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How to Fix No Child Left Behind

By Claudia Wallis, Sonja Steptoe

It's countdown time in Philadelphia's public schools. Just 21 days remain before the state reading and math tests in March, and the kids and faculty at James G. Blaine Elementary, an all-black, inner-city school that spans pre-K to eighth grade, have been drilling for much of the day. At 2:45 in the afternoon, Rasheed Abdullah, the kinetic lead math teacher, stages what could be called a prep rally with 11 third-graders. The kids, who are at neither the top nor the bottom of their class, have been selected for intensive review--as has a contingent from other grades--because their test scores hold the key to putting the school over the top on the pivotal Pennsylvania System of School Assessments (PSSAS). Last year, after a history of failure, the school, under new leadership, managed to meet the federal goal for adequate yearly progress (AYP) on the state tests for the first time. If it does so again, Blaine moves off the dreaded list of failing schools, no longer a target for intensive oversight and sanctions that could include replacing the staff.

Abdullah, who has an easy rapport with students, issues a quick reminder to sign up for "Super Saturday" review classes and then begins his math-athon with a rousing recitation of the school's declaration of education. "We believe that we can learn at high levels," the children chant. "We believe we can reach our learning potential ... We believe that Blaine will become a high-performing institution."

Quite a mouthful for an 8-year-old. And there's more. Abdullah starts pumping his fists as the kids finish with passionate vows.

"I'll never give up!" he shouts.

"I'll never give up!" they echo.

"Even on the PSSA test!"

"Even on the PSSA test!"

"Cause winners never lose, and I am the best!"

For the next 15 minutes, the kids, divided into teams, compete to win points by solving math problems, with Abdullah acting as a combination game-show host and math coach. There are giggles and cheers and plenty of correct answers, but everyone in the room knows the fate of the school is at stake.

To understand the impact of the 2001 Elementary and Secondary Education Act, indelibly rebranded as No Child Left Behind (NCLB), you need to visit a school like Blaine. The astonishingly ambitious law, the Bush Administration's proudest domestic achievement, was crafted with high-poverty, low-achieving schools like this one in mind. NCLB proponents and critics alike agree that the law's greatest accomplishment has been shining an unforgiving spotlight on such languishing schools and demanding that they do better. At Blaine, for instance, only 13% of fifth- and eighth-graders were reading on grade level or above in 2004--a number that has since risen to 36%.

Under the law's most visible stipulation, states must test public school students in reading and math every year from third through eighth grade, plus once in high school, and reveal the results for each school or face a loss of federal funds. Just as critical, schools must break out test results for certain groups: blacks, Hispanics, English-language learners, learning-disabled students. This has embarrassed many a top suburban school where high-flying majorities have masked the low achievement of minorities and special-ed students. The law insists--with consequences for failure--that schools make annual progress toward closing the achievement gap between rich and poor, black and white, and bring all students to grade-level proficiency in math and reading by 2014, ending what the President memorably called "the soft bigotry of low expectations."

Ask almost any school administrator, education policymaker or think-tank wonk about NCLB, and you're guaranteed to get at least one sunny metaphor about how the law opened a window, raised a curtain or otherwise illuminated the plight of the nation's underserved kids. This is NCLB'S biggest achievement and the best reason for Congress to reauthorize the law. "At the end of the day, who can argue with holding schools accountable for all children?" asks Paul Vallas, outgoing chief executive of Philadelphia's schools and incoming head of the New Orleans school district. "Who can argue with not tolerating failing schools or with giving poor kids the kinds of choices that wealthier kids have? It's a civil rights issue."

There's plenty of argument, however, about how the law seeks to achieve these goals. NCLB takes the Federal Government--which contributes only 9¢ of every \$1 spent on U.S. schools--where it's never gone before: telling the states how to measure school success, specifying interventions for failure, mandating qualifications for teachers and even telling the nation how to teach reading. This year, as the five-year-old law comes up for debate, an unforgiving spotlight will be focused on its impact thus far, including its numerous unintended consequences. Many teachers are enraged by the law's reliance on high-stakes exams that lead schools like Blaine to focus relentlessly on boosting

scores rather than pursuing a broader vision of education. More than 30,000 educators and concerned citizens have signed an online petition calling for the repeal of the 1,100-page statute. Some offer comments like this one from a former superintendent of schools in Ohio: "NCLB is like a Russian novel. That's because it's long, it's complicated, and in the end, everybody gets killed."

