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## **Adequate Yearly Progress (AYP): Might Growth Models Be Allowed Under the No Child Left Behind Act?**

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Wayne C. Riddle  
Specialist in Education Policy  
Domestic Social Policy Division

# Adequate Yearly Progress (AYP): Might Growth Models Be Allowed Under the No Child Left Behind Act?

## Summary

A key concept embodied in the accountability provisions of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLBA, P.L. 107-110), is that of adequate yearly progress (AYP). In order to be eligible for grants under ESEA Title I, Part A — Education for Disadvantaged Pupils — states must implement standards of AYP that are applicable to all public schools and local educational agencies (LEAs) in the state, and are based primarily on the scores of pupils on state assessments. Schools or LEAs that fail to meet AYP standards for two or more consecutive years face a variety of consequences.

The primary model of AYP under the NCLBA currently is a group status model. Such models set threshold levels of performance, expressed in terms of the percentage of pupils scoring at a proficient or higher level on state assessments of reading and mathematics, that must be met by all pupils as a group, as well as pupils in designated demographic subgroups, in order for any school or LEA to make AYP, whatever the performance of individual pupils in previous years. Current law also includes a secondary model of AYP, a “safe harbor” provision, under which a school or LEA may make AYP if, among pupil groups who did not meet the primary AYP standard, the percentage of pupils who are *not* at the proficient or higher level declines by at least 10%, and those pupil groups make progress on at least one other academic indicator in the state’s AYP standards.

Substantial interest has been expressed in the possible use of individual/cohort growth models to meet the AYP requirements of the NCLBA. Such AYP models are not consistent with certain statutory provisions of the NCLBA, as currently interpreted by the U.S. Department of Education (ED). Many proponents of growth models for school/LEA AYP see them as being more fair and accurate than the models currently employed to meet NCLBA requirements, primarily because they take into consideration the currently widely varying levels of achievement of different pupil groups. Growth models generally recognize the fact that different schools and pupils have very different starting points in their achievement levels, and recognize progress being made at all levels.

Growth models of AYP have the disadvantage of implicitly setting lower thresholds or expectations for some pupil groups and/or schools. Although any growth model deemed consistent with the NCLBA would likely need to incorporate the act’s ultimate goal of all pupils at a proficient or higher level of achievement by 2013-2014, the majority of such models used currently or in the past do not include such goals, and might allow disadvantaged schools and pupils to remain at relatively low levels of achievement for significant periods of time. Growth models of AYP may be quite complicated, and may address the accountability purposes of the NCLBA less directly and clearly than the currently authorized AYP models.

This report will be updated when legislative or policy developments occur.

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# Adequate Yearly Progress (AYP): Might Growth Models Be Allowed Under the No Child Left Behind Act?

A key concept embodied in the accountability provisions of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLBA, P.L. 107-110) is that of adequate yearly progress (AYP) toward proficiency on state assessments.<sup>1</sup> In order to maintain eligibility for grants under ESEA Title I, Part A — Grants to local educational agencies (LEAs) for the Education of Disadvantaged Pupils, the largest federal K-12 education program — states must establish and implement standards of AYP that are applicable to all public schools and LEAs in the state. These AYP standards are to be based primarily, although not solely, on the scores of all pupils, as well as pupils in designated demographic groups, on state developed or selected assessments that are linked to state standards of curriculum content and pupil performance.<sup>2</sup> Schools or LEAs that fail to meet AYP standards for two or more consecutive years face a variety of consequences and, ultimately, corrective actions.<sup>3</sup>

Recently, substantial interest has been expressed in the possible use of particular concepts, usually referred to as growth models, to meet the AYP requirements of the NCLBA. Such AYP models are not consistent with certain statutory provisions of the NCLBA, as currently interpreted by the U.S. Department of Education (ED). This report discusses growth and other models for AYP determinations, and analyzes issues related to the possible use of growth models to meet the AYP requirements of the NCLBA.

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<sup>1</sup> For general information on all aspects of the AYP concept in general, the No Child Left Behind Act provisions for AYP, and related issues, see CRS Report RL32495, *Adequate Yearly Progress (AYP): Implementation of the No Child Left Behind Act*, by Wayne Riddle.

