For a large part of America’s history its education system has been a pride and joy as it ranked among the world leaders in education. Around the second half of the 20th century, however, reform became necessary. A gap was developing between underprivileged students and their middle- and upper-middle-class counterparts. President Johnson tried to combat this issue with the Elementary and Secondary Education Act (ESEA) in 1965. Some 35 years later, however, educational reform was still needed to close the achievement gap between Title I and more privileged students, so the Bush Administration re-introduced the ESEA as the No Child Left Behind Act (NCLB) in 2001 (Berry, and Herrington 272). The legislation was intended to increase the accountability of schools so that every student across the country would be passing the nationwide core standards. Since its implementation, however, the NCLB has been faced with many challenges and growing opposition from the education world. Federal, state, and local government officials have debated whether the legislation imposes on the country’s principles of federalism, while many educators perceive the NCLB to have unrealistic expectations, insufficient governmental and fiscal support, and an inadequate timetable for reform. Despite the developed controversies, NCLB has encouraged schools to assess and improve “ineffective” teaching methods. Parents are now more involved in their child’s education. And schools have begun addressing long overlooked issues within their halls. Because the ESEA has impacted education in some positive ways, the legislation may only need to be readjusted rather than
revoked. This memo will explore two possible remedies for NCLB as well as the potential impact they could have on the country’s education system and the student’s learning experience.

Although the No Child Left Behind Act calls for greater federal involvement to encourage schools to consider reform and to hold them accountable to progress, the federal government has always played a vital role in education. According to an article in the Public Administration Review, federal engagement is particularly evident when considering the spending increases that happened in the 15 years prior to NCLB on programs for special-needs students, Title I, special education programs, school lunch programs and Head Start (Wong S176). In the realm of education prior to NCLB, the state government assumed the primary funding and constitutional functions, while the federal government, under the obligations of Title I of the ESEA, focused on the disadvantaged (Wong S175). This new legislation for educational reform has provoked a paradigm shift, however.

In much of the time prior to NCLB, the federal government operated on a more categorical basis with education. It would provide grants for specific expenditures and programs to help the schools, but rarely held the schools accountable to the progress being made. With NCLB, federal government has shifted to what is considered performance-based federalism; in which the government requires schools to meet Adequate Yearly Progress (AYP) and take corrective measures to get back on track if they are “failing” (Wong S177). Since his inauguration, President Obama has taken only a limited number of steps to revert this shift in federalism. One of those methods is the Race to the Top program, which intends to provide each school with high quality teachers to improve the learning experience of the students. Besides using student performance measures to evaluate teacher effectiveness, Race to the Top will also use non-achievement indicators of instructional methods to ensure that the teachers are of the
highest caliber (Harris 207). Although Race to the Top looks great on paper, many skeptics fear that the money schools receive through the program may be used to prevent loss of teachers or school programs instead of being used for the intended educational initiatives (Harris 208). Besides Race to the Top, the Obama Administration is also putting forth a *Blueprint for Reform* to mend the many discrepancies of NCLB.

According to Martha Derthick, President Obama has to find a middle-of-the-road between the administrative passivity of the Clinton Administration with its prolific granting of waivers, and the “grant-no-waivers” approach of the Bush Administration in 2001 and 2002 (58). Obama’s middle-of-the-road grants the states waivers to give them some flexibility under ESEA, but the state must adopt certain reform proposals of his *Blueprint for Reform* (Derthick, and Rotherham 59). These waivers allow states to negotiate their own restructuring plan to render underperforming schools. As to be expected with a divided Congress, however, there is much debate over Obama’s conditional waivers in the *Blueprint*. Andy Rotherham indicated from a survey he conducted that many liberal political insiders felt the Secretary of Education, Arne Duncan, did not have the right to issue waivers that may curtail parental rights. Some also thought that the waivers should not assert specific reform or commitments and would rather they be entirely unconditional (Derthick, and Rotherham 60). Conservatives, on the other hand, argued that waivers unilaterally rewrote the law: rather than being mere “exceptions” (Derthick, and Rotherham 60). While Obama’s waivers are certainly one way to hopefully remedy the poorly executed NCLB, there are still a few other alternatives.

