Will NCLB
Hit the Wall?

Congress hopes to finish work on the reauthorization of the No Child Left Behind Act (NCLB) before the presidential primary season begins in January 2008, though it is unclear whether that deadline will be met. The six-year-old law was originally passed by Congress with strong bipartisan support, but now faces opposition from both the right and the left. Can the law be saved? The editors of Education Next join in the debate on NCLB’s future, assessing the law’s shortcomings and prescribing what Congress should do to avert a disaster.

Crash Course ............................................. 40
Frederick Hess and Chester Finn argue that NCLB was bound to crash and burn, since the machinery of the law is not powered by a coherent model of educational change or a sound view of the federal role in education.

A Lens That Distorts ................................. 46
Paul Peterson defends NCLB-style accountability but challenges Congress to fix the measuring stick used to evaluate schools.

Testing the Limits of NCLB ....................... 52
The real problem with NCLB, says Michael Petrilli, is that it wrongly assumes the federal government can force recalcitrant states and school districts to do their job well.

Basically a Good Model ......................... 57
NCLB is a groundbreaking civil rights law that has already improved the nation’s schools, counters Dianne Piché, who offers a vigorous defense of the statute.
Enacted in 2001, the No Child Left Behind Act (NCLB) began with the resounding promise that every U.S. schoolchild will attain “proficiency” in reading and math by 2014. Noble, yes, but also naïve, misleading, and in some respects dysfunctional. While nobody doubts that the number of “proficient” students in America can and should increase dramatically from today’s woeful level, no educator believes that universal proficiency in 2014 is attainable. Only politicians promise such things. The inevitable result is weary cynicism among school practitioners and a “compliance” mentality among state and local officials.

In hindsight, NCLB’s passage was less about improving schools or fostering results-based public sector accountability than about declaring fealty to a gallant but utopian ambition, one that the statute welded to a clumsy, heavy-handed set of procedural mandates.

NCLB is, in fact, a civil rights manifesto masquerading as an education accountability system. Its grand ambition provided a shaky basis for policymaking, rather as if Congress asserted in the name of energy reform that America will no longer need to import oil after 2014 or fought crime by declaring that by that date all U.S. cities would be peaceable kingdoms.

BY FREDERICK M. HESS AND CHESTER E. FINN JR.
NCLB’s particular brand of hubris has solid precedent. Picture John Kennedy pledging in 1961 that “America will get 75 percent of the way to the moon by decade’s end.” Or former President Bush and the governors solemnly declaring in 1990 that the U.S. would be 12th in the world in math and science by the year 2000. Indeed, it’s practically un-American to aim for anything less than the top.

Moreover, NCLB’s backers can legitimately argue that they had already spent nearly two decades asking state and local officials and education leaders to address mediocre school performance and stubborn race- and class-linked inequities in educational outcomes (see Figure 1). In that light, the passion-drenched unseriousness infusing NCLB is forgivable, even honorable.

And NCLB indeed has virtues: it produced long-overdue school transparency, focused unprecedented attention on achievement, created urgency where lethargy had ruled, and offers valuable political cover to determined superintendents and principals.

Kennedy’s promise was kept in just eight years, when it turned out that money, brainpower, and determination could surmount the technical challenges posed by a moon landing. The “first in the world” goal, however, was not attained and quickly became the stuff of mockery.

**Invitation to a Backlash**

The NCLB accountability system was adopted with scant attention to principles of sound public-sector accountability, how the statute’s many pieces fit together, or whether they could be competently deployed through the available machinery. Meanwhile, the statute’s rhetoric invites a backlash that may not only gut the law, but also discredit the increasingly fruitful goal-setting, school-changing, choice-conferring results that have marked education reform since 1983.

As the calendar rolls toward 2011 and 2012, and sharp increases in proficiency rates become necessary, the number of schools failing to make adequate progress will rise precipitously. Unless current standards are eased, thousands of schools that communities had long regarded as effective are going to be tarnished. Claims of moral urgency and vague paens to accountability are unlikely to prove much of a match for community pride and fears for property values. Moreover, many of those schools, while doubtless less effective than they ought to be for at least some kids, are pretty decent and far better than the urban-disaster schools, where the case for mandated interventions is unarguable.

There’s nothing wrong with lofty ambitions. Yet political compromises meant that NCLB’s grand aspirations were saddled with sputtering machinery and weak sanctions.

NCLB’s architects thought they were devising an elaborate plan to alter the behavior of thousands of schools and millions of educators, drawing on a mix of goals, rewards, sanctions, choices, and sunlight. They overlooked the fact that effective behavior-changing regimens are rooted in realistic expectations and joined to palpable incentives and punishments; NCLB provides none of these.

**Aspirational Politics**

The conventional account, as told by NCLB champions like Congressman George Miller, Senator Ted Kennedy, Secretary of Education Margaret Spellings, or advocates like the Education Trust or Citizens’ Commission on Civil Rights, is that the law capped a 12-year effort to advance education accountability from Washington. They attribute any apparent failures to implementation glitches, foot dragging by state and local officials, educator recalcitrance, or lack of funding.

In this telling, 1989’s Charlottesville summit begat Bush’s America 2000 plan, which begat conjoined twins—Clinton’s Goals 2000 plan and Improving America’s Schools Act...
(IASA)—which somehow begat NCLB, with each generation better able than its ancestors to drive education reform and boost student achievement.

That chronology is right, but the record of steady progress forward is questionable. An evolution of sorts did take place, with Uncle Sam’s hand pressing down harder and harder and with ever more elaborate provisions meant to keep states, districts, and schools in line. Several pending reauthorization proposals—notably those from the Aspen commission chaired by former governors Tommy Thompson and Roy Barnes—would extend that pattern and press down harder still from Washington, with more rules, regulations, and commands.

That may well be what Congress ends up doing. But it is unlikely to work as intended, because it misdiagnoses the essential problem.

In promoting education reform during the 2000 campaign and after, President Bush fatefully chose to focus on compassionate moralism (e.g., “the soft bigotry of low expectations”) rather than on reshaping the structures and incentives of K–12 schooling. In so doing, he reflected standard Washington practice: the rhetoric of education policy is more often about social justice than about incentives or instruction. Enlisting allies in the civil rights community who were eager to see improved outcomes for poor and minority students, Bush was able to forge a bipartisan coalition stronger than the status quo defeatism of the National Education Association.

What is remarkable is that, at the very moment of supposed conservative “victory” on federal education policy, the Bush administration embraced a moralistic conception of accountability and big-government enforcement rather than the pragmatic, incentive-focused model that had emerged from three decades of conservative critiques of grandiose Great Society designs.

