

The Impact of No Child Left Behind
On an Urban School District

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A. AISD Profile

I thought I'd open by providing a context by telling you briefly about the Austin school district. The Austin Independent School District serves 80,000 students on 107 campuses. We are the 37th largest district in the country. Unlike many urban school districts in the U.S. today, we have a richly, diverse student community. It includes children from all economic levels and all kinds of backgrounds. I estimate 80 percent of the middle-class students in our district go to our public schools. Also unlike many other urban school districts, AISD enjoys widespread community support. Our community just passed a \$520 million school bond package with a two-to-one vote. AISD students come from homes in which 57 different native languages are spoken.

Fifty-three percent of our students are Hispanic, 30 percent are Anglo, 14 percent are African American, and 3 percent are Asian. Almost 58 percent of our students come from low-income families, and 20 percent enter our schools as English-Language Learners. In other words, we look like Texas is going to look in 15 years and like the nation may look in 30 years. Our number of recent immigrant students has tripled over the last five years, and our percentage of students coming from low-income families has grown from 48 percent to 58 percent over a six-year period.

We receive 91 percent of our funding from local property taxes, eight percent from the state and less than one-half of one percent from the federal government. Last year we sent more than \$150 million, or more than one-fifth of our revenue from local property taxes, to other school districts under the state's school finance formula. At the same time, the district's ability to raise revenue through property taxes is restricted because of a state cap on school property tax rates. We have operated on a fixed income for three consecutive years. We also were the lead plaintiff witness in a school-finance case brought by more than 300 Texas school districts challenging the adequacy of the state's school funding formula.

The most important thing I want you to know is that we are an effort-based, standards-based school district. We believe in high standards for every student. We also believe that effort creates ability—through hard work and proven teaching practices every child can become smarter and achieve at high levels. That's our bottom line.

To put this belief into practice, we've implemented a curriculum matrix for teachers to follow based on the state's high standards. We have high mobility within our school district. We want to make sure that if your child changes schools, he or she will finish fifth grade with the same knowledge, the same skill sets and the same understanding as every other fifth grader.

When I came to Austin five years ago, no two schools were speaking the same language about teaching and learning. With a grant from a local foundation, the RGK Foundation, we were able to partner with the Institute for Learning at the University of Pittsburgh to provide staff development for all our principals, curriculum leaders and teacher leaders so that we are all speaking the same language about learning and developing a set of best

practices to guide teaching in every classroom. Over a three-year period, every teacher was trained in these practices, such as Accountable Talk, Clear Expectations, etc. Now we're all able to communicate in a common language. We wouldn't have been able to do that without the support from RGK. We're living on a fixed income. That's how important you can be to turning around a school district through a critical investment at the right time. Money does not solve all problems, but if a school district is ready for change and needs support for a critical component in that change, you can provide the resources to leverage that district to a new higher performance level. The RGK Foundation provided the same impetus three years later by funding a leadership team to guide a set of our lowest performing schools, where we reconstituted the entire teaching and administrative staffs by bringing in only successful, experienced teachers and principals.

B. Accountability

Texas school districts were not taken by surprise by No Child Left Behind. Under Governor Ann Richards, the state had put into place an accountability system that began in the mid-90s with very low bars for reaching acceptability, which were raised each year. A statewide test begun in 1992 was more rigorous than the state's basic skills test used in the 1980s, but it was not correlated with the high standards the state put into place during the late 1990s. At the same time, the state's accountability system did disaggregate scores based on race and income. That was important. A school could not pass if one group within that school was not passing. The same with a school district.

I believe in continuous progress over time. Under the state's system, most school districts throughout the 1990s were making continuous progress over time. They were moving from passing rates in the 30s and 40s to seeing 60 and 70 percent of their students passing. Many districts approached the state's recognized and exemplary range, with 80 and 90 percent passage rates.

Unfortunately, when I arrived in August 1999, Austin was not making the same progress. I was the seventh superintendent in 10 years. But with help from the Institute for Learning and our implementation of a comprehensive, standards-based curriculum, we've been on an upward trajectory. In 1999, we were the lowest performer among the state's large urban districts. Now we're at the top or near the top in every category. Our average SAT scores exceed those of the state and the nation and we have larger percentages of our students taking the test. Our dropout rate has been cut by two-thirds. And in the last year of the state's old accountability system, we had tripled our number of Recognized and Exemplary schools over the previous four years, from 16 to 48, with more than half of those schools having a majority of students from low-income households.