Whether NCLB is achieving its objectives remains an open question. Fourth-grade reading scores on the National Assessment of Educational Progress (NAEP) rose sharply from 1999 to 2004, but most of the gains occurred before the law took effect. The achievement gap appears to be narrowing in some spots--fourth- and eighth-grade math scores for minorities, for instance--but not others. The gap between white and black eighth-graders has widened slightly in math, for example. Gains for eighth-graders in general remain stubbornly elusive.

Secretary of Education Margaret Spellings, who has been advising the President on education since his days as Texas Governor, notes that the law went into full effect only last year and that more time is needed for it to work. Still, she and the Administration have proposed a large number of adjustments to a law she once compared to Ivory soap, saying "It's 99.9% pure." "We wrote the very best bill we could five years ago," Spellings told TIME, "but we've learned from our experiences." Meanwhile, members of Congress have their own fix-it agendas, as do state education officials and, of course, the teachers unions.

Much of the debate over renewing the law is focused on five areas of controversy:

- AYP on reading and math tests: Is it the right tool for measuring learning and raising achievement in the nation's schools?
- Are the 50 states, each of which devises its own annual tests and curriculum standards, setting the bar high enough for students, and if not, what should be done about it?
- Is the focus on reading and math distorting and narrowing education?
- Do the law's requirements for teacher qualifications make sense, and are they raising the quality of the U.S. teaching force?
- Are the directives aimed at failing schools having the intended impact? What is the right role for the Federal Government in fixing bad schools?

In addition to these policy questions, there's the matter of money. The states have complained bitterly that NCLB imposes its many mandates without the federal funds originally promised to implement them. Providing more money for NCLB is a key goal for the Democrats, who control Congress, and is almost certainly part of their price for reauthorizing the law. A look at some of the more challenging issues:

HOW SHOULD WE MEASURE LEARNING?

The heart and soul of No Child Left Behind are its requirements for annual testing and proof that students of every stripe are making adequate yearly progress. AYP is as basic to U.S. education as ABC, but most thoughtful educators object to the way it's measured. One of the biggest problems: there are too many ways to fail, even when a school is moving in the right direction.

Consider the case of Bud Carson Middle School in Hawthorne, Calif. In 2005 the school, which is 92% Latino and black, pulled out the stops to reverse its failing record and hit 20 out of its 21 AYP goals, lifting scores for blacks, Hispanics and special-ed students; closing achievement gaps; and raising attendance. Nonetheless, the school remained on the "needs improvement" list that year because it narrowly missed the reading-score goal for its English-language learners. (Happily, it made AYP a year later.)

Jack O'Connell, California's superintendent of public instruction, is one of many administrators around the country who find the AYP system too inflexible, too arbitrary and too punitive. Some California schools, he says, have made huge progress, but because they did not make AYP they are required to help students transfer to another school. "So," he laments, "we have to take away resources that we can document are improving achievement and put them into transportation to bus kids to other schools."

In addition, the do-or-die AYP system creates perverse incentives. It rewards schools that focus on kids on the edge of achieving grade-level proficiency--like those 11 students in Blaine's math-review class. There's no incentive for schools to do much of anything for the kids who are on grade level or above, which is one reason the law is unpopular in wealthier, high-achieving communities. And sadly, says O'Connell, "NCLB provides no incentive to work on the kids far below the bar."

Sterling Garris, principal at Blaine, has plenty of such low achievers at his school. As he walked down the hallway on a recent spring day, an elated reading teacher came rushing up to him with a third-grader who, she exclaimed, had jumped four reading levels. Garris offered the boy his hearty congratulations, but later he ruefully noted that the achievement won't be recognized under the terms set by NCLB. "This child has had tremendous growth, but he'll still bomb the PSSA test because he isn't on grade level," says Garris. What's worse, a child who has worked so hard will be stuck with a sense of failure. At test time, says Garris, "some kids get so frustrated they cry."