It’s a mistake to depict NCLB either as perfecting its statutory predecessors or as a coherent engine of behavior modification. NCLB’s provisions are a hodgepodge of Texas precedents, “New Democrat” reforms, liberal nostrums, and proposals by countless constituencies, all superimposed on programmatic architecture and rules that had accumulated since Lyndon Johnson worked in the Oval Office.

Many Prototypes
Embedded within NCLB’s accountability system are three distinct, discernible models of educational change that have been awkwardly welded together.

Model one would make transparent the performance of students across the nation, providing an X-ray to show parents, educators, and policymakers how different schools and groups are performing in key subjects. Model two would deploy “behavior modification” accountability methods, refined through decades of public sector reform, to force low-performing schools and districts to set goals, assess effectiveness, and do better. And model three would set “shoot-the-moon” targets and use the federal bully pulpit to exhort leaders in states and districts to improve.

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**Education Reform since the Signing of the Elementary and Secondary Education Act (ESEA) (Figure 1)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1965</td>
<td>President Johnson signs the ESEA, with Title I funding for poor students as the focal point</td>
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<tr>
<td>1968</td>
<td>Expansion of ESEA programs, including the Bilingual Education Act</td>
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<tr>
<td>1969</td>
<td>First National Assessment of Educational Progress (NAEP) administered</td>
</tr>
<tr>
<td>1970</td>
<td>President Nixon requires that Title I schools receive state and local aid comparable to that of non-Title I schools</td>
</tr>
<tr>
<td>1978</td>
<td>President Carter signs reauthorization allowing Title I funds to be spent “schoolwide” if more than 75 percent of students are eligible</td>
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**Sources:** Erik W. Robelen, “40 Years After ESEA, Federal Role in Schools Is Broader Than Ever,” *Education Week,* April 13, 2005; U.S. Department of Education
Each of these approaches is plausible on its own terms. And each has a place in federal policy. But they cannot reasonably be linked to one another, as NCLB tries to do. They entail discrepant views of the federal role in education and employ discordant mechanisms. The result isn’t working.

For example:
—The value of an “X-ray” of the nation’s school performance has long been recognized. NCLB’s dictate that all states regularly test students in key subjects marked a historic success. The accuracy of the picture is compromised, however, when this cross-sectional look at student achievement becomes the basis for gauging the performance of schools and educators, much less for triggering interventions or remedies. We don’t judge doctors based on whether their patients are sick today but by how much patient health improves under their care. Judging professional performance on the basis of a one-moment-in-time X-ray encourages questionable behavior, leads states to play games with standards, and threatens to discredit the X-ray itself.

—Prodding public sector institutions to set goals, monitor performance, and then reward excellence and address mediocrity has been a signal success for reformers on both the left and the right. Decades of studied effort, touted in iconic books like Reinventing Government and championed through the 1990s by the Gore commission, make clear that sensibly structured accountability systems encourage self-interested workers to take goals seriously, focus on outcomes, and employ all the levers at their disposal to produce those outcomes. But we compromise such “behavior modification” when those on the ground view the targets as unattainable. If workers know they are unlikely to succeed, the goal becomes to avoid trouble when they fail. By making failure inevitable, unrealistic goals have the perverse

Decades of studied effort make clear that sensibly structured accountability systems encourage self-interested workers to take goals seriously, focus on outcomes, and employ all the levers at their disposal to produce those outcomes.
effect of focusing employees on compliance and encouraging actions that will mask “failure.”

—Bully pulpit exhortation is a legitimate role for federal officials. Dating at least to Bill Bennett’s colorful tenure as secretary, the Department of Education has sometimes been a valuable podium from which to promote and energize school reform. Setting high bars and challenging state and local officials to meet them provides political cover to leaders, while lighting fires under laggards. It’s great to shine a bright light on performance and then laud or shame schools, states, and districts based on that performance. Yet such efforts are discredited when they are based on X-rays ill-equipped to readily trace progress or when behavior modification schemes lead local officials and educators to react by devoting their energies to bureaucratic compliance on the one hand, and loophole exploitation on the other.

Rube Goldberg structures are generally unstable as well as unattractive, and the stability of this one is further menaced by the cracking foundation under it: education federalism circa 1965. NCLB’s architects failed to appreciate how weakly that foundation supported even the lighter burdens of Goals 2000 and IASA, both passed in 1994. Those measures had taken for granted that the LBJ-era mechanisms for distributing federal dollars allocated for needy children via state and local education agencies were also suited to a regimen of school reform.

That hierarchy of responsibility—from Washington to state education department to local school system to school and finally to classroom—has been the basis of federal education policy since passage of the Elementary and Secondary Education Act. But it was never designed to support a results-based accountability system; repair schools or districts; function in an environment awash in charter schools, home schooling, and distance learning; or address the dysfunctions of the very agencies charged with its implementation.

Although IASA and Goals 2000 were not nearly as demanding as NCLB, close listeners could already hear the foundation cracking. Yet to our knowledge, none of NCLB’s architects even paused to ask whether a hierarchy decently suited to distribute money via certain formulas could manage a very different and much more aggressive federal role or the exigencies of school improvement. To accomplish these tasks competently, the federal government would require much more direct authority over resources, assessments, low-performing schools, and interventions. By no means are we endorsing efforts to give the feds that kind of control. We are, however, noting that operating in a federal system without such grand powers requires that federal officials legislate and act with an eye to what they can and cannot constructively do. The seeming nonchalance with which NCLB’s proponents tossed new responsibilities onto this precarious governmental base betrayed a dangerous unconcern.

Bundling together the X-ray assessment, behavior modification, and aspirational jawboning also presumes that federal intervention on all three counts was and is appropriate everywhere in the land. Not true, and another challenge to traditional notions of education federalism. In fact, several states, including Florida and Massachusetts, already had X-ray assessment or behavior modification systems more advanced than those required by NCLB. Moreover, the fact that these systems were not linked to a fixed date for universal proficiency was arguably a strength, not a problem.

What to Do
Can this law be saved? Yes, indeed, but only if we thoughtfully separate its key components from one another and from naively heroic expectations.

It is appropriate for Uncle Sam to demand that every state provide a fine-grained image of student achievement. It’s reasonable also to insist that states develop sanctions, remedies, and interventions for schools and districts that are performing badly and not improving. Washington should indeed press states to track performance levels, but “adequate progress” should be based primarily on the academic value that schools add (i.e., the achievement gains their pupils make), not merely on the aggregate level at which students perform.
Moreover, states that are already moving on these fronts do not need federal intervention, much less cookie-cutter prescriptions. It’s folly for Congress to draft school-level modifications; far better to require that lagging states act, then move to withhold funds—big bucks, including, if necessary, the whole Title I payment—from any that sit on their hands or post unacceptable results.

It’s valuable, too, for Washington to set ambitious goals and exhort everyone to attain them. But the constructive way to do this is by promoting transparency, setting benchmarks, rewarding high achievers, pointing fingers at laggards, and clearing political obstacles. With a consistent metric, call it a national standard, accompanied by national tests, everyone’s performance can be fairly tracked and compared. If the Jefferson School lags behind the Franklin School; if Hispanic youngsters in Tucson fall behind Hispanic pupils in San Antonio; if Springfield can’t keep pace with Sacramento; if Ohio is making gains but Kentucky isn’t, all these and more should be readily visible. Comparisons should be easy and swift. Washington can competently see to this. But it cannot competently micromanage what state, districts, or schools do. And it shouldn’t try.

Even the Great Society’s most daring and important victories avoided the sweeping hubris of NCLB. Neither the Civil Rights Act of 1964 nor the Voting Rights Act of 1965, both remembered now as towering triumphs, ever sought to change precinct-level behaviors. Backed by the National Guard and armed with clear, concrete, and fairly straightforward goals, federal officials focused entirely on forcing a limited number of recalcitrant states to adopt specific changes. This is the kind of role in which federal leadership has a reasonable record of success.

That accomplishment can happen in education, too, if we couple an emphasis on readily comparable gauges of performance and progress with real consequences for mediocrity and inertia.

NCLB could have a bright future, if it gets an extreme makeover.

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No Child Left Behind (NCLB) put schools under the microscope by requiring that they report, annually, the test-score performance of students in grades 3 through 8, and, again, for grade 10. As President Bush said shortly before he signed the bill into law, “We need to know whether a curriculum is working. We need to know whether the teachers, the methodology that teachers use is working. We need to know whether or not people are learning. And if they are, there will be hallelujahs all over the place. But if not, we intend to do something about it.”

Five years later, it has become clear that the microscope NCLB uses to get the information the president said he wanted contains a lens that distorts. Many good schools—both charter schools and inner-city public schools serving the disadvantaged—are not recognized as such, while many poorly performing schools are given a pass. If NCLB is to fulfill its mission, Congress needs to make some major repairs or risk seeing those opposed to all forms of school accountability assume control of the political battleground.

I do not join those opponents of accountability. We do not raise any principled objections to holding schools accountable or testing students annually. On the contrary, the evidence

BY PAUL E. PETERSON
suggests that accountability has had some positive benefits for American education. The reading and math scores of 4th and 8th graders on the National Assessment of Educational Progress (NAEP) have risen steadily since NCLB was put into place. If it cannot be proved that those gains are due to improved school accountability, it is heartening to know that Margaret Raymond and Eric Hanushek found, in more precise estimates of accountability impacts, somewhat larger gains on the NAEP in those states that were the first to put accountability systems into place (see “High-Stakes Research,” features, Summer 2003).

Still, the current federally mandated accountability system falls well short of what is needed. The gains made by 4th and 8th graders do not translate into higher levels of performance once students reach the age of 17. Instead, high school achievement has remained as stagnant as ever, and high school graduation rates continue to hover around the industrial world average.

Two things are needed to get the most out of accountability. First, the lens used to look at schools must be reground so that distortions are minimized. Once that repair has been completed, accountability’s bright light needs to shine on the performance of individuals, that is, on students, teachers, and administrators, not just on schools.

A Distorted Prism
Most people would agree that a good school is a place where students are learning, and a poor school is one where that is not happening. But NCLB’s way of measuring school performance does not look directly at how much individual students are learning from one year to the next. Instead, a school is evaluated according to whether or not its students are making Adequate Yearly Progress (AYP) toward full proficiency by 2014. In that year, every tested student must be achieving at the state-determined proficiency level. By next year, the midpoint between 2002 and 2014, the percentage of students proficient at a school is expected to have increased by roughly half the distance from where it was when the law was enacted. Various subgroups of students, defined by ethnicity, gender, economic disadvantage, and need for special education, must be making comparable progress. While some exceptions to those requirements are allowed, schools are said to be A-OK only if the percentage of students scoring at the proficient level is moving forward “adequately.” Schools where that is not happening are identified as “not making AYP” or, after two years, “in need of improvement.” In common parlance, they have “failed.”

Evaluating schools by the AYP measuring stick is typically justified on the grounds that it ensures that “no child shall be left behind.” While this sounds both noble and egalitarian, it in fact expects those schools that had a lower percentage of students scoring at the proficient level in 2002 to make more rapid progress over the ensuing years than those with higher-performing students. Both are expected to arrive at the same point by 2014 as well as to make more rapid progress each year. It is not unlike a race between the turtle and the rabbit, in which the turtle is asked to complete a two-mile run while the rabbit need only traverse 200 meters in the same stretch of time.

The consequences of this peculiar accountability system are very different, but equally damaging, for two contrasting types of schools. For those schools blessed with high-performing students (as a result of learning either at home or in earlier grades), the proficiency standard to which they are held accountable is often much too low. If the country is to have a better-educated citizenry, the schools serving higher-performing students need to lift their performance well above levels of mere “proficiency.” As for those schools whose responsibility is the education of large numbers of low-performing students (as a result of either minimal education at home or bad instruction earlier in life), it is not reasonable to expect that every child will reach the state proficiency standard by the end of 3rd grade and every grade thereafter. Applying that criterion puts schools serving the disadvantaged at risk of being said to “fail,” even if they are doing a fine job of enhancing the skills of their students.

One can get a pretty good fix on how much students are learning by tracking individual student test scores from one year to the next. When students at a particular school
are outpacing the typical student in the rest of the state, most people would agree the rate of learning is, at least, better than average. When student gains lag significantly behind average statewide gains, most people might agree that the situation deserves attention by school boards and administrators, if only to make sure that below-average performance in any given year is nothing more than a statistical aberration.

Any well-designed measuring stick should provide that kind of basic information, especially if it purports to identify schools that are or are not making Adequate Yearly Progress. Martin West and I (“Is Your Child’s School Effective?” check the facts, Fall 2006) discovered just how inadequate the AYP measuring tool is when we tracked student progress in Florida. We compared pairs of schools, checking to see whether students were learning more at the one said to be making AYP than at the one said to be failing. Thirty percent of the time the opposite proved to be the case. Any measuring stick that gets something wrong 30 percent of the time is itself a failure.

The errors are systematic. If a school is blessed with initially high-performing students, it is likely to be given a pass by NCLB, even if students are not learning much from one year to the next. Schools serving the poor, the disabled, and the educationally disadvantaged face a greater challenge, as they must make rapid progress from one year to the next to escape the “failed school” designation. As a result, they are often found to be “failing,” even when the gains made by their students exceed those in “passing” schools.

**Simplistic Dichotomy**

The imperfections of the NCLB measuring stick are magnified by the fact that it divides all schools into just two categories, pass or fail (“making AYP” or not). The practice borrows from a more common propensity that has unfortunately crept into American education in the name of helping the challenged. Even elite universities, such as my own, allow professors to give students “pass-fail” grades. I have learned from bitter experience that such a grading system both gives students license to do nothing and, ultimately, provides less information to those who rely on grades as a way of ascertaining whether students have learned something. (Generally speaking, the “behind-the-scenes” rule is to treat a pass as a fail, causing further distortions.)

In days gone by, and even now in traditional schools, teachers graded students over a five-point scale that ranges from A to F. NCLB needs to rediscover that ancient practice. States have already shown the benefits of using a multiplicity of cut points. Florida employs an A to F scale, providing a much more intuitive way of telling families and citizens about the quality of their schools. New York grades schools on a four-point scale, which, if not as good as the traditional grading system, would be satisfactory were it not for the fact that, in New York, 4 is good, 1 is bad. (Can you hear the chants? “We’re number four!”)

**Regrinding the Lens**

A five-point A to F scale that focused strictly on student growth at a school would greatly enhance the transparency of the accountability system. Admittedly, such scrutiny was not possible when NCLB was originally enacted into law, simply because at the time the legislation was passed there was no way in most states of tracking student progress over time. Since 2002, however, several states (North Carolina, Texas, and Florida, for example) have put into place at least the beginnings of systems that allow for tracking of student performance from one year to another. At the time NCLB is reauthorized, Congress needs to mandate such tracking systems in all states, and then ask states to use the systems as a way of identifying which schools are effective, and which are not.

To be sure, not every state could implement such a system immediately, so Congress would need to allow for a period of transition from the current policies to the new ones. Introducing a growth approach via the “safe harbor” provisions of the law may be the politically feasible way to begin. States with high standards and quality information on individuals’ performances over time could be given a second way
of showing that schools are making AYP. If given this option, they will have every incentive to migrate to the new system as quickly as possible, as the distortions of the existing approach intensify.

**Distortions across States**

Thus far we have focused on how the NCLB accountability lens provides misleading information about school quality within states. Equally disconcerting, the accountability measuring stick provides grossly misleading results when states are compared to one another. The cause of the distortion: allowing each state to establish its own standards and its own definition of proficiency, thereby generating 50 different definitions of the same concept.

The meaning of the word “standard” has its origins in the flag or emblem carried high in battle in order to martial a fighting force toward a fixed objective. If standard-bearers head off in inconsistent directions, they direct portions of the battle force toward divergent objectives, opening the army to flank attacks. Accordingly, “standard” came to mean something that was fixed, such as the specific weight for an official coin or the unchanging value of a precious metal against which the value of paper currency could be compared.

It is thus an oxymoron to hold students accountable to more than one standard, as is the case under NCLB, which allows each state to establish its own standard, no matter how widely it diverges from some national definition. Frederick Hess and I show that a very few states—only Massachusetts, Maine, and South Carolina—have as high a definition of proficiency as the one originally set nationally by those who administer the NAEP. (For more, see “Keeping an Eye on State Standards,” features, Summer 2006.) Standards in most states fall far short of that national mark, North Carolina, Oklahoma, and Tennessee being the most extreme laggards. So, by official definitions, Johnny may be deemed a proficient reader in North Carolina but not if he should move to South Carolina.

So varied are state standards that the relative rigor of a state’s proficiency definition is a better predictor of the percentage of schools said to be “failing” (not making AYP) than the overall quality of student performance in the state, as estimated by average NAEP scores. The correlation between the proficiency standard and the percentage of schools failing to make AYP rate is 0.44. The correlation between the actual level of student proficiency on the NAEP in the state and the percentage of schools identified as “failing” is only negative 0.31.

Clearly, AYP is giving information that is at least as much political as it is substantive. In Massachusetts, for example, 43 percent of the students failed to make AYP, despite the fact that the state has the highest-performing students in the country. Why? Because Massachusetts has one of the highest standards in the country, a standard as high as the one NAEP uses. Conversely, only 7 percent of the schools in Tennessee are failing, though the state ranks near the bottom in terms of school performance. Why? Because Tennessee has one of the lowest operational definitions of proficiency in the country. The pattern nationwide is laid out in Table 1.

We are not necessarily proposing the NAEP or Massachusetts standard of “proficiency” as the correct one. If one is going to expect every child to reach that level by the year 2014, one can be quite certain it won’t happen. Even world leaders in education do not come close to reaching that goal. In 8th-grade math, for instance, only 73 percent of the students in Singapore are proficient by the NAEP definition of the word, despite the fact that Singapore has the highest-performing math students (see Figure 1).

That fact helps to clarify a basic dilemma that NCLB confronts as long as it continues to use the 2014 goal of full proficiency as its benchmark. Either the word “proficiency” will have to be dumbed down to mean little more than “basic” understanding of the given material, or a new way of measuring school performance must be introduced.

The simplest solution: use a high standard, such as the one employed by the NAEP, when holding students accountable for reaching full proficiency, if they are to receive an academic diploma, but hold schools accountable for achieving a high but realistic rate of student growth from one year to the next.
Accountability

Who should be held accountable? That question brings me to NCLB’s final distortion: exactly who or what is being held responsible. In ordinary language, only individuals, not entities such as schools, can be held accountable. We hold drivers, not cars, responsible for accidents. Or, if cars are faulty, we hold responsible those who made them. But under NCLB, only entities (schools, school districts, states), not students, teachers, or administrators, are held responsible for what is happening. To fix the NCLB accountability system, we need to find ways of holding accountable the individuals, that is, the students and teachers, who are involved in the education process.

At one time, student promotion to the next grade was conditional on performance, and graduation from high school depended on learning a specific body of material. Gradually, it has become standard practice to promote virtually all students from one grade to the next, regardless of whether they have learned the material. Such practices are justified on the grounds that holding a child back for poor performance only undermines self-esteem and aggravates learning problems. Minimal high-school graduation requirements are similarly justified on the grounds that having a diploma is better than not receiving one, regardless of what is learned.

Recently, some cities and states have introduced policies that return to more traditional practices. The results have been surprisingly promising. In Florida, the performance of 3rd graders jumped the first year they were expected to pass a test if they were to move on to 4th grade (see “Getting Ahead by Staying Behind,” research, Spring 2006). Those held back benefit from being required to repeat the 3rd grade. In Massachusetts, the expectation that students pass a 10th-grade test if they are to graduate from high school spiked student performance the first year the law was introduced, with continuing gains in subsequent years. Internationally, Ludger Woessmann has shown that students score higher in countries that require students to perform well on comprehensive examinations than in countries that, like the United States, have no such expectations (see “Crowd Control,” research, Summer 2003).

Teachers and administrators should be held accountable as well. Once the other elements of a well-designed accountability system have been
put in place, it is reasonable to hold teachers accountable for student learning. As Thomas Kane and his colleagues have shown (see “Photo Finish,” research, Winter 2007), the best measure of teacher quality in any given year is how much students learned from that same teacher the preceding year. The research simply confirms what every school child knows: certain teachers are consistently effective, while others are not.

Once the information is available to track student progress from one year to the next, one can identify the classrooms in which the most, and least, learning is taking place. That information can be used to reward the high performers and to counsel the low performers, who should be dismissed if they remain consistently ineffective classroom teachers. Of course, any teacher can have a bad year, and any accountability system may make an error, so all personnel decisions must be made by administrators who are fully informed of particular circumstances. But until teachers are held responsible for the performance of their students, it is unlikely that accountability systems will prove effective.

Finally, an effective accountability system requires strong administrative leaders, who should be held responsible for the learning gains realized at their school.

The Political Problem
It is rumored that influential interest groups in Washington and key members of Congress are considering many of the changes I have proposed in this essay. Let us hope so, but one should not be optimistic about the outcome of the legislative process in the absence of strong, sustained public support for reforms along these lines. The defects in NCLB, as originally written, are not accidental. The law took the form that it did because Congress navigated among powerful political interests—those of unions, suburbanites, state and local education officials, and other interested parties. Had teachers been held accountable, union opposition would have blocked the law’s enactment. Had states not been given the option to set any standard they wanted, many state and local officials would have balked at excessive federal control. Had states been required to put in place a data collection system that tracked student performance over time, privacy fanatics would have insisted that every child had a right not to be known, even to those responsible for the child’s education. Had every school been measured for growth in student performance, many a suburban district (as well as its board and superintendent) would have been found wanting.

Had students been held accountable, groups of students and parents would have raised strenuous objections.

In 2001, lawmakers displayed sheer political genius when they came up with a law that could be sold to the public as an egalitarian policy that would leave no child behind. By insisting that every child reach a minimum level of performance in 2014 (well beyond the political lifetime of many of the key decisionmakers), the law left most parts of the educational system untouched and limited the rigors of accountability to the schools that served the most challenging populations. If that was politically shrewd, it is educationally problematic. The best and the brightest were given a pass. Meanwhile, excellent schools serving the most challenged, whether charter schools or high-quality inner-city public schools, were placed at the greatest risk of being called failures, even when they were successes.

None of this can be altered without regrinding and polishing the lens through which NCLB’s accountability light shines on America’s schools. If we cannot soon come to believe what we are shown, the whole microscope will be tossed into history’s dustbin.

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It’s popular in Washington to declare No Child Left Behind (NCLB) an excellent statute (even “99.9% pure,” as Secretary Margaret Spellings once claimed), but complain about its “implementation.” Many individuals on Capitol Hill and in advocacy groups appear sincerely to believe that with the right people calling the shots in the U.S. Department of Education, making good decisions, and acting wisely, the law could work as intended.

Is this true? Is implementation the problem? Or are NCLB’s shortcomings much deeper? From my admittedly biased perspective as a former Bush administration official in the Department of Education (DOE), I examine that question through a case study of one of the law’s many ambitious promises: that students in schools in need of “improvement” or “corrective action” can transfer to a better school or receive free tutoring from a private provider at the district’s expense.

These provisions test the limits of well-intended implementation. Unlike other parts of NCLB that were foisted upon the administration by congressional Democrats (such as the law’s “highly qualified teachers” mandate), these policies enjoyed strong support from senior DOE officials, including Secretary of Education Rod Paige. They aligned with core Republican principles of choice and

BY MICHAEL J. PETRILLI
competition. Yet by all accounts, the provisions have disappointed. In 2005, fewer than 1 percent of eligible students participated in NCLB school choice and just under 20 percent took advantage of the free tutoring (see Figure 1). Did the administration botch the implementation of even these favored programs? Or is something else to blame? And what are the implications for NCLB writ large?

**Parent Information, School District Resistance**

It almost goes without saying: in order for parents to take advantage of school choice programs, they must know that they exist. Yet experience has shown that in the early days of any choice program, parents lack the information they need to weigh their options. That helps to explain why each of the nation’s school-voucher programs got off to such a slow start. In the federally funded Opportunity Scholarship Program in Washington, D.C., for example, almost half of the available vouchers went unused in the first year of the program because its organizers didn’t have adequate time to inform parents. Other voucher and charter school programs nationwide have shown similar dynamics.

So under the best conditions, informing parents of their options under NCLB would be a difficult challenge. But the construction of the law presents a unique problem: it requires local school districts to inform parents of their options, yet doing so is at odds with districts’ own interests. After all, few big-city districts have better schools to offer parents anyway, and few are eager for parents to spend the districts’ dollars on tutors outside the school system’s domain. Plus, if districts don’t spend the required amount on choice or tutoring (a sum equal to 20 percent of their federal Title I allocation), they can use these dollars for their own initiatives. In other words, it’s “use it or lose it,” it’s “use it for choice and tutoring or use it as you see fit.”

The disincentives to districts to inform parents of their options were easy to see as soon as the law’s ink was dry, and help to explain why so few students are participating in NCLB school choice and tutoring. Let’s examine what DOE tried to do to address these challenges, and consider why its efforts largely failed.

**Strategy #1:**

**Appeal to districts to do the right thing**

The statute is relatively clear, though not elaborate, about districts’ responsibilities when it comes to communicating with parents. They must provide information “in an understandable and uniform format and, to the extent practicable, in a language that parents can understand.” The districts must explain why the child’s school is “in need of improvement” in the first place, including “how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency.” They must make clear “the parents’ option to transfer their child to another public school” or “to obtain supplemental educational services [free tutoring] for the child.” These notices must come “not later than the first day of the school year” following the identification of a school “in need of improvement.” Districts obligated to provide supplemental educational services must annually give parents a “brief description of the services, qualifications, and demonstrated effectiveness” of each approved tutoring provider in the district.

In the first version of its “Public School Choice: Non-Regulatory Guidance,” published in December 2002, the department built on these basic statutory requirements to encourage districts to provide helpful information to parents: “The [local educational agency] should work together with parents to ensure that parents have ample information, time, and opportunity to take advantage of the opportunity to choose a different public school for their children.”

**Unintelligent Design** (Figure 1)

Under No Child Left Behind (NCLB), districts get to keep the funds that go unspent on public school choice and supplemental educational services (SES). It is therefore not surprising to find that few eligible students are participating in these programs.

<table>
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<tr>
<th>Percentage of Eligible Students Participating in NCLB Choice and SES</th>
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<tr>
<td>2003-04</td>
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<tr>
<td>---------</td>
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<tr>
<td>Public school choice</td>
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<td>Supplemental Educational Services (SES)</td>
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That same month, in its “Supplemental Educational Services: Non-Regulatory Guidance,” the department encouraged districts to “consider multiple avenues for providing general information about supplemental educational services, including newspapers, Internet, or notices mailed or sent to the home.”
DOE took another bite at the apple in August 2003, when it published an updated version of its supplemental educational services guidelines. Frustrated that the letters some districts were sending home actually discouraged parents from taking advantage of free tutoring, the department added new language. “Any additional information in a notice should be balanced and should not attempt to dissuade parents from exercising their option to obtain supplemental educational services for their child.” This mild rebuke, in the form of non-binding “guidance,” was hardly going to spur districts to change course.

Still trying to appeal to districts’ better angels, in May 2004 the department published *Innovations in Education: Creating Strong District School Choice Programs*. This colorful booklet culled “best practices” from five school districts with vast experience implementing their own public school-choice programs. Under headings like “Communicate Clearly About NCLB Choice Options” and “Provide Personalized Follow-Up,” the publication gave concrete, actionable advice to districts that wanted to implement the choice provisions effectively. Importantly, it also provided sample letters (from Milwaukee) that demonstrated how districts could communicate to parents in a straightforward, jargon-free way. DOE printed 50,000 copies of these booklets, distributed them widely, and posted a version online. It also used the booklet at a variety of forums and conferences.

But from the department’s perspective in Washington, boosting districts’ know-how didn’t seem to make much of a difference; those pesky perverse incentives hadn’t gone away. So the department devised a new strategy: if you can’t work through the districts, work around them.

**Strategy #2: Empower the outsiders**

While school districts didn’t see much benefit in touting NCLB’s choice opportunities, several advocacy groups did. Organizations such as the Black Alliance for Educational Options (BAEO), the Hispanic Council for Reform and Educational Options (HCREO), and the Greater Educational Opportunities Foundation (GEO) viewed parental outreach as central to their mission.

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So administration officials responded enthusiastically when these organizations applied for grants under the department’s Fund for the Improvement of Education (FIE), also known as the “Secretary’s discretionary fund.” The department doled out $1.5 million to BAEO, $900,000 to HCREO, and $750,000 to GEO. Each of these groups set out to inform parents of their NCLB options in target cities. BAEO’s “Project Clarion” launched aggressive outreach campaigns in cities such as Detroit, Atlanta, and Philadelphia. Using a mix of radio ads, grass-roots communication, and media relations, the organization sought to inform parents of their NCLB school choice and free tutoring options. The project had some success; awareness of NCLB and its choices increased in BAEO’s target cities from 37 percent to 72 percent over the three years of the initiative.

Unfortunately discretionary FIE funds were quite limited, and these targeted campaigns couldn’t come close to having a national impact. But the department’s Parent Information and Resource Centers program (PIRC) had a substantial amount of money (almost $40 million in 2006). Despite its name, PIRC wasn’t designed to inform parents about school choice options. A holdover from President Clinton’s Goals 2000 law, the centers’ primary role was to fund parent education programs, with a focus on early childhood. Regardless, department officials used the grant application process to establish priorities (i.e., bonus points) for PIRCs willing to do the work of informing parents of their options under NCLB. Soon the nation’s 70-odd PIRCs were engaging in parental information campaigns of one sort or another.

It’s hard to know for sure whether any of these outside-the-system efforts worked. To this day there are no good, comparable, city-by-city data on participation rates in NCLB school choice programs.
choice or supplemental educational services, so it’s impossible to know if participation spiked in communities where the PIRCs and other groups targeted their efforts. With millions of children nationwide eligible for choice and free tutoring, even these activities have to be seen as mostly symbolic.

Strategy #3: Offer carrots

DOE soon came to believe that what mattered most was whether districts themselves “bought into” the choice and tutoring provisions and launched aggressive outreach campaigns. Districts have some particular advantages: They have access to student information nobody else has: they know exactly who is eligible for choice and tutoring. They have the power to send information home in students’ backpacks and, even more importantly, to instruct school principals, counselors, and teachers to give parents information about these options at school-sponsored events such as back-to-school night and during parent/teacher conferences. As the Innovations in Education booklets made clear, parents are most likely to trust and act on information coming from their child’s teacher and principal.

So with the arrival of Secretary Spellings in the second term of the Bush administration, DOE tried a new tactic: replace the law’s perverse incentives (which pushed districts to avoid aggressive parental outreach) with carrots, offers that would encourage them to play ball. The department launched two different pilot programs. First, in August 2005, it allowed four districts in Virginia (and later another 12 districts in four additional states) to flip-flop the order of NCLB school choice and free tutoring. Now districts with schools identified as “in need of improvement” would have to offer supplemental educational services immediately, and could delay NCLB school choice until the next year. In return, those districts had to engage in aggressive parental outreach, demonstrated by significantly improved participation rates in the NCLB school choice and tutoring programs.

The department launched a second pilot with the free tutoring provision. In 2002, Secretary Paige had issued a regulation that disallowed districts “in need of improvement” from providing tutoring directly; to say this rankled the big-city districts is a vast understatement. In 2005 and 2006, the department gave several urban school districts (Anchorage, Boston, Chicago, Hillsborough County [Florida], and Memphis) permission to serve as tutoring providers, even though they were themselves “in need of improvement” under the law. Once again, the deal was that these districts had to show significant progress with parental outreach, as measured by student participation. Specifically, they were required to “notify parents of the availability of SES [supplemental educational services] in correspondence that is simply written and in a language that parents can understand…notify parents of the availability of SES by letter to the student’s home and by

at least two other means…[and] broadly circulate information in the community about SES.”

These pilots certainly made political sense. Secretary Spellings was under heavy pressure from the education establishment to show greater “flexibility” with the implementation of the law (see “Texas Hold ’em,” features, Summer 2007). Even members of Congress had come to agree that NCLB school choice should kick in after supplemental educational services. And Spellings felt she had to allow at least some big-city districts to serve as tutoring providers, in part to placate the Council of the Great City Schools, which had been a vocal and courageous advocate for the law. So if she was going to make these policy changes anyway, why not get something in return?

Whether she got a good deal remains to be seen. Results from a third-party evaluation of these pilots have not yet been published. Allowing districts to serve as tutoring providers has had all kinds of deleterious effects on the supplemental educational services program. For example, a Wall Street Journal editorial reported that Chicago, Boston, and Hillsborough County are all using “administrative hurdles to make it very difficult for private and faith-based tutoring programs to reach students.” Of course, no matter what the impact might
be in a handful of cities, these pilots will have no effect on the larger national picture.

The Dog That Didn’t Bark: Wielding the Stick

The Department of Education still has not tried getting tough with states and districts deficient on parental outreach. This isn’t the case for the law as a whole; the administration has shown remarkable courage in withholding administrative funds from states for various infractions, such as not testing new elementary school teachers before they enter the classroom (as required under the law’s “highly qualified teachers” provision) or failing to include English language learners or special education students in the state’s assessment system.

So why did the department not take similar actions when it came to choice and tutoring? Simply, it’s a matter of gray. The examples cited above are black-and-white: either states tested their new teachers, or they didn’t. The law is clear about what is required; enforcing the statute is fairly straightforward. This is not the case for parent outreach and information; most districts were, in fact, living up to the letter of the law. They sent parents bulletins about their choices and posted information online. Sure, many letters were full of jargon, written to dissuade parents from taking advantage of their options, and a wholly inadequate mechanism for breaking through information overload anyway. But “going through the motions” is not illegal. Simply said, the department did not have grounds to initiate enforcement actions.

Of Hubris and Humility

Let’s return to the original question: Could NCLB work as intended with the right people calling the shots in Washington, making good decisions and acting wisely? When it comes to the law’s failings, is “implementation” really to blame?

At least when it comes to the law’s school choice and tutoring provisions, the answer is clearly no. The Department of Education, especially under Secretary Paige, was firmly committed to the success of these provisions. It tried multiple strategies to make them work effectively, with little success. It’s hard to imagine what else any administration could do to make the provisions work, at least within the confines of the statute.

But that doesn’t mean that changing the law is necessarily the solution, either. There may be no solution to some of these problems because they are inherent in our federalist system. Federal policymakers should consider this a key lesson: While it’s hard to force recalcitrant states and districts to do things they don’t want to do, it’s impossible to force them to do those things well. Washington can coerce states and districts to follow the letter of the law, but not the spirit. And when it comes to complicated school reforms like empowering parents to choose a new school for their child, “going through the motions” isn’t good enough.

When Congress reauthorizes NCLB, it will need greater humility. Rather than trying to mandate transformative change, Uncle Sam should simply provide political cover to reform-minded local leaders. When it comes to NCLB choice and free tutoring, for example, the federal government could offer extra money for districts that volunteer to implement these reforms. Only districts committed to their success would receive the funds. And DOE would get out of the business of trying to force recalcitrant districts to play along.

This is precisely the strategy embedded in the Teacher Incentive Fund, a $100 million effort that funds local pay-for-performance initiatives. Several big-city districts agreed to experiment with this controversial and promising reform, thanks to the availability of “free” money from the federal government. That sort of demonstration program could work well in other policy domains, too.

A voluntary school-choice grant program is not as bold and exciting as NCLB’s promise that every child trapped in a failing school will have an exit. But this approach is more in line with the capabilities and political realities of the federal government. Meanwhile, most reforms, including those intended to expand school choice, are going to have to develop the old-fashioned way—from the bottom up. That can be slow and frustrating, but it’s the American way.

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No Child Left Behind (NCLB) may be the most vilified act of Congress in modern times. Just about anybody can find something in the law to get worked up over: the testing rules, “highly qualified teachers,” funding shortfalls and so on. It’s great fodder for presidential candidates, too, one of whom recently went so far as to blame the childhood obesity problem on NCLB and to equate companies providing tutoring to low-income students to Halliburton. Funny thing is NCLB is actually doing some good things for real people, many of them students who historically have been shortchanged in our public schools.

I was an early, proud supporter of the law, and I still am. My civil rights colleagues and I fought for some of its tougher provisions, like accountability for subgroups of students, the 2014 proficiency deadline, requiring states to submit plans for the equitable assignment of teachers, and providing a way out for kids trapped in failing schools. By now, most of the criticism of NCLB—some legitimate but some

BY DIANNE PICHÉ
How long does it take a cutting-edge civil rights law to “work”? Could a credible argument have been made in 1969, five years after passage of the Civil Rights Act, that the ambitious law was “not working” and therefore ought to be abandoned?

...ginned up by special interests opposed to real accountability—seems pretty old and tiresome.

Let’s examine some of the grenades most commonly lobbed at NCLB. First, there is the oft-heard complaint that the measurement system for accountability is all wrong. Why? Because NCLB doesn’t call for measuring students’ growth from year to year. Instead, the measurement system in the law compares the proficiency levels of this year’s 3rd graders to last year’s 3rd graders. This is also called the “status model.”

Suggesting that NCLB 1.0 is flawed because it did not explicitly provide, back in 2001, for “growth models” is like saying my 2001 desktop was a bad buy because in 2007 it can’t run Windows Vista or streaming video. Virtually none of the states had the technology and other capacity to design and implement growth-measurement systems in the early years of this authorization. The fact that Education Secretary Margaret Spellings has approved only seven to date is not because she’s not eager to see many states move in this direction. There simply aren’t, even today, many states ready, willing, and able to carry out a credible, statistically sound growth-based accountability system.

Since 1994 the “status model” has been the accountability paradigm embedded in Title I, and in many state accountability systems as well. It was based, in part, on public health models that aspire, for example, to increase numbers of annual healthy births and immunized kindergarteners and decrease things like malnutrition, disease, and teen pregnancy. Significantly, it was not until sometime after NCLB’s final passage that the noise level about the “status model” and the plea for growth measures became audible. And this was not because states suddenly had vast new capacity to measure growth. They didn’t. Instead, increasingly, leaders of the education establishment (i.e., school boards, administrators, and the teacher unions) were doing their Adequate Yearly Progress (AYP) math in the context of the 2014 deadline. They rightly feared that, unlike the Clinton administration, the Bush administration was determined to enforce the law, particularly with regard to assessment and accountability. Simply put, they hoped that with a growth model, they might get credit for some amount of improvement in test scores, even if the requisite numbers of students were not actually proficient.

This political background is important context for the debate taking place in Congress. Virtually nobody disputes the merits of allowing states to base their accountability systems on the value a school or teacher adds to a student’s knowledge and skills. But when it comes time for Congress to get down to actual legislative language, members will have to choose whether to open the door to all comers, including states with pitifully low standards (compared to those of the National Assessment of Educational Progress), deficient data and student-tracking systems, and a poor track record on including English language learners and students with disabilities. Or they can take the more prudent course, accede to the secretary’s good judgment, and limit the “growth” option to those states that can demonstrate both the capacity and the rigor required to bring students to proficiency within a specified period. Thus, simply arguing “growth measures good, current law bad” may in the end not be very helpful to the deliberations on Capitol Hill and could well undermine the efforts of those who favor only those growth systems that can meet tough standards for rigor, reliability, and inclusion of all students.

Then there’s the suggestion that the 2014 proficiency deadline is crazy. Says who? Certainly not the parents whose children attend persistently low-performing schools and for whom even one school year is too much time to lose.

Increasingly we are seeing high-poverty, high-minority schools across the country that are achieving outstanding academic success. In high-achieving schools, proficiency for all students is possible this year. Let’s do what we can with NCLB to drive the dollars and incentives to the schools that are replicating the no-excuses approach to teaching the children of the poor.

Common Ground?
Perhaps surprisingly, my fellow forum authors and I agree on the importance of NCLB’s core aspirations:

• Transparency and public reporting of student achievement data
• The need for high standards pegged to postsecondary education and careers
• Regular assessment in reading and math
• Accountability based on assessment results
• Options for parents.

We even agree on some of the more nuanced, yet potentially powerful, improvements Congress and states could enact to strengthen education reform:

• Differentiated consequences
• Continued efforts to measure growth from year to year
• Measuring effectiveness and attaching rewards/consequences for administrators and teachers.
Finally, we may actually agree on the most radical proposal from the standpoint of the more than 40-year history of the Elementary and Secondary Education Act (ESEA): Congress should not continue to subsidize failure after providing years of assistance and the opportunity to improve. There are a variety of ways to remove funding from chronically low-performing schools and transfer it to better schools (including moving the dollars in the figurative “backpacks” of the students) that merit serious consideration.

Our disagreements reflect our fundamentally different beliefs about the role of the federal government itself, particularly with respect to advancing the interests of the poor and minorities. Since when has leaving it all up to the states helped the poor and minorities achieve equality of opportunity? Not when it came to voting rules. Not when it came to public accommodations. Not when it came to desegregating schools in the aftermath of Brown v. Board of Education. And certainly not now, when the achievement gaps based on race and class are as virulent as ever, with only modest signs of abatement.

Of course, not everything is working perfectly yet. School choice and supplemental educational services were not high on the political priority list under the first Bush administration, but it does not follow that these two vital provisions for parents cannot be made to work. It often takes a period of years (sometimes even a complete authorization cycle) for a controversial new provision to take root. For example, most states did not pay much attention to the “accountability lite” provisions in the Clinton-era Improving America’s Schools Act (IASA), nor did that administration do much to signal to states that it would enforce IASA’s requirements for “corrective action” and school improvement. It took another authorization and a clear signal from the Bush administration that the federal government was serious about accountability in order for the states to come up with plans to hold their own schools and districts accountable.

Moreover, there are encouraging signs of bipartisan support for proposals to add some real teeth to the public school transfer options in NCLB. Currently, parents may choose a better school when their child’s school fails to make AYP, but as the Lawyers’ Committee for Civil Rights Under Law has called it, the choice option is “a right without a remedy.” School districts implement the provision only halfheartedly and many argue a lack of space in successful schools. The interdistrict provisions in the law are weak, and charter options are not meaningful in states with arbitrary limits on new charter schools.

The Citizens’ Commission on Civil Rights, along with the Aspen Institute’s NCLB Commission and other proponents, have proposed tough new measures to guarantee public school choice to children who attend persistently low-performing schools. One proposal would deny states that do not provide parents and children with demonstrably better choices their Title I money. States would have the obligation to create and offer those children in the worst schools seats in better-performing schools. To increase seats, states could lift caps on the number of charter schools, expand successful schools, or provide for interdistrict transfers. A second proposal would require an “audit” to determine whether capacity in better schools actually exists and, if so, where. Finally, the Aspen Institute and a number of civil rights organizations favor enabling parents to take legal action when rights conferred under NCLB, like the right to place their child in a better-performing school, are violated. Congress should consider how best to target funding to the schools, leaders, and models that have the best record of success in high-poverty communities. But the bottom line is that unless and until the money is used to leverage dramatic change, there is unlikely to be any marked change. And without dramatic change, achievement gaps are unlikely to close any time soon. The status quo is a powerful player to be reckoned with in the struggle for educational equity.

The Pace of Reform

NCLB is in many respects the latest in a long line of efforts in the policy and legal arenas to promote equity and opportunity in the public schools, including desegregation cases, the Civil Rights Act of 1964, the original ESEA, and school finance and adequacy cases in the states.

How long does it take a cutting-edge civil rights law to “work”? Could a credible argument have been made in 1969, five years after passage of the Civil Rights Act, that the ambitious law was “not working” and therefore ought to be abandoned?

This particular legislation needs to be strengthened by ensuring high state standards, reliable assessments, realistic school-improvement measures, an equitable distribution of effective teachers, and real parental choice. Those of us—on the left, right, and middle—who believe in the transformative power of education need to draw more from the work of the increasing numbers of urban schools that are demonstrating how to succeed with large numbers of poor and minority students despite the odds. We need to learn from the contagious successes of outstanding public schools and choice programs like the Amistad Academy in Connecticut, the Green Dot schools in California, and the voluntary interdistrict transfer program in St. Louis.

Abandoning NCLB now would be the height of cynicism. Instead, like the civil rights movement itself, the education reform movement is in dire need of creative thinking, committed education leaders, and informed, involved parents—all united in our belief in the worth and value of every young life and each child’s potential to learn and do great things.

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