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Public Education Policy And Progress



THE FINAL DAYS OF NCLB: Legislation to Replace No Child Left Behind Act Set to Be Signed Into Law As Soon As This Week

After several years of false starts and other delays, legislation to rewrite the Elementary and Secondary Education Act (ESEA), currently known as the No Child Left Behind Act (NCLB), is set to make its way to President Obama's desk as soon as this week after the U.S. House of Representatives passed the Every Student Succeeds Act (ESSA) on December 2 by a bipartisan vote of 359 to 64. The U.S. Senate could pass the bill as soon as December 8. ESSA makes several major changes to federal education policy and shifts a significant amount of responsibility for students' learning outcomes to states while increasing accountability and support for high schools.

"Today, we helped turn the page on a flawed law and a failed approach to K-12 education," said **House Education and the Workforce Committee Chairman John Kline (R-MN)**. "But more importantly, we adopted a new approach that will help every child in every school receive a quality education. Parents, teachers, and state and local school leaders support this bill because they know it will restore local control and help get Washington out of our classrooms."

While Republicans celebrated the transfer of authority from the federal government to states, Democrats focused on changes to the bill made in the conference committee that restored protections for low-performing schools and students.

"Today's bipartisan vote to reauthorize the ESEA affirms the principles of *Brown v. Board of Education*, which held that 'it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education,' and 'that such an opportunity is a right which must be made available to all on equal terms,'" said **[U.S. Representative Robert C. "Bobby" Scott \(D-VA\), top Democrat on the House Education and the Workforce Committee](#)**. "Fifty years ago, Congress originally passed ESEA to help make that right a reality, and the Every Student Succeeds Act honors the civil rights legacy of that law."

ESSA maintains NCLB's testing requirements so states will still have to test students in reading and math in Grades 3 through 8 and once in high school as well as testing in science once in elementary, middle, and high school, but it jettisons adequate yearly progress (AYP), which required schools to meet annual benchmarks for achievement in math and reading. States will still have to set goals, but they will have much more flexibility in determining those goals. Schools must still take action when students demonstrate low performance, but actions will be determined locally, not federally—a dramatic change from NCLB. And while accountability for high schools under NCLB was based on high school graduation rates and test scores, ESSA

requires the use of additional factors, such as school-climate or access to and success in advanced course work. The decision of whether—and how—to measure teacher effectiveness is left completely to the states.

Regarding high schools, ESSA maintains requirements, such as a common graduation rate calculation and separate reporting of graduation rates for subgroups of students (African American, low-income, etc.), that have helped the nation's high school graduation rate reach an all-time high while reducing the number of dropouts by nearly 30 percent. The bill adds a requirement that states intervene in high schools with graduation rates at or below 67 percent, but it leaves the type of intervention up to states. ESSA also requires school districts to provide support to traditionally underserved students who consistently demonstrate low performance, and it sets aside funds for schools and districts to implement evidence-based interventions.

“A new education law to replace the No Child Left Behind Act has been at the top of educators’ wish lists for many years,” [said Bob Wise, president of the Alliance for Excellent Education](#). “NCLB deserves credit for spotlighting gaps in achievement and graduation rates between white students and students of color, but after thirteen years, it is a DVD in a Netflix world. With more than 4,000 students still dropping out every school day, I am pleased that the Every Student Succeeds Act keeps the nation’s foot on the high school graduation rate pedal while also providing states and districts with a great deal of flexibility and responsibility. States and districts will decide how to act but action must take place. With states in the driver’s seat, I look forward to supporting their work to make every child a graduate, prepared for college and a career.”

ESSA has been widely praised by many groups, including the [National Governors Association](#), which issued its first endorsement of a bill in nearly twenty years; [U.S. Chamber of Commerce](#), [National Education Association](#); and [American Federation of Teachers](#).

U.S. Secretary of Education Arne Duncan also issued a [statement in support of the bill](#), saying that he was “encouraged that the bill passed by the House ... would codify the vision that we have long advocated for giving a fair shot at a great education to every child in America—regardless of zip code. ... Our nation deserves a law that prioritizes both excellence and equity for our students and supports great educators. We are pleased the House has voted in strong bipartisan fashion in favor of a bill that does that, and we look forward to the Senate moving quickly to do the same.”

[White House Press Secretary Josh Earnest said](#) that ESSA will “cement” progress made in raising academic expectations, increasing graduation rates, and sending more students to college than ever before. “This bipartisan compromise is an important step forward, and we look forward to the Senate’s swift passage of this bill.”

