

Op-Ed: Maine's Approach to NCLB Compliance
Author: Ronald Bancroft of Portland's Bancroft & Co. is a member of the
Executive Committee of the Maine Coalition for Excellence in Education.

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Maine deserves its own approach to meet school standards.....

The state of Maine is facing a critical decision on how to comply with Federal No Child Left Behind (NCLB) legislation. Maine's plan for compliance was recently approved by the federal Department of Education. However, left undecided was the approach Maine proposes to determine adequate yearly progress (AYP), the annual measure of improved progress in reading and math, mandated by NCLB for grades 3-8. AYP is a concern to most states and is likely to be the Achilles heel that trips up this behemoth Federal package of partially funded mandates.

Put simply, each state is being asked to show that students have made discernible statistical progress in reading and math each year in grades 3 – 8. If such progress is not achieved at each school (and the exact amount required is itself another formulaic calculation), the school soon joins a "priority school" list and faces an increasingly harsh series of consequences, from allowing parents to transfer their children to another school in the district, to, eventually, "restructuring" or even closing the school. While this approach may be necessary in chronically poor performing schools, it flies in the face of much of the collaborative school improvement work that has been a hallmark of the Maine approach.

No one would take issue with the need for educational progress in all schools, not just some, but it is unclear that AYP, as defined, is a workable concept. Experts across the country have suggested that more than half of U.S. schools may soon be on the "priority" list because of the inflexible way in which it is defined. Moreover, the recommended Federal approach to determining AYP is a single, annual statewide test. Again, we know that statewide testing is but one indicator of educational performance and not always the most reliable one.

In Maine we have adopted an approach, predating this Federal mandate, that ties the achievement of high standards (Maine's Learning Results), to a series of local assessments that are informed by statewide testing at grades 4, 8, and 11 (the MEA) but not driven solely by this testing. We are making good progress on the implementation of this assessment approach through much hard work by educators across the state, assisted by technical guidelines and templates provided by the state Department of Education.

Here is the dilemma: it seems that our local assessment approach will not fulfill NCLB technical requirements because the documentation required to compare the results for Maine's more in-depth assessments at each grade level (3 - 8) is simply too complex and cumbersome for local schools to achieve. At the same time, Maine cannot afford the penalty of non-compliance, the cut-off of federal funding.

Rather than abandon Maine's approach to local assessment in the face of this federal legislation, the Maine Department of Education is considering a compromise that adds a simplified version of statewide testing only for reading and math and only in grades 3, 5, 6, and 7. These tests would meet the federal requirements, and supplement local assessments at these grade levels. The state would continue to focus student achievement and high school graduation on the Learning Results determined principally by the state's local assessment approach.

The Maine Coalition for Excellence in Education endorses this approach of adding selective statewide testing to satisfy NCLB without sacrificing the fundamental commitment to a Learning Results framework informed mainly by local assessment. This is a hybrid that can work and give the state a richer and more fair set of state and local assessments with which to judge educational performance. Even though our Coalition has reservations about the clumsiness of the AYP concept, we can cushion its impact through this compromise approach.

Maine was one of the first states in the nation to build standards into our K-12 framework. Our students have consistently been in the top tier of educational performance in national testing – often leading the country. While the overly prescriptive AYP aspects of NCLB are onerous, let us add limited state-wide testing as proposed and move beyond Federal/State bickering to the real work of continuing to improve teaching and learning in Maine.