

RESEARCH



Things Fall Apart: NCLB Self-Destructs

BY GERALD W. BRACEY

SAID Chester Finn, president of the Thomas B. Fordham Foundation, “I should be handing out mood-altering pharmaceuticals, those that deal with depression.” What had brought Finn down were presentations by Michael Casserly of the Council of the Great City Schools, Jeffrey Henig of Columbia University, Paul Manna of the College of William & Mary, and Mike Petrilli of the Fordham Foundation. These four reports opened the conference “Fixing Failing Schools: Are the Tools in the NCLB Toolkit Working?” Finn had co-organized the conference with Frederick Hess, director of education policy studies at the American Enterprise Institute. For supporters of No Child Left Behind, antidepressants seemed more appropriate than the coffee and cakes actually available.

Casserly reported on how the four tools in NCLB’s toolkit — the choice option, supplemental educational services (SES), corrective action, and restructuring — were operating in 36 cities. Only 2% of the eligible students in the cities were using the choice option afforded by NCLB. Just 16% were receiving supplemental services. In districts where the district itself could be an SES provider, 29% of the eligible students received SES, but in districts where the district was not a provider, only 11% received services. Casserly characterized the impact of supplemental services as ranging from modest to harmful.

Corrective actions and restructuring usually involved technical assistance and professional development and only rarely involved a state takeover or the conversion of a school to charter status. The whole operation, said

Casserly, had become an exercise in compliance, compliance with sanctions that were poorly designed to increase achievement.

Henig focused on SES, pointing out that this particular tool arose from political maneuvering between and within the parties, not from considerations about how kids learn. SES was supposed to appease conservatives over the loss of the voucher provisions. SES looks a bit like vouchers, goes to individuals not schools, and involves the private sector. To “old Democrats,” SES was attractive because it’s *not* vouchers, avoids confrontation with teacher unions, and actually expands public school responsibility. To “new Democrats,” SES offered a chance to demonstrate that Dems were not anti-market.

Henig noted that for political scientists, policies imply theories. However, he could not identify any theory implied by SES.

Manna looked at how the tools were working at the state level. His conclusion: not well. Final information on AYP (adequate yearly progress), for instance, most commonly appeared in August, and, as of late October 2006, seven states had not yet released AYP figures. With data related to choice and SES arriving in the already hectic period when schools are cranking up to start another year, the information overload on districts is overwhelming.

While most states have done a good job of delivering basic information about SES providers, in 15% of the cases, no phone number was listed for providers. Descriptions about providers have often proved difficult to read, and parents have had trouble finding the information most relevant to them: what would be provided, how often, what information the provider would send back to the parents, and how the provider

would be held accountable. Later in the conference, it was noted that state departments of education were too severely understaffed to deal with this information well.

Manna said that it was virtually impossible to know what was happening at the state level in terms of corrective action or restructuring.

Petrilli asked if the problems arose just from poor implementation or if there was something inherently problematic with the law. Some of both was his answer. But he did declare that, as far as choice and SES were concerned, the law was “unimplementable.” First, he argued, the law contains “perverse incentives” for districts — to inform parents of choice and SES options costs the districts money. As for choice, in many urban districts there are not enough “good” schools to go around.

Petrilli, who was with the U.S. Department of Education (ED) for four years during Rod Paige’s tenure, discussed some of the techniques the department tried to make the tools work. First, he said, it tried to appeal to the district’s “better angels.” It prepared glossy booklets on what schools could do to successfully bring off choice and SES provisions. But doing it right, he concluded, was simply too much work for districts, so ED tried to go around the districts by funding third parties, such as the Black Alliance for Educational Options, to mount awareness campaigns. This appears not to have worked well, either. “No strategies made much of a dent,” Petrilli concluded.

At this point Finn entered the discussion and announced his need for an upper. He also pointed to one other failure that none of the papers had addressed: “the complete inadequacy of the testing industry to live up to the challenge of providing speedy, ac-

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curate reporting.” He noted that the list of schools and districts labeled “in need of improvement” keeps growing. He did *not* mention that this result flows from the arbitrary and ultimately impossible demand for AYP, which is supposed to lead to 100% proficiency by 2014. For a definitive exposition on this impossibility, readers are referred to Richard Rothstein, Rebecca Jacobsen, and Tamara Wilder’s “100% Proficiency: An Oxymoron” (www.epinet.org).

Without question, Finn said, some problems arose from the use of “ambiguous and loophole-riddled language” and some from implementation difficulties. But the real question is: Can these problems be solved by amendments, or do they stem from something far more fundamental? The law is a huge overreach by the federal government. Given the federal government’s very limited power to alter the behavior of states and districts under the loosely coupled, many-moving-parts school governance system of this nation, could any federal law that demands behavior change at the state, district, and school levels ever work as intended?

In the subsequent discussion, Casserly made a point that built on a sheepish admission from Hess that there is no scientifically based research undergirding the law — there is no research that says choice, SES, corrective action, or restructuring will actually accomplish what they are supposed to achieve. Casserly observed that the law never had any theory of action about how to actually improve student achievement. As a consequence, like so many other federal laws, NCLB, which was intended to be a law of results, had become a law of compliance.

Presenter John Winn, commissioner of education in Florida, built on the “law of compliance” notion by declaring that NCLB should have cut all ties to Title I to signal a change of focus from process to results. Title I, he said, is all process. Moreover, the federal government gave away most of what little power it had when it permitted states to set the standards for NCLB. Throughout the course of the daylong conference, others voiced similar sentiments, which presage a new push for national standards and tests.

During a Q & A session, I asked why, if 36 of 37 subgroups in a school are making

AYP, those 36 groups should receive the choice option. I didn’t get a good answer, but later Jane Hannaway of the Urban Institute argued that AYP itself, no matter how many groups made it, was not a legitimate signal of school quality.

Marshall Smith of the William and Flora Hewlett Foundation took a different tack than most. After presenting data from the National Assessment of Educational Progress indicating that NCLB had not raised achievement, Smith argued that we need to change the way we think about education. We need to introduce a system with positive incentives, increase art and music, and have students spend more time in school, he said. In addition, schools or some other institution should be able to ensure that kids’ eyes, ears, noses, and teeth are healthy.

Summarizing the day, Diane Ravitch, former assistant secretary of education, repeated the litany of failures and declared that the answer to the question in the conference’s title — Are the tools in the NCLB toolkit working? — had to be “No.” How do we know any of these tools are the right ones? There’s no evidence for them. “What reason do we have to believe that Congress knows how to fix the nation’s schools?” she asked. Much laughter ensued.

THINGS COME TOGETHER?

I had high hopes that another Finn-organized conference — “Beyond the Basics: Why Reading, Math, and Science Aren’t Sufficient for a 21st-Century Education” — would serve as the “two” in a one-two punch that would restore some sanity and balance to American education. I was cheered when Finn announced that the day would be known as “The Revenge of the Liberal Arts.” Alas, the day delivered only about ¼ of a punch.

Diane Ravitch’s opening remarks included her discovery, with Finn, of the “woeful” state of American education and a horrifically inaccurate description of the College Board panel’s 1977 report on the SAT decline. Sidney Harman, founder of Harman-Kardon electronics, then motored through a disjointed, inarticulate, and irrelevant ego trip. He was followed by a panel consisting of Toni Cortese of the American Federa-

tion of Teachers, Kati Haycock of the Education Trust, and E. D. Hirsch, Jr., of Core Knowledge. The moderator was Lynn Olson of *Education Week*. Olson’s instructions that the panelists imagine they were principals of a new school and consider how would they get the liberal arts back into the curriculum led to a premature concern for minutiae, a lead the audience seemed all too willing to follow in the Q & A.

If only the next speaker, Dana Gioia, a poet and chairman of the National Endowment for the Arts, had led off the day. He announced that he would speak to “the vision thing” and did just that. He declared that our education system currently is aimed at producing students who pass tests and can be entry-level workers. He wanted it to aim to develop productive citizens for a free society and elaborated on what he meant by “citizens,” “free,” and “society.”

In an appropriate system, the schools would use the power of the arts to open doors for students to develop themselves. In a concrete example from his own teaching experience, impossible to explain in a few words, he assumed the role of Romeo and grabbed Juliet’s (Finn’s) hand, reciting a flirtatious sonnet from the play. Happily, he, not Finn, also delivered Juliet’s lines and stopped short of planting his “two blushing pilgrims” on Finn’s hand.

Seven after-lunch roundtables produced some interesting ideas that were diminished by the fact that they could not be delivered to their intended recipient, Rep. George Miller (D-Calif.), incoming chairman of the House Committee on Education and the Work Force. It was important that Miller get a dose of liberal arts because he might well be the only congressman who is a true believer in NCLB in its current incarnation.

A closing panel took up the question of how to make the case for the liberal arts to a governor, but it reverted to the premature concreteness of the early morning session. It will be interesting to see what, if anything, evolves from this conference.

The video, audio, and papers of the AEI/Fordham conference on NCLB are accessible at www.aei.org. Click on “events” and then on “past events.” “Beyond the Basics” can be viewed at www.edexcellence.net. ■

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