

DOCUMENTS REVIEWED:	Plotting School Choice: The Challenges of Crossing School District Lines In Need of Improvement: Revising NCLB's School Choice Provision
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Summary of Review

Two recent reports by Education Sector set out to examine the viability of proposals to revamp the No Child Left Behind choice provisions to allow students in failing schools to choose a school outside of their home school district. The findings of the reports are weakened by foundational assumptions about capacity and competition for space, as well as a failure to present alternatives. Further, the reports do not systematically consider the role of geographic variation, causing a potential underestimation of the impact of inter-district choice for those urban contexts where policy advocates believe it is most necessary. Instead of an analysis based on such definite assumptions, policy makers would be better served by an array of assumptions and analyses, presenting the full scope of potential outcomes.

Review

I. INTRODUCTION

Under current No Child Left Behind (NCLB) legislation, students in schools that fail to make Adequate Yearly Progress for two consecutive years are eligible to transfer to a non-failing public school within their home district. When NCLB was enacted, many predicted that districts would be inundated with transfer requests. The actual number of students taking advantage of choice under NCLB, however, has been far lower than expected: national surveys have found that only around 1% of eligible students have used the provision to transfer to a non-failing school.¹

Explanations for these unexpectedly low participation rates vary. Some have blamed school districts for neglecting to inform parents of their choice options.² Others have observed that the “demand problem” in NCLB choice is actually, in many contexts, a problem of supply. Indeed, several national surveys have found that some high-poverty districts have few, if any, spaces in their non-failing schools.³ Moreover, in many instances the non-failing schools available to receive students are performing only marginally better, as measured by test scores, than the failing schools the eligible students would theoretically exit.⁴ While existing regulations encourage districts with large numbers of failing schools and few viable choice options to enter into cooperative agreements with surrounding districts, such arrangements are not mandatory, and very few exist.⁵

Recognizing these practical limitations on NCLB choice for students in failing, high

poverty (and mostly urban) school districts, a growing number of policymakers and advocacy groups have set forth proposals to revamp the legislation to require that students be given the option to transfer outside their home district. These are the proposals that Education Sector addresses in two recent reports. The first report, released in August of 2008, is titled: *Plotting School Choice: The Challenges of Crossing School District Lines*.⁶ It estimates the impact of inter-district choice in three different states. The second, follow-up report, released in November of 2008, is titled *In Need of Improvement: Revising NCLB’s School Choice Provision*.⁷ This report revisits the first report’s analyses with some modifications, and it concludes with specific policy recommendations. This review analyzes both reports.

II. FINDINGS AND CONCLUSIONS OF THE REPORTS

Both reports apply Geographic Information Systems (GIS) mapping technology to estimate the potential impact of inter-district choice on the options available to students in lower-performing schools. To analyze the number of students who would potentially have access to better-performing schools through inter-district choice, the researchers used GIS software to estimate driving time distances between higher- and lower-performing schools in conjunction with assumptions about capacity and competition for space.

The initial August report focuses on the potential of inter-district choice to expand options for students in California, Texas and Florida and concludes that inter-district choice is unlikely to substantially

expand choices for students in low-performing schools. Specifically, the report estimates that “approximately 10 percent to 20 percent of students ... could potentially benefit from open-enrollment programs, but the majority of students—80 percent to 90 percent—will remain in the same low-performing schools” (page 23). Overall, the report is highly skeptical of inter-district choice as a viable option for most students, concluding that, “...only a limited number of students in a limited number of locations are likely to benefit from inter-district choice—and even then only if carefully crafted policies succeed where many past programs have failed” (page 1).

The findings in the report are illustrated using a series of bar graphs that compare estimated percentages of students who could potentially transfer under two conditions: (a) if only intra-district choice were available, or (b) if both inter- and intra-district choice were available. The graphs are not supplemented by tables or any other detailed data.

