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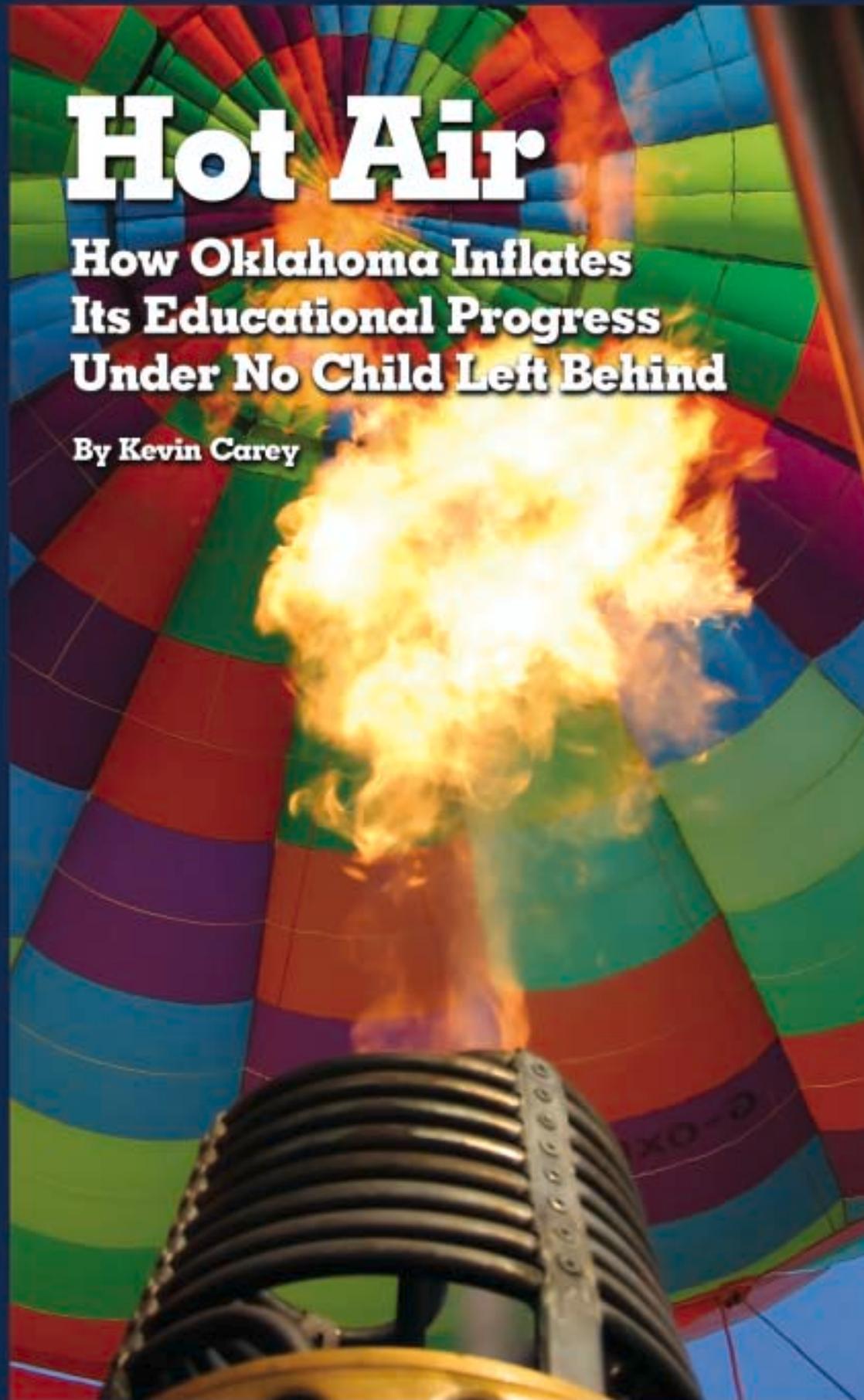
# Hot Air

**How Oklahoma Inflates  
Its Educational Progress  
Under No Child Left Behind**

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## Introduction

Education is more important to the lives of America's young people today than at any time in our nation's history. The income gap between educational haves and have-nots is rapidly widening, with virtually all of the economic gains of the last two decades accruing to people with advanced educational credentials. Pressure from the global labor market, once confined to the manufacturing sector, is steadily moving up the income and skills ladder. Advances in telecommunications allow workers to compete for well-paying white collar jobs from half a world away.

It is, therefore, critically important for state policymakers to set high, ambitious standards for their schools and students. States have an obligation to give their children the knowledge and skills necessary to compete in the 21<sup>st</sup> century economy. States have a responsibility to push their schools and educators to continually innovate and improve.

States set some of the most crucial educational standards when they choose how to comply with the federal No Child Left Behind Act (NCLB). While the law is often characterized as a one-size-fits-all federal mandate, it actually gives states a great deal of discretion to decide what students need to know, how to test that knowledge, and what scores students need to pass state tests. NCLB also gives states considerable leeway to define a host of other critical educational standards, from district performance and high school graduation rates to school safety and teacher qualifications.