<sup>2</sup> For more information on the pupil assessment requirements of the No Child Left Behind Act, see CRS Report RL31407, *Educational Testing: Implementation of ESEA Title I-A Requirements Under the No Child Left Behind Act*, by Wayne Riddle.

<sup>3</sup> For a discussion of these consequences and corrective actions, see CRS Report RL31487, *Education for the Disadvantaged: Overview of ESEA Title I-A Amendments Under the No Child Left Behind Act*, by Wayne Riddle, especially pages 17-23; and CRS Issue Brief IB98035, *School Choice: Current Legislation*, by David Smole.

## The Range of Possible Models for Measuring AYP for Schools and LEAs

While AYP definitions or standards may vary in a multitude of respects, their basic structure generally falls into one of three general categories. The No Child Left Behind Act statute, as implemented by ED currently, places primary emphasis on one of these models, while incorporating a second as an explicitly authorized alternative. In recent years, critics of current policy have increasingly focused their attention on a third model of AYP, which is the primary topic of this report.

The three basic structural forms for AYP of schools or LEAs are the *group status*, *successive group improvement*, and *individual/cohort growth* models. In the context of these terms, “group” (or “subgroup,” in the case of detailed demographic categories) refers to a collection of pupils that is identified by their grade level and usually other demographic characteristics (e.g., race, ethnicity, or educational disadvantage) as of a point in time, such as all Hispanic third grade pupils enrolled in a school or LEA in a particular year. The actual pupils in a “group” may change substantially, or even completely, from one year to the next. In contrast, a “cohort” refers to a collection of pupils in which the *same* pupils are followed from year-to-year, such as the Hispanic pupils who entered third grade in a school, LEA or state in fall 2002, and have been followed as a cohort since that time.

The key characteristic of the *group status* model is a fixed “annual measurable objective” (AMO), or required threshold level of achievement, that is *the same* for all pupil groups, schools, and LEAs statewide in a given subject and grade level. Under this model, performance at a point in time is compared to a benchmark at that time, with no direct consideration of changes over a previous period.

The key characteristic of the *successive group improvement* model is a focus on the *rate of change* in achievement in a subject area from one year to the next among *groups* of pupils in a grade level at a school or LEA (e.g., the percentage of this year’s 5<sup>th</sup> grade pupils in a school who are at a proficient or higher level in mathematics compared to the percentage of last year’s 5th grade pupils who were at a proficient or higher level of achievement).

Finally, the key characteristic of the *individual/cohort growth* model is a focus on the *rate of change* over time in the level of achievement among *cohorts* of the same pupils. Growth models are *longitudinal*, based upon the tracking of the same pupils as they progress through their K-12 education careers. While the progress of pupils is tracked individually, results are typically aggregated when used for accountability purposes. Aggregation may be by demographic group, by school or LEA, or other relevant characteristics. In general, growth models would give credit for meeting steps along the way to proficiency in ways that a status model typically does not.

To help illustrate the basic differences among these three AYP models, simplified examples of basic aspects of each are described below. The reader should keep in mind many other variations of these model types are possible.

- A *group status* model, such as the current primary model of AYP under the NCLBA (described further below), establishes a series of threshold levels or AMOs, which are percentages of pupils scoring at a proficient or higher level of achievement on state standards-based assessments of reading and mathematics. These AMOs have a starting point, and a series of increases toward (in the case of the NCLBA) an ultimate goal of 100% of pupils at a proficient or higher level of achievement, covering a multi-year period (for the NCLBA, the period of 2001-2002 through 2013-2014). These AMOs are specific to each grade level and subject (reading or mathematics) at which state assessments are administered. A key feature of the AMOs in this model is that they are the same for all pupil groups — the “all pupil” group as well as each of the demographic subgroups specified under the NCLBA (pupils with disabilities, pupils from low-income families, pupils with limited English proficiency, etc.). This model focuses solely on current year performance of the pupils currently enrolled in each school/LEA for every grade level at which assessments are administered.<sup>4</sup> Comparisons to previous year performance play no role in AYP determinations.
- An example of a simplified *successive group improvement* model is the secondary (“safe harbor”) model authorized under the NCLBA. Under this model, as embodied in the NCLBA, the basic structure of the AYP system is the same as described above, but the primary focus shifts to the change from the previous year for each group assessed. If any specified demographic group fails to meet the primary group status AYP criterion described above, the school or LEA is still deemed to meet AYP standards if the percentage of pupils scoring *below* the proficient level declines by 10% in comparison to the previous year for pupils in that grade level and demographic group. Thus, the primary focus shifts to the *change* in achievement from the previous year, comparing (for example) this year’s pupils from low-income families in the particular school/LEA/grade level to last year’s pupils from low-income families enrolled in that school/LEA/grade level (i.e., the pupils are in the same demographic category, but are not necessarily the same pupils).
- An *individual/cohort growth* model begins by tracking the performance of individual pupils over multiple years. The performance of pupils in the same grade level who share relevant demographic characteristics within a school, LEA, or the state overall may be combined into a cohort. The *change* in scores for this cohort is compared to a standard of *expected growth*. The expected growth may be either “data-driven” (e.g., the statewide average rate of achievement growth for all pupils, or the predicted rate of growth statewide for pupils with similar demographic

