

Leaving Public Schools Behind

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IT IS A MEASURE of how far the right is reaching that the left today finds itself defending the very existence of public education from the forces of privatization, commercialization, and even federal policy. Just four years after 1996 Republican presidential candidate Bob Dole campaigned on a platform of abolishing the Department of Education, the Bush administration came into office with a massive expansion of the federal role in education as its number one domestic priority. This time, however, the goal was not to extend the federal government's historic role as a promoter of educational access and equity, but to replace it with a conservative agenda of punitive high stakes testing, privatization, and market "reforms." The euphemistically named Bush education bill, the No Child Left Behind Act, was passed in December 2001 with overwhelming Republican and Democratic support (381-41 in the House, 87-10 in the Senate.). While the bipartisan coalition that supported passage of NCLB has since fragmented, its initial creation reflected the bill's merger of the corporate-centrist agenda of standards and tests with the right's agenda of vouchers ("choice"), and privatization.

Like most effective political strategies, NCLB rhetoric also spoke to real concerns held by large numbers of people, particularly those that have been badly served by public education. These concerns included persistent racial gaps in student achievement, a lack of institutional accountability, and seemingly intractable school failure in low-income communities of color. These very real problems have provided a platform for school reformers of all shapes and sizes to posture as champions of the underserved and underprivileged. For Bush, education reform has always been an "outreach" issue. He came into office as a dubiously elected president with historically low levels of support among African Americans and a well-deserved anti-poor, pro-business image. Education is one of the few areas that allow a Republican president to posture, however disingenuously, as an ally of poor people of color. By focusing on the lowest performing schools and the racial dimensions of the achievement gap (e.g., the "soft bigotry of low expectations"), Bush has given his education rhetoric an edge and an urgency it would otherwise lack. However, he has used this rhetoric, both as Texas governor and later as president, to frame policy proposals that have reinforced the "hard bigotry" of institutional racism in education, for example, by promoting higher dropout rates and perpetuating funding inequities. (Combining rhetorical concern for the victims of inequality with policies that perpetuate it may be an operative definition of "compassionate conservatism.")

But the common ground that really gave birth to NCLB was the standards movement. And this traces back to the first "education president," George Bush the elder, and to the Governors' Education Summits promoted by then-Arkansas Governor Bill Clinton. The standardize-and-test strategy, now enshrined in NCLB and raised to new and absurd heights by the "adequate yearly progress" (AYP) formulas that NCLB is currently imposing on your local neighborhood school, was made possible by a decade of promoting standards and tests as the key to school improvement. Standardized curricula imposed through ever-more suffocating layers of standardized testing have become the primary instruments of mainstream, business-led school reform. They are tools used to impose external political and bureaucratic agendas on local schools and districts and to push more democratic approaches to school reform aside.

The standards and testing movement has done even more than the privatization schemes of the voucher supporters to move school power away from teachers, classrooms, schools, and local districts, and to put it in the hands of state and national politicians. Such uses of standards and testing in the service of larger policy objectives is exactly what a number of Republican strategists have been proposing for years. As Nina Shokraii Rees, a former Heritage Foundation researcher

who is now an official in the Department of Education wrote before Bush took office, "Standards, choice, and fiscal and legal autonomy in exchange for boosting student test scores increasingly are the watchwords of education reform in America. The principle can be used in programs that apply to whole districts as well as entire states. Importantly, it lays the groundwork for a massive overhaul of education at the federal level in much the same way that welfare reform began."

Currently, the No Child Left Behind Act has schools across the country reeling as its impact unfolds in numbing bureaucratic detail. As many as 80 percent of the nation's public schools may find themselves labeled as schools "needing improvement," on the narrow basis of annual test scores and unreachable performance targets. The scheme uses achievement gaps among up to 10 different groups of students to label schools as "failures," without providing the resources or support needed to eliminate them. It includes an unfunded mandate that by 2014, 100 percent of all students, including special education students and English-language learners, must be proficient on state tests. Schools that do not reach increasingly unattainable test score targets face an escalating series of sanctions up to and including possible closure and the imposition of private management on public schools.

Instead of an appropriate educational strategy, NCLB's test and punish formula is part of a calculated political campaign to leave schools and children behind as the federal government retreats from the nation's historic commitment to improving universal public schooling for all children. The sanctions that NCLB imposes have no record of success as school improvement strategies, and in fact are not educational strategies at all. They are political strategies designed to bring a kind of market reform to public education. They will do little to address the pressing needs of public schools but they will create a widespread perception of systemic failure, demoralize teachers and school communities, and erode the common ground that a universal system of public education needs to survive. The privatization agenda in NCLB is reflected most clearly in its provisions for school transfers and supplemental services. (A straightforward voucher program was taken out of the original proposal as part of the legislative compromise that got it passed, though the administration continues to pursue vouchers through separate means.) Instead, NCLB has provisions that require a district to spend up to 20 percent of its federal funds to support transfers from failing schools to schools that meet their AYP targets or that don't receive Title I funds. And each state is supposed to prepare a list of approved supplemental tutorial providers for students who remain in schools needing improvement.