Unfortunately for Oklahoma students, an analysis of documents and reports recently filed by all 50 states with the U.S. Department of Education shows that the Sooner State has, on the whole, set unusually low educational standards for its students, teachers, and schools. While objective measures put Oklahoma in the lower half of states in terms of educational performance, measures reported by the Oklahoma State Department of Education consistently paint a far rosier picture. On measure after measure, the state has defined educational progress in ways that tend to overstate the true progress of Oklahoma students and schools.

This analysis is echoed by those of other neutral observers. A range of outside organizations from across the political spectrum have examined Oklahoma's educational standards and found them wanting.

If these policies continue, the long-term consequences for both students and the state as a whole could be severe. Students who are denied access to world-class educational standards will be at a disadvantage as they strive to move ahead in higher education and the workforce. Schools working to innovate and improve will lack external pressure from strong accountability systems. And the state as a whole will be at a long-term disadvantage in competing to build a strong, diverse, sustainable economy for its citizens.

Oklahoma's political and educational leaders should work to change course in the coming years and give their students the high standards they need and deserve.

## Where Do Oklahoma Students and Schools Currently Stand?

Only a few measures of educational performance allow for fair, accurate, objective comparisons between states. The most widely accepted measure is the National Assessment of Educational Progress (NAEP). Administered under the auspices of the U.S. Department of Education, the NAEP is given biennially to a sample of students in every state, testing their knowledge of reading and mathematics in the fourth and eighth grade.

NAEP scores consistently put Oklahoma students at or below the national average. The most recent NAEP test was administered in 2005. Oklahoma's ranking compared to other states is shown in Table 1.

**Table 1. Oklahoma Ranking on the 2005 National Assessment of Educational Progress (Average Scale Score)**

Grade 4 Math .....	36 <sup>th</sup>
Grade 4 Reading .....	38 <sup>th</sup>
Grade 8 Math .....	41 <sup>st</sup>
Grade 8 Reading .....	33 <sup>rd</sup>

On all four tests—math and reading in grades four and eight—the average score among Oklahoma students was lower than the average score in most other states, and at or below the national average score. This is also the case when Oklahoma is compared to surrounding states. Table 2 compares Oklahoma to seven nearby states: Kansas, Missouri, Arkansas, Louisiana, Texas, New Mexico, and Colorado.

When Oklahoma is compared to its surround-

**Table 2. Average Scale Score on 2005 National Assessment of Educational Progress, Oklahoma and Surrounding States**

Grade 4 Math	Grade 4 Reading	Grade 8 Math	Grade 8 Reading
Kansas (246)	Colorado (224)	Kansas (284)	Kansas (267)
Texas (242)	Missouri (221)	Colorado (281)	Colorado (265)
Colorado (239)	Kansas (220)	Texas (281)	Missouri (265)
National Avg. (237)	Texas (219)	National Avg. (278)	Oklahoma (260)
Arkansas (236)	National Avg. (217)	Missouri (276)	National Avg. (260)
Missouri (235)	Arkansas (217)	Arkansas (272)	Arkansas (258)
Oklahoma (234)	Oklahoma (214)	Oklahoma (271)	Texas (258)
Louisiana (230)	Louisiana (209)	Louisiana (268)	Louisiana (253)
New Mexico (224)	New Mexico (207)	New Mexico (263)	New Mexico (251)

Note: NAEP tests are scored on a scale in which 10 points are equal to approximately one grade level of educational progress.

ing states, the pattern is similar to when Oklahoma is compared to the nation as a whole: on each test Oklahoma scores either in the middle or below average. On three of the four tests, Oklahoma students scored below students in Kansas, Texas, Colorado, Arkansas, and Missouri, as well as below the national average, while outscoring students in Louisiana and New Mexico. On one test Oklahoma students surpassed students in those two states as well as students in Arkansas and Texas, equaling the national average.

Because the NAEP tests only a statistical sample of students, a state's actual ranking on a given test in a given year could be somewhat higher or lower than shown on these tables. But the general pattern is very clear: Overall, Oklahoma students score no better than average and often well below, both compared to the nation as a whole and to surrounding states.

Reports filed in 2006 to the federal government by the Oklahoma State Department of Education, however, paint a very different picture. On measure after measure, the state portrayed itself not as well below average but well above, calling into question the accuracy of the state's education data and the strength of its educational standards.

#### **The Pangloss Index**

In March 2006, all 50 states filed reports with the U.S. Department of Education detailing their standards and progress under No Child Left Behind. The reports included data on a range of subjects, including student proficiency rates in elementary, middle, and high school, the percent of schools and districts making "adequate yearly

progress," high school graduation and dropout rates, school violence statistics, teacher and paraprofessional qualifications and teacher access to high-quality professional development. Education Sector, a nonpartisan, independent education policy think tank, combined state rankings on eleven of those measures into a single, aggregate index, shown on Table 3. The highest ranked states reported the best combined results.<sup>1</sup>

In a perfect world, this index would provide an accurate snapshot of educational progress, showing parents and policymakers which states are providing the best education to their children and which have the most room to improve. And some of the rankings seem appropriate—New Mexico, which ranks 48th on Table 3, also ranks near the bottom on the NAEP. Conversely, some states that score well on the NAEP and other independent measures, like Connecticut, appear near the top of Table 3.

