by the state’s assessments in reading and math. Services are in addition to those specialized services required by a student’s Individualized Education Program (IEP), yet must be consistent with such services. As the child’s parent or guardian, you choose the supplemental services provider.

Once your child is eligible for supplemental services, develop a "learning plan" with the school and the supplemental services provider you have selected. An SES learning plan includes:

- ◆ Specific achievement goals for the student,
- ◆ A description of how the student's progress will be measured,
- ◆ A description of how the student's parents and teachers will be regularly informed of that progress, and
- ◆ A timetable for improving the student's achievement.

After four or more years of not achieving AYP, your school must:

- Continue to offer both school choice and supplemental educational services (as described above) while also being subjected to corrective action and restructuring.

ACTIONS THAT PARENTS CAN TAKE

Use the NCLB provisions regarding parental options to:

- **Transfer your child to a school making adequate progress for all students**, including students with disabilities. To make this decision, you will want to:
 - Examine closely the performance of optional schools, including the performance of subgroups such as special education students at those schools.
 - Visit the prospective school and discuss your child's specific needs with the school's staff.
- **Obtain supplemental services for your child**. Even if your school isn't required to provide such services to your child, if your child is performing poorly on the state's reading and/or math assessments you should inquire about the availability of supplemental educational services, at no cost to you, that will help improve your child's academic performance. Supplemental services should not be substituted for specialized services that your child is eligible to receive under the Individuals with Disabilities Education Act (IDEA). Be sure to:
 - Choose a supplemental services provider who is knowledgeable about research-based instructional practices, particularly in the area of reading.
 - Work with your school to develop the learning plan for your child.

Did You Know? In a recent survey of parents of students with disabilities, 69 percent said many children could avoid special education if they were given help earlier.

Source: Public Agenda, *When It's Your Own Child*, 2002



Make the most of provisions of No Child Left Behind to help improve your child's academic achievement! Use this checklist as a guide:

- Learn about your state's plan to implement NCLB. Your state's accountability plans and results are available on the federal Department of Education (DOE) website. To find your state department of education, visit: http://wdcrobcolp01.ed.gov/Programs/EROD/org_list.cfm?category_ID=SEA In addition, NCLB accountability results of all states are available at: <http://www.schoolmatters.com>
- Find out if your child attends a Title I school. Such schools have additional obligations to students and parents. To learn this and other information about your child's school, visit the National Center for Education Statistics search page: <http://nces.ed.gov/globallocator/>
- Know the minimum size your state has set for disaggregation of performance data for each required student subgroup. This information is available in your state's accountability plan found on the state's department of education website.
- Be sure that decisions about the accommodations your child will use when taking NCLB assessments are made carefully. Accommodations for state assessments should be the same as those used in daily classroom testing situations. Accommodations should not be introduced for the first time during a state assessment. Understand the impact that each accommodation will have on your child's test results and be sure that assessment accommodations are in compliance with state guidelines so that the accommodation doesn't invalidate the test results.
- Make sure your child is being instructed on the academic content standards on which the state assessments are based. Ask questions about the instructional level versus the grade level of your child and the methods being used to provide grade-level instruction in core academic areas such as reading/language arts and math.
- Find out if your child's teacher(s) are highly qualified as required by NCLB. If your child routinely receives instructional assistance from a paraprofessional, inquire about both the qualifications and direct supervision of the paraprofessional.
- Make sure your child attends school on testing days. Know when your school is administering state assessments so that your child's performance will count. Participation in state assessments will also provide you with valuable information about your child's level of performance. If performance is low, the assessment data can be used to develop ways to help your child do better.
- Check out your school's Report Card. Know how the school is performing overall and in each subgroup. If the school is failing to make adequate progress for students (AYP), especially students with disabilities, find out how your school plans to address the issue.
- Find out about approved providers of Supplemental Educational Services in your state if your child is eligible for such services. Information from every state is available at: <http://www.tutors4kids.org>



Use the Internet resources listed below to enhance your understanding of how the No Child Left Behind Act may benefit your child.