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<sup>4</sup> Scores may be combined for pupils in all assessed grade levels in a school.

characteristics), or “policy-driven” (a multi-year growth path sufficient to meet an ultimate goal, such as the NCLBA requirement for all pupils to reach a proficient or higher level of achievement by 2013-2014). A school or LEA is deemed to meet AYP requirements if the achievement growth of each relevant cohort of pupils meets the expected level of growth. *The path of expected growth, as well as the starting points for the growth path, will likely differ for each relevant demographic group of pupils.*

Some growth models also incorporate a variety of statistical controls, adjustments to account for pupil demographic characteristics or past achievement, to sharpen the focus on estimating the impact of specific teachers, schools, or LEAs on pupil achievement and to measure pupil growth against *predicted* growth for pupils with similar characteristics, but these are not essential elements of all growth models. Proponents argue that such models, with their controls for background characteristics and past learning, maximize the focus on factors that are under the control of teachers and other school staff. The Tennessee Value-Added Assessment System (TVAAS) is one specific form of growth model that uses pupil background characteristics, previous performance, and other data as statistical controls in order to focus on estimating the specific effects of particular schools, districts, teachers or programs on pupil achievement.<sup>5</sup>

## **The Current AYP Models Under the NCLBA, as Implemented by ED**

The primary model of AYP under the NCLBA currently is a group status model. As noted in the example above, group status models set as their AMOs threshold levels of performance, expressed specifically in terms of the percentage of pupils scoring at a proficient or higher (advanced) level on state assessments of reading and mathematics, that must be met by any school or LEA, both overall and with respect to all relevant pupil subgroups, in order to make AYP, whatever the school’s or LEA’s “starting point” (for the multi-year period covered by the accountability policy) or performance in the previous year. This AMO “uniform bar” is applicable to all pupil subgroups of sufficient size to be considered in AYP determinations. The threshold levels of achievement are to be set separately for reading and math, and may be set separately for each level of K-12 education (elementary, middle, and high schools). For example, it might be required that 45% or more of the pupils in any of a state’s elementary schools score at the proficient or higher level of achievement in reading in order for a school to make AYP.<sup>6</sup>

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<sup>5</sup> See, for example, *Issues in the Design of Accountability Systems*, by Robert L. Linn, CSE Technical Report 650, National Center for Research on Evaluation, Standards, and Student Testing, Apr. 2005.

<sup>6</sup> It has occasionally been said that the AYP systems approved by ED for a few states under current law incorporate “growth” elements. However, such claims appear to be based only on the inclusion in the AYP systems of “pupil achievement indexes” that give partial credit  
(continued...)

The initial minimum starting point for the “uniform bar” is to be the greater of: (a) the percentage of pupils at the proficient or advanced level of achievement for the lowest-achieving pupil subgroup in the base year (2001-2002), or (b) the percentage of pupils at the proficient or advanced level of achievement for the lowest-performing quintile (5<sup>th</sup>)<sup>7</sup> of schools statewide in the base year.<sup>8</sup> The “uniform bar” must generally be raised at least once every three years, although in the initial period it must be increased after no more than two years. Such group status models attempt to emphasize the importance of meeting certain minimum levels of achievement for all pupil groups, schools, and LEAs, and arguably apply consistent expectations to all pupil groups.