But the report also found that many state rankings were driven less by real-world education success than by the penchant of some states to misuse their standard-setting flexibility under NCLB to define and report educational performance measures that are contradicted by objective measures. That's why the rankings were called the "Pangloss Index," after the character in Voltaire's *Candide*. Dr. Pangloss was an inveterate optimist, a man who insisted, in the face of all evidence to the contrary, that we live in the best of all possible worlds. A number of states appear to be following his lead.

**Table 3. The Pangloss Index**

State	Rank
Wisconsin .....	1
Iowa .....	2
Connecticut .....	3
Nebraska .....	4
South Dakota .....	5
Kansas .....	6
West Virginia .....	7
Indiana .....	8
Idaho .....	9
North Dakota .....	10
Tennessee .....	11
Virginia .....	12
Mississippi .....	13
Oklahoma .....	13
Vermont .....	13
Montana .....	16
New Jersey .....	17
Minnesota .....	18
Colorado .....	19
Texas .....	19
Maine .....	21
Alabama .....	22
New Hampshire .....	23
Delaware .....	24
Ohio .....	24
Illinois .....	26
Rhode Island .....	27
Pennsylvania .....	28
Georgia .....	29
Michigan .....	29
North Carolina .....	31
Arkansas .....	32
Utah .....	33
Washington .....	33
Arizona .....	35
Kentucky .....	36
New York .....	37
Louisiana .....	38
Massachusetts .....	39
Missouri .....	40
Oregon .....	41
Wyoming .....	42
Alaska .....	43
California .....	44
Florida .....	45
South Carolina .....	46
Nevada .....	47
New Mexico .....	48
Maryland .....	49
DC .....	50
Hawaii .....	51

Oklahoma, for example, is tied for 13<sup>th</sup> on the Pangloss Index, far above its ranking on any of the NAEP assessments. While Oklahoma usually ranks *below* states like Texas, Colorado, and Missouri on objective measures like NAEP, it ranks *above* them when ranked by the self-generated, self-defined measures states report to the federal government.

A close examination of those measures, and a review of reports and analyses conducted by a range of outside researchers and national education organizations, shows why: When given the opportunity to set standards and define performance, Oklahoma tends to set the bar low.

#### Deciding What Students Need to Know

The most basic state responsibility under NCLB is setting academic standards, defining exactly what students need to know to be considered academically “proficient.” In addition to reporting average scores, NAEP reports also show the percent of students who score at “proficient” and “basic” levels in each tested subject and grade. Table 4 compares the percent of Oklahoma students who meet the proficient standard on Oklahoma state tests to the percent who meet the proficient and basic standards on the NAEP. It also shows how the state ranks compared to other states on those measures.

State tests and the NAEP don’t assess exactly the same content, so comparisons between the two are not exact. However, some overall trends are clear. Oklahoma proficiency standards are less rigorous than NAEP standards—the percent of students who meet the “proficient” standard on Oklahoma tests is actually much closer to the percent who meet the lower, “basic” standard on the NAEP. The state reported, for example, that 68 percent of students were proficient in eighth grade mathematics, while the NAEP put the proficiency rate at only 21 percent.

Most state proficiency standards are lower than those used by NAEP. But the relative *degree* to which Oklahoma standards fall short can be seen by the state’s ranking relative to other states on each measure. According to both the “proficient” and “basic” NAEP standards, Oklahoma ranks below most states on every test in every grade, no better than 31<sup>st</sup> nationwide. But according to its own proficiency standard, Oklahoma ranks much higher, between ninth and 20<sup>th</sup> nationwide. This suggests that Oklahoma’s academic standards are unusually low.

**Table 4. 2005 State and NAEP Percent Proficient in Oklahoma**

	State Percent Proficient (Ranking)	NAEP Percent Proficient (Ranking)	NAEP Percent Basic (Ranking)
Grade 4 Math	74% (18 <sup>th</sup> )	29% (39 <sup>th</sup> )	79% (31 <sup>st</sup> )
Grade 4 Reading	83% (9 <sup>th</sup> )	25% (42 <sup>nd</sup> )	60% (38 <sup>th</sup> )
Grade 8 Math	68% (15 <sup>th</sup> )	21% (42 <sup>nd</sup> )	63% (39 <sup>th</sup> )
Grade 8 Reading	72% (20 <sup>th</sup> )	25% (38 <sup>th</sup> )	72% (31 <sup>st</sup> )

**Table 5. Strength of State Proficiency Standards**

State	Grade
Missouri .....	A
Arkansas .....	B-
New Mexico .....	C+
Louisiana .....	C
Kansas .....	C-
Texas .....	D+
Colorado .....	D
Oklahoma .....	F

Outside researchers assessing Oklahoma’s academic standards have reached similar conclusions. Dr. Paul Peterson, Director of the Program on Education Policy and Government at Harvard University, and Dr. Frederick Hess, Director of Education Policy Studies at the American Enterprise Institute, recently graded the states based on the difference between their state and NAEP results.<sup>2</sup> *Oklahoma was one of only two states in the nation to receive an overall grade of “F.”* As Table 5 shows, this differs substantially from the grades assigned to surrounding states.

