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States Test Education Law

Officials Frustrated With No Child Left Behind Try to Substitute Their Own Plans

By STEPHANIE BANCHERO



Associated Press

Students at Brookfield East High School in Wisconsin. The state is developing a new policy that would replace the federal No Child Left Behind law.

Wisconsin Gov. Scott Walker has been at odds with state schools chief Tony Evers over budget cuts, vouchers and teachers' collective-bargaining rights. But they have found common ground in their aggravation with No Child Left Behind.

Messrs. Walker and Evers formed a joint committee this month that will write a new state policy to replace the federal law requiring schools to ensure all students are passing state math

and reading exams by 2014. No Child Left Behind is "broken," they have said.

"We are not trying to get around accountability," Mr. Walker, a Republican, said in a phone interview. "But instead of using the blanket approach that defines a lot of schools as failures, we will use a more strategic approach so we can replicate success and address failure."

Act Pushes Schools to Improve in Math and Reading

No Child Left Behind requires public schools to test students in math and reading annually in third through eighth grades and once in high school.

Each state determines what percentage of

Wisconsin and other states say No Child Left Behind unfairly penalizes schools that don't meet rigid requirements. Tired of waiting for Congress to overhaul the law, some states have taken matters into their own hands.

South Dakota, Montana and Idaho recently told federal officials they

students must pass the exams annually, raising the bar over time until 2014, when 100% of students must be proficient. States can exclude a small percentage of special-education students.

Schools must meet the overall pass rate, but also must ensure that subgroups of students—broken down by race and income status—meet the target. Schools that fall short on any target face escalating sanctions, from busing students to better campuses to dismissal of the staff.

About 40% of schools didn't meet their state's annual goals in 2010, according to the U.S. Department of Education.

--Stephanie Banchero

Justin Hamilton, a spokesman for the department, said states must either follow the law or apply for a waiver. "There is no Plan C," he said, adding that the department can withdraw federal funding from states that don't comply.

No Child Left Behind, which President George W. Bush proposed and later signed into law, has been widely criticized for labeling too many schools as failures, narrowing school curricula and prodding states to water down standardized tests. The law has been up for renewal since 2007, with Congress extending it a year at a time.



Associated Press

Wisconsin schools chief Tony Evers

would disregard key aspects of the law. Wisconsin officials plan to ask the U.S. Department of Education if they can substitute a state-developed accountability policy in place of the law, and Tennessee is considering a similar move.

U.S. Secretary of Education Arne Duncan said last month that if Congress didn't overhaul No Child Left Behind soon he would waive certain requirements in exchange for states adopting changes he supports, such as linking teacher evaluations to student achievement and expanding charter schools. He hasn't provided any details of the waiver package.

President Barack Obama and Mr. Duncan have pushed Congress to revise the law and, until recently, it was expected to be one of the few bipartisan achievements this year. But in the highly partisan environment of Washington, lawmakers have begun to balk.

That hasn't appeased state education officials. "Either Congress does not have the political will or this is not a priority for the administration," said Tom Luna, Idaho's Superintendent of Public Instruction. "Either way, we are bearing the burden of their inaction."

State education officials want relief from the 100% student proficiency requirement for schools. By law, states are supposed to

gradually increase the percentage of students who pass standardized reading and math tests until 100% of them do by 2014. Schools that miss the mark face increasing sanctions, from busing students to better campuses to closure. States are required to help the lowest-performing schools.

Denise Juneau, Montana Superintendent of Public Instruction, said her office doesn't have the capacity to assist an increasing number of schools, so she froze the proficiency bar for Montana schools at the 2010 levels of 83% for reading and 68% for math—a violation of federal law.

"It doesn't make sense to label more schools as failure simply because of an unrealistic federal goal and stretch the money even thinner," she said.



Most states want to measure schools by growth in student test scores. Wisconsin's Mr. Walker says he wants to use other measures to judge schools, such as the percentage of students taking and passing advanced placement classes.

Many states set a minimal pace of growth in student test scores for a school to be deemed proficient in the early years, followed by more aggressive growth standards later. In Wisconsin, the target for 2003 was 61% of students passing reading and 37% passing math. The bar

Associated Press
Wisconsin Gov. Scott Walker

inched up slowly for eight years and, by this year, sat at 80.5% in reading and 68.5% in math.

To reach 100% proficiency by 2014, Wisconsin schools will have only three years to make the same growth they made during the previous eight years.

Margaret Spellings, who served as education secretary under Mr. Bush and helped write No Child Left Behind, said freezing the proficiency bar is "more about helping the adults" than the children. "I bet parents and children in these states want to see students make progress every year," she said.

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