In the 2002-03 school year, the state instituted a much more rigorous battery of high-stakes tests for more grade levels in more subjects. The new accountability system also required passage of the test to advance to the next grade at several key points in a student's career, beginning in 3rd Grade. Students now have to pass tests in Math, Science, Social Studies and English in the 11th Grade in order to graduate the next year. Despite these more rigorous tests, we continue to make progress. We continue to lead the

large urban districts in passage rates. This past year, we made progress as a district in 64 of the 65 disaggregated high school groups (or cells) taking all four tests. The 65th group only regressed by one percentage point. All this progress comes as our recent immigrant and Limited English Proficiency population grows, as our percentage of students living in poverty grows, and as the bars are being raised for passing scores.

C. NCLB

If I haven't said it yet, let me say it now: I believe in accountability. And I believe in accountability for all groups of students. I also believe in continuous progress over time. There is no other way to reform a large public school system without taking a few years to build the capacity of teachers and students. Learning is cumulative. What you didn't learn in second grade will have an impact on what you learn in third grade. Studies have shown that it often takes two or three years to overcome the impact on a child of one year of bad teaching. If a child has low-performing teachers for three years in a row, the studies say, the chances of that student ever succeeding in school are very low.

What does this have to do with No Child Left Behind? While the intentions are good, the implementation is, in many cases, making it more difficult to improve schools over time. Particularly urban schools. I'm not even talking about the fact that the actual funding for the program has not matched the promised funding. I am talking about the way schools improve over time and have the greatest impact on student learning.

If I were to list the three factors that need to be addressed for No Child Left Behind to be fair and, even, useful for improving education, they would be these:

1. Time
2. Fairness in measures
3. Support to get better rather than penalties.

If you're running a school district serving 80,000 students, you will only be successful if you meet the needs of 80,000 unique individuals. This doesn't mean you give every child a separate curriculum. But it does mean that you scaffold the curriculum to meet the needs of students at the high end, in the middle and at the low end, so they all meet the standards while learning with the degree of rigor that best suits their needs at that time. Education must be differentiated to meet the needs of children. No Child Left Behind doesn't recognize that need and penalizes those districts that do not make uniform progress for all kids within each yearly snapshot. Children who arrive in our schools with limited English ability need more time and resources. Children needing special education services, as determined by experts, need more time and resources. We want everyone to reach the finish line by graduating prepared for college and successful careers, but we don't all run at the same speed.

No Child Left Behind requires a uniform speed for all children and for all schools each year. Any educator will tell you that you improve at uneven rates. Richard Elmore at Harvard conducted a study showing that real school improvement happens over the period of several years. You introduce new staff development and resources one year, give them a while to sink in, then you often see great progress the next year, but the

following year the school reaches a plateau while the changes become institutionalized. Once those changes reach equilibrium, then you're ready for more reform, which will go through the same pattern again. No Child Left Behind leaves no room for the development year or the plateau year. Much like corporate shareholders who seek quarterly gains at the expense of long-term planning, NCLB requires yearly gains that do not necessarily correlate with long-term academic improvement.

What does that look like on the ground? As I said earlier, our high school students improved in 64 of 65 categories, disaggregated by race, income, subjects and grades. But you don't get that picture of progress with No Child Left Behind. The same kids. The same progress. Different picture. While as a district, we made Annual Yearly Progress to satisfy federal accountability, five of our high schools and three of our middle schools fell into the "Needs Improvement" category, meaning we have to offer busing to any students in those schools who want to transfer to another high school in the district. These eight schools have 10,000 students. As of last Friday, only 198 students asked for transfers. With one exception, all these schools are making real academic progress. But they are designated as low performing in the federal system because they did not pass one or more of the 29 separate tripwires that a school must pass to be acceptable. Our three middle schools are in this category based on scores by their Special Education and students with Limited English Proficiency.

There must be fairness in measurement. Some of our problems arise from the fact that the designers of NCLB don't trust school districts. They're afraid you'll tell poor students not to attend on test day so your scores will be high. Therefore, they test for participation rates. They're afraid you'll classify poor students as needing Special Education, simply to keep those children out of the testing mix. A few school districts have probably gamed the system in the past. But it is immoral to label a child as Special Education who doesn't qualify or to tell children not to come to school on a test day. It is also immoral and demoralizing to test a child in Special Education at grade level if the experts, as required by federal law, place that child in a course of instruction that is below grade level. I'm sure very few real educators do such things. We want what's best for children.

As a consequence of this lack of trust, however, schools are penalized equally for attendance and achievement. If you have 94.1 percent of your kids show up for the state test instead of 95 percent, as happened for one of our schools, then you are considered out of compliance for participation and penalized as if most of your students didn't pass.