NAEP results for 12<sup>th</sup>-grade students are not calculated on a state-by-state basis, making similar comparisons of high school standards impossible to perform. However, it should be noted that Oklahoma’s state-reported proficiency rates for high school students—61 percent for reading, 28 percent for math—are, relative to other states, much more consistent with objective measures of the state’s overall academic standing. The high school reading and language proficiency rate ranks 30<sup>th</sup> among the states, while the high school math proficiency rate ranks 48<sup>th</sup>. This suggests that Oklahoma may be setting relatively higher standards for its older students than for its younger students.

### Failing to Identify Schools in Need of Improvement

The heart of NCLB is the “adequate yearly progress” (AYP) system of identifying schools in need of academic improvement. To determine if a school or district is making AYP, each state establishes a target percentage of students who must score as “proficient” on state tests in reading and math. That target must be met by both the student body as a whole in each school and by “sub-groups” of students, such as students from specific racial and ethnic populations, low-income students, and students with disabilities. Schools and districts that fail to make AYP for multiple consecutive years become subject to increasingly serious consequences and interventions.

Most states comply with the AYP requirements by simply measuring the percent of students who are proficient in a given district, school, or subgroup. Oklahoma uses a more complex system called the Academic Performance Index (API), which is based on the percent of students who fall into four separate performance categories: Unsatisfactory, Limited Knowledge, Satisfactory, and Advanced. “Satisfactory” equates to what most states call “proficient.” In calculating the API, schools get partial credit for students who are not “Satisfactory” but meet the “Limited Knowledge” benchmark.

Indices like the API have the advantage of giving schools credit for making significant progress with students who begin the year so far below the “proficient” level that they may not be able to get all the way to state standards in one year. But the disadvantage is that an Oklahoma school could be deemed to be improving under NCLB even if the percent of students who are “Satisfactory” or “Advanced” stays stagnant, or even declines.

NCLB established a goal of 100 percent of students being proficient by the end of the 2013-14 school year. States start by establishing relatively

modest proficiency targets and then steadily ramping up the target over time. States have discretion, however, in determining exactly how that escalation will take place. Some states simply elected to divide the amount of improvement needed by the number of years until 2014, asking schools to make steady progress toward the end goal every year. Oklahoma, on the other hand, decided to create the path to proficiency shown on Chart 1.

These were fairly typical results, close to the median percentage among all states.

For the 2004-05 school year, however, the numbers changed dramatically. Oklahoma reported that 91 percent of districts and 97 percent of schools met the AYP standard. The school success rate was the single highest rate reported by any state nationwide.

This sudden upsurge wasn't the result of dramatic improvements in student learning. Instead, it was a result of the Oklahoma State Department of Education loosening certain NCLB standards and failing to enforce others.

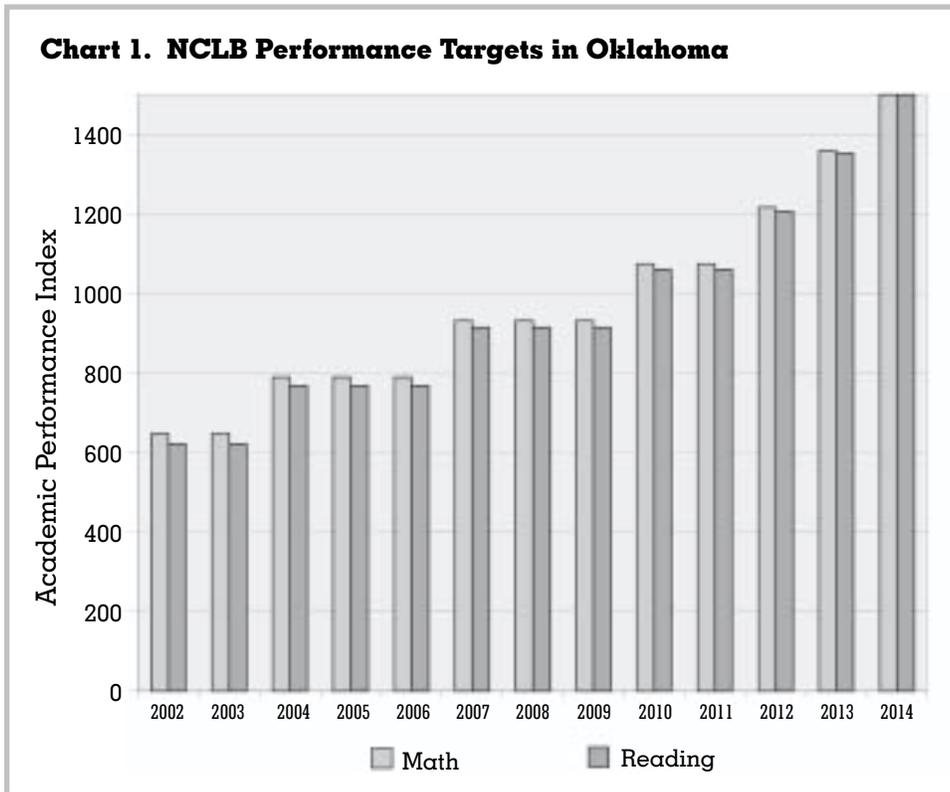
NCLB holds schools and districts accountable for the performance of eight major subgroups:

- Black students
- American Indian students
- Hispanic students
- Asian / Pacific Islander students
- White students
- Economically disadvantaged students
- English language learners
- Students with disabilities

The subgroup provisions ensure that schools aren't rated as "successful" based solely on overall averages, even as tradi-

tionally disadvantaged students are left behind. However, experts agree that standardized test results should be interpreted carefully when measuring subgroup performance. All tests have a built-in margin of error. Students might do better or worse on a given test depending on the test-maker's choice of questions. Test results can also vary due to other factors unrelated to student learning, particularly if the group of students tested is relatively small. For these reasons, the U.S. Department of Education allows states to adjust their AYP formulas to give districts that miss proficiency targets by a relatively small amount the benefit of the doubt. This is a sensible principle—districts should only be labeled as inadequate if their students are truly not learning enough.

**Chart 1. NCLB Performance Targets in Oklahoma**



An API score of 1500 is equivalent to 100 percent proficiency. In 2002, the first year of NCLB implementation, the target API in math was 648. Over the next nine years, that target gradually increases by 426 points, to 1074 in 2011. It then increases by another 426 points in just the last three years, jumping to 1500 in 2014. The annual goals for reading are virtually the same.

In this way, Oklahoma has back-loaded most of the academic progress schools need to make into the final years of NCLB, creating the educational equivalent of a "balloon payment" on a mortgage. Relatively little progress is required in the beginning years, but eventually a large bill comes due.

As a result, Oklahoma reported that 75 percent of schools and 75 percent of school districts statewide made AYP for the 2003-04 schools year.

Oklahoma has used this flexibility to implement a "minimum sample size" provision, which means that subgroups are only measured for AYP purposes if they contain 52 or more students. If an Oklahoma school has, for example, 50 American Indian students, it cannot be identified as low-performing based on how little American Indian students learn, even if few or none of them pass the state test.

Nearly all states use minimum sample sizes. Oklahoma's minimum size, however, is unusually large; most states chose to measure groups smaller than 52.

The U.S. Department of Education, moreover, recently found that Oklahoma had failed to adequately hold schools and districts accountable for the performance of two subgroups, even if they numbered *more* than 52.<sup>3</sup> English language learners and students with disabilities were not appropriately counted in the 2004-05 AYP equation. As a result, some schools and districts were identified as having made AYP that should have actually been identified as missing the mark.

The basic process for measuring school district performance under NCLB is the same. But in 2004, the Oklahoma State Department of Education successfully petitioned the U.S.

Department of Education to change the school district AYP formula, in a way designed to reduce the number of districts who fall short.<sup>4</sup> Instead of measuring progress for the district as a whole, Oklahoma now breaks district-wide scores into three levels: elementary, middle / junior high, and high school. For a district to miss AYP, it must fall short (after minimum sample sizes and other statistical adjustments are applied) at *all three* levels. If student performance is good in the elementary grades, for example, but drops off

sharply in middle and high school, the district still makes AYP. This provision also has the effect of splitting student subgroups into smaller sizes and thus reducing the number that meet the minimum sample size of 52.

Moreover, the district must miss the mark at all three levels *in the same subject*. If elementary and middle school performance is inadequate in reading, while high school performance is too low in math, the district still makes AYP.

NCLB also includes a provision called "safe harbor," which allows underperforming districts to make AYP if they make enough improvement from the previous year. Districts make safe harbor if the percent of students not proficient drops by at least 10 percent from the year before.

In 2005, Oklahoma successfully petitioned the U.S. Department of Education to use a "75 percent confidence interval" when performing the safe harbor calculation.<sup>5</sup> A confidence interval is essentially a "plus or minus" band around a performance target, similar to when a poll of likely voters is said to be accurate to within plus or minus a few percentage points.

Practically speaking, adopting a confidence interval means that schools and districts in Oklahoma can make safe harbor even

if the percent not proficient (or the API equivalent) drops by significantly *less* than 10 percent. In fact, if a school is small enough, it could make safe harbor even if test scores don't improve *at all*.<sup>6</sup> As a result, some districts that would have missed AYP in 2003-2004 made AYP in 2004-2005, not because their actual performance was better, but because the AYP standard became easier to meet.

Oklahoma also successfully asked the U.S. Department of Education for an adjustment to the

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way AYP is calculated for students with disabilities in 2004-05. For schools that missed AYP solely due to under-performance by students with disabilities, the percent of students with disabilities who were proficient was artificially increased by approximately 13 percent. If, after that adjustment, the school met the proficiency target, it was considered to have made AYP, even if the actual percent proficient was below the target.<sup>7</sup>

NCLB also requires that schools and districts should be rated on an “additional academic indicator” to supplement measures of academic performance. Like many states, Oklahoma chose to use attendance rates for elementary and middle schools and graduation rates for high schools to fulfill this requirement. The attendance and graduation rate targets are not difficult to meet. For attendance rates, the target was set at 91.2 percent, which is 1.5 standard deviations below (statistically speaking, roughly equal to the bottom 10 percent of all schools) the 2001-02 statewide average rate of 94.5 percent. For graduation rates, the standard was set at 68.8 percent, which is 1.5 standard deviations below the 2001-02 statewide average rate of 85.6 percent.