What's the alternative to AYP? Most educators, Garris included, prefer a more flexible measure of student improvement known as the growth model. In this approach, schools track the progress of each student year to year. Success is defined by a certain amount of growth, even if the student isn't on grade level. So a child like that Blaine third-grader would be judged a success--and his teachers and school would get credit for his achievement. "The growth model," says O'Connell, "is a much more accurate portrayal of a school's performance."

Spellings says she appreciates the need for "a more nuanced accountability system," and her department is testing

the growth model in North Carolina, Tennessee, Florida, Arkansas and Delaware. The main sticking point, she says, is having a data-management system that can accurately track the performance of individual students statewide. Another sticking point, she says, is ensuring that growth doesn't replace the goal of moving kids up to grade level. "Growth models have to be within what I call the bright-line principles of the law, which is grade-level proficiency by 2014. Moving the goalposts is not what we are talking about."

CAN WE TRUST THE STATES TO SET STANDARDS?

But moving the goalposts may be inevitable. Decreeing that all kids (except 1% with serious disabilities and an additional 2% with other issues) must be proficient by 2014 is a little like declaring that all the children are above average in the mythical town of Lake Wobegon. California has some of the toughest K-12 curriculum standards in the nation, and O'Connell despairs of hitting the 2014 goal. "Today we don't have any of our schools with 100% student proficiency, and I will predict that we won't by 2014," he says. "Right now about one-quarter of our kids have to be proficient [to make AYP], but soon it's going to be increased 12% a year until 2014. You have to question the accountability system when 100% of your schools are going to be failing, by definition."

There are, however, two surefire ways to hit the 2014 target. One is for schools to cheat on the tests--a frighteningly commonplace solution, according to David Berliner, a respected education scholar at Arizona State University and a co-author of a new book, *Collateral Damage*, that documents the cheating trend. The other solution is to make the state tests easier, a phenomenon known among educators as "the race to the bottom." Philadelphia's Vallas likes to joke that there are two paths to success for his city's schools: improve instruction for students "or give them the Illinois tests."

Or better yet, Mississippi's. In 2005, 89% of fourth-graders in Mississippi were rated proficient in reading--the highest percentage in the nation. But when Mississippi youngsters sat for the rigorous NAEP--the closest thing to a national gold standard--they landed at the bottom: just 18% of fourth-graders made the grade in reading. States that have a tough curriculum and correspondingly tough exams--such as California and Massachusetts--are delivering a more rigorous education, but they're setting themselves up to fail in NCLB's terms.

No wonder so many states have watered down their expectations. An analysis by researchers at the Thomas B. Fordham Foundation, a Washington-based nonprofit, found that the quality of educational standards--which are detailed, grade-by-grade, subject-by-subject learning goals--declined in 30 states from 2000 to 2006. That includes the four states--Delaware, Kansas, North Carolina and Oklahoma--said to be on track for 2014. Overall, only three states earned an A from Fordham on curriculum standards--which are also the basis for state tests; 37 rated C-- or below.

In European countries, for example, such weak and uneven expectations aren't a problem because most have a uniform national curriculum and national tests. But that approach has been politically unacceptable in the U.S., where schools are largely funded and controlled at the state and local levels. Besides, says Spellings, "do you really

want me sitting in Washington working on how we teach evolution or creationism? I don't want to!"

Her department has instead proposed a new requirement that every school, in addition to publishing its results on state tests, provide parents with the statewide scores on NAEP. The idea is that parents would complain if the state falls too far behind the national standard. It's a sensible start, but few experts think it will be enough to ensure high standards in all the nation's schools.

TOO MUCH READING AND MATH?

