

## COUNCIL OF CHIEF STATE SCHOOL OFFICERS

### Summary of NCLB Braintrusts

As part of the ongoing efforts of the Council of Chief State School Officers (CCSSO) to assist states in implementing the No Child Left Behind Act of 2001 (NCLB), CCSSO has been convening a series of “Braintrusts” in key areas of NCLB implementation. The NCLB Braintrusts are designed to bring together state and national experts to examine the most immediate and challenging NCLB issues facing states (and to provide a valuable forum for cross-state interaction in that regard). The goals of each Braintrust are to:

- Identify key NCLB implementation issues and challenges facing states;
- Identify options for addressing those issues that are both legally and educationally sound; and
- Identify open questions that should be addressed with the U.S. Department of Education (USED) and others to help states effectively implement the NCLB.

Each NCLB Braintrust results in a Blueprint that is shared with all states, which captures the Braintrust discussion and provides guidance on key issues, options, and open questions in the given NCLB area. Each Braintrust also includes discussion with USED officials (and often congressional and media representatives as well) to brief them on the discussion and identify next steps.

To date, CCSSO has convened or will be convening several NCLB Braintrusts, including:

- The AYP Braintrust;
- The Braintrust on Small, Rural, and Isolated Schools and Districts;
- The LEP Braintrust; and
- The NCLB Rewards and Consequences Braintrust (scheduled for July 2003).

In preparation for the CCSSO Summer Institute, this document summarizes the NCLB Braintrusts and their status.

I. **AYP Braintrust:** The first NCLB Braintrust (October 2002) focused on helping states define “adequate yearly progress” as required by the NCLB. The Braintrust discussion and subsequent AYP Blueprint described the range of actions steps that each state must take to define AYP, including:

1. Identifying AYP assessment indicators;
2. Establishing starting points for AYP;
3. Setting the timeline for proficiency;
4. Setting intermediate goals and annual measurable objectives;
5. Choosing additional academic indicators for AYP; and
6. Establishing the minimum number for subgroup accountability.

The AYP Blueprint was cross-referenced with USED’s AYP Workbook and peer reviewer guidance and was coordinated with other CCSSO AYP materials – to provide states with integrated guidance on AYP from multiple perspectives. The AYP Blueprint also served an important role in guiding further discussions among states and with USED to identify the full range of options available to states in defining AYP and obtaining AYP Workbook approval.

*Status:* CCSSO continues to promote discussions among states and with USED on emerging AYP issues, and to provide states with guidance on AYP.

II. **Braintrust on Small, Rural, and Isolated Schools and Districts:** This Braintrust (May 2003) focused on the unique NCLB implementation challenges facing states with regard to small, rural, and isolated schools and districts. These challenges affect all states, though they are most prominent in states that are rural and/or sparsely populated. The main topics of discussion included the following:

1. **AYP for Small Schools:** The Braintrust discussed the challenges associated with making valid and reliable AYP determinations for small schools (and districts) even where the overall number of test scores is often far below the “minimum number” for subgroup accountability. The Braintrust identified several options in terms of AYP for small schools, including some potentially important flexibility within the NCLB and USED’s regulations. These options include: (1) making changes within the standard AYP rules (such as using a lower minimum number plus confidence intervals); (2) considering additional data beyond the standard AYP rules for small schools (such as additional student performance data or site visits); and (3) incorporating maximum data into the standard AYP rules (by broadly defining the state “assessment system” for AYP purposes).
2. **School Improvement Consequences:** The Braintrust discussed the challenges associated with implementing the required NCLB consequences in rural and isolated schools and districts – specifically with regard to public school choice and supplemental services. The Braintrust recognized that choice may not be applicable in some cases (as stated in USED regulations and guidance), and the Braintrust focused on options to build capacity for supplemental services, such as the identification and use of seed money for states to build a provider network.
3. **Teacher and Paraprofessional Quality:** The Braintrust discussed the challenges associated with securing “highly qualified” teachers as defined in the NCLB in small, rural, and isolated schools – where the need is often simply to find a teacher and the same teacher often teaches multiple “core academic subjects.” The Braintrust identified some potential options (though many open questions remain), including: (1) establishing a “high, objective, uniform state standard of evaluation” that is meaningful and achievable for current teachers in rural and isolated schools; (2) permitting new teachers to be hired where they are “highly qualified” in their “primary” subject (even where they may teach in additional subjects); and (3) permitting all current teachers – new and old – to meet the state’s “high, objective, uniform state standard of evaluation” over time.

The Braintrust also included discussions with USED officials and a briefing with congressional staff and the media.

*Status:* The Blueprint from the Small, Rural, and Isolated Schools Braintrust discussion is available in draft. CCSSO will use the Blueprint to guide further discussions with USED to solidify options and address open questions, specifically with regard to teacher and paraprofessional quality in small, rural, and isolated schools.

III. **LEP Braintrust:** This Braintrust (May 2003) focused on the NCLB requirements pertaining to limited English proficient (LEP) students under both Title I (curriculum content knowledge) and Title III (English proficiency). The main topics of discussion included the following:

1. **Definition of LEP Students:** The Braintrust discussed how states can set the most appropriate standard to determine what students constitute LEP students. Options include setting a state standard that considers multiple measures and is consistent with Title IX of the NCLB, which does afford potential flexibility to states. However, USED has indicated that the definition of LEP that is adopted for Title I purposes (and, therefore, affects the ability of schools to meet AYP for LEP students) must be the same as that for Title III purposes (and, therefore, inversely affects the ability to show progress on improving English proficiency). The Braintrust also discussed the option of seeking legislative clarification regarding the proper definition of LEP students for AYP purposes.
2. **Inclusion of LEP Students:** The Braintrust discussed how states can ensure that LEP students are included in statewide assessments in a manner that is educationally beneficial and not harmful, including with regard to new immigrants. For example, the Braintrust discussed the option of allowing pre-screening for LEP students to determine the appropriateness of the full statewide curriculum assessments.
3. **Assessment of LEP Students:** The Braintrust discussed how states can ensure appropriate accommodations for LEP students and the proper role of alternative assessments for LEP students, including when it should be feasible and/or appropriate to consider the use of alternative language assessments.

The LEP Braintrust included substantial participation by USED officials.

*Status:* A full report from the LEP Braintrust is forthcoming.

**IV. NCLB Rewards and Consequences Braintrust:** In July 2003, CCSSO will convene this Braintrust to discuss issues related to NCLB rewards and consequences. The main topics of discussion will include:

1. At the federal level, key nonnegotiable requirements and deadlines for state action, and key budget issues (such as supplement not supplant requirements); and
2. At the state level, the development of state rewards and sanctions systems, the next generation of issues regarding AYP sanctions, and the development of state administrative complaint procedures.

The Braintrust will likely include a discussion with key USED officials. A Blueprint will be made available to all states shortly following the Braintrust.