Unlike student test score targets, which increase steadily over time until reaching 100 percent in 2014, the attendance and graduation rate targets are not required to change. In other words, high schools in Oklahoma that fail to graduate three out of 10 students year after year, a rate that is already far below the statewide average, never have to improve to make AYP.

To be clear, with the exception of the exclusion of English language learners and students with disabilities, all of Oklahoma’s policies for implementing AYP have been approved by the U.S.

Department of Education. Moreover, most of the individual provisions are based on a reasonable idea: making sure that schools and districts are only identified as low-performing if they truly miss the mark. Taken in isolation, some make sense.

But when states like Oklahoma exploit their flexibility under NCLB to implement a whole series of adjustments, layering confidence intervals atop safe harbor provisions, adding three-level district

score disaggregation to unusually large minimum sample sizes, back-loaded improvement schedules and performance indices, the effect is to open so many safety valves in the accountability system that it’s no longer effective in applying meaningful pressure to improve.

In other words, Oklahoma appears to be conforming to the letter, but not the spirit, of NCLB.

When this happens, students in low-performing schools pay the price. NCLB gives parents in low-performing schools the option of sending their children to other, better schools within the district. It also gives them access to free tutoring provided by private and non-profit companies after school. And by shining a spotlight on schools in need of improvement, NCLB creates new impetus and pressure for educators and policymakers to focus their

efforts on helping students who need help the most. But none of these benefits can be realized if low-performing schools are never identified in the first place.

#### **Giving All Students Knowledgeable, Well-Trained Teachers**

In addition to holding schools and districts accountable for student performance, No Child Left Behind also requires states to ensure that all children are taught by a “highly-qualified” teacher. To meet this standard, teachers must

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hold a bachelor's degree, have full state certification, and demonstrate that they have knowledge of the subjects they teach. Most teachers already have a bachelor's degree and certification; the final requirement was added because academic studies show a positive relationship between teachers' content knowledge and student success in the classroom. Studies also show that low-income and minority students are more likely than other students to be taught by the least experienced, least-educated, and least-qualified teachers.<sup>8</sup>

As with many other NCLB provisions, Congress gave states a significant amount of discretion to define exactly what "highly-qualified" means. Teachers can demonstrate their content knowledge by holding the equivalent of a college major in a subject, or by passing one of the standardized teacher licensure tests that are now commonly required for new teachers in most states. Many veteran teachers, however, were certified before such requirements were enacted. For them, states have the option of establishing a High Objective Uniform Standard of State Evaluation, or "HOUSSE."

Some states created relatively stringent HOUSSE standards, requiring real, objective, demonstrations of content knowledge. Alabama, for example, requires teachers to have at least 18 college credit hours in their subject. As a result, it found that only 82 percent of classes were being taught by "highly-qualified" teachers. Other states, however, have set the bar lower, resulting in virtually every teacher in the state being granted "highly qualified" status.

In its report to the U.S. Department of Education, Oklahoma stated that 99 percent of all core academic classes were taught by highly-qualified teachers in 2004–05, the third-highest percentage in the nation. Some states do a better job than others of training teachers, so this very high percentage could be a result of Oklahoma doing an unusually good job of giving teachers the knowledge they need. A recent study, however, suggests otherwise.

In 2004, the National Center for Teaching Quality (NCTQ) published an analysis of HOUSSE standards in every state, grading each state based on whether the standards were clear, rigorous, and focused on providing objective evidence of a teacher's subject matter knowledge.<sup>9</sup> The grades for Oklahoma and surrounding states are shown on Table 6.

**Table 6. National Center for Teaching Quality Grades of State Standards for "Highly Qualified Teachers"**

State	Grade
Colorado .....	A+ *
Kansas .....	B
Texas .....	B
Louisiana .....	C
Arkansas .....	C-
Oklahoma .....	C-
New Mexico .....	D
Missouri .....	Incomplete and weak

\*Note: Colorado has provided new information about its HOUSSE plan since the publication of this report.

Oklahoma received a grade of "C-minus," lower than most surrounding states. Oklahoma adopted a type of HOUSSE plan used by many other states, whereby veteran secondary-school teachers lacking a college major in the subject they teach can avoid having to take a test and instead demonstrate content knowledge by accumulating "points" on a checklist of professional experiences. NCTQ characterized Oklahoma's HOUSSE system as follows:

Run-of-the-mill point system with three big problems. First, a significant number of points can be earned outside of [college] coursework—including largely irrelevant options like mentoring or having a student place well in an academic competition. Second, there's no minimum on the number of [college] courses required. Third, while the number of points a teacher can earn under each option is limited, the limits are so generous they prove themselves ineffective. The one somewhat positive feature is the state's choice to grant teachers points for raising student achievement; however, there's no explanation as to how the system determines an appropriate 'increase in student test scores' and the number of points offered is minimal.<sup>10</sup>

Higher-graded Kansas, by contrast, requires that teachers earn at least 15 credit hours (equivalent to a college minor) of college coursework, and Colorado has a similar provision. Kansas only gives credit for professional experiences that occurred during the last six years, while Oklahoma gives credit for things that could have happened decades in the past. Oklahoma also gives credit for activities such as serving as an

academic club sponsor or academic judge. Such experiences are laudable, but don't necessarily demonstrate specific knowledge of the academic subject a teacher is actually teaching his or her students.