Sinking state standards are not the only unintended consequence of NCLB. Because the law holds schools accountable only in reading and math, there's growing evidence that schools are giving short shrift to other subjects. In a survey of 300 school districts conducted by the Center on Education Policy, 71% of local administrators admitted that this was the case in their elementary schools. Martin West of Brown University found that, on average, from 1999 to 2004, reading instruction gained 40 min. a week, while social studies and science lost about 17 min. and 23 min, respectively.

But the decline of science and social studies is often much steeper in schools struggling to end a record of failure. At Arizona Desert Elementary in San Luis, Ariz., students spend three hours of their 6 1/2-hr. day on literacy and 90 min. on arithmetic. Science is no longer taught as a stand-alone subject. "We had to find ways to embed it within the content of reading, writing and math," says principal Rafael Sanchez, with some regret. Social studies is handled the same way. The payoff for this laser-like attention to reading and math: the school went from failing in 2004 to making AYP and earning a high-flying "performing plus" designation by the Arizona department of education last year.

But reading about science isn't the same as incubating chick eggs and watching them hatch. And cutting out field trips to Civil War sites and museums to drill social studies vocabulary words is not the way to build a love of history. Hands-on activities are, for many kids, the best part of school, the part that keeps them engaged. The scope of education isn't supposed to be based on what's tested; it's the other way around, says P. David Pearson, dean of the University of California, Berkeley, graduate school of education. "Never send a test out to do a curriculum's job," he says.

FIXING FAILING SCHOOLS

As evidence that NCLB is working, fans of the law love to point to schools that have reversed a long record of failure. Not far from Blaine, in a crime-infested part of town, sits M. Hall Stanton Elementary, everybody's favorite Philadelphia story. In 2002, only 12% of Stanton's fifth-graders were reading at grade level, and the third- and fourth-graders were engaged in what teachers called "gang wars." By 2006, 70% of fifth-graders were proficient readers, and the school was a model of decorum and learning, hitting its AYP goals three years in a row without sacrificing art, music or social studies--an achievement that has earned it national coverage and a visit from

Spellings. Today the place pulses with purpose: hallways are bursting with murals, math games and word challenges, as if every square inch of the school were devoted to instruction.

But it's hard to say how much of the transformation can be attributed to NCLB. Much is due to changes made to the curriculum in Philadelphia and even more to Stanton's dynamo principal, Barbara Adderley. Certainly, she is a big fan of testing and accountability. She holds grade-level meetings with teachers in a room with two long assessment walls, which display the latest test results for every student. The walls show, at a glance, who's making progress and who isn't, and if it's the latter, Adderley and her team have a million creative ideas on what to do about it.

No one likes to talk much about the fate of failing schools that continue to founder. Under NCLB, such schools face escalating interventions. If they miss AYP two years in a row, they must offer students a chance to transfer out. After three years, they must provide tutoring services. After five years of failure, the law says the school must be restructured, which means replacing the staff, converting to a charter school, having the state or a private company take the reins or some other intervention.

None of these remedies are working very well. In the 2003-04 school year, only 17% of the 1.4 million students who were eligible for tutoring got assistance. Of the 3.9 million eligible to transfer out of failing schools in 2004-05, only about 1% did so. In many cities there just aren't enough good schools to go around. In the Baltimore school system, for example, says Kate Walsh, president of the National Council on Teacher Quality, "the vast majority aren't schools where anyone who has a choice would want to send their kid."

And no one knows what to do about the 2,000 U.S. schools that have failed to make AYP five years in a row. "Research shows that the path most often chosen is 'other,'" which often means minor tinkering, says Kati Haycock, director of the nonprofit Education Trust. But school districts say the more radical federal options aren't always feasible or affordable. Nor is it clear that turning a school over to the state or making it a charter will raise its performance. "None of these remedies have any basis in reality or research," says Diane Ravitch, research professor of education at New York University.

REVISING NCLB

There is no shortage of ideas for improving No Child Left Behind. Senator Edward Kennedy, who chairs the Senate Health, Education, Labor and Pensions Committee, and Congressman George Miller, Kennedy's counterpart in the House, are sorting through a mind-numbing number of proposals to address AYP's shortcomings, lackluster state standards, curriculum narrowing and remedies for failing schools as well as issues concerning the law's requirement for a "qualified teacher" in every classroom and other concerns.