The secondary model of AYP under the NCLBA currently is the “safe harbor” provision, an example of a successive group improvement model.<sup>9</sup> This is an alternative provision under which schools or LEAs that fail to meet the usual requirements may still be deemed to have made AYP if they meet certain other conditions. A school where aggregate achievement is below the level required under the group status model described above would still be deemed to have made AYP, through the “safe harbor” provision, if, among relevant pupil groups who did not meet the primary AYP standard, the percentage of pupils who are *not* at the proficient or higher level in the school declines by at least 10% (not 10 percentage points), and those pupil groups make progress on at least one other academic indicator included in the state’s AYP standards.<sup>10</sup> For example, if the standard AMO is 45%, and a school fails to meet AYP because of the performance of one pupil group (e.g., the mathematics scores of white pupils) and the percentage of such pupils scoring at a proficient or higher level the previous year was 30%, then the school could still make AYP if the percentage of white pupils scoring at a proficient or higher level increases to at least 37% (the 30% from the previous year plus 10% of (100%-30%), or seven percentage points).

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<sup>6</sup> (...continued)

for achievement gains below the proficient level, comparing this year’s pupil groups with last year’s. They do not meet the definition of growth model as used in this report.

<sup>7</sup> This is determined by ranking all public schools (of the relevant grade level) statewide according to their percentage of pupils at the proficient or higher level of achievement (based on all pupils in each school), and setting the threshold at the point where one-fifth of the schools (weighted by enrollment) have been counted, starting with the schools at the lowest level of achievement.

<sup>8</sup> Under program regulations (34 C.F.R. § 200.16(c)(2)), the starting point may vary by grade span (e.g., elementary, middle, etc.) and subject.

<sup>9</sup> This secondary AYP provision of the NCLBA is sometimes referred to as a “growth model,” but it is not consistent with that term as used in this report, in part because it is based on pupil group averages, and not the longitudinal performance of individual pupils in a cohort.

<sup>10</sup> Under the NCLBA, state AYP systems must include at least one indicator, other than achievement test scores. For senior high schools, the additional indicator must be the graduation rate. A typical additional indicator for elementary and middle schools is the attendance rate.



During debates over the adoption of the NCLBA in 2001, much of the attention was focused on successive group improvement models of AYP, not group status or individual/cohort growth models. Both the Senate-passed version, and the primary elements of the House-passed version, of the bill (H.R. 1, 107<sup>th</sup> Congress) that became the NCLBA embodied successive group improvement concepts of AYP.<sup>11</sup> Relatively little attention was paid to individual/cohort growth models during consideration of the NCLBA. The group status model adopted by the conferees on H.R. 1 as the primary AYP concept under the NCLBA substantially resembled the pre-NCLBA AYP definition used in the state of Texas.

Possible reasons why relatively little attention was devoted to individual/cohort growth models of AYP during consideration of the NCLBA in 2001 include the fact that they were used by few states at the time to meet accountability requirements under either state law or under federal law preceding the NCLBA (the Improving America's Schools Act of 1994);<sup>12</sup> the implicit demand for resources (both extensive, pupil-level longitudinal data systems and analytical capacity in state educational agencies); their relative complexity, compared to the status and improvement models; their assumed requirement for annual pupil assessments throughout all, or at least most, of pupils' K-12 education careers, which very few states had in place; and the difficulty (although not the impossibility) of integrating into growth models an ultimate goal of all pupils at a proficient or higher level of achievement by a specified time.

The remainder of this report will focus almost totally on individual/cohort growth models of AYP versus group status models, and little further attention will be paid to successive group improvement models of AYP. This is primarily because the "safe harbor" alternative model of AYP is already available (unlike the individual/cohort growth model alternative), and because it has reportedly been invoked relatively infrequently. Some analysts argue the "safe harbor" provision is used infrequently because it sets a very challenging standard, at least for pupil groups

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<sup>11</sup> The Senate-passed bill would have authorized states to use index systems with a limited growth-related element — under an index system, states could have combined different demographic groups of pupils, with greater weight applied to pupils whose level of achievement was initially furthest below the proficient level. See CRS Report RL31035, *Adequate Yearly Progress Under the ESEA: Provisions, Issues, and Options Regarding House and Senate Versions of H.R. 1*, by Wayne Riddle.

