

## [viewpoint]

*Déjà Vu All Over Again?*

BY JACK JENNINGS

Jack Jennings is director of the Washington, DC-based Center on Education Policy (CEP). Mr. Jennings was a US House of Representatives Education and Labor Committee staffer, responsible for monitoring implementation of the original ESEA. CEP has released a comprehensive report on NCLB implementation, *From the Capital to the Classroom*. The report is available at [www.cep-dc.org](http://www.cep-dc.org).

More than a year after passage of *No Child Left Behind* (NCLB), most states remain committed to the law's principles, and many have made significant progress toward complying with the law's rigorous testing and accountability provisions. Yet, virtually every state is trying to implement NCLB in the face of record budget deficits.

Flash back to 1965 when President Johnson ushered in the original *Elementary and Secondary Education Act* (ESEA). States scrambled to create compensatory education programs and introduce innovative approaches to teaching and learning. But hopes were dashed when the Vietnam War and economic sluggishness at home drained funding and halted ESEA's momentum.

Even the most casual observer can see striking parallels between the policy priorities that threaten NCLB's success and the foreign and domestic complications that crippled its not-so-distant ancestor.

President Bush supported a moderate increase in appropriations for NCLB in 2002 as part of the political compromise he needed to get the measure enacted. His budget for fiscal year 2004, however, basically freezes spending—this despite the fact that states must invest in new tests, new teacher quality standards, new systems for evaluating school performance, and new public school choice options for students attending low-performing schools.

Critics of ESEA say it failed because it offered money without asking for accountability. In contrast, NCLB goes too far in demanding accountability without offering adequate federal funding, which is why many governors and mayors are accusing the president and Congress of passing the buck on education. In the face of the worst state budget deficits since World War II,

Washington's contribution to public schools is leveling off. With the federal contribution to public education averaging just 7 percent of total spending, many states are left wondering how they can afford NCLB.

**OVERIDENTIFYING SCHOOLS**

But perhaps the biggest NCLB worry is the large number of schools—even highly regarded suburban schools—likely to be designated as “failing” under the federally mandated measures of adequate yearly progress.

State officials predict that NCLB's detailed evaluation criteria will lead to a dramatic increase in the number of schools identified as needing improvement. This overidentification, state education leaders say, will spread resources too thinly across too many schools and subvert the law's intent to target additional funds to the schools that most need them.

There is also concern that NCLB's penchant for labeling will unfairly damage the reputations of otherwise reputable schools. NCLB allows an entire school to be designated as “needing improvement” if any one student subgroup, in any of grades 3 through 8, fails to demonstrate adequate yearly progress in reading and math for two years. A report by the Council of Chief State School Officers projects that anywhere from 49 to 88 percent of public schools nationwide could be identified as needing improvement under this criterion.

**WIELDING A BLUNT INSTRUMENT**

Another point of debate is the quality and accuracy of the annual tests underpinning NCLB's accountability system. Despite recent advances in measuring knowledge, most annual assessments remain relatively blunt instruments for measuring proficiency. Studies indicate

that 70 percent of test score fluctuations can be attributed to outside factors rather than to student learning. This strongly suggests that annual assessment may not yet be reliable or consistent enough to accurately reflect student progress. Given these problems, it remains to be seen how well states and districts will carry out NCLB's accountability requirements or how readily the public will accept them.

By spotlighting the performance of low-income students, students with disabilities, and students from all

major racial and ethnic groups, NCLB reasserts the national commitment to disadvantaged children that began in 1965. But if NCLB is to be successful, the federal government will have to help states develop flexible methods of implementation, be willing to change the law to accommodate the individual needs of schools and teachers, and fully fund the law's provisions. A federal government offering a 7 percent solution may find it impossible to demand 100 percent accountability. ■

Below: Jack Jennings