So far, over 60 percent of these providers are private companies. Both the transfer and the tutorial provisions have lots of complications, but there will be several overall effects: 1. The 20 percent figure will come nowhere near to covering the costs of providing transportation and tutorial services to all those eligible for them. 2. There are nowhere near enough alternative school placements for the growing numbers of students eligible to transfer. 3. The funds used to support individual tutorial services and transfers will reduce the sums available for whole school improvement in those same schools. One key part of this effort to open the public system to privatization involves a special appeal to parents, particularly in poor communities, to support NCLB's federally required tests and, especially, to utilize the law's "choice" and "supplemental tutorial" provisions.

The idea is to create pressure for more privatization of the public system. In their voucher campaigns, conservatives have learned how to repackage market "reforms" that privatize public services as a form of "parental choice." Similarly, NCLB encourages parents to leave public schools behind and appeals to them as individual consumers of educational services as part of an effort to replace local control of institutions like schools with marketplace reforms that substitute commercial relations between customers for democratic relations between citizens. NCLB, however, does not guarantee parents any new places to go. In districts where some schools are labeled "failing" and

some are not, the new law is actually forcing increased class sizes by transferring students without creating new capacity. NCLB does not invest in building new schools in failing districts. It does not make rich suburban districts open their doors to students from poor districts. And it doesn't give poor parents any more control over school bureaucracies than food stamps give them over supermarkets.

The transfer regulations are a "supply-side" fraud designed to manufacture a demand for alternative school placements and ultimately to transfer funds and students to profit-making private school corporations through vouchers. The link between NCLB's "options for parents" and the administration's voucher and privatization plans is clearly reflected in the Department of Education's implementation efforts. The DOE has given multi-million dollar grants to pro-voucher groups like the Black Alliance for Educational Options, the Hispanic Council for Reform and Educational Options, and the Greater Educational Opportunities Foundation to encourage parents to utilize the tutorial and transfer provisions of NCLB. The grants are just another example of how the federal agencies charged with overseeing and improving public education are now run by people intent on dismantling it.

Similarly, NCLB's obsessive overreliance on standardized tests in the name of accountability is more than bad education policy. It is a political effort to push other more democratic approaches to school improvement aside. When schools become obsessed with test scores, they narrow the focus of what teachers do in classrooms and limit their ability to serve the broader needs of children and their communities. Overreliance on testing diverts attention and resources from more promising school improvement strategies, like smaller schools and class size, multicultural curriculum reform, and collaborative, school-based professional development.

High-stakes tests push struggling students out of school, promote tracking, and encourage schools to adopt developmentally inappropriate practices for younger children, special needs students, and English Language Learners in an effort to "get them ready for the tests." Overuse of testing can also encourage cheating scandals and makes schools and students vulnerable to inaccurate and, at times, corrupt practices by commercial testing firms. Standards and testing, especially as they have been implemented in recent decades, are not designed to make schools accountable to students, their families, or their communities, or even to educators. They are designed to increase the ability of external political and educational bureaucracies to impose top-down, "systemic" control on curriculum, instructional practice, and other matters of educational policy.

Even if the goals did include real educational accountability, standardized tests are of limited value. Assessing the effectiveness of a particular school or program requires multiple measures of academic performance, including classroom observations, portfolios of student work, and dialogue with real teachers and students, as well as a range of indicators from attendance and drop-out rates to graduation rates and post-graduation success, measures of teacher preparation and quality, surveys of parent participation and satisfaction and similar evaluations. Legitimate assessment strategies would also measure "opportunity to learn" inputs and equity of resources so that the victims of educational failure were not the only ones to face "high stakes" consequences. Moreover, while inequality in test scores is one narrow indicator of school performance, test scores also reflect other inequalities that persist in the larger society and in schools themselves.

About 12 percent of white children live in poverty, while over 30 percent of black and Latino children live in poverty. The richest 1 percent of households has more wealth than the bottom 95 percent. Students in low-income schools, on average, have thousands of dollars less spent on their education than those in wealthier schools. About 14 percent of whites don't have health insurance, but more than 20 percent of blacks and 30 percent of Latinos have no health insurance.

Unemployment rates for blacks and Latinos are nearly double what they are for whites. In October 2003, the Educational Testing Service released a study on the achievement gap concluding, "The results are unambiguous. In all 14 factors, the gaps in student achievement mirror inequalities in those aspects of school, early life, and home circumstances that research has linked to achievement." Yet we do not hear NCLB's supporters demanding an end to this kind of equality. Nor do we hear the federal government saying that all crime must be eliminated in 12 years or the police will be privatized, all citizens must have good health care in 12 years or we will shut down the health care system.

Many organized groups representing parents and people of color have seen through NCLB's rhetorical promises and joined efforts to reform it. The Boston-based advocacy group FairTest has spearheaded a reform campaign that has won support from the NAACP, the Children's Defense League, and the Hispanic advocacy organization, Aspira. Parents have also been slow to embrace the transfer option, with only a small fraction of those eligible so far seeking to move to new schools. But a portion of the traditional civil rights coalition and a significant sector of popular sentiment in poor communities remain susceptible to the power of NCLB's rhetoric. Nourished by decades of school failure, which has reached desperate levels in urban and rural communities where less than half of black and Latino freshmen typically graduate from high school, some in these communities are understandably less concerned with the looming dangers of privatization than they are with finding ways to use NCLB to pressure schools to make good on their promises to serve all children well.