The U.S. Senate will vote on ESSA as soon as December 8 and is expected to pass it in strong bipartisan fashion. It will then go to President Obama, who is expected to sign it given the statements of support from Duncan and Earnest.



GOVERNMENT SHUTDOWN BACK IN PLAY?: Congressional Negotiations Continue on Federal Spending Decisions as December 11 Deadline Looms

Although legislation to replace the No Child Left Behind Act is nearing the finish line, work on annual federal spending bills has hit a snag as Republicans and Democrats have been unable to come to an agreement that would wrap all twelve appropriations bills, including the one funding the U.S. Department of Education, into a massive omnibus spending bill. With the continuing resolution (CR) that is currently keeping the government open set to expire on December 11, time for a compromise is quickly winding down while the odds of a government shutdown are increasing.

These developments are a marked change from late October, when congressional leaders and the White House reached an agreement to raise domestic and military spending caps by \$80 billion over two years in one of then-**House Speaker John Boehner's (R-OH)** final acts before leaving the U.S. Congress. By setting high spending caps for Fiscal Year (FY) 2016 and 2017, many observers believed that Republicans and Democrats could avoid contentious budget battles until after the 2016 presidential election. This time, however, disagreements center not on money, but attempts to include significant policy changes targeting Obamacare, Syrian refugees, the environment, and others.

If an agreement is not reached by the December 11 deadline, Congress could pass a short-term CR that would allow negotiations to continue or face a government shutdown.



CLOSING SCHOOLS, OPENING OPPORTUNITIES: Study Finds Closing Low-Performing High Schools Benefits Future Students

Between 2002 and 2008, the New York City Department of Education closed twenty-nine low-performing high schools and opened more than 200 new small schools as part of a series of major school reforms. At the time, the controversial move sparked community protests and even lawsuits. A [series of studies from MDRC](#), a social policy research firm, demonstrates that these small public high schools, which primarily serve disadvantaged students of color, graduate students at higher rates, and produce graduates who are more likely to be ready for college than other New York City high schools. Now a new study from the Research Alliance for New York City Schools finds that these school closures also produced meaningful benefits for middle school students who otherwise would have enrolled in the city's lowest-performing high schools.

When their local high schools closed, this “post-closure cohort” of incoming ninth graders enrolled in other high schools that had higher average attendance and graduation rates and a higher percentage of graduates earning the Regents diploma than the schools the students likely would have attended, according to the report *High School Closures in New York City: Impacts on Students' Academic Outcomes, Attendance, and Mobility*. Furthermore, when they attended these higher-performing high schools, the students in the post-closure cohort likewise demonstrated better academic outcomes than projected for students from the closed schools.

Graduation rates for the post-closure cohort increased by more than 15 percentage points over the rate researchers projected for the closed schools, while the proportion of these students who

earned a Regents diploma increased by more than 17 percentage points over the projected rate, according to the report. The high schools designated for closure had an average graduation rate of 39 percent and only 17 percent of graduates earned a Regents diploma. But, while the “study shows that students who likely would have attended the closed schools fared better elsewhere, they still did not fare well,” the report notes. On average, only 56 percent of students from the post-closure cohort graduated from high school within four years, and less than half of graduates earned a Regents diploma. The students from the post-closure cohort were more likely to remain enrolled in the high school where they started ninth grade, though, compared to the projected mobility trend in the closed schools, and were more likely to remain on track toward graduation throughout the course of their high school careers, according to the Research Alliance report.

“Combined with other recent research that has documented the positive effects of New York City’s small high schools, our results offer support for the strategic use of school closures as part of a multi-dimensional high school reform strategy,” says **Dr. James Kemple, executive director of the Research Alliance and author of the report**, in an [article by New York Public Radio](#) about his findings. “I think it’s important to keep thinking about additional strategies that are going to be required to not only get those students to graduate, but be prepared to succeed in college.”

The twenty-nine high schools designated for closure enrolled more than 50,000 students at the time of the closure decisions and 92 percent of those students were African American or Latino, according to the report. Each of the schools ranked in the bottom 5 percent of all high schools citywide during at least one year preceding the closure decision.

The report notes that, depending on the year, New York City had an additional ten to twenty-nine equally low-performing high schools that district officials did not close. The report uses these similarly low-performing high schools as a comparison group to evaluate and isolate the impact of the closure policy on student outcomes.