As noted above, the report’s main conclusion is that only 10% to 20% of students could benefit from inter-district choice programs. It does not include a description of how it arrived at this figure or why the findings are presented as a range. It also presents no aggregate data for the three included states and fails to present comparable data for each of the states. For example, graphs depict the percentage of students in low-performing schools who are estimated to have access to intra- and inter-district choice by grade for California and Florida (Figures 1 & 4), but not Texas. And they offer depictions by locale and free- and reduced-price-lunch status for Texas (Figures 2 & 3), but not Florida or California. Although each figure presumably illustrates results for all schools within

each respective state, this detail is not specified in the figures’ headings, footnotes, or the text of the report. The report also presents a number of maps of selected metro areas designed to illustrate the impact of driving times on choice options.

The follow-up November report is a policy brief published as part of Education Sector’s “Ideas at Work” series. The report (which does not mention the August report) differs from the earlier report in two ways: first, the report focuses on just two sites, one of which is the same (the state of California) and one which is new (the Chicago Public School District.) Second, the report alters some of the statistical assumptions used in the August report, specifically those regarding how many students would be eligible to choose.

Using both the new sites and the new assumptions, the report presents separate hypothetical choice scenarios for each locale. For Chicago, the scenario requires schools to offer choice when they fail to meet at least one of their accountability targets for two years. For California, the scenario requires schools to offer choice when they fail to meet 80% of their accountability targets for three years.

Not surprisingly (as explained later), these two different scenarios lead to different conclusions. The analysis of the Chicago Public Schools concludes that inter-district choice does not significantly expand options for Chicago Public School students, finding that: “in districts like Chicago, NCLB’s choice provision is unlikely to benefit most students, even if it is expanded to include inter-district choice” (pages 1-2). The report’s analysis of California, by contrast, leads to a more optimistic conclusion about the potential of inter-district choice to expand options for

students in failing schools. The report finds that, under the statistical assumptions, "...the choice provision would provide a valuable outlet for a substantial percent of students in the most troubled schools, giving these students an even better chance at finding a seat in a higher-performing school" (page 3).

As with the earlier report, the findings of the November report are illustrated with a series of bar graphs comparing students with the potential to transfer under intra-district choice only and under both inter-district and intra-district choice. The results in the bar graphs are disaggregated only by grade level: Chicago's data are grouped into "elementary school" and "high school" columns to depict the differential impact of choice on these grade levels. The California data, as with the August report, are presented in bar graphs that compare the impact of choice on grades 3, 7, and 10. In contrast to the August report, this report does not include maps that illustrate the results of the analysis.

III. THE REPORTS' USE OF RESEARCH LITERATURE

The August report summarizes findings from some existing research in a section titled "Learning from Existing Programs" (page 14). This section begins by presenting evidence from existing inter- and intra-district choice and desegregation programs to draw lessons about how best to design an equitable choice policy. The point the report makes here is important and well supported by the cited literature: choice policies that are aimed at expanding opportunity for the least advantaged students cannot be modeled after the deregulated open-enrollment policies that allow any student to choose any school. Rather, as the report concludes from its literature re-

view, choice needs to be targeted at the most needy students, information and transportation must be provided, and financial incentives must be given to suburban districts to encourage and reward their participation. Without these types of controls, the report cautions, inter-district choice may primarily benefit relatively advantaged students.

In the second half of the literature review, the report evaluates whether choice can truly improve student achievement. It presents the results of studies of academic achievement outcomes from choice programs. Here the report conflates literature from a variety of existing programs and from sources that do not meet basic standards of evidence. The report dismisses some positive research evidence in order to illustrate why it is skeptical of the potential of inter-district choice to substantially improve outcomes. For instance, the report presents the results of the Coleman study, and replications of that study, regarding the positive academic outcomes for socioeconomic integration. The report gives equal weight, however, to information from a *National Review Online* account of achievement outcomes from a socioeconomic desegregation plan in Wake County, North Carolina (showing few if any achievement gains for minority students) and to the report's own Internet research comparing the performance of economically disadvantaged students in Wake County to other economically disadvantaged students in the state.

