

# Failing Our Children

• How “No Child Left Behind”  
Undermines Quality and Equity in Education

• An Accountability Model That  
Supports School Improvement

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# Failing Our Children:

- How “No Child Left Behind” Undermines Quality and Equity in Education
- An Accountability Model That Supports School Improvement

## Executive Summary

“No Child Left Behind” (NCLB), the title of the federal Elementary and Secondary Education Act, describes a worthy goal for our nation. Tragically, NCLB is aggravating, not solving, the real problems that cause many children to be left behind. NCLB must be overhauled if the federal government is to make a useful contribution to enhancing the quality of education received by low-income and minority group students.

Prior reports and articles on NCLB have exposed a host of problems. Most of these studies have focused on the effects of NCLB. A few have sought to expose the law’s conceptual and structural flaws. Some have proposed modest changes, but only minor regulatory revisions have been adopted. None of these studies have proposed a comprehensive, alternative approach to the federal role in improving public schools for students in poverty.

This report details the fundamental errors in the conception and execution of NCLB. Beyond that, it proposes a better system of accountability to serve as the basis for a comprehensive overhaul of NCLB.

Two false assumptions undergird NCLB:

1) *Boosting standardized test scores should be the primary goal of schools.* This assumption leads to one-size-fits-all teaching aimed primarily at test preparation, and it works against efforts to give all children a high-quality education.

2) *Schools can best be improved by threatening educators with harsh*

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*sanctions, since poor teaching is the primary cause of unsatisfactory student performance.* Threats may get teachers to focus narrowly on boosting test scores. They fail, however, to address the underlying problems of family poverty and inadequate school funding that are major reasons why many students start off far behind and never catch up.

A new accountability system must start from accurate assumptions, which will lead to a fundamentally different approach than NCLB's test-and-punish methodology. This alternative approach assumes educators want to do their jobs but often need assistance to do better. Rather than threaten educators with sanctions based on limited information provided by test scores, this alternative approach focuses on gathering multiple forms of evidence about schools and then using that evidence to support comprehensive improvements in teaching and learning. All levels of government must help schools build the capacity to ensure all children receive a high-quality education that meets their individual needs. Governments, therefore, must fulfill their responsibilities to provide adequate and equitable resources. This alternative approach also encourages parents and the community to be core participants in keeping local schools accountable, rather than excluding them through incomprehensible statistical procedures dictated by remote bureaucrats.

What makes NCLB so dangerous is the way it links standardized testing with heavy sanctions through the rigid "adequate yearly progress" (AYP) formula. Thus, the weaknesses of standardized exams – their cultural biases and their failure to measure higher order thinking – are reinforced by strict penalties. The consequence of narrow exams and strong sanctions is intensive teaching to the test. This response undermines decent education as well as efforts to ensure genuine improvements in educational quality.

The lack of adequate funding for schools and for the well-being of children intensifies these problems for low-income and minority-group students. Overcrowded classrooms make it more likely that teachers focus on little more than the content of mandatory tests. The convergence of testing, sanctions and inadequate funding means too many children will continue to get a second-class education. A false accountability system based on testing and punishing will never bring about success for all children. This goal will be out of reach as long as there is

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worsening poverty and inadequate funding that denies too many students access to a rich and comprehensive curriculum to prepare them to be lifelong learners, active participants in our democracy and successful in further education and employment.

Despite some potentially helpful provisions, the deep flaws in NCLB end up undermining both educational quality and equity. For example:

- NCLB calls for multiple measures that assess higher order thinking and are diagnostically useful. However, these provisions are not enforced by the U.S. Department of Education and are not embedded in most state practices. The push for standardization and the requirements for quickly imposing “in need of improvement” judgments and sanctions make it nearly impossible for states to implement an assessment system that fosters high-quality learning.
- The law mandates school (or district) improvement plans. In practical terms, however, “improvement” means no more than boosting test scores. Quick sanctions based on unrealistic rates of “adequate yearly progress” deny schools the opportunity to see if their improvement efforts will work.
- The law also requires schools “in need of improvement” to use some of their federal money for professional development. This is reasonable, and the law allows many varieties of professional development to be pursued. But funding is inadequate, and the power of testing will tend to reduce professional development to training teachers to be better standardized exam coaches.

This report details other failures of NCLB:

- The gauge of student progress in most states is being reduced to reading and math scores. Many schools already are narrowing instruction to what is tested.
- Most schools will fail to meet the unrealistic demands imposed by the law’s “adequate yearly progress” provision. Virtually no schools serving low-income children will clear the arbitrary hurdles. Many successful schools are being set up to fail and will be forced to drop policies and programs that work.

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- Sanctions intended to force school improvement will do the opposite. Because the sanctions merely shuffle inadequate resources, they will pit parents against teachers, parents against parents from other schools, and schools against schools. They divert funding from helping all children succeed to helping the relatively few whose parents want and can obtain transfers and tutoring, and to the businesses that provide these services. The law's ultimate sanctions – privatizing school management, firing staff, state takeovers, and similar measures – have no proven record of success.
- The federal government has failed to adequately fund the law. Education resources are dwindling in most states just as they are hit with the demands of the current law. Worse, neither federal nor state governments are addressing either the resources required to bring all children to educational proficiency or the deepening poverty that makes it difficult for so many children to learn.

These problems have catalyzed a growing movement seeking to overhaul NCLB. From state officials to local parents and teachers, people across the nation are mobilizing against the law. The sources of the anger vary, as do the proposed solutions, but a critical mass for change is building. Unfortunately, some efforts to minimize the damage caused by NCLB would perpetuate educational inequality. Others address only peripheral issues, not the law's faulty assumptions.

Effective opposition to NCLB must embrace genuine accountability, stronger equity, and steps to really improve schools. What is needed is a law founded on a more realistic understanding of the problems facing schools and the processes of school change. A new NCLB must propose solutions that improve, not undermine, the quality of education.

Core elements of a better accountability system include:

- 1) Federal, state and local governments must work together to provide a fair opportunity for all children to learn a rich curriculum in a supportive yet challenging environment. Governments have generally failed to meet this fundamental accountability requirement because they have not ensured

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adequate, equitable funding and because they have primarily emphasized test scores.

- 2) Accountability systems must use multiple forms of evidence of student learning. If we want to know how well students are doing, we need to look at a range of real student work. If we want students to learn more or better, we have to provide teachers and students with useful feedback based on high-quality classroom assessments that encompass a variety of ways to demonstrate knowledge and that fit with how children really learn.
- 3) Accountability systems must focus on helping teachers and schools ensure educational success for all students. They must also ensure that schools are safe, healthy, supportive and challenging environments. This means providing data that can be used for improvement and making certain that schools are well equipped to use it. It also requires ample time and resources to enable teachers to learn more, share knowledge and get better at what they do.
- 4) Accountability systems must involve those most directly affected and closest to the classroom. Therefore, the primary accountability mechanisms must be local. They must involve educators, parents, students and the local community; and they must use participatory processes such as local school councils, annual reports and meetings to review school progress.
- 5) The primary responsibility of state governments is to provide tools and support for schools and teachers to improve while ensuring that equity and civil rights are maintained. Intervention should take place only when localities have been given resources and support and still fail to improve, or when there are uncorrected civil rights violations.

In the short term, NCLB should be amended to stop the destructive inflexibility of the “adequate yearly progress” provisions and eliminate the draconian penalties. The requirement for states to annually test all students in grades 3 to 8 in reading and math should be removed and the amount of required testing reduced. Additional

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measures of school and student learning should be included in progress evaluations. Congress also must appropriate the full amount authorized under NCLB.

More fundamentally, policy-makers must consider the damage NCLB has wrought and take seriously the problem of inadequate educational funding around the nation. They should begin by listening to the rising voices of educators, parents and community people who know that their children cannot be reduced to test scores. Children deserve a high-quality education, not test preparation.

In its current form, NCLB is a punitive law that uses flawed standardized tests to falsely label many schools as failures, then punish them with harmful sanctions. NCLB must be transformed into a supportive law that promotes lasting educational improvement and makes good on the promise, in the words of the Children's Defense Fund, to "leave no child behind."

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