Although the report documents clear gains for the post-closure cohort of students, it notes that the school closures alone could not eliminate the achievement gaps that existed between these students and their higher-performing peers. Furthermore, disparities in student outcomes based on race and socioeconomic status still exist citywide, despite the improvements created by the reforms, the report says. Approximately 30 percent of students still do not graduate from high school within four years, including more than half of the city’s African American and Latino young men, the report says.

“This highlights deeply entrenched inequalities in the City’s [sic] schools, where poor students of color lag far behind their more privileged peers on [a] wide range of measures,” the report notes. “Whether or not closures are part of the policy framework, there is a need to invest in these vulnerable students and identify structures and supports that maximize their odds of success.”

High School Closures in New York City: Impacts on Students’ Academic Outcomes, Attendance, and Mobility is available at

http://steinhardt.nyu.edu/research_alliance/publications/hs_closures_in_nyc.



THE DISTRICT ROLE IN GRADUATION RATE IMPROVEMENT: New Report Identifies Promising Practices from Five California School Districts

A new report from American Institutes for Research (AIR) and the California Dropout Research Project (CDRP) at the University of California–Santa Barbara identifies promising practices used by California school districts that saw up to a 26 percentage-point increase in their high school graduation rates from School Year (SY) 2009–10 to SY 2012–13.

“Much of the research on dropout prevention has been focused on school-level programs and policies,” said **Helen Duffy, a senior researcher at AIR and lead author of the study.** “This study allowed us to take a look at successful school districts and learn what factors they considered crucial in reducing their dropout rates.”

The report, *The District Role in Graduation Rate Improvement*, is based on interviews with administrators at five of the ten districts in California with the largest increases in high school graduation rates. At the same time, however, the report acknowledges that many of the districts studied had graduation rates lower than the state average, as shown in the table below. “We cannot say with certainty what caused the growth in graduation rates,” the report notes. “What we report are district and school leader perceptions of what might have contributed to their success.”

School District	Grade 9–12 Enrollment	Graduation Rates 2009–10	2012–13	Percentage-Point Increase
Barstow Unified	1,718	46.6%	72.6%	25.9
Fullerton Joint Unified High	14,607	70.5%	91.6%	21.0
Stockton Unified	10,010	66.1%	82.4%	16.3
Moreno Valley Unified	10,401	65.7%	81.0%	15.3
Tulare Joint Union High	5,306	72.4%	87.0%	14.6
California	1,964,759	74.4%	80.4%	5.7

According to the report, the policies and practices district leaders cited most often include

- allowing students to choose among varied academic programs, often built around career interests;
- offering students a menu of school and credit-recovery options, giving them extra support, and smoothing transitions between high school and higher education;
- improving data systems to spotlight problems and build a sense of urgency, identify students in need of help, drive professional development, and hold schools accountable for progress;
- convening school staff members both within and across districts, and ensuring that the right staff members are in place to implement the programs; and
- partnering with businesses, nonprofits, and higher education campuses.

“Despite recent, overall improvements in high school graduation rates in California and nationwide, there remain vast differences in rates among districts,” said **Russell Rumberger, director of the CDRP.** “The report provides valuable lessons that struggling districts can adopt to improve their graduation rates.”

The District Role in Graduation Rate Improvement is available at http://www.cdrp.ucsb.edu/pubs_reports.htm.

Stocking Stuffer: Special Edition of *Straight A's* to Be Published Later This Month



With a rewrite of the Elementary and Secondary Education Act making its way through the U.S. Congress and toward President Obama's desk and final spending totals still outstanding for the U.S. Department of Education, the Alliance for Excellent Education will publish a special edition of *Straight A's* later this month.

The special edition will tie a bow on both of those items, as well as any other end-of-year education news.

Straight A's: Public Education Policy and Progress is a free biweekly newsletter that focuses on education news and events in Washington, DC, and around the country. The format makes information on federal education policy accessible to everyone from elected officials and policymakers to parents and community leaders. Contributors include Jason Amos, editor; Kristen Loschert; Caroline Waldman; and Kate Bradley.

The Alliance for Excellent Education is a Washington, DC–based national policy and advocacy organization dedicated to ensuring that all students, particularly those traditionally underserved, graduate from high school ready for success in college, work, and citizenship. For more information, visit www.all4ed.org. Follow the Alliance on Twitter (www.twitter.com/all4ed), Facebook (www.facebook.com/all4ed), and the Alliance's "High School Soup" blog (www.all4ed.org/blog).