Most children taking Texas' scientifically designed Special Education test instead of the regular test are counted as failures simply because they didn't take the state test on grade level. Federal law requires we have meetings for any child a teacher or parent thinks may have learning disabilities and need special education services. We want to individualize instruction for these children with extra resources so they can be successful. The State of Texas has painstakingly created a separate test for many children in Special Education to accurately measure their academic progress based on the same high state standards. About twelve percent of the students in the state receive some form of Special Education. Under the state accountability system, students are held accountable for passage of that

test on the grade level specified in the child's Individual Education Plan. The federal system, however, says that only one percent of your Special Education students can take the Special Education test below grade level. Any student over that one percent is deemed a failure for not taking the on-grade level test. A failure! That's intolerable. Are we supposed to ignore these children's special needs and make them take the grade-level test, which will certainly make them feel like failures?

This lack of trust also spills over into the Highly Qualified Teacher requirements of the act. We don't need disincentives to force us not to hire unqualified teachers. No superintendent or principal in his right mind would want to hire an unqualified or under-qualified teacher. But if you live in a rural area and need a chemistry teacher or you have more English Language Learners than you can find certified teachers for, you pull out every stop to find qualified teachers. And you may not be successful every time. You don't need to be penalized by the federal government because the teacher supply is short.

Regarding support versus punishment—we will be spending funds we want to use for school improvement to bus some kids to other schools as required by the federal government. So far, the students requesting busing don't seem to be doing so as much for academic improvement as for convenience. Most of these students live in attendance zones that border the attendance zones of high schools they want to attend. You should know that the Austin district has an open transfer policy, meaning you can transfer to any other school in the district that has not reached capacity. They didn't transfer before, but now they're transferring because we are now providing busing to a nearby school. Meanwhile, the funds we spend on busing could go to improving the schools those students are leaving.

The way to improve schools is to find the gaps in achievement through the measuring process and then to address those gaps with best practices and resources. We need to build the capacity of our schools and students. Let me give you an example of the right way to improve schools.

In the late 1990s, Governor George W. Bush announced that third grade reading proficiency would be required for students to move to the next grade level. The State of Texas then devoted extra resources to building capacity in every school district. Over four years, it paid for summer staff development workshops for teachers in Reading, beginning with Kindergarten and proceeding through the 3rd Grade. It gave districts money for summer school for 2nd graders who were not reading at grade level before they entered 3rd Grade. Then it initiated accountability for the test. 97 percent of our 3rd Graders passed the test. It was the same statewide. Investments in our children over time are crucial to long-term student success.

By contrast, we have to implement a promotional exam for fifth graders in Reading and Math to rise to sixth grade. But we have received no additional state aid and no curriculum or staff development training to assist us. I'm afraid that the current emphasis on rapid, regular improvement, the non-differentiation of student starting points, the

preference for penalizing rather than reporting and supporting will ultimately demoralize school districts and break down public support for public education.

There is no quick fix. There is no alternative to building capacity over time. But if we have time and adequate resources, I believe public schools can build a nation of successful learners that will signal a bright future for all of us.

How can foundations help?

Where might you fit into this picture? As I mentioned earlier, the RGK Foundation in Austin provided great support by allowing us to partner with the Institute for Learning to change the teaching culture of our schools through staff development. This same foundation, three years later, helped us answer another important question. The Edison Corporation came to our school board, saying it wanted to contract with us to fix a few schools. Our school board said, No. They said it was my responsibility as Superintendent to fix the schools and they would give me some leeway to do so. I'm glad they did. We reconstituted the teaching staffs and administrators at our four chronically lowest performing elementary schools and two middle schools. We appointed an experienced, highly successful administrator to develop a plan for all six schools and lead them. But we didn't have the funds for instructional specialist and a data person for these schools. Once again the RGK Foundation came to our rescue. In their third year, these schools have made continuous progress.

On a larger scale, the Michael and Susan Dell Foundation has helped us address the gaps we've found in college attendance by our graduates. The foundation is funding a college readiness initiative designed to target the 50 percent of our high school students who would not otherwise be thinking about college. To do this, the foundation is funding AVID in six of our high schools so that we now have it in all high schools; it's funding certified teachers to tutor freshmen in Algebra and Biology so they get over that 9th grade hump and successfully complete high school. And it's putting an extra college counselor or facilitator on every high school campus, whose job it is to make sure every graduating senior applies to college, community college or a technical school and applies for scholarships and financial aid. Our high school applications, scholarship and financial aid awards have gone up significantly in the first two years of this program.

Everything helps. Staff development is expensive because you pay for substitute teachers during the school day or stipends on weekends or at night. But it is crucial. And we are putting together any available funds we have to address the needs of kids coming into our system in middle and high school with little knowledge of English. I don't know any urban school district with enough money. We finally know what to do, but we don't have the funds to do it with. We are about to embark on a major restructuring of our high schools. We're going to make School-to-Career meaningful, building pathways for every child that will move that child to both college and a career. But we can only do what our resources allow. Money without best practices is a waste, but knowing best practices without have the resources to implement them is also a waste.

I thank you for your support for public education. It is the foundation of our democracy. I look forward to our discussion in the minutes ahead.