States are also required to report on the percentage of qualified Title I paraprofessionals under NCLB. In this area, Oklahoma's standards appear to be significantly more stringent than other states. Overall, 68 percent of Oklahoma paraprofessionals were deemed qualified in 2004-05, one of the ten lowest percentages reported nationwide, and lower than five of Oklahoma's seven surrounding states.

### Teacher Training

While NCLB puts the onus on teachers to attain the subject matter knowledge they need, it also requires states to report on whether teachers have access to training that will help them succeed in the classroom. Every state is required to report the percentage of teachers receiving "high quality professional development," which NCLB defines as "sustained, intensive, and classroom-focused" and "not 1-day or short-term workshops or conferences," among other things.<sup>11</sup>

States set different standards and used different approaches to answer this question. The state of Maryland used the guidelines to create a fairly rigorous definition of "high-quality" training and then sent a survey to every teacher in the state asking them if their actual experiences met that standard. After compiling responses from over 30,000 teachers—almost 55 percent of the workforce—Maryland officials found that only 43 percent of teacher professional development experiences measured up.<sup>12</sup> This was the second-lowest percentage reported by a state, one reason that Maryland ranks near the bottom of the Pangloss Index.

Oklahoma, by contrast, reported that 98.6

percent of all teachers statewide received high-quality professional development in 2004-05, the eighth-highest percentage reported by any state, and higher than the percentage reported by all but one of its surrounding states. Instead of asking teachers whether districts were providing high-quality professional development, as Maryland did, Oklahoma asked *districts* whether districts were providing teachers with high-quality professional development. It is perhaps not

surprising that nearly all districts responded positively.

### School Safety

In addition to giving students the opportunity to transfer out of schools that are low-performing, NCLB also gives students the right to transfer from schools that are unsafe. States are responsible for establishing criteria to identify such "persistently dangerous" schools from which students can transfer. In the nearly five years since NCLB was enacted, Oklahoma has never identified a single school as persistently dangerous.

This is not unusual—in fact, the large majority of states have never identified a school from which students can transfer for safety reasons. States collectively identified only 28 of the nation's more than 90,000 schools as persistently dangerous last year.

States like Oklahoma undoubtedly have fewer incidents of serious school crime than states operating a large number of schools in high-crime urban areas. But Oklahoma's standard of "persistently dangerous" is also hard to reach—a school must have at least two percent of its students and/or employees convicted of a "violent criminal offense" for three consecutive years. Eligible offenses are defined by Oklahoma statute to include felonies such as assault and battery, armed robbery, rape, and arson. The list does *not* include crimes such as possession of firearms and deadly weapons or dealing dangerous narcotics.

**Oklahoma reported an 85.1 percent statewide high school graduation rate for the 2003-04 school year. There is substantial evidence to suggest that this rate overstates the actual percentage of Oklahoma students who earn a regular high school diploma on time.**



**Table 7. Gap Between State-Reported High School Graduation Rate and Independent Estimate of High School Graduation Rate**

State	State-Reported Rate 2002-2003	Independently-Estimated Rate 2002-2003	Difference (in Percentage Points)
Missouri	84%	75%	9%
Arkansas	82%	72%	10%
Colorado	84%	73%	11%
Kansas	86%	75%	11%
Oklahoma	86%	71%	15%
Texas	84%	67%	17%
New Mexico	89%	57%	32%
Louisiana	N/A	61%	N/A

statewide graduation rate two percentage points lower than Oklahoma, even though independent estimates put its rate four percentage points higher.

Oklahoma recently joined the majority of states in committing to using a standardized methodology for calculating high school graduation rates in the future, one that should eliminate most of

Other states have established a lower threshold. Texas, for example, identifies schools that have at least three incidents per 1,000 students, compared to Oklahoma’s standard of two per 100 students. Texas counts all students who faced mandatory expulsion for dangerous behavior, not just—as Oklahoma does—the number of students convicted of a criminal offense in a court of law. Texas also counts weapons possession and felony drug and alcohol offenses, two categories not counted by Oklahoma as “dangerous” to schoolchildren.

**High School Graduation**

Students need to do more than learn in school—they also need to graduate with a high school diploma. Graduation rates are used to hold high schools accountable under NCLB, and states are required to report the overall statewide graduation rate in their annual reports to the federal government. Oklahoma reported an 85.1 percent statewide high school graduation rate for the 2003-04 school year, which was higher than the rate reported by most states.

There is substantial evidence to suggest that this rate overstates the actual percentage of Oklahoma students who earn a regular high school diploma on time. A comparison of the number of students who start high school in Oklahoma as ninth graders to the number who enroll in higher grades and ultimately earn a diploma four years later suggests an actual statewide graduation rate of approximately 71 percent, not 85 percent.<sup>13</sup> A recent study found that the large majority of states overstate their high school graduation rates in this way.<sup>14</sup> But the study also found that the degree of overstatement in Oklahoma is larger than in most states. Table 7 shows that it is also larger than in most surrounding states.<sup>15</sup> Missouri, for example, reported a

these disparities between state-reported high school graduation rates and independent estimates.

**Conclusion**

Oklahoma’s shortcomings in implementing NCLB are not a matter of legal compliance. With the exception of one portion of last year’s AYP system, all of the standards it has set for students, schools, and teachers, have been approved by the U.S. Department of Education.

Rather, Oklahoma has consistently failed to strive for distinction in educational standard-setting. In examining the totality of Oklahoma’s decisions in setting standards and working to leave no child behind, a consistent pattern emerges: the state rarely asks more—or even as much—of its students and schools as do other nearby states, or the nation as a whole. The result is a flawed portrait of educational progress, a collection of information that makes the state look better relative to its peers than objective data suggest.

More importantly, the result is a legacy of too-low educational expectations for future generations of Oklahoma residents. The increasingly competitive global economy will best reward those states that are most aggressive in setting the highest expectations for educational improvement and success. It will harshly punish those who trail the pack.

Fortunately, these policies are not set in stone. Just as the Oklahoma Department of Education has acted in recent years to loosen standards for school and district success, so too can it reverse course and increase expectations for performance. New, more competitive academic goals can be set for students and more research-based standards can be created for teachers. If it does so, Oklahoma’s schools, students, and society as a whole will greatly benefit in the long run. ☺

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## Endnotes

<sup>1</sup> Kevin Carey, *Hot Air: How States Inflate Their Education Progress Under NCLB*, Education Sector, May 2006. The author is the research and policy manager of Education Sector.

<sup>2</sup> Paul E. Peterson and Frederick H. Hess, "Keeping an Eye on State Standards," *Education Next*, Summer 2006.

<sup>3</sup> Brian Brus, "School progress numbers to be recalculated," *The Journal Record*, March 9, 2006.

<sup>4</sup> See U.S. Department of Education "Decision Letter on Request to Amend Oklahoma Accountability Plan," September 1, 2004. (<http://www.ed.gov/admins/lead/account/letters/acok2.html>)

<sup>5</sup> See U.S. Department of Education "Decision Letter on Request to Amend Oklahoma Accountability Plan," July 5, 2005. (<http://www.ed.gov/admins/lead/account/letters/acok3.html>)

<sup>6</sup> Naomi Chudowsky and Victor Chudowsky, *States Test Limits of Federal AYP Flexibility*, Center for Education Policy, 2005.

<sup>7</sup> This provision was a transition provision meant to be consistent with allowing states to essentially discount the performance of the two percent of the student body assumed to have disabilities of severity sufficient to make them inappropriate for consideration by the

AYP system. The U.S. Department of Education rules state that the "proxy percentage" for each state, to be added to the actual percent proficient, was to be calculated by dividing two percent by the percent of students with disabilities statewide. According to the 2005 *Digest of Education Statistics*, 14.9 of Oklahoma students are served under the Individuals With Disabilities Act, yielding the estimate of 13 percent.

<sup>8</sup> Heather Peske and Kati Haycock, *Teaching Inequality: How Poor and Minority Students are Shortchanged on Teacher Quality*, The Education Trust, 2006.

<sup>9</sup> Kate Walsh and Emma Snyder, *Searching the Attic: How States are Responding to the Nation's Goal of Placing a Highly Qualified Teacher in Every Classroom*, National Council on Teaching Quality, 2004.

<sup>10</sup> *Ibid.*

<sup>11</sup> This information was included as a reporting requirement for the 2003-2004 state NCLB reports (submitted in 2005), but not for the 2004-2005 state reports (submitted in 2006). Oklahoma reported data for 2004-2005 for the teacher professional development measure.

<sup>12</sup> <http://www.marylandpublicschools.org/NR/rdonlyres/DF957230-EC07-4FEE-B904-7FEB176BD978/6292/Statereporton200304survey.pdf>

<sup>13</sup> The independent estimates of statewide graduation rates cited here and used in Table 8 can be found in *Education Week's* recent publication "Diplomas Count." The rates were calculated by the Editorial Projects in Education Research Center and are based on the "Cumulative Promotion Index" formula. More information about the formula can be found here: ([http://www.edweek.org/ew/articles/2006/06/22/41s\\_gradreports.h25.html](http://www.edweek.org/ew/articles/2006/06/22/41s_gradreports.h25.html))

<sup>14</sup> Daria Hall, *Getting Honest About Grad Rates: How States Play the Numbers and Students Lose*, The Education Trust, 2005.

<sup>15</sup> Because the *Education Week* estimates are based on data from the 2002-2003 school year, Table 7 uses state-submitted graduation rate data for 2002-2003. Those rates were submitted by states to the U.S. Department of Education as part of the consolidated NCLB performance reports submitted in 2005.