<sup>12</sup> During the immediate pre-NCLBA period, a few states identified schools as failing to make AYP if they failed to meet "expected growth" in performance based on factors such as initial achievement levels and statewide average achievement trends. The "growth" models used by states in the pre-NCLBA period were almost always much closer in structure to the successive group improvement model, as described in this report, not the individual/cohort growth model.

that are currently at relatively low levels of proficiency,<sup>13</sup> and that the required 10% reduction in pupils below the proficient level should be reduced, perhaps to 3%-4%.<sup>14</sup>

## Recent Discussion of Possible Alternatives to the NCLBA's Model of AYP

For the sake of simplicity, in the remainder of this report we will refer to the three AYP models by the abbreviated titles of “status,” “improvement,” and “growth” models. While there are many possible variations of growth models, they would all appear to violate certain provisions of the current NCLBA, as currently interpreted by ED. At the least, a growth model would involve the use of differing AMOs for different cohorts of pupils, varying by pupil demographics and possibly by school or LEA as well, and this would violate the uniform bar approach of the primary AYP model of the NCLBA.<sup>15</sup> Growth models would also provide for different starting points or improvement paths for different pupils/cohorts.

In recent years, as experience with the NCLBA requirements for AYP has been accumulated within states, LEAs, and schools, increased attention has been devoted by some analysts and administrators to the possible use of growth models of AYP under the NCLBA. For example, a letter has been submitted to ED from the chief state school officers of 16 states in support of revising AYP requirements to allow states to base AYP on growth, as well as status, models, as long as the models require significant growth in reading and math achievement, and significant reduction in achievement gaps.<sup>16</sup> In addition, the U.S. Secretary of Education has reportedly

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<sup>13</sup> As noted earlier, the “safe harbor” provision requires a 10% reduction in the percentage of relevant pupils whose performance is below the proficient level. For a pupil group currently at 20%, this would require an increase in 8 percentage points (to 28%), but for a group currently at 80%, this would require an increase of only 2 percentage points (to 82%).

<sup>14</sup> See *Issues in the Design of Accountability Systems*, by Robert L. Linn, CSE Technical Report 650, National Center for Research on Evaluation, Standards, and Student Testing, Apr. 2005.

<sup>15</sup> It is sometimes said that “index” systems incorporated into the AYP standards of three states (Massachusetts, Minnesota, and Oklahoma) constitute “growth model elements” allowed by ED under current law. However, the distinctive element of these AYP standards is the use of indexes that give partial credit for achievement gains at levels below proficient (such as moving from below basic to basic). Such provisions have been allowed by ED, at least for these three states, with the additional criteria that AYP must be calculated separately for each required subject area and subgroup, incorporate the goal of all pupils at a proficient or higher level of achievement by 2013-2014, not give extra credit for moving beyond proficient, have AMOs, and not allow a school to make AYP without increasing the number of students at the proficient level over the previous year.

<sup>16</sup> The letter also requests authority for states to deem the requirement that all pupils reach a proficient or higher level of achievement by 2013-2014 as a “national goal,” but not something that must be imbedded in AYP plans. See [<http://www.cde.ca.gov/eo/ce/sl/yr04ltr0324.asp>].

named a working group to study the potential use of growth models for AYP under the NCLBA.<sup>17</sup>

Two bills introduced thus far in the 109<sup>th</sup> Congress (H.R. 1506, and S. 724) would specifically authorize states to include measures of growth in pupil achievement, on either an individual or cohort basis, as the additional indicator in state AYP standards. Further, these bills would allow states to use improvement on this additional indicator as a justification for reducing the number of schools identified as failing to meet AYP. In effect, this proposal may be seen as authorizing states to employ a growth-based model of AYP determination as an additional alternative to the primary status-based model now embodied in the NCLBA. Each of these bills would also authorize the appropriation of \$80 million for each of FY2006-FY2008 for competitive grants to states for enhancement of data systems for AYP purposes (with priority for states that adopt a growth model). This is similar to a program recently-initiated by ED (see below). In addition, a third bill in the 109<sup>th</sup> Congress, H.R. 224, would make a number of statutory changes intended to allow the use of cohort growth models for AYP purposes.