Resources from the National Center for Learning Disabilities

No Child Left Behind: An Overview

[*http://www.ld.org/advocacy/nclb_overview.cfm*](http://www.ld.org/advocacy/nclb_overview.cfm)

NCLB: Determining Appropriate Assessment Accommodations for Students with Disabilities

[*http://www.ld.org/NCLB*](http://www.ld.org/NCLB)

NCLB: Making the Most of Options for IDEA-eligible Students

[*http://www.ld.org/NCLB*](http://www.ld.org/NCLB)

NCLB: Understanding Assessment Options for IDEA-eligible Students

[*http://www.ld.org/NCLB*](http://www.ld.org/NCLB)

LD Advocates Guide

[*http://www.ld.org/advocacy/tutorial.cfm*](http://www.ld.org/advocacy/tutorial.cfm)

Resources from Schwab Learning

No Child Left Behind and Students with Learning Disabilities: Opportunities and Obstacles

[*http://www.schwablearning.org/articles.asp?r=747*](http://www.schwablearning.org/articles.asp?r=747)

Assessing Students with Learning Disabilities under No Child Left Behind

[*http://www.schwablearning.org/articles.asp?r=786*](http://www.schwablearning.org/articles.asp?r=786)

Opportunities for Supplemental Educational Services under No Child Left Behind

[*http://www.schwablearning.org/articles.asp?r=780*](http://www.schwablearning.org/articles.asp?r=780)

School Choice Opportunities under No Child Left Behind

[*http://www.schwablearning.org/articles.asp?r=778*](http://www.schwablearning.org/articles.asp?r=778)

Other Resources

Accountability for Assessment Results in the No Child Left Behind Act:
What It Means for Children with Disabilities

[*http://education.umn.edu/nceo/OnlinePubs/NCLBdisabilities.html*](http://education.umn.edu/nceo/OnlinePubs/NCLBdisabilities.html)

Choosing a School for Your Child

[*http://www.ed.gov/parents/schools/find/choose*](http://www.ed.gov/parents/schools/find/choose)

NICHY Connections to No Child Left Behind

[*http://nichcy.org/resources/nclb.asp*](http://nichcy.org/resources/nclb.asp)

Wrightslaw: No Child Left Behind

[*http://www.wrightslaw.com/nclb/index.htm*](http://www.wrightslaw.com/nclb/index.htm)

Making the 'No Child Left Behind Act' Work for Children Who Struggle to Learn: A Parent's Guide

Out of a shared hope that the No Child Left Behind Act might be used by parents to benefit their children who struggle to learn, the National Center for Learning Disabilities and Schwab Learning, a program of the Charles and Helen Schwab Foundation, have jointly created this publication.



The National Center for Learning Disabilities, Inc., is a nonprofit organization dedicated to ensuring that the nation's 15 million children and adults with learning disabilities have every opportunity to succeed in school, work, and life. NCLD provides essential information to parents, professionals, and individuals with learning disabilities, promotes research and programs to foster effective learning, and advocates for policies to protect and strengthen educational rights and opportunities. For more information, please visit us on the Web at www.LD.org, at www.getreadytoread.org, and at www.keepkidslearning.org.



Helping kids with learning and attention problems be successful in school and life

Schwab Learning is a nonprofit program of the Charles and Helen Schwab Foundation dedicated to helping kids with learning and attention problems be successful in school and life. Schwab Learning develops and delivers resources that provide parents of kids with learning difficulties, and kids themselves, with practical information, empathic support, and trustworthy guidance. Schwab Learning services are delivered through two websites, one designed specifically for parents at SchwabLearning.org (www.SchwabLearning.org) and another created expressly for kids ages 8-12 at SparkTop.org (www.SparkTop.org), as well as through outreach and community services.

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