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Positive School Reform: Reimagining the ESEA

By Jack Jennings

Teachers and other advocates for public education know what they oppose. Too much student testing. Too much emphasis on charter schools. Too much negative news about the schools. And not enough coverage of what is going right. Those are the common complaints—and they are accurate.

While we know what educators oppose, though, it is much more difficult to know what they are *for*. What would make the schools better for all children in the opinions of those whose job it is to educate? Further, what does research tell us would be most effective in improving education?

I raise this issue because I have learned from nearly a half-century of involvement in education policy that if your agenda is not being carried out, then you are working to implement someone else's ideas. For decades, this is exactly what has happened. People from outside the field have been setting the agenda.

To be precise, business leaders, think tanks, state governors, and other political leaders have had much more influence in fashioning school reforms than have the people whose careers are in education. The No Child Left Behind Act, teacher evaluations based on inappropriately used state tests, and a tremendous emphasis on charter schools are prime examples of recent policies that were imposed on most educators.

In ***Presidents, Congress, and the Public Schools*** (to be published next month by Harvard Education Press), I examine the long history of externally imposed reforms, finding that they have seldom, if ever, had the success promised when first laid on the schools. This is not to say that there were no good results from these efforts, but nothing on the order of what our schools need to prepare students for the challenges of the future.

I reached my conclusions despite the fact that I had spent an entire career creating many of these reforms, and, once they were enacted, arguing for their continuation. Reflection while writing this book has led me to support a far different approach today.

Fundamental rethinking of school reform is not happening as the new Congress tries to piece together legislation that will extend the No Child Left Behind Act. That 2002 law, the most recent reauthorization of the Elementary and Secondary Education Act of 1965, expired in 2008, and has since been extended by Congress on a yearly basis because lawmakers could not agree on an alternative. Discontent with NCLB was so strong, however, that some outlet had to be found for local and state frustrations. Consequently, the U.S. Department of Education granted 42 states **waivers from provisions of the law**. That process has let off steam by giving relief to the



states and local districts from the worst requirements of the law. But public policy affecting nearly 40 million students should not be decided by an exchange of letters. Passing legislation through Congress is the way the U.S. Constitution prescribes for formulating policies.

U.S. Sen. Lamar Alexander, R-Tenn., and U.S. Rep. John Kline, R-Minn., are to be commended, therefore, for moving bills to amend and extend the ESEA, and its 2002 No Child Left Behind amendments. As chairs of the Senate and House education committees, they are fulfilling their responsibilities in pushing for legislation.

Yet the content of the proposed legislation is largely an attempt to change some of the most defective parts of the law. In other words, it is a cleanup operation, not a fundamental rethinking of the philosophy behind NCLB/ESEA. This is not good enough.

The 50th anniversary of the Elementary and Secondary Education Act will be marked in April. Since I was involved, in one way or another, in most of those 50 years of national education policymaking, I set myself the task, several years ago, of reading the research and evaluations on federal aid to public schools, and of studying reform in general during that period.

My book, the culmination of that study, has a key conclusion: Providing a little additional aid through Title I of the ESEA, and pressuring teachers to raise test scores through NCLB, has not done the job of bringing about the improvement needed in American schools. We will have to start over from the beginning, I believe, and do a better job of thinking through the most crucial elements of making our schools better for most students.

The starting point should be what I consider the essence of education: a student, a teacher, a clear idea of what is to be learned, and the funds adequate to pay for this undertaking. Students should be prepared for school before they begin. Teachers should be effective and well-trained. The curriculum should be demanding. And funding should be fairly distributed to educate every child.

The United States has made some progress in these areas, but it still has a long way to go. A third of 4-year-olds from poor families **do not participate in preschool programs**, and many current programs lack quality. Half of public school teachers graduating from college in 1999 **scored in the bottom third of students taking college-entrance examinations**. Too often in schools, a watered-down curriculum is the standard. And students in some affluent districts have **twice as much spent on their education** as is spent on poor students in other districts in the same state.

Resolving such issues will take both time and courage. It will also mean looking at the federal role in education through a different, wider lens, and building more-effective partnerships



—Kali Ciesemier for Education Week

"For decades, people from outside the field have been setting the education policy agenda."

between the states and the federal government. It should also include leadership from educators themselves to craft policies known through research to work. Most of all, it will take a deeper, more sustainable commitment by the nation and its people to providing high-quality education to all students, regardless of circumstance.

Do we have the guts and the willpower to do it? Are educators, for example, ready to admit that school improvement depends on recruiting more teachers with good verbal skills and greater knowledge in the areas they teach? Are elected leaders willing to fairly distribute funds for education among school districts—and provide funding adequate to the task of properly compensating teachers?

If we do—and we must—our first objective should be to encourage people to think differently about education, to get out of the box of tinkering with the current set of federal laws and programs. The solution to making American schools better is not to amend No Child Left Behind; instead, it is to deal directly with improving teaching and learning in the classroom. Change in that basic mission of schooling ought to be based on what research tells us can be used to improve the interaction between teacher and learner.

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To my thinking, a revised federal role would include not only a state-federal program to improve classroom teaching and learning, but also a constitutional and legal right to a good education.

Presidents George W. Bush and Barack Obama, among others, have said that education is the civil rights issue of our time. Taking them at their word, I propose that education be considered a fundamental right under the U.S. Constitution, and that this be achieved either through a U.S. Supreme Court ruling or a constitutional amendment. Further, a statute similar to the federal Civil Rights Act of 1964 ought to be enacted for education.

The struggle for civil rights for African-Americans and other racial and ethnic minorities involved Supreme Court decisions, forceful federal laws, and funding programs to secure those rights. That battle is not finished. Yet, progress has been made because the full panoply of policy instruments were employed in that fight.

The same comprehensive approach should be used to secure a chance for everyone to do well in school. This ideal ought to be our goal, and we are more likely to achieve it if a fundamental rethinking occurs about how to improve the schools. And this time, research should be the guide, and the voices of educators should be heard.

Jack Jennings was the founder, president, and CEO of the Center on Education Policy, in Washington. From 1967 to 1994, he served as the subcommittee staff director and then the general counsel for the U.S. House of Representatives' Committee on Education and Labor. His website is jackjenningsdc.com.