



OFFICIAL POLICY

NATIONAL STANDARDS

The nation's legislators support the need to improve elementary and secondary education so that all students have access to a challenging and rewarding public education. The No Child Left Behind Act (NCLB) requires states to test all children once a year in grades 3-8 and once in high school based on state standards and assessments. Recent discussions and proposals to create a system of national educational standards are generally based on two assumptions: the first that NCLB is generating test results with no comparability of academic scores from one state to another. The second is that states are lowering standards (or re-defining 'proficiency') to avoid the negative consequences of federal adequate yearly progress (AYP) calculations.

Supporters of national standards point to the incomparability of state AYP results as a rationalization for their cause. However, comparability of state results is not critical to the potential success of NCLB nor is it a goal of the law. NCLB is supposed to be about improving individual student performance—a rising educational tide that raises the performance of all while closing the achievement gap.

According to the National Conference of State Legislatures Task Force on No Child Left Behind, the primary problem with NCLB is that AYP falsely and arbitrarily over-identifies failure and prescribes punishments—driving states to broaden the definition of proficiency and/or relax standards. In this situation, states are reacting rationally to an irrational metric and the obvious action is to fix the metric.

Some consider national standards or tests as a legitimate quid pro quo for substantial overhaul of NCLB; others see voluntary regional or national consortiums on standards as a desirable outcome. But all states want educational emphasis to be on achievement; and not on process; as is emphasized by NCLB. Past efforts to create national standards or a national test have been proposed by every administration since the presidency of George H.W. Bush. Each federal attempt has proven partisan, divisive and unsuccessful.

We need rigorous state standards that are anchored in real world demands students will face after high school, that are aligned to K-12 curriculum, assessments, high school graduation requirements, college placements standards and other related policy tools and practices. This can be most readily accomplished



through individual state refinement of standards or the voluntary participation of states in joint efforts like Achieve's American Diploma Project, not through federal action—which flies in the face not only of the role of states since the inception of our system of providing education; but the historical role of states and local school districts in funding education with diminished federal support.

The federal government's role in K-12 education policy has been greatly enhanced by the passage of the No Child Left Behind Act. The Act prescribes new and far-reaching procedural, administrative and implementation conditions that states and local school districts must meet as conditions for receipt of those funds. Federal funding increases in NCLB are exhausted by the compliance costs of NCLB, leaving states with little or no funding to raise the proficiency scores of struggling students through remediation known to have an impact on performance. The current federal role then, is strong on monitoring procedural and administrative compliance and weak on successful interventions and rewards encouraging enhanced student performance.

Federal statutory construction in the legislation creating the U.S. Department of Education prohibits federal involvement in a national test. Similar language in NCLB prohibits federal involvement in standards, assessments and curricula. These protections against federal involvement in state and local issues should be adhered to and continued. It is the position of the National Conference of State Legislatures that there is no legitimate or constructive role for federal involvement in national academic standards or a unified national test, especially while the structural flaws of NCLB remain unaddressed.

All states want AYP to be a valid metric and all states want to evaluate students with disabilities and limited English learners with appropriate measures. All states want to believe that the granting of flexibilities and waivers to implement NCLB is fair, consistent and transparent. NCSL urges Congress to focus on fixing NCLB now, not by adding additional layers of national, one-size-fits-all statutory and regulatory requirements on the law. Absent a thorough and comprehensive review of existing provisions, continued support for state and local organizations that have historically provided the foundation for education policy and funding is essential.

Expires August 2010