## **Issues Regarding Growth Model Alternatives to the NCLBA's AYP Models**

Why is there increased interest in growth models as alternatives to the current AYP provisions of the NCLBA? What might be the major advantages and disadvantages of growth models of AYP, in comparison to status or improvement models? These questions are addressed in the following pages.

### **Are Growth Models of AYP More Fair and Accurate Than Status or Improvement Models?**

Many proponents of growth models for school/LEA AYP see them as being more fair — to both pupils and school staff — and accurate than status or improvement models, primarily because they can be designed to take into consideration the currently widely varying levels of achievement of different pupil groups. Growth models generally recognize the reality that different schools and pupils have very different starting points in their achievement levels, and recognize progress being made at all levels (e.g., from below basic to basic, or from proficient to advanced) giving credit for all improvements over previous performance.

Growth models would likely increase the ability to attribute pupil achievement to their current school, as opposed to their past schools or background characteristics, especially (but not only) if controls (and/or predicted growth elements) are included in the model. They more directly measure the effect of schools on the specific pupils they serve over a period of years, attempting to track the movement of pupils between schools and LEAs, rather than applying a single standard to all pupils in each state.

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<sup>17</sup> See “Secretary Appoints Growth Model Task Force,” *Education Daily*, July 13, 2005, p. 4.

They have the ability to focus on the specific effectiveness of schools and teachers with pupils whom they have actually taught for multiple years, rather than the change in performance of pupil groups among whom there has usually been a substantial amount of mobility. They can directly (as well as indirectly) adjust for non-school influences on achievement, comparing the same students across years and reducing errors due to student mobility.

Proponents of growth models often argue that status models of AYP in particular make schools and LEAs accountable for factors over which they have little control, and that status models focus insufficiently on pupil achievement gains, especially if those gains are below the threshold for proficient performance, or gains from a proficient to an advanced level. Status models, such as the current primary model of AYP under the NCLBA, might even create an undesirable incentive for teachers and schools to focus their attention, at least in the short run, on pupils who are only marginally below a proficient level of achievement, in hopes of bringing them above that sole key threshold, rather than the most disadvantaged pupils whose achievement is well below the proficient level. The current status model of AYP also confers no credit for achievement increases above the proficient level, e.g., bringing pupils from the proficient to the advanced level.

At the same time, growth models of AYP have the significant disadvantage of implicitly setting lower thresholds or expectations for some pupil groups and/or schools. Although any growth model deemed consistent with the NCLBA would likely need to incorporate that act's ultimate goal of all pupils at a proficient or higher level of achievement by 2013-2014 (see below), the majority of such models used currently or in the past do not include such goals, and tend to allow disadvantaged schools and pupils to remain at relatively low levels of achievement for considerable periods of time.

Growth models of AYP may be quite complicated, and may address the accountability purposes of the NCLBA less directly and clearly than status or (to a lesser extent) improvement models. If the primary purpose of AYP is to determine whether schools and LEAs are succeeding at raising the achievement of their current pupils to challenging levels, with those goals and expectations applied consistently to all pupil groups, then the current provisions of the NCLBA might more simply and directly meet that purpose than growth model alternatives.

Pupil mobility among schools and LEAs is substantial, and has important implications for all models of AYP. However, its implications are multi-faceted, and do not necessarily favor a particular AYP model. Growth models have the advantage of attempting to track pupils through longitudinal data systems. But if they thereby attribute the achievement of highly mobile pupils among a variety of schools and LEAs, accountability is dispersed. At the same time, the presence of highly mobile pupils in the groups considered in determining AYP under status and improvement models may seem unfair to school staff. However, the impact of such pupils in school-level AYP determinations is limited by the NCLBA's provision that pupils who have attended a particular school for less than one year need not be considered in such determinations.

## **Are Growth Models of Greater Value Than Status or Improvement Models for Purposes Other Than Accountability?**

Growth models of AYP may offer increased value for purposes *other than* meeting the school and LEA accountability requirements of the NCLBA. These other purposes may include diagnosing pupil needs, conducting educational research, or pinpointing the specific impact of teachers, schools, or other educational resources on pupil achievement. These advantages derive largely, but not solely, from the incorporation of longitudinal pupil tracking systems within growth models.

