
Conflicted Objectives: The NCLBA vs. a Flat World

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The authors examine the competing pressures on the education community posed by the No Child Left Behind Act (NCLBA) and its mandates, and the less specific, but visible demands that an increasingly global economy place upon education planners, policy makers and researchers. This conflict is examined from a national, regional and local perspective, with examples and citations from the recent literature and interview quotations from Idaho teachers. The authors also point to some specific issues regarding the research methods mandated by the NCLBA, and the problems these mandates may create in the education policy and research communities.

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The December 18, 2006 edition of *Time Magazine* has a cover article on the challenges of educating America's youth for a 21st century world (Wallace & Steptoe, 2006). Throughout the period since the publication of this article, Congress has been considering the periodic reauthorization of the Elementary and Secondary Education Act (ESEA), which provides the largest source of federal support to K-12 education.

The last reauthorization of this longstanding legislation took place in 2001, and was titled the NCLBA of 2001. That reauthorization put in place a massive set of federal mandates on states and through them on local school districts and schools. The bill sent to President Bush was 1100 pages long, and passed with only cursory review by both houses of Congress, in the unsteady, post 9-11 period in the fall and early winter of 2001. That legislation was signed, with great notoriety, in January 2002. The law requires annual testing in reading and mathematics in grades 3-8 and at least once in high school. In addition, it requires that teachers and educational support professionals meet newly created quality standards, adds science standards and assessments in at least three grades (after 2006), and sanctions (financially) schools and local education agencies (LEAs, i.e. districts, counties, cities, etc.) that do not make "adequate yearly progress" (AYP) towards meeting those standards. As this piece is being written, Congress has not yet acted on the reauthorization. The Bush Administration is pushing minor changes, and speedy action. Others, however, are

arguing that the NCLBA needs major revision and a completely changed set of financial incentives from the federal level.

The *Time Magazine* article speaks to the need for our young people to be socially, economically, scientifically, technologically, mathematically and linguistically prepared to confront the multivariate forces that will shape the cultures and economies of this planet in the immediate future. Citing pre-release information from the report of the New Commission on the Skills of the American Workforce (NCSAF; 2006), the authors note that there is one key conclusion to the report's findings: we need to bring what we teach and how we teach into the 21st Century. Right now we are aiming too low. "Competency in reading and mathematics...is the meager minimum. Scientific and technical skills are, likewise, utterly necessary but insufficient. Today's economy demands not only a high level of competence in the traditional academic disciplines but also what might be called 21st Century skills." (p. 2) The article goes on to identify four such skill sets outlined in the NCSAF report:

- Knowing about the world-including global trade literacy, sensitivity to foreign cultures and fluency in different languages;
- Thinking outside the box-including cross discipline thinking, interdisciplinary combination merging design and technology, mathematics and art;
- Being smarter about information sources-being able to judge the validity of the ever increasing volume of information available. It will be critical to manage information, interpret it, validate it and know how to act on it effectively;

- Developing good people skills-emotional intelligence (EQ) is as important as IQ for success in the 21st Century workplace. Major emphasis must be on communication skills, ability to work in teams and with people of different cultures, simultaneously (*Time Magazine*, 2006).

These needs echo those articulated by Thomas Friedman (2006), in his best selling work, *The World is Flat*. Friedman argues that in an increasingly technologically linked 21st Century, the global community is shrinking, and the global economy, while complex, is increasingly moving into the hands of those who are educated to understand and master that complexity. Simple skills in the "three R's" will not suffice according to Friedman. The masters of the 21st Century will be multicultural, multilingual, and technologically literate as well as mathematically and scientifically sophisticated. With that skill set, it matters not where on the globe these masters may be. In essence, time zones and cultural barriers have collapsed. They can be anywhere and everywhere simultaneously, managing, marketing and controlling production, or directing the activities of organizations, large and small. The world is flat, once more.

The *Time Magazine* article also asserts that the current system of education in our country is not capable of meeting these demands without major change. In essence it states that the fundamentals focus thrust upon contemporary education by multiple forces, but principally the NCLBA have trapped educators into a Three R's mandate that is significantly out of step with the real educational needs of today's children. Most of the curriculum standards currently found in schools reflect the demands of a mid-20th century economy. The "three R's"



mandates of NCLBA step even further back to those of the 19th century.

