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Accountability and Student Mobility Under Title I of the No Child Left Behind Act

Paul Weckstein

Mobile students face three related risks in the implementation of the No Child Left Behind Act. First, in determining schools' academic progress, some mobile students may not be academically assessed or counted, reducing the likelihood that their academic needs will get attention. Second, some practices that schools might pursue to avoid accountability for lower achieving students may promote student mobility. Third, family mobility may make it harder for students and their families to access the required program elements and parent involvement provisions of Title I designed to ensure high-quality educational services. Although safeguards were included to minimize some of these risks, implementation problems will continue to plague the Act unless forcefully addressed.

Will mobile students be left behind in the efforts to ensure that students become proficient in the challenging skills and knowledge that states say all children should master? The legislative language and accompanying regulations for Title I of the No Child Left Behind Act (NCLB) reflect awareness of that risk and include some efforts to reduce it. Whether those efforts are adequate is the subject of this article.

There are three types of risk. First, there is some risk that mobile students may not be assessed or counted for purposes of determining whether schools, districts, and states are making adequate academic progress—thereby increasing the likelihood that they will receive less academic attention. Second, there is risk that lower achieving students may be moved from one school to another in order to avoid school accountability for their achievement. Third, there is the risk that students' mobility may make it less likely that they receive the adequate education and assistance services required under other provisions of Title I.

THE RISK THAT MOBILE STUDENTS WILL NOT BE ASSESSED OR COUNTED FOR SCHOOL ACCOUNTABILITY

There are two distinct questions here. First, will students' achievement be assessed? Second, will their assessment results count in determining whether the school, district, or state is performing adequately under NCLB's accountability provisions?

Assessing Students

If a student's academic proficiencies are not properly assessed, there is less likelihood that his or her academic needs will be adequately identified, understood, and addressed. A central premise of Title I is that relying only on students passing courses, for example, is not adequate when there is no assurance that those courses are actually teaching the full range of knowledge and skills that, under state standards, all students should learn. Further, NCLB requires that individual assessment results be shared with the child's

teachers and parents, and used to improve that child's instruction, which cannot happen if the child is not assessed.

NCLB requires that *all* students in certain grades¹ be assessed in order to determine the extent to which they are proficient in the challenging academic skills and knowledge the state has said, through adoption of its academic standards, all students should master. No ambiguity exists on this point—all students, including mobile students, must be assessed. The risks here are related to implementation, and the possibility that, despite the clear provisions of the law, some students will not be assessed.² This could happen because, for example, they do not happen to be in school on the days students are being assessed or, less innocently, because someone in the school has encouraged them not to come and participate, since their expected low scores will depress the school's achievement outcomes. These are risks shared by many other students as well, but students' mobility increases the likelihood they will not be in school or included when the assessments are conducted.

Faulty reading of the NCLB may increase the potential that some students will not be assessed. A separate provision requires that, regardless of assessment results, a school will not be deemed to be making adequate progress, for accountability purposes, if less than 95% of its students or less than 95% of any subgroup—low-income students, students with disabilities, students with limited English proficiency, and students from each major racial and ethnic group—have been assessed. While this requirement is in addition to the basic obligation to assess *all* students, and was added in order to discourage exclusion from assessment, it may be misunderstood. Some schools may think that a 5% exclusion rate (overall or for any of the subgroups) is acceptable, or, again less innocently, encourage them to figure out which lower achieving students they should actively exclude. It will thus be very important to emphasize that, even if a school's participation rate is sufficient for making adequate progress, exclusion of *any* students will still result in a violation of the separate requirement to include all students in the assessments.

In addition, there are two routes—nonpromotion and dropping out—by which students may not get assessed without directly violating the Act. Mobile students may well be disproportionately at risk here too. First, if a state provides for assessments in grade 4, for example, students who are not promoted and are instead retained in grade 3 will not be assessed with their peers. Yet these students, by virtue of their retention, are presumably not proficient and not making adequate academic progress. As with other practices discussed here, there are two sides to the risk: one is the impact for those children who are retained for reasons independent of NCLB; the other is the possibility that NCLB will actually encourage schools to increase grade retention as a way to avoid negative showings on their assessments.