Of course, current law does not prevent the use of growth models, under state authority, as a diagnostic/research/alternative accountability tool separate from the AYP and other requirements of the NCLBA. While the current statutory text and policy guidance associated with the NCLBA discourage the use of separate state and federal accountability systems for schools and LEAs,<sup>18</sup> they are not prohibited in practice, and separate accountability systems are currently being used by several states alongside the AYP system required by the NCLBA. Finally, the usefulness of a model of AYP for purposes *other than* accountability may be of limited relevance to a debate over whether such a model should be used for the accountability purposes of the NCLBA.

## **Do States Have Sufficient Resources to Develop and Implement Growth Models?**

It is generally agreed that growth models of AYP are more demanding than status or improvement models in several respects, especially in terms of data requirements and analytical capacity. While the availability of information on state data systems is insufficient to enable one to determine with any precision how many states could/could not currently implement such models if they chose to do so, it is very likely that growth models generally require resources and data systems that many states currently lack.<sup>19</sup>

This concern is being addressed in part through a new ED program intended to help states design, develop, and implement statewide, longitudinal data systems. An initial appropriation of \$24.8 million was provided for this program, administered by

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<sup>18</sup> For example, the NCLBA provides that “Each [participating] State shall demonstrate that the State has developed and is implementing a single, statewide State accountability system....” Nevertheless, several states have continued to administer separate accountability systems, authorized under state law, while also implementing the AYP provisions of the NCLBA.

<sup>19</sup> According to a Mar. 16, 2005, Memo from the Council of Chief State School Officers [<http://www.ccsso.org/content/pdfs/Growthmemo.pdf>], about half of the states have “statewide individual student record data systems” necessary to implement growth models of AYP.

ED's Institute of Education Sciences (IES),<sup>20</sup> for FY2005, and an identical amount would be provided for FY2006 under the House-passed and Senate Appropriations Committee-reported versions of H.R. 3010. The initial competition for assistance was announced in April 2005, and a first round of awards may be announced shortly.

Under this program, aid is to be provided to state educational agencies (SEAs) via cooperative agreements, not grants, to allow increased federal involvement in the supported activities. According to the announcement in the April 15, 2005 *Federal Register*, the program is intended “to enable SEAs to design, develop, and implement statewide, longitudinal data systems to efficiently and accurately manage, analyze, disaggregate, and use individual student data ... [A]pplications from states with the most limited ability to collect, analyze, and report individual student achievement data will have a priority...” According to ED, the program is designed to help SEAs meet the AYP and reporting requirements of the NCLBA, as well as to conduct value-added or achievement growth research, including “meaningful longitudinal analyses of student academic growth within all subgroups specified by the No Child Left Behind Act of 2001.” There will also be an emphasis on encouraging data sharing among states, while at the same time protecting the security and privacy of data.

### **Are Growth Models Consistent with the NCLBA's Ultimate Goal?**

The simple answer to this question is that most growth models used in the past or currently do not incorporate an ultimate goal such as the one under the NCLBA — that all pupils reach a proficient or higher level of achievement by 2013-2014 — but growth models could presumably be designed or modified to embody this element. Growth models of AYP generally incorporate one of two types of growth target, the “how much improvement is enough” aspect of the model: (a) data driven/predicted growth, or (b) policy driven/required growth targets. The first type of growth target has been most common, while the NCLBA's ultimate goal would represent a growth target of the second variety, with separate paths (with presumably separate starting points) for each relevant pupil cohort. Incorporating the NCLBA's ultimate goal into growth models might be technically difficult, and inconsistent with the typical nature of such models in the past — with their orientation toward comparing achievement growth among a cohort of pupils with typical or predicted growth — but not impossible.

### **Would Use of Growth Models Likely Reduce the Number of Schools/LEAs Identified as Failing to Meet AYP?**

With the initial implementation of the provisions of the NCLBA, several thousand public schools and hundreds of LEAs have been identified each year as

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<sup>20</sup> This program is authorized by Section 208 of the Education Sciences Reform Act of 2002, P.L. 107-279. The authorized funding level is \$80 million for FY2003 and “such sums as may be necessary” for each of the succeeding five fiscal years.

failing to meet state AYP standards.<sup>21</sup> It frequently appears to be implicitly assumed by potentially interested parties that widespread use of growth models of AYP would result in significantly smaller percentages of schools and LEAs being identified as failing to meet AYP standards. This view seems to be based largely on the assumption that differing starting points for various cohorts of pupils would involve lower starting points and initial AMOs for disadvantaged pupil groups, reducing the number of schools or LEAs that fail to meet AYP due to the performance of one or a few of such demographic groups.