One proposed idea is to modify the NCLB tests. The 25% Solution rewrites the NCLB tests so that 25% of the material would be comprised of 20-30 Common Core items for each subject of each grade level (Kramer 1). As with the original Common Core standards of No
Child Left Behind, these items would be used nationwide, giving the states enough of a basis to put their scores on the same scale so that they can be more fairly compared. In his review of this solution, Dr. Steven Kramer indicates that, “the primary purpose of the 25% Solution is to improve the quality of classroom instruction” (1). The testing standards would improve instruction because, “a teacher can only be sure his/her students will score well if the students have a deep understanding of the most important subject matter” (Kramer 3) The expectation of this solution is that teachers will facilitate their students with more than just the bare necessities, because the teachers will not know what core standards are on the tests. Through this method, a teacher will have to teach everything that is important.

Many critics of the initial NCLB legislation were unsatisfied because teachers were forced to teach only the material that was on the test. One of the most significant pitfalls of “teaching to the test” is that it takes away valuable instruction time that could be used to facilitate higher order thinking, rather than regurgitating information. In *Educational Leadership* one article adds that NCLB tests not only distract from the teaching of other material, but also from any instruction at all when considering the number of hours each school spends testing the students (Zellmer, Frontier, and Pheifer 45). Students are not learning new material when they test; nor are teachers planning new, improved lessons. With the remaining 75% of the 25% Solution, teachers will be able to offer students a wider and/or deeper variety of material. Moreover, Kramer suggests that “teaching to the test” is not necessarily a bad thing, especially if passing the test is imperative in order for the student to advance in his or her studies. Instead, “teaching to the test” is only ineffective if the tests themselves are poorly designed.

The 25% Solution should find popularity among both conservative and liberal politicians. Conservatives will be satisfied in the fact that this plan is entirely voluntary, and the state and
local educational authorities get to select the remaining 75% of the material on the test. Liberals should enjoy the accountability that is still maintained through striving to pass the selected Common Core standards. Lastly, teachers will have more freedom to teach what they want and still be able to facilitate a deep understanding of the important material that will be on the NCLB tests. Kramer does concede that this solution will require extra resources and expenses because it expects that the best educators and content experts who represent a diversity of viewpoints will work closely in coordinating and designing these effective tests, while also building on what organizations like College Board and National Council for Teachers of Mathematics have already done (Kramer 2).

Aside from redefining test standards, NCLB could also be fine-tuned in state-level accountability. Currently, schools are labeled based on the performance of all of its students and whether they have passed or failed. This is arguably ineffective because English Language Learners (ELL), mentally disabled students, even students of varying family backgrounds may not be able to progress at the same rate as more-fortunate students. An article in Phi Delta Kappan pointed out that there are a variety of factors that affect student learning or even their performance on a test day (Butzin 769). Sarah Butzin goes on to suggest tweaking the AYP measures to account for these subgroups. Similarly, greater accountability will help tighten down funding inequalities. As it stands the amount of state and local funding going to different districts is unequal, which sometimes ends up weakening the weaker school; thereby undermining NCLB. Without adequate funding to all schools, especially those needing improvement, it is unlikely that everyone will meet AYP by passing the appropriate standards consistently and simultaneously.
Improving and restructuring accountability at its core is a widely accepted idea by both liberal and conservative parties. The difference is that conservative politicians prefer to see this accountability at the state level: the state oversees the local districts, but reserves the right to (or not to) participate in the reform initiatives proposed by the federal government under NCLB. Liberals contrarily prefer to see large-scale accountability in which the federal government oversees all the actions made by the states to reform their schools. That being said, reaching an agreement as to how accountability should be revised will be no easy task. The emphasis on these subgroups, as Butzin indicated, should gain some popularity from liberal activists because it refers back to taking care of Title I students of ESEA. Conservatives, meanwhile, will appreciate the stricter scrutiny of how funds are applied, so as to avoided wasteful, ineffective programs.

The No Child Left Behind Act is an interesting burden on American educational policy. It was designed with good intentions and has earned bipartisan favor, but it is in tremendous need of improvement. There is also no clear cut way to adequately and perfectly reauthorize NCLB in one simple act either. Rather, the necessary revisions will have to take several attempts and constant tweaking because the inadequacies of NCLB are multifaceted. Redefining standards, offering states waivers, redesigning tests, and revising accountability will chip away at the iceberg, but there are a wide variety of reforming strategies that were not at all covered in this memo. As many politicians and educators have come to notice, standards for achievement are not a one-size-fits-all. In the same way, no one new act of legislation will satisfy everyone immediately. Through bipartisan collaboration and the willingness to compromise, however, reform can happen, progress can be made, and the students of this country will be able race to the top against other leading nations once more.
Works Cited


Works Consulted