



# **ENTREPRENEURS’ IDEAS FOR IMPROVING NO CHILD LEFT BEHIND**

**Summary of Recommendations  
From a “Town Hall” Session  
*2006***

## INTRODUCTION

The No Child Left Behind (NCLB) Act created myriad opportunities for education entrepreneurs, particularly those involved in creating new public schools that target underserved students. Independently-run public charter schools may serve as an alternative to traditional public schools under the law's public school choice provisions, and an increasing number of these school managers are participating in the "turnaround" of low-performing schools under NCLB's restructuring mandates. However, while some of the act's provisions encourage innovation by entrepreneurs, other aspects of the law's current structure may stymie these efforts – such as adequate yearly progress formulas that penalize new schools that wish to serve struggling students.

In advance of the law's scheduled reauthorization in 2007, NewSchools Venture Fund convened a "town hall meeting" this spring during its annual Summit – a gathering of entrepreneurs and other forward-thinking leaders in education reform – in order to gather input on how NCLB could better support the creation of new high-performing schools and school systems. A diverse group of about 25 entrepreneurial participants – ranging from charter school operators to providers of other education services to leaders of advocacy organizations – offered suggestions related to the law's measurement of adequate yearly progress, its school choice and tutoring provisions, its approaches to restructuring, and its mandates for highly-qualified teachers. (For full list of participants, see Appendix A.)

What follows is a list of ten recommendations that were offered during this session for federal policymakers to consider as they determine how to shape the NCLB Act so that it meets its goal of ensuring that *all* public school students receive a high-quality education.

## ADEQUATE YEARLY PROGRESS (AYP) PROVISIONS

1. ***Use growth models to supplement, but not replace, proficiency rates.*** Many participants agreed that "value-add" or growth models – of the sort that the U.S. Department of Education is currently piloting in select states – are a step in the right direction, measuring schools' progress according to the growth in student achievement that they elicit. However, some emphasized that these measures should work hand-in-hand with current achievement targets, in order to ensure that all public school students attain proficiency.
2. ***Create more flexible AYP provisions for schools that target at-risk kids, so that there is still incentive for addressing these populations.*** Several participants observed that the law's current structure creates perverse incentives for those operators who choose to address high-need populations. In particular, the various components of AYP are difficult to manage for small schools, those with diverse populations, and those with high concentrations of special education students or English language learners. One approach might be to allow "extra credit" for attaining some targets and allowing more flexibility on others.

## PUBLIC SCHOOL CHOICE AND SUPPLEMENTAL SERVICES PROVISIONS

3. ***Reverse the order of supplemental service and school choice provisions.*** A significant number of participants felt that the choice and supplemental services provisions should be reversed, with tutoring available before school transfers instead of the reverse. Some pilot programs testing this approach show that it may increase the participation rate in supplemental

services. However, one participant worried that the productive “discomfort” the current order creates among school districts would be diminished.

4. ***Stimulate the supply of options in districts with many students eligible for choice or tutoring.*** Many cited the lack of capacity as a limiting factor in making transfer and tutoring provisions useful. Some suggested that federal dollars might be used to establish a fund to support the creation of more charter schools in areas with many students eligible for public school choice. Others pointed out that the supply of high-quality supplemental service providers is lacking, particularly in rural areas. In these instances, incentives may be offered to foster the creation of private providers, and training should be provided to districts to ensure that they can deliver these services when necessary.
5. ***Rein in district involvement with supplemental services.*** Session participants were adamant that the district role with regards to supplemental services must be changed. Some argued that districts should be supplanted as providers of supplemental services and as gatekeepers to independent providers. Others suggested that districts should not even be in charge of parental notification. “Something has to be done to get districts out of the position of being the one to tell parents that they have other options,” said Andy Smarick of the National Alliance for Public Charter Schools, who suggested that the law grant federal monies to public interest nonprofits that would take on the task of notifying parents of eligible children about tutoring providers or alternative school choices.
6. ***Block grant federal funds to schools of choice, based on a weighted student formula.*** A few participants thought federal funds should be allocated to charter schools on a block-grant basis. This would give these schools more flexibility, which could in turn encourage more entrepreneurs to step forward and create new schools, thus increasing the number of options available to students in persistently failing schools.

## RESTRUCTURING PROVISIONS

7. ***Require states to pre-approve school management organizations that can operate restructured schools.*** Restructuring mandates come after schools have failed to make adequate progress for several years. When the time comes to turn over management of these schools, districts should be able to draw on a cadre of school management organizations – whose quality has been vetted by the state – that they can turn to for help with managing their restructured schools.
8. ***Restrict use of the “other” loophole that allows restructuring without significant change to management or governance.*** Participants overwhelmingly agreed that the restructuring options available to districts must be revised to ensure that school turnarounds happen in a meaningful way. One way of doing this, some suggested, would be to completely eliminate the “other” option, which allows districts or states to choose an alternate restructuring model that may not include a governance or management change – elements that many believe are necessary to successfully turn around a failing school. At the same time, some participants did believe that NCLB should grant districts and states the flexibility to impose restructuring in phases (i.e. “triage”) if they have a large number of schools that require such sanctions.
9. ***Require districts and states to formally close schools in restructuring for at least one year before converting them into charter schools.*** One of the restructuring options is to convert a school into a charter school. Participants suggested that this provision be clarified so that these

schools would be closed for at least one year before being reopened as charter schools. This would allow sufficient time for school leaders to overhaul their operations and plan for alternative instructional approaches.

## HIGHLY-QUALIFIED TEACHER (HQT) PROVISIONS

10. *Eliminate the HQT provision.* The majority of participants were in agreement that this provision is more flawed than useful, and should be eliminated. Some emphasized that subject matter expertise requirements are unmanageable for many charter schools that emphasize small size and diverse offerings. Others felt that this segment of the legislation is focused on inputs rather than results, with some suggesting that this provision might be more valuable if it incorporated student value-add metrics, thus changing the measure from “highly qualified” to “high-quality.”
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## ATTENDEE LIST

Chester Finn, Thomas B. Fordham Foundation (*moderator*)  
Jim Peyser, NewSchools Venture Fund (*moderator*)  
Jose Alvarez, Chicago Public Schools  
Brian Carpenter, National Charter Schools Institute  
Tom Carroll, National Commission on Teaching and America's Future  
John Carwell, Rodel Foundation  
Tony Colon, Fight for Children  
Barbara Davidson, Standards Work  
Chris Doherty, U.S. Department of Education  
Gene Eidelman, Mosaica Education  
Alvaro Fernandez, SHARPBRAINS  
John Hayner, Perspectives Charter School  
Alison Jack, Chicago Public Schools  
Neeru Khosla, Stanford University  
Bobbi Kurshan, Global Education and Learning Community  
Doug Lynch, University of Pennsylvania  
Gregory McGinity, The Broad Foundation  
Deborah McGriff, Edison Schools  
Eric Premack, Charter Schools Development Center  
Chris Reynolds, Henry Ford Learning Institute  
Stacey Rubin, College Track  
Kirk Schroeder, Schroder Fidlow  
Andy Smarick, National Alliance for Public Charter Schools  
Abigail Smith, Teach For America  
Aaron Tang, Our Education  
Merrill Vargo, Springboard Schools  
Ben Wildavsky, Ewing Marion Kauffman Foundation  
Jessie Wooley-Wilson, LeapFrog