¹The state must provide for assessment in at least one grade in each of three grade spans—grades 3–5, 6–8, and 9–12—in at least English or language arts, mathematics, and, beginning no later than 2007–08, science. By 2005–06, the English/language arts and mathematics assessments must take place in all grades 3 through 8, and at least once in grades 9–12 (Sec. 1111(b)(3)(A) and (C)(v) and (vii) of the Elementary and Secondary Education Act; 20 U.S.C. Sec. 6311(b)(3)(A) and (C)(v) and (vii)).

²Assessing all students has been cited as one of the most frequently unmet Title I requirements under the accountability provisions of the 1994 Act, the version in effect prior to No Child Left Behind (e.g., U.S. General Accounting Office, 2002). The same report documented inadequate state monitoring of assessment and accountability systems, raising questions about states not being positioned to implement the new accountability provisions of NCLB.

Although NCLB is silent on this problem of grade retention, there is an avenue under NCLB for addressing it. (This is over and above the other things states and districts can do to minimize or control grade retention, in light of the research showing that grade retention is not by itself an effective response to students' academic difficulties, and indeed can exacerbate them and increase the likelihood of dropping out.) Under NCLB, states must adopt at least one academic measure, in addition to assessment results, in determining whether elementary and middle schools are making adequate academic progress.³ Thus, a state could identify grade retention as an additional measure.⁴

Second, students who have dropped out of school, of course, will not be assessed. There are two aspects to this risk. Regardless of the reasons for dropping out, exclusion of these students from assessment distorts the assessment outcomes as a measure of what portion of a school's population has achieved the required proficiencies. An 11th grade proficiency rate of 60% in a school with virtually no dropouts has a different significance from the same proficiency rate in a school where 30% of its students are gone by the spring of 11th grade. Indeed, recent research shows that the portion of high school students who actually are proficient becomes dramatically lower, if the denominator includes the students who have dropped out, particularly when looking at either schools (e.g., in low-income areas) or student groups (e.g., Hispanic Americans) with high dropout rates (Haney, 2002). This phenomenon can also create an incentive for schools to encourage lower achieving students to drop out, or at least to refrain from taking measures to encourage them to remain in school.

NCLB actually recognizes this problem. It requires that states use graduation rates, in addition to academic assessment results, in determining whether high schools are making adequate yearly school accountability progress. For this purpose, it defines graduation rate as "the percentage of students who graduate from secondary school with a regular diploma in the standard number of years" (Sec. 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act; 20 U.S.C. Sec. 63311(b)(2)(C)(vi)).⁵ The inclusion of "standard number of years" language also addresses, at least for high schools, the grade retention problem discussed above. As with the additional measures for elementary and secondary schools, the graduation rate will not prevent a school with low student assessment results from being identified as not making adequate yearly progress (AYP), but it can result in additional schools being so identified. The impact of this requirement, however, has now been diluted by the Department of Education's regulations, which provide that, while the graduation rates must be reported in disaggregated form by

³This additional measure may be used to identify more schools as not making adequate yearly progress even if their assessment results appear to be satisfactory, but it will not allow a school to be deemed to be making AYP if the school's assessment results are not satisfactory.

⁴Similar to the method suggested below for counting dropouts, one way to construct this additional measure would be for the state to provide that students retained in the prior grade will be counted in the denominator of "all students" when determining the percentage of students who have attained proficiency. This reflects the reality that these students have not attained the expected proficiencies—unless, of course, grade retentions are so arbitrary that even proficient students are retained (a phenomenon this proposal should help eliminate); or unless, following retention, the students have now attained proficiencies expected not just for the repeated grade but for the grade not yet entered. Further, even this remote latter possibility could be avoided by allowing these students to take the assessments with their age cohort, rather than assuming they are not proficient.

⁵The regulations state a "regular diploma" does not include an alternative degree that is not fully aligned with the state's academic standard, such as a certificate or GED, and they also prohibit the state from counting dropouts as transfers (34 C.F.R. Sec. 200.19(a)(i)).

student subgroup, the state need only take into account the school's overall graduation rate, not the rate for each subgroup, in determining AYP.

Counting the Assessment Results

Title I requires that student assessment results be used to determine whether schools, and in turn districts and states, are making AYP toward the goal of all students becoming proficient in the skills and knowledge articulated in the state's academic standards. Schools not making AYP for successive years are subject to a graduated set of interventions and assistance (improvement, corrective action, and restructuring). The No Child Left Behind Act has modified the law by:

- Establishing a much more rigorous method for determining the initial percentage of students who must be proficient for a school to be making adequate progress;
- Requiring that this minimum percentage be increased in stages over 12 years until all students are proficient;
- Providing that a school will not be making AYP unless both its overall student body and each of several designated student subgroups—low-income students, students with disabilities, students with limited English proficiency, and students from each major racial and ethnic group—are making AYP; and
- Expanding on the consequences for not making AYP, including providing parents of children in schools in need of improvement with options to transfer to a higher achieving public school or obtain supplemental services, such as tutoring.

While the law is clear that all students must be assessed, there is one group of students whose assessment results are not counted in the same way as others for accountability purposes—namely, those students who do not remain in one school for the full academic year, either because they change schools or because they leave school altogether. For those students who change schools but remain in the same school district, their results count in determining whether the school district is making AYP academically, but they do not count in determining whether either school is making adequate progress. The regulations also provide that if these students change to a school in a different district but remain in the same state, then their results count in measuring the state's overall progress, but not the districts' or schools' progress. This reflects a balancing of interests. On the one hand, Congress and the Department of Education are responding to the argument by schools that it would be unfair to hold them accountable for the academic performance of students they have not taught for a full year. On the other hand, it recognizes continued responsibility for their performance by the district and/or state where the student is taught for a full year.

It is clear, however, that balancing does not fully protect the educational interests of the affected students. Basic to the premises of NCLB's accountability system is the widely recognized notion that "what counts is whatever gets counted," and that schools will act to improve students' education when the performance of those students is the measure for which a school is held accountable. With limited resources, along with limited expertise in how to enable all students to become proficient, the school will have an incentive to pay less attention to the students who will not count, including those who show up after the start of the year. The fact that they still count for the district's and state's performance is a much weaker incentive, since those entities are not the ones directly educating these students.

THE RISK THAT SCHOOLS WILL PUSH LOW-ACHIEVING STUDENTS TO OTHER SCHOOLS IN ORDER TO AVOID ACCOUNTABILITY FOR THEIR ACHIEVEMENT⁶

As with other issues discussed here, the issue of switching schools potentially has two sides. The problem undermines full implementation of NCLB for reasons described in the previous section, and, at the same time, NCLB may create incentives that aggravate the problem. In the latter regard, while many students switch schools at the volition of their families or for other reasons unrelated to the school, schools may be in a position to ensure that certain other, low-achieving students do not remain in the school for a full academic year and are thus not counted for purposes of the school's accountability. For example:

- Some school districts have temporary schools or learning centers to which students are assigned (for educational or disciplinary reasons) for less than a full year.⁷
- In some districts, certain students with disabilities may be assigned to a public or private learning setting outside their regular school for a period.
- Similarly, districts may have language centers for limited English proficient (LEP) students or "newcomer" centers for briefly enrolling immigrant students.
- School districts are involved in decisions about where homeless children (who must be assessed and counted on the same basis as other students under NCLB⁸) should continue

⁶NCLB also includes other accountability provisions that are *intended* to encourage school mobility of low-achieving students for a positive reason—by providing the parents of children in low-achieving schools the right to transfer their child to another, higher achieving public school (for discussion of issues in implementing that provision, see Weckstein, in press). While this form of school mobility is beyond the scope of this article, it is worth noting that some of the accountability issues discussed here may affect these students as well. First, it is possible that schools designated as in need of improvement and wishing to overcome that designation may selectively encourage parents to exercise their right of transfer for those children who are viewed as the hardest to educate (which is not to deny that that such transfer to a higher achieving school may be in these students' best interest). Second, depending on the timing of their transfer, some of these students might not be counted in determining the AYP of either their old school or their new school, for reasons discussed in the previous section. They may not be included in their new school's measure of AYP if the transfer occurs after the start of the school year. Alternatively, students who transfer may not count if they change their mind and transfer back to their school of origin before the end of the year—for example, because they find that the new school is not meeting their needs. Thus far, a very small percentage of eligible families are exercising this option, and even fewer are later transferring back (e.g., Silverman, 2003). Nevertheless, this could become a bigger issue as implementation proceeds.

⁷The Department of Education's proposed regulations would have required states to establish some method (other than the standard method of using student assessment to determine AYP) for holding accountable those schools whose purpose is to serve students for less than a full academic year, but this provision was deleted from the final regulations, in response to concerns that it highlighted a potential loophole for avoiding accountability for certain students. However, neither the inclusion nor the deletion of the provision fully addresses the problem identified here (Proposed Regulations, 34 C.F.R. Sec. 200.13(d), 67 Federal Register 50986, 51005 (August 6, 2002); Final Regulations, 34 C.F.R. Sec. 200.13, 67 Federal Register 71710, 71741 (December 2, 2002)).

⁸The Title I regulations on standards and assessments are explicit that all homeless children, as defined under the McKinney-Vento Act, are to be assessed, and that the rules for counting the results of students enrolled in one school for less than a full academic year apply to any homeless student (20 C.F.R. Sec. 200.6(d); 67 Federal Register 45038, 45042 (July 5, 2002)). The same regulations also state, correctly, that homeless children do not form a separate category to be disaggregated for reporting and accountability purposes, but the Department of Education declined to state that homelessness should be treated as sufficient evidence of economic disadvantage so that homeless students should be counted in the "economically disadvantaged students" subgroup without requiring schools to obtain additional evidence of family income (e.g., Center for Law and Education et al., 2002). The Act treats migrant students differently from homeless students in this regard. The achievement results of migrant students must be disaggregated as a separate category for reporting purposes, although not for accountability purposes—that is, although the school must report their results separately, migrant students are not one of the identified subgroups that must separately make AYP (Sec. 1111(b)(3)(C)(xiii) of the Elementary and Secondary Education Act; 20 U.S.C. Sec. 6311(b)(3)(C)(xiii)).

to attend school if they leave their attendance zone. Under the McKinney-Vento Act of 2000, this decision must be based on “the best interests of the child,” and in determining those best interests the district must keep, to the extent feasible, the child in the original school, except when contrary to the parent’s wishes.

- Students who have been expelled or suspended for some length of time, at some point, may be considered not enrolled for the full academic year.
- Students may be encouraged to drop out or merely encouraged to “take some time out,” which later is counted as a disenrolling, temporarily or otherwise) *after* they have already participated in the assessments—thereby discounting the assessment results.

While any of these phenomena may occur for reasons completely unrelated to NCLB, the more stringent accountability provisions of NCLB create some incentives to resort to them as a way of avoiding the impact of low achievement results.⁹ And families, not knowing about these accountability rules, will typically be unaware that such considerations may be interfering with the school making decisions in the child’s best educational interests.

The regulations provide that the “full academic year” be defined by the state, and the extent of the problems created by these provisions will depend in part on that definition. A definition that excludes students who enroll a few days after the start of school will negatively affect far more children than one stated in terms of attending for the bulk of the year regardless of when absences occur during the year. Additionally, whether students temporarily out of the school—for illness, family reasons, or attendance at a temporary learning facility—are treated as still “enrolled” in their school is also important. States should address these definitions in a way that advances, rather than frustrates, the goals of NCLB. They must also ensure that these decisions do not result in discrimination on the basis of race, national origin, disability, or gender, in violation of civil rights laws.

Finally, there is an important, unstated premise in the above discussion of negative incentives—namely, that schools *want* to avoid being identified as not making adequate academic progress, even if a complete and accurate review of their students’ achievement would reveal that indeed their progress is inadequate. If schools did not view such identification as a negative event, there would be no incentive to avoid counting low-achieving students in determining the school’s academic progress. Of course, for most schools such identification is viewed as stigmatizing. The obvious reasons include: a lack of internal capacity to design and implement the kinds of reforms that would dramatically improve achievement; a well-grounded skepticism that identification will result in outside resources and assistance from the district or state of sufficient quality and intensity to meet this need; and a generalized view (less well-grounded in the law) that the consequences of identification under the Act are overwhelmingly punitive.

However, it is possible to imagine, and indeed critical to seek, a change in this perspective. In such a shift, the driving motive for schools would be the desire to ensure that all their students are making sufficient progress to become academically proficient, and thus to intervene effectively when any of them, or any subgroup of them, are not making enough progress to do so. Changing this perspective, though, will require a combination of much greater and better-designed assistance and capacity-building opportunities and a more careful, less punitive reading of the law’s accountability provisions. Also, there must be much more empowerment of those who already have no negative incentives for allowing schools to ignore the achievement needs of children—namely, the parents of

⁹For concerns by education agencies that many more schools will be identified as “in need of improvement” under the new accountability provisions, see e.g., Hoff, 2002, Kurtz, 2003, Linn, Baker, and Betebenner, 2002, and Olsen, 2002; for concerns about education agencies adopting avoidance strategies, see U.S. Department of Education, 2002.

those children—through fully engaging the law’s parent involvement provisions. (For an additional treatment of how to characterize the NCLB’s accountability system, see Weckstein, in press, and U.S. Department of Education, 2002.)

THE RISK OF LIMITED ACCESS TO THE EDUCATIONAL BENEFITS OF TITLE I

Title I is more than a system for setting academic standards, assessing whether students are meeting them, and imposing consequences on schools where students do not meet them—although that is the all too common perception. The program’s annual \$11.7 billion mostly assists schools to plan, implement, and improve their core academic programs to deliver on the promise of quality education for their students and enable them to meet those standards. As part of that effort, the money comes with important requirements concerning various components of schools’ academic programs. Taken together, these requirements frame the elements of a quality education that schools must provide their students and which parents have a right to expect. As such, they articulate a system of school accountability (i.e., accountability to families for delivering the elements of quality education) that complements, but is different from, the law’s more widely recognized system of schools’ accountability for gains in student performance (Center for Law and Education, 2002; Weckstein, 1999).

Title I schools where low-income students constitute at least 40% of the enrollment and choose to run “school-wide programs” must develop and implement a comprehensive program plan describing *how* they will provide each of the required program elements in order to enable all students to become proficient, based on a comprehensive needs assessment of the entire school (including migrant students). The plan must spell out how the school will provide, for example, each of the following:

- An enriched and accelerated curriculum;
- Effective instructional strategies and methods, including strategies for meeting the educational needs of historically underserved populations;
- Highly qualified teachers, who participate in intensive, high-quality staff development to improve their teaching skills;
- Strategies (e.g., counseling) for addressing the needs of all children in the school, particularly the needs of low-achieving children and those at risk of not meeting the state standards who are members of the target population of any program included in the school-wide program, along with methods for determining whether those educational needs have been met; and
- Timely and effective additional assistance to individual students having difficulty mastering any of the standards, including methods for identifying students’ difficulties on a timely basis and providing sufficient information on which to base effective assistance.

The plan for providing each of these elements must be *jointly developed* with the parents. *How* this joint development will occur must be spelled out in the school’s parent involvement policy, which also must be *jointly developed with and approved by* the parents. This jointly developed and approved parent involvement policy also must spell out how the school will implement various requirements for providing parents, in an accessible and understandable way, a variety of information, training, and opportunities for meetings with teachers and classroom observation. The policy should include other forms of assistance the school will provide to get parents involved in activities and various roles within the school building and their children’s academic lives.

Title I schools that are “targeted assistance schools”—because their low-income enrollment is less than 40% or because they choose not to implement school-wide programs—must provide essentially the same quality elements, but only to students identified as failing, or at risk of failing, to meet the state’s academic standards. This identification must be based on multiple, education-related, objective criteria established by the district and supplemented by the school. These schools must also have a jointly developed and approved parent involvement policy, covering the same requirements. (There is no explicit requirement for a written program plan in targeted assistance schools, but the program requirements clearly presume and demand a high level of planning.)

These requirements for the elements of a quality education program and for parent involvement in designing, implementing, and evaluating the program have been in the Title I law since 1994. However, up to now, they have been largely ignored because of: (a) failure to provide information about them to schools, parents, and communities; (b) failure to assist schools develop the capacity to carry them out (despite a requirement that state plans describe how they will assist each district and school to develop the capacity to comply with each of these requirements); and (c) failure to monitor and enforce them (despite district, state, and federal agency responsibility for enforcing the law). These school-level requirements are central to designing an effective and responsive educational program that will enable all students to meet high standards. Thus, reversing these implementation failures should be a high priority both for education agencies and advocates.

Ensuring effective implementation of certain of these requirements will be particularly challenging in regard to mobile students. For example:

- How will late-entering students be included in the school’s comprehensive needs assessment, upon which the program plan must be based?
- How will the school develop instructional and other strategies to meet the needs of such students, and how will the school determine whether the needs of students who move are being met?
- How will the school ensure that the requirements for individual assistance to students having difficulty mastering particular standards are timely and effective for students who have been in the school for less time than other students?
- In targeted assistance schools, how are mobile students identified as eligible for Title I services? In schools where identification in the fall is largely based on assessment results from the previous spring, does the school have and use such results for students who in the prior year were attending a different school (including in some cases non-Title I schools)?
- Given the learning curve in dealing with the complexity of the educational issues to be addressed, how will these children’s parents, who are less familiar with the new school, get the information and assistance they need to make effective use of the parent involvement opportunities provided by the Act and monitor the quality of their children’s education?

The particular needs of mobile students make it both more important that they receive the benefits of the educational components required in Title I schools and more difficult for them to access those quality components effectively.

REFERENCES

Center for Law and Education. (2002). *No Child Left Behind—A Title I overview*. Retrieved from www.cleweb.org.

- Center for Law and Education, Citizens Commission on Civil Rights, and National Council of La Raza. (2002). *Comments on proposed Title I regulations on standards and assessments* (submitted to U.S. Department of Education, June 5, 2002).
- Elementary and Secondary Education Act, 20 U.S.C. Sec. 6301 *et seq.*, as amended by the No Child Left Behind Act of 2001, Public Law No. 107-110.
- Haney, W. (2002, November). *Progress through the educational pipeline: The grade 9 valve*. Paper presented at the annual conference of the National Coalition of Advocates for Students, Washington, DC.
- Hoff, D. J. (2002, October 9). States revise the meaning of proficient. *Education Week*, p. 1.
- Kurtz, M. (2003, January 13). Law could label half Mass. schools deficient. *Boston Globe*, p. A1.
- Linn, R. L., Baker, E. L., & Betebenner, D. W. (2002, June). *Accountability Systems: Implications of Requirements of the No Child Left Behind Act of 2001* (CSE Technical Rep. No. 567). Los Angeles: Center for the Study of Evaluation, National Center for Research on Evaluation, Standards and Student Testing, University of California, Los Angeles.
- Olsen, L. (2002, April 3). 'Inadequate' yearly gains are predicted. *Education Week*, p. 1.
- Silverman, J. (2003, January 28). Bush measure on schooling finds change no sure thing. *Boston Globe*, p. A2.
- U.S. Department of Education. (2002, October 23). *Letter Released from U.S. Education Secretary Paige to State School Chiefs on Implementing No Child Left Behind Act* (Press Release). Retrieved from <http://www.ed.gov/PressReleases/10-2002/10232002a.html>.
- U.S. General Accounting Office, U.S. Department of Education Office of the Inspector General, State of Texas State Auditor's Department, Commonwealth of Pennsylvania Department of the Auditor General, and City of Philadelphia Office of the Controller. (2002, August). *A Joint Audit Report on the Status of State Student Assessment Systems and the Quality of Title I School Accountability* (Texas S.A.O. Rep. No. 02-064). Washington, DC.
- Weckstein, P. (1999). School reform and enforceable rights to quality education. In J. Heubert, (Ed.), *Law and school reform: Six strategies for promoting educational equity* (pp. 306-389). Boston: Yale University Press.
- Weckstein, P. (in press). Accountability. In *Education and race: A journalist's handbook on No Child Left Behind*. Oakland, CA: Applied Research Center.

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