These attitudes were in striking evidence last summer at a conference of the National Coalition of Education Activists, a multiracial network of parents, teachers, and community activists that works to promote equity and reform in public education. NCEA's conferences are typically an exercise in cross-constituency political dialogue among people with long-term common goals and interests, but not necessarily common experience or even a common language when it comes to discussing education reform. Along with Monty Neill of FairTest, I helped organize several conference sessions on NCLB. True to NCEA form, the sessions attracted a diverse and energetic group: school board members from San Francisco wrestling with NCLB's crushing bureaucratic and financial burdens, Philadelphia teachers facing the takeover of their schools by private for-profit education management companies, Latino activists concerned about the law's erosion of bilingual education programs. The participants also included a good number of African-American parents, some from northern urban centers like Chicago and New York, others from the rural south, including Tennessee, North Carolina and Mississippi.

While few disagreed with the sharp political critique we offered of NCLB's hidden agendas and negative impact, many parents were less interested in working to expose or repeal it, than they were in finding ways to use it to put pressure on schools to improve. A Mississippi parent activist described a district where black parents historically had virtually no opportunity to question school board or administrative policies, where teacher unions were nonexistent, and where educational inequality was an unchallenged way of life. In NCLB, she saw public reporting mandates that put a focus on gaps between black and white student achievement, demands that schools respond to these gaps effectively or face penalties, and options for parents to get access to "better schools" and tutorial services for their kids. She, and other parents who echoed her concerns, were not blind to the problems of standardized testing or the inadequacy of NCLB's proposed remedies. But for many, the central issue was how to use the pressure that NCLB put on schools to make them more effective and more responsive institutions.

BRIDGING THE GAP between educators who see NCLB as an attack and parents who see it as an

opportunity is a formidable challenge. It requires finding common ground that begins with a recognition of the ways in which, fifty years after *Brown v. Board of Education*, our dual school system continues to provide a separate and unequal education to students from different racial and class backgrounds. It requires that teachers, and their unions, use their power not just to narrowly defend the system as it now exists, but to advocate for radical reform and urgent expansion of educational opportunity for all children.

To prevent the gaps between educators and parents from being filled by aggressive political campaigns to promote standards, tests, vouchers, and privatization will require effective, sustained public efforts to explain why these "remedies" hold out absolutely no hope of solving the problems of public education. Supporters of public schooling need to do a better job of showing how privatization and market reform promise to do for education what they've done for housing, health care, and other sectors of the economy: provide profit-making opportunities for a few well-financed investors and reproduce the class and racial inequalities that exist in the larger society. Finally, building a pro-education coalition requires developing a credible alternative program of reform that combines equity and accountability for all schools, that focuses on the supports needed to improve teaching and learning in classrooms, and that puts schools reform in the context of a larger national effort to promote local democratic institutions and reorder social priorities.

NCLB is the culmination of a very active conservative mobilization around schools over the past several decades. While the "wedge issues" that previously dominated the rightwing education agenda have been eclipsed by larger policy ambitions, they are still there. Using schools to promote military recruitment, school prayer, and even homophobia (a special NCLB provision guarantees the Boy Scouts access to school facilities despite its history of antigay discrimination) are all part of the toxic NCLB mix. A political attack on the independence and objectivity of scientific research is also a central part of the law's "Reading First" provisions, which misrepresent research about the teaching of reading and restrict the use of funds to certain commercial curriculums and instructional packages that favor scripted, test-driven, phonics-based approaches.

Today, federal education policy has become part of a larger political agenda that seeks to erode and privatize the public sector. Though the federal government provides only about 8 percent of school funding, the administration is using federal regulation to drive school policy in conservative directions at the state, district, and school levels. What's changed is not a new federal commitment to "leave no child behind," but the ideological commitment of some politicians to reform public education out of existence through a strategy of "test and burn." As commentator Danny Rose put it, "NCLB is not the answer to a crisis in public education. NCLB is a tool for creating crisis." Or as researcher Gerald Bracey has put it, NCLB "is a weapon of mass destruction and its target is the public schools."

The fallout from NCLB has begun to generate a growing resistance. In some places, students and parents are actively boycotting the imposition of high stakes testing. Both major teacher unions, the NEA and AFT, are looking for ways to modify the worst NCLB provisions. Advocacy groups like Rethinking Schools (www.rethinkingschools.org), FairTest (www.fairtest.org) are trying to promote alternative accountability systems and approaches to reform that engage educators and communities in collaborative school improvement. Parent-community advocacy groups like ACORN (www.acorn.org) are pressing politicians to make good on NCLB's rhetorical promises of better educational services for poor communities without gutting or privatizing the public system. Together these efforts prefigure a movement that could project a vision of a democratic school reform that truly serves both children and society as a whole, and that works to transform public education instead of destroying it. With NCLB making its noxious presence felt in a school district near you, it is a good time to find this resistance and join it.

Footnotes