Indeed, it is easy to hypothesize that during the first few years of implementation of growth models of AYP, required performance thresholds would be relatively low for disadvantaged pupil cohorts, and fewer schools or LEAs would fail to meet AYP standards. However, if one assumes that any AYP model under the NCLBA must meet that act's ultimate goal requirement, with regular increases in AMOs leading toward the ultimate goal of all pupils at a proficient or higher level by 2013-2014, any significant reduction in the number of schools or LEAs failing to make AYP would likely be temporary. This is particularly true because we are already several years into the NCLBA's presumed overall timeline of 2001-2002 (the "base year" for AYP determinations) to 2013-2014. Of course, if it is assumed that use of growth models somehow improves the productivity of schools and LEAs — e.g., by improving motivation of pupils or teachers, or by providing better diagnostic data on pupil achievement — then it is possible that this would ultimately reduce the number of schools/LEAs failing to meet AYP, but there is currently no direct proof that this would occur.

## **Can Growth Models Be Applied at Grade Levels Without Annual Assessments?**

The value and usefulness of growth models of AYP are highly dependent on a regular flow of valid information on pupil achievement levels. As a result, it is frequently assumed that growth models can be appropriately implemented only when achievement test results, linked to a continuum of state content and performance standards, are available at least annually. This creates difficulties for implementing growth models across the entire K-12 grade span, since the NCLBA requires the administration of state standards-based assessments in each of grades 3-8, plus only one senior high school grade. Further, even the grade 3-8 requirement does not take effect until the 2005-2006 school year, and many states may not administer such assessments in each of those grades until the end of that year.

However, while certainly less desirable, it may well be possible to design growth models of AYP that are based on achievement growth over two, or possibly even three, year periods, so that the lack of annual assessments for each of grades K-12, or even 3-12, may not be an insuperable obstacle to implementing such models to meet NCLBA requirements. In addition, in its FY2006 budget request, the Administration has proposed support for expanding high school assessments under the NCLBA to include reading and mathematics assessments in at least three grade

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<sup>21</sup> See CRS Report RL32495, *Adequate Yearly Progress (AYP): Implementation of the No Child Left Behind Act*, by Wayne Riddle, pp. 15-19.

levels beyond grade 8, as part of a “High School Initiative.”<sup>22</sup> Whether or not this Administration proposal is ultimately adopted, substantial difficulties might be presented by the large degree of variation in curriculum, and frequently in assessments, for senior high school pupils, although that can present difficulties under any of the three types of AYP model.

## Concluding Remarks

As discussed above, there are a number of potential advantages of growth models of AYP for schools or LEAs, either alone or as supplements to the other major types of AYP model — status and improvement. There are also some potential disadvantages, especially if growth models alone are used, as well as numerous difficulties and complexities, some inherent in the growth models themselves, and others associated with efforts to incorporate such major NCLBA provisions as an ultimate goal into those models.

In states that implement growth models of accountability under state law, such as Tennessee, there is a desire to make state and federal accountability standards more consistent. Other states may well want to implement growth models of AYP because they consider them to be more fair, accurate, or educationally useful.

Even if the growth models do incorporate such features as the NCLBA’s ultimate goal of all pupils at a proficient or higher level of achievement by 2013-2014, they would violate some of the current statutory provisions, unless substantial license is exercised by ED in its regulatory interpretation of the statutory text. If such license is exercised, or the statutory language is amended, one possibility for the future would be to allow states to employ either a status or a growth model, along with the current secondary improvement model, to determine AYP for schools and LEAs. Another possibility would be to allow use of a growth model as a second “safe harbor” provision, applicable only in cases where a schools or LEA would not meet the requirements of the primary status model of AYP. A third possibility might be efforts to combine growth and status elements into a new “hybrid” model of AYP, such as the “hybrid success” model developed by staff of the Northwest Evaluation Association.

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<sup>22</sup> See “President’s New High School Initiative, Other Proposed Programs Tackle Issues Important to Hispanics” [<http://www.ed.gov/news/pressreleases/2005/02/02232005a.html>].