This conundrum is nothing less than a case of conflicted objectives that cries for carefully crafted educational policy analysis to resolve. If the global requirements noted in the *Time Magazine* article are indeed correct, then nothing less than a sea change in curriculum is needed, immediately, if our young people are to be adequately prepared for their future. It argues that national policy on education objectives must be changed to encourage innovation, process focus, cultural sensitivity, and a host of other factors (including one factor most critical to schools in the Northwest and Rocky Mountain Region, school size). However, NCLBA and its implementing regulations have tied the hands of many states and school districts, forcing them to, in effect, teach to a single set of fundamentals tests, lest they lose critically needed Title 1 federal funding for their schools. The Bush Administration's recommended updates would do little to change this. Thus, Thomas Friedman's *The World is Flat* (2005) is stating the need for one set of educational objectives for our children, and federal policy (NCLBA) is setting another. Given the choice, most American schools are unfortunately following the money. The article to follow discusses the conflicts from three perspectives: national, regional, and local, in one state: Idaho.

THE NATIONAL PERSPECTIVE

Access to federal educational funding is critical to the survival of public schools. The national process for qualifying for this funding has become more and more focused on improvement in student achievement as measured by standardized

tests in reading and mathematics. While these tests are developed or adopted at the state level, since 1988, the critical factor in qualification for continued federal aid is AYP toward making "proficient" or "advanced" scores in standardized achievement tests. AYP is defined in federal education policy, as provided by the U.S. Department of Education (DE), but each state defines what "proficient" is and chooses the testing instrument to measure student performance. While earlier DE policy allowed states to provide AYP data in three different formats (group status, successive group improvement and cohort improvement), NCLBA based regulation changes restricted reporting to the group status format, with data disaggregated into specified demographic groups:

- Economically disadvantaged pupils
- Limited English Proficient (LEP) pupils, now called English Language Learners (ELL)
- Pupils with disabilities
- Pupils in major racial or ethnic groups, as well as all pupils combined. (Note 1) (Title I, Improving ... Disadvantaged; Final Rule, 2002, hereafter referred to as NCLBA Final Regulations).

It is important to consider that this disaggregation has constraints that impact overall AYP calculations. Specified subgroups need not be considered where their number is relatively small and the individual state determines that the minimum number to be significant (n) is not achieved within a school or LEA. Also, the definition of "major racial or ethnic groups" has been left to states to determine. And finally, students who do not attend a school for a full year do not have to be counted in an individual school AYP report, but they must be reported in LEA and state AYP determinations (NCLBA Final Regulations,



2002). In areas with significantly mobile populations, including migrant students, (as in the west and southwest) the policy impact and statistical implications are significant.

Also of importance is that the NCLBA made a major change to the previous ESEA policy that applied AYP standards only to those schools and LEAs participating in Title I funding programs, NCLBA applies the AYP standard to *all* public schools, and to states overall. It also mandates that 95% of all pupils and 95% of pupils in each identified subgroup be tested against AYP standards by 2006. This was a major change in the scope of the testing and reporting mandates if a state chooses to receive Title I funding grants. As is typical of recent federal mandates, the added statistical and reporting burden imposed by the legislation is not funded (NCLBA Final Regulations, 2002; Note 2).

Another major break from the past is that state standards for AYP must now incorporate mandated movements toward meeting the ultimate goal of all pupils reaching a “proficient” or “advanced” level of achievement by the 2013-2014 school year (NCLBA Final Regulations, 2002).

States are also required to take remedial actions against schools and LEAs that do not make AYP employing “scientifically based research” as the basis for their remediation. Section 9101 of the NCLBA (2002) defines such research as “involving the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs. It includes research that:

- Employs systematic, empirical methods that draw on observation and experiment;

- Involves rigorous data analyses that are adequate to test stated hypotheses and justify the general conclusions drawn;
- Relies on measurement or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
- Is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition and across condition controls;
- Ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer opportunity to build systematically on their findings; and
- Has been accepted by a peer reviewed journal or approved by a panel of independent experts through comparably rigorous, objective and scientific review.”

These final two mandates have potentially the most far reaching effect in both curricular and testing activities in public schools. Since both are unfunded from the federal level, the cost of assuring 95%/95% testing, and providing “scientifically based research” upon which to base any and all mandated remediation by the state will only further tax scarce education funds.

For the education research community these final two mandates, coupled with the group status format for AYP testing, pose especially conflicting demands. One of the essential elements of experimental and



quasi-experimental designs involving human subjects is test subject integrity over time. Yet the very testing processes which provide the best opportunity to maintain that integrity within a school or LEA setting are foreclosed by the limitation on the use of successive group or cohort research designs. Also, employing experimental or quasi-experimental research experiments on groups of children raises ethical and legal standards issues of major proportions. The illogic reflects one of two possibilities; either the drafