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COMMENTARY

Why the No Child Left Behind Act Is Unsalvageable

By Eric Schaps

Much of the talk in favor of the No Child Left Behind Act's reauthorization is centered around two contentions: that the federal law needs only some tweaking to be made right, such as shifting to a "value added" or "growth" method of charting progress; and that, once tweaked, it must be fully funded to be effective. Key Democrats in Congress seem committed to a continuation of the law's basic provisions, as do many of their Republican counterparts and the Bush administration. These proponents argue for staying the course because, they assert, left to their own devices states and districts will not push their schools to eliminate achievement gaps, or move all students to and beyond "proficiency."

The intentions behind the legislation may be good, but no amount of tweaking will fix several fatal flaws. In part, these flaws are inherent in the law's unrealistic goals, which, because they can't be met, set schools up to fail. And in part, the flaws are inherent in the law's basic strategy for realizing its goals: high-stakes testing. That strategy ignores the primary reasons for the inequities that schools are supposed to redress, and also causes collateral damage of several kinds. Specifically:

1. No Child Left Behind calls for eliminating the so-called achievement gaps among ethnic, racial, and economic subgroups. But students

spend 80 percent of their waking lives outside of school, and so it is absurd to expect schools to overcome the toll taken by discrimination, poverty, poor nutrition, inadequate health care, high crime and substance-abuse rates, and broken or unstable family structures. High-functioning schools may be able to *reduce* the achievement gap, but as the Economic Policy Institute's Richard Rothstein has shown after closely examining many claimed "success stories," there are *no* convincing instances of schools' eliminating the gap for a general population of highly disadvantaged students. As long as eliminating the gap remains one of the law's two basic criteria of effectiveness, schools will continue to be scapegoats for pervasive problems that are beyond educators' abilities to ameliorate.

2. The law's other major goal of getting all students to proficiency by 2014—or by any future date—is also a pipe dream. No Child Left Behind mandates that schools help students "reach, at a minimum, proficiency on challenging state academic-achievement standards and state academic assessments." The definition of proficiency is left to each state, but the emphasis on establishing a challenging level was reinforced by pointing to how proficiency is defined in the National Assessment of Educational Progress—a definition that was, not incidentally, found to be arbitrary and "fundamentally flawed" by a National Research Council panel.

Here again schools are being set up for failure: All children certainly can learn, but not every child can learn to a truly challenging level of proficiency given the inevitable variation in abilities and life circumstances within any sizable population. The only way to achieve anything close to 100 percent proficiency is to define proficiency at some ridiculously low level—much lower than even the levels some states are now being castigated for setting.

3. Although the law has produced some salutary effects on how funding is allocated within districts, it does little to remedy the sad fact

that, on average, districts serving affluent communities spend significantly more per student than districts serving low-income communities. Within many states, this disparity between rich and poor districts exceeds 50 percent. Between states, the disparity can be greater: New Jersey and New York, for example, spend twice as much per student as do Utah and Mississippi. Nationally, the wealthiest 10 percent of districts spend more than *four times* as much per student as the poorest 10 percent. Requiring that poorly funded districts serving needy students somehow produce achievement levels comparable to those of the most affluent districts serving the most privileged students is nothing short of victimizing the victim.

4. Multiple-choice achievement tests—the only tests cheap enough to produce individual scores for large-scale, high-stakes accountability systems—are highly vulnerable to test-prep coaching. These activities become irresistible as schools struggle to “beat the test.” Test preparation spreads like a cancer through the school day and school year, often coming to occupy weeks if not months of class time. Why is test prep cancerous? Because it reduces time for teaching the regular curriculum, and because such testing skills have negligible usefulness in later life.

5. When used as high-stakes measures, achievement tests inevitably distort the curriculum. They force more time and attention to teaching tested subjects at the expense of untested subjects and activities. Social studies, science, music and art, experiential and project-based learning, and even recess are disappearing from the school day in order that two- to three-hour blocks of time can be devoted to reading/language arts, and one- to two-hour blocks to math. (With the advent of science testing, the teaching of that subject may now be resurrected, albeit in the guise of test preparation.)

These last two flaws were anticipated by Campbell’s Law, coined in 1975 for the eminent social scientist Donald T. Campbell, who wrote,

“The more any quantitative social indicator is used for social decisionmaking, the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor.”

With the passage of the No Child Left Behind Act, the federal government launched a historically unprecedented set of demands, with virtually no prior policy research, and with no provisions or resources for effectively studying the legislation’s unintended effects. The law has swamped every other educational priority and policy despite the fact that the federal government provides only 9 percent of total K-12 funding. No prior federal legislation has had anywhere near No Child Left Behind’s sweeping effects on curriculum, pedagogy, and testing. But federal leaders chose not to monitor the law’s unintended effects by not sponsoring various types of field research, and they have no good way of tracking the damage it is doing.

So what should be done at this point at the federal level? Frankly, a compelling case now exists for rolling back the federal role, given how poorly the No Child Left Behind Act was designed and how badly it has been implemented (witness, for example, the scandalous administration of the Reading First program). The government’s most useful role might be the one that predated the law—ensuring that federal monies are used wisely to support the schooling of disadvantaged students—along with abandoning any added, onerous accountability requirements. Returning the design and administration of accountability systems to states and districts would, at a minimum, increase the likelihood that those systems are responsive to local needs and circumstances.

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Whatever the level at which they are instituted, though, the next generation of accountability systems should do the following:

- Set more realistic, flexible goals regarding overall achievement gains and the extent to which achievement gaps are to be reduced.
- Allow achievement assessments to be conducted every two or three years, rather than annually, to reduce pressures for immediate gains and to facilitate more substantial, longer-term improvement.
- Encourage more “authentic” assessments—such as examinations of students’ actual work, or assessments that require students to create rather than simply choose their responses to test questions—with the understanding that these must be done with samples of the general population, so that their costs will be affordable.
- Encourage assessment of other dimensions of learning and growth, such as social, emotional, ethical, and civic knowledge.
- Be accompanied by funded research programs to document unintended as well as intended effects. We now suffer from inadequate data regarding the degree to which No Child Left Behind is reshaping the curriculum, energizing or demoralizing educators, or exacerbating dropout rates. Next time around, we need top-notch, impartial researchers to gather, analyze, and interpret such data, rather than relying on the “spun” findings of various interest groups.

Whatever the merits of these suggestions, the problems cited are real. By setting impossible goals, and then constantly calling attention to schools’ failures to meet them, the No Child Left Behind law continues to undermine the public’s confidence in public education. In this, it is just the most recent, but surely the most consequential, in a series of unwarranted assaults dating back to *A Nation at Risk*, released in 1983. Indeed, our schools should be given credit for being as effective

as American schools ever have been. Remarkably, performance on the NAEP reading, math, and science assessments has stayed steady or increased since 1971, despite the growing diversity, mobility, and neediness of our student population.

Interestingly, in the face of all the manufactured bad news about public education, parents of school-age children continue to give their own schools high marks. In the 2005 Phi Delta Kappa/Gallup Poll, 69 percent of parents gave their oldest child's school an A or B, and only 10 percent gave a D or F. In that same poll, 75 percent of respondents said that the achievement gap is mostly related to "other" factors than the "quality of schooling received."

Our schools no doubt can and should improve. To do so, they need adequate time, equitable resources, and the public's support. The No Child Left Behind Act is the wrong vehicle for facilitating such improvement. Perhaps we should return to being guided less by federal policymakers and more by local stakeholders.

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