Whatever the strengths of this literature review, the report's introductory section largely dismisses inter-district choice as a risky policy option:

It would be a mistake to think that inter-district choice policies will be

easy to implement or that inter-district choice alone can give poor, minority, or low achieving students a high-quality education. Achievement gains have been inconsistent among existing inter-district choice programs, and programs are often hindered by a lack of resources and political barriers, resulting in underfunded and poorly designed policies that can actually exacerbate school segregation (page 3).

The November report includes no reference to existing literature. The report does, however, conclude with a section titled “Encouraging Participation” (page 4), which presents policy recommendations for designing equity-minded choice policies that elaborate on those presented in the August report.

IV. REVIEW OF THE REPORTS’ METHODS

The analyses in both the August and November reports rely upon three main variables:

1. The number of students eligible for school choice;
2. The capacity of receiving schools; and
3. The time that students and their parents are willing to travel to higher-performing schools (*Plotting School Choice*, page 4.)

In the August report, these variables, and the report’s assumptions regarding each variable, are presented in a section titled “The Impact of Our Assumptions” (page 4), and in the November report the variables are discussed in a section titled “Modeling Choice” (page 4). While each of the reports deserves praise for making

explicit the nature of its assumptions, it is those assumptions that create the reports’ greatest weakness: they convey a false sense of precision that ultimately undermines the value of each of the reports’ conclusions.

Rather than selecting and presenting a range of scenarios or alternatives, each report selects one cutoff point for each of the three variables. The ultimate findings of both reports are based upon the assumed interaction of each of the three variables presented. As illustrated below, however, each of the cutoffs selected in the reports was fairly arbitrary. This has the unfortunate practical effect of giving readers the option of either accepting the assumptions entirely or largely dismissing each of the reports’ findings.

Students Eligible to Choose

Both reports describe the criteria they used to determine the number of students eligible to choose under the reports’ hypothetical inter-district choice models. While both used identical assumptions with respect to two variables in the report (capacity of receiving schools and driving time), the “students eligible to choose” variable was changed substantially from the August analysis to the November report. It is this change that most accounts for the more optimistic conclusions in the November report about the potential of inter-district choice in California to provide expanded options for students.

The August report limited its consideration of choice “to students in the bottom 40 percent of schools” (page 4). To determine this bottom 40%, the report used Standard and Poor’s “Reading and Math Proficiency” (RAMP) scores, which is the combined average of a school’s profi-

ciency rates in all reading and math tests, weighted by the number of test takers. Schools were then ranked on a 1 to 5 scale based on RAMP quintiles. The report does not detail why the 40% cutoff for distinguishing “lower-performing” from “higher-performing” was chosen.

This 40% cutoff was not based upon current NCLB choice requirements. Under existing NCLB law, schools identified as “in need of improvement” by failing to make adequate yearly progress (AYP) for two consecutive years must provide choice to students. In 2006-07, 10.8% of schools across the U.S. were identified for improvement. In the August report’s sample states, the number of schools identified for improvement was 26.6% in Florida, 22.3% in California, and just 3.1% in Texas.⁸ While we might expect California and Florida to reach the 40% threshold in the foreseeable future, given the escalation built into the NCLB AYP targets, it will be many years before 40% of schools in Texas are deemed failing under NCLB.

Without a solid empirical basis for choosing this 40% cutoff, the report’s analyses and findings would have been more useful if alternative scenarios with lower (and perhaps even higher) cutoff thresholds were presented. As it stands, the chosen cutoff is arbitrary and quite likely too high, leading the authors to a calculation using a relatively high number of choice-eligible students. In turn, this high cutoff has (as described below) important implications for the report’s conclusions about the number of students competing for a limited number of slots in higher-achieving schools.

In presenting its theoretical choice scenario, the August report also places limits upon the choices of students in the bottom

40% of schools, allowing transfers only to schools at least “two quintiles above in student performance rankings” (page 4). For example, under the report’s assumptions, students attending a school in the lowest quintile of RAMP rankings would only be able to choose schools in quintile 3, 4 or 5. This theoretical restriction was aimed at ensuring that students in their scenario had access to “substantially higher-performing schools” (p. 4). Again, this assumption does not align with current NCLB choice policy, as NCLB only distinguishes between schools “in need of improvement” and those not labeled as needing improvement. This restriction, as the report acknowledges, has the effect of reducing the report’s estimated impact of inter-district choice (see page 4).

The November report partially addresses these issues. First, the newer report abandons both the RAMP data and the 40% cutoff. It instead uses actual NCLB performance information to estimate the number of students attending schools that fail to meet performance targets, and who therefore might “demand” choice.⁹ Second, the report excludes the restrictions on receiving schools, by allowing all schools that are not “in need of improvement” to receive transfers.”

Finally, the November analysis further modifies the “student eligibility” assumption in its re-analysis of the California data, restricting its estimates to only those students attending schools that are in year three of program improvement (as opposed to year two, under current law) and that have missed more than 80% of their performance targets. This has the effect of *increasing* the projected impact of inter-district choice because (as described below) it reduces the competition for choice seats. The reason the researchers placed

this new restriction on student eligibility was to focus on a policy aimed only at students in the very lowest-performing schools. However, the 80% figure is not acknowledged to be based on any specific policy proposal and is, yet again, somewhat arbitrary.

Capacity of Receiving Schools

Beginning with the reasonable assumption that receiving schools will be limited in their ability to accept additional transfer students, both the August and November reports apply an arbitrary number to estimate that capacity. Both reports impose a 10% limit on additional capacity (beyond current enrollment) for receiving schools. Yet, as both reports acknowledge, there is no empirical basis for this 10% limitation. The choice is defended based on two rationales: first, both reports cite the Aspen Commission report on the reauthorization of NCLB, which recommended that higher performing schools be required to expand their capacity by 10%¹⁰; second, the August report notes that it was unable to find any research that had a capacity threshold any “more empirically justified” than the 10% figure (page 4).

Yet in drawing conclusions about the potential of this policy to expand choices for students in failing schools, it would have been more useful and responsible, in the absence of actual data from previous studies, to present estimates of choice at various degrees of expanded capacity (e.g., 5%, 10%, 20% and 30%). Schools vary dramatically in terms of the extent to which they are able to accommodate additional students. To impose a 10% capacity increase is one thing; to draw definitive conclusions without significantly qualifying an arbitrary cutoff is quite another. Indeed, the August report itself notes that,

had the capacity threshold been expanded from 10% up to 20%, the number of students who would have access to choice in California would also double, from 12% to 24% (page 4). Both reports’ conclusions would have been stronger and more useful if such alternative assumptions were seriously considered and carried forward.

Time that Students are willing to Travel

Citing the average travel time to school of 18 minutes, from the 2001 National Household Travel Survey, both reports set the maximum time that students and parents would be willing to travel to a school of choice at 20 minutes. It is unclear, however, that average commute times provide any insight into the time students and their parents would be *willing* to travel for the opportunity to attend better schools in neighboring districts. For example, in the Boston area’s highly sought-after METCO program, which the report cites (albeit not in regards to the issue of travel time), students frequently travel a round trip of more than three hours commuting to and from school daily, boarding buses between 5:00 and 5:30 a.m. and returning home from extracurricular activities after 10:00 p.m.¹¹ While such commutes are atypically long, they illustrate the potential willingness on the part of parents and students to assume greater commute times to attend higher-performing schools. A 90-minute commute is likely beyond the maximum that should be used for this report’s analysis, but the METCO example illustrates the arbitrariness of the 20-minute assumption. The findings of both reports would have been more useful had a range of travel times been presented, so that policymakers could better assess the differential impact of varied commute times on students’ choice options.

The extent to which families may be willing to assume longer commute times may depend in large part on the provision of transportation. As discussed previously, transportation for eligible students is acknowledged to be an important component of any well-designed inter-district choice plan.

The August report contends that expanding travel time beyond 20 minutes “does not necessarily expand choice substantially” (page 4), citing the increased impact of a competition effect: “While increasing the maximum drive time does increase the number of potential higher-performing schools for any given student, it also increases the number of other students who have access to those same schools” (page 4). However, the impact of expanding the travel radius may differ across geographic regions, as discussed in the following section of this review. While expanding the travel radius for students in less densely populated and more rural areas would likely have little effect, it seems highly likely that it would effectively expand choice for students in urban areas, which are generally those targeted by inter-district choice policies.

V. REVIEW OF THE VALIDITY OF THE FINDINGS AND CONCLUSIONS

As noted, the conclusions these reports draw are based on a variety of questionable assumptions. While the reports do not claim to ground their analyses on any existing policy proposals, it is worth comparing their assumptions to one of the few submitted NCLB reauthorization bills that incorporated the concept of inter-district choice. In August of 2007, Senators Joe Lieberman (I-CT), Mary Landrieu (D-LA), and Norm Coleman (R-MN) submitted a bill that included a provision mandating that inter-district choice be provided to eli-

gible low-income students in districts that have no seats available in non-failing schools (S. 2001, Section 503).¹² By contrast, each of Education Sector’s statewide analyses (the entirety of the August report and the California analysis in the November report) aggregate data from districts that *can* satisfy choice demand using intra-district choice with those districts that cannot. By merging the findings from both of these types of districts, the reports ignore the variation within local contexts and do little to inform the likely effects of a policy like the one introduced in Congress.

The Role of Geographic and Regional Context

The validity of both of the reports’ assumptions and corresponding analyses also suffer from a failure to adequately recognize the role of geographic context and variation in assessing the need for, and effectiveness of, inter-district choice.

As noted above, proposals to include inter-district choice in NCLB seek to address the fact that many students in schools identified as failing have, within their home districts, few if any better-performing schools from which to choose. This problem is most prevalent in urban school districts with large concentrations of low-income students of color. A 2006 U.S. Department of Education study found that schools identified for improvement are disproportionately (and increasingly) located in large, urban, high-poverty school districts.¹³ This study showed that although urban districts house just 36% of the nation’s Title I schools, two-thirds of all schools identified for improvement were in those districts.¹⁴ The “supply” problem under NCLB choice, therefore, is particularly problematic in urban, high-poverty districts that have few spaces in their

(dwindling number of) non-failing schools. The calls for expanding NCLB choice to include inter-district choice have largely come from civil rights proponents concerned with the lack of choices available to students in these types of districts.¹⁵

The Education Sector report released last August does not acknowledge or address these contextual factors that underlie proposals to incorporate inter-district choice in NCLB. Rather, the report presents an analysis that is generally context neutral. An important exception is found in Figure 2 on page 9 of the report, which disaggregates findings by “city,” “suburb,” “town,” and “rural” for schools in Texas. A visual analysis of the bar graph does clearly suggest that the “value added” by inter-district choice (in terms of expanding choice opportunities) is much greater for students in urban schools than for schools located in suburbs, towns, or rural areas. Unfortunately, this figure lacks accompanying data labels, so the actual findings are unclear. Moreover, the report’s text does not discuss the implications of this bar graph regarding the impact different contexts could have on the availability of choices for students under an inter-district choice program. As a result, readers are left with little guidance in interpreting those findings.

An additional note about context is worth mentioning here and is significant when evaluating the findings of both reports as well as policy proposals for inter-district choice: the “supply problem” under current NCLB choice policy is highly dependent upon the size and number of school districts within a metropolitan area (a concept known in social science parlance as “fragmentation”). In the South and the West, school districts tend to be geographically larger, often encompassing entire counties. In these contexts school

districts incorporate both cities and suburbs, and they tend to serve a more diverse student population in terms of race and socioeconomic status.¹⁶ These larger districts are more likely to be able to offer students within-district choices under NCLB; as a result, inter-district choice will be less expected to lead to expanded choice options in these contexts.¹⁷ By contrast, major metropolitan areas in the Northeast and Midwest (and in some locales in the South and West) tend to be characterized by a relatively large number of smaller districts. For example, “New Jersey epitomizes a fragmented political system with 616 school districts for just 8.5 million residents. In contrast, Florida has only 67 (county-based) school districts for 16 million people.”¹⁸