Miller and Kennedy hope to pass a new and improved version of the law by year's end. If that doesn't happen, the current law--with all its flaws--will remain in force, probably until a new Administration tackles the matter.

No one has all the answers to America's challenges in education, but in revising the law, Congress would do well to focus on the things the Federal Government can handle successfully and steer clear of long-distance micromanagement. A few suggestions:

More daylight Maintain the reporting requirements of NCLB but encourage states to provide a fuller picture of school quality than the bare bones of AYP. Congress should offer incentives--carrots, not sticks--for school districts to provide more information to their communities, including high school graduation rates, measures of student growth, participation in gifted and talented programs and achievement in the arts.

One nation, one test Create strong incentives for the states to move away from 50 different standards and 50 different tests and instead converge on NAEP or some other gold standard--perhaps Massachusetts' high-quality exams--as the national assessment. This would stop the states from watering down their standards--one of the most damaging side effect of NCLB and one the nation can't afford in a globally competitive economy. The estimated \$600 million a year now spent on state testing programs could be used to improve instruction.

Local solutions Back off from the business of slapping failure labels on schools and imposing remedies. Leave school turnaround to the people who are closer to the students, but fund research into what works.

Better teachers for bad schools Improve federal-funding formulas so that schools in poor neighborhoods have the resources to address their weaknesses and, most especially, could afford to hire experienced teachers. This is the best way to address the achievement gap between rich and poor.

Most important, federal policymakers need to listen hard to the people who are working in the nation's schools every day. It's the only way to ensure that policies that sound great in Washington aren't leaving educational reality behind. [This article contains a complex diagram. Please see hardcopy of magazine.] Early Report Card. The law demands that schools get better, but progress may be in the eye of the beholder

Under the No Child Left Behind Act, schools must show improvement. The goal: to have all students proficient in reading and math by 2014. Math scores are creeping up, but reading scores are flat.

1. SLOW GROWTH OVERALL

Average national test scores, all students '92--'04

4th grade Math Reading

8th grade Math Reading

2. LESS SCIENCE AND HISTORY

Because state assessment tests focus on reading and math, other subjects get squeezed out. A recent study looked at how elementary-school teachers apportion their time each week: Weekly hours of instructional time, Grades 1 through 6

Reading [Up] 40 min. '99--'04

Math [Down] 17 min. '99--'04

Science [Down] 23 min. '99--'04

History [Down] 17 min. '99--'04

3. LOWER STATE STANDARDS

Federal law requires that students be tested annually to determine their reading and math skills but leaves it to each state to devise the exam. The result, critics say, is that some states make their tests easier so it appears that their students are doing well. The evidence: huge gaps between state results and scores on national standardized tests. State test results Percentage of fourth-graders scoring as proficient or better in reading Federal test results Percentage of fourth-graders scoring as proficient or better in reading

By its own count, Mississippi is tied for the best score in the country. But on the U.S. test, the state drops to 50th place—a whopping 71 points lower

On average, 30% of U.S. fourth-graders score as proficient or better on the U.S. exam, called the National Assessment of Educational Progress

The average gap between state and national fourth-grade reading scores is 40 points

Massachusetts students score best on the federal test

Missouri has the smallest scoring gap: 2 points MORE SCORES To see how your state scored in math, visit our interactive map at time.com/nochild. Note: State-by-state scores for both tests are for 2005, the latest complete year available. The Washington, D.C., reading score is for fifth-graders. Sources: National Center for Education Statistics; the Education Trust; Testing, Learning and Teaching by Martin West, Brown University

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The No Child Left Behind Act of 2002 (NCLB) was a U.S. Act of Congress that reauthorized the Elementary and Secondary Education Act; it included Title I provisions applying to disadvantaged students. It supported standards-based education reform based on the premise that setting high standards and establishing measurable goals could improve individual outcomes in education. The Act required states to develop assessments in basic skills. To receive federal school funding, states had to give these