

The Washington Post

Obama seeks to make No Child Left Behind more flexible

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Wednesday, January 26, 2011

North Chevy Chase Elementary School, with a demanding curriculum, strong faculty and high student test scores, meets nobody's definition of a failure. Nobody's, that is, except the federal government's.

Last year, the Montgomery County school failed to make what the government calls "adequate yearly progress," even though 91 percent of its students passed the state math test and 96 percent passed in reading. The school fell short for the first time because a handful of students with disabilities missed the target in math.

Confusion over the ratings of schools such as this one and thousands of others nationwide is fueling President Obama's drive to [rewrite](#) the nine-year-old No Child Left Behind law. In his State of the Union Address on Tuesday, Obama called for a version that is "more flexible and focused on what's best for our kids."

Senior congressional Republicans and Democrats said Wednesday they would join forces with the president to fix what they call numerous flaws in the law.

No Child Left Behind, which launched an unprecedented expansion of standardized testing, was widely acclaimed when it was enacted in 2002 under President George W. Bush. There were pledges that schools would get serious about closing achievement gaps, while helping every single child reach grade level in reading and math.

Now, the United States may be on the verge of another cycle of reform as schools hit an achievement ceiling. Lawmakers are calling the law rigid, punitive and unrealistic.

"We need to get away from Washington announcing whether schools are passing or failing," said Sen. Lamar Alexander (R-Tenn.).

"We're getting to the point where we're going to have almost every school in the country failing," said Rep. John Kline (R-Minn.), chairman of the House Education and the Workforce Committee. "We're going to have to change that."

[GOP support](#) for key portions of Obama's education agenda signaled that a bipartisan revision of the law is possible, although obstacles remain.

Some Democrats are wary of Obama's efforts to weed out bad teachers and financially reward good ones. Some Republicans are so skeptical of the federal role in education that they want to abolish the Education Department. There may be difficult debates as well over [vouchers](#) to pay for private school in the District and elsewhere.

One of the biggest challenges for the president and his allies will be to create an accountability framework that is flexible and rigorous. Obama wants to replace the federal metric of adequate yearly progress, known as AYP, with more flexible measures that reward student growth. Yet it remains unclear how the government would force improvement of low-performing schools while getting out of the way of those that excel.

Under No Child Left Behind, all schools are required to make progress toward a goal of 100 percent proficiency in 2014 for students tested in grades 3 through 8 and once in high school. The law requires progress not only overall but also among groups of students sorted by race, ethnicity and factors such as whether they are learning English as a second language or have disabilities.

There are caveats. But in general, if one group misses a target, the school is labeled as failing to make AYP. That is what happened to North Chevy Chase Elementary and many others. If schools repeatedly fall short, consequences can kick in. Schools can be forced to allow students to transfer or provide free tutoring. They can face mandatory restructuring after several years.

One-third of U.S. public schools failed in 2009 to make AYP, according to the independent Center on Education Policy. The failure rate that year was 23 percent in Maryland, 28 percent in Virginia and 75 percent in the District, the center found.

State data show that the number of schools that fall short is growing even in high-performing suburban systems. In Fairfax County, which has the Washington region's largest school system, 52 schools missed AYP last year. That was up from 36 the year before. Superintendent Jack D. Dale said the federal accountability system has become so unwieldy that it is losing relevance.

"Where it goes overboard is the sanctions being imposed when we don't have 100 percent of children meeting standards in every subgroup every year," Dale said. "Because that's impossible, and we all know that."

He said the government should consider waiving any penalty for schools in which 90 percent of students pass tests.

In Montgomery, 55 schools missed AYP in 2010, records show, up from 20 the year before.

At North Chevy Chase, with 437 students in grades 3 through 6, classrooms and hallways hummed with learning one afternoon this week. Third-graders were studying English writer Nicola Davies and creating posters for Black History Month. Fourth-graders sorted colored balls of Play-Doh to add numbers. Sixth-graders studied sign language in a computer lab as part of an International Baccalaureate program.

Educators said they are redoubling efforts to help special education students in math. But the school remains unfazed by the AYP miss.

"I wouldn't consider it by any stretch 'failing,' " said Sandy Chambers, president of the school Parent-Teacher Association. "It's hugely supported by the community. It has fabulous teachers."

Gary Bartee, principal of the school from 2006 to 2010, is with the Montgomery County Association of Administrators and Principals. Bartee said he cultivated a low-key attitude at North Chevy Chase toward the Maryland School Assessments. One year, he said, he almost forgot to tell parents about the upcoming tests. "It was that relaxed," he said. Another year, all 49 of the school's African American students showed proficiency in reading - a rare perfect passing rate.

"In 2014, we expect everybody to be perfect," Bartee said. "They have to revisit this, because there are a lot of schools that are going to be in trouble."

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