This is an important distinction that should be considered in any evaluation of the potential impact of inter-district choice to expand options for students in failing schools. The August report does briefly and obliquely acknowledge the impact of fragmentation on the potential of inter-district choice to expand opportunities for students (on page 13): “In some states, because of the way school district boundaries are drawn, inter-district choice is simply not a realistic option.” However, the report fails to systematically consider this variation in either its analyses or findings. Indeed, the report’s sampling of states reflects its failure to consider this issue, as it selected several states with relatively low levels of fragmentation (such as Florida and Texas) where inter-district choice could be expected to have a lesser impact.

In fact, even though the August report’s text includes little discussion of the issue, its maps offer a potentially useful lesson, illustrating how different levels of school district fragmentation within metro areas

can be important. For example, the report's Map 6 (page 11) shows the Plano, Texas, district, which has several low-performing schools. The map illustrates that the majority of schools in the district are high performing and as a result, most students can be accommodated by within-district choice, rather than inter-district choice. The report also presents data on San Antonio, a relatively more fragmented metro area in Texas (Map 7 on page 12), which shows that students in the central, high-poverty, urban district are separated from higher-performing schools by school district boundary lines. As a result, the report notes, in this context "inter-district choice [is] a potentially important outlet for allowing students to attend a higher-performing school" (page 9). Such passages hint at the key issue of geography, but the report never explicitly and systematically considers its effects on questions asked and conclusions reached.

The November report does begin to address the issue of context by including the urban, high-poverty Chicago Public School District as a case study site. Inter-district choice would be expected to have an impact on a relatively fragmented, urban district like Chicago. Yet the report comes to the conclusion that, partly due to geographical limits of Lake Michigan, inter-district choice produces few additional options for students there.

In part, this conclusion is explained (beyond the Lake Michigan obstacle) by the report's arbitrary cut-offs used for capacity of receiving schools and drive times. As noted earlier, it would have been more helpful to estimate the differential impact of a range of driving distances (20, 30, even 40 minutes) and a range of capacities for receiving schools. Instead, under its rigid assumptions, the report largely dis-

misses the potential for inter-district choice to work in that context, concluding that, "...in districts like Chicago, NCLB's choice provision is unlikely to benefit most students, even if it is expanded to include inter-district choice" (page 2).

While both reports briefly acknowledge the role of geographic and regional context, they fail to thoughtfully or systematically consider how these limitations might bias their findings. A more geographically nuanced presentation of data would allow policymakers to better assess the potential for inter-district choice to expand opportunities for students across different contexts. Isolating the Chicago district is helpful, but additional urban areas should be included, and a variety of key assumptions should be applied.

VI. USEFULNESS OF THE REPORTS FOR GUIDANCE ON POLICY AND PRACTICE

The reports' use of GIS mapping techniques provides a promising new technique for exploring potential participation rates under inter-district choice plans. But by including only a limited range of (often poorly supported) assumptions, with little testing of alternative assumptions, and by failing to systematically consider nuances across contexts, the two Education Sector reports fail to offer policy makers useful guidance. What, for instance, would be the likely participation rates for students in the Northeast who reside in a high-poverty district with few non-failing schools, and who were willing to travel up to 30 miles to new schools that could enroll up to 20% transfer students? Testing these different assumptions will provide policy makers with a rich set of information upon which they can base informed decision-making in the upcoming months and years.

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- ⁹ With respect to the report's Chicago analysis (Figure 1 of the November report) and the first part of the California analysis (Figure 2), it is unclear from either the report text or the bar graph whether the authors included schools identified as "in need of improvement" for two years in a row as under current NCLB choice policy, or simply schools that had been initially identified as "in need of improvement" for one year alone.

This leads to some confusion about which schools, exactly, were included in the Chicago analysis (see Figure 1, page 2 and Figure 2, page 3).

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