

# What is the "No Child Left Behind" Law?

The No Child Left Behind Act (NCLB) is a federal law that provides money for extra educational assistance for poor children in return for improvements in their academic progress. NCLB is the most recent version of the 1965 Elementary and Secondary Education Act.

## States set educational proficiency level

Under the U. S. constitution, states have the primary responsibility for public education. However, if states want to receive federal NCLB funds, they must agree to the law's requirements to:

- establish *learning standards*, that is, statements of what children in that state should know and be able to do in reading, math and other subjects, at various grade levels;
- create annual *assessments* (standardized tests, in most states) to measure student progress in reading and math in grades 3-8 and once in high schools;
- set a level (cut-off score) at which students are considered *proficient* in tested areas; and
- *report* to the public on what percentage of students are proficient, with the information broken down by race, income, disability, language proficiency, and gender subgroups.

## Schools, districts & states must make "Adequate Yearly Progress" (AYP)

The goal of the law is that all students will score at the "proficient" level in reading and math by 2014. States set annual targets for the percentage of students scoring proficient with the final goal of 100% proficiency by 2014. Each year, students in every subgroup must reach the target.

Schools and districts which fail to meet these targets are subject to the following consequences:

1. After one year, schools failing to make annual yearly progress (AYP) are placed on a "*school improvement*" list.
2. Students attending schools that do not make AYP for *two years in a row* will be given the option to *transfer to another school*.
3. Schools on the list for *3 consecutive years* must provide *supplemental services* for their students, such as tutoring or after school programs.
4. *After four years on the list*, schools must, in addition to the above, do at least one of the following: *replace school staff, use new curriculum, decrease school management authority, appoint outside experts, extend school year/day, or restructure*.
5. *After 5 consecutive years*, schools face *restructuring*, such as *firing staff, privatization, charter school management, state takeover*, or other comparable changes; districts face similar sanctions.

**Learn more!** This is a very simplified version of a complex law. For more details about the law and some of the concerns education advocates have raised, contact:

National Center for Fair & Open Testing  
FairTest - [www.fairtest.org](http://www.fairtest.org)

Parents United for Responsible Education  
PURE - [www.pureparents.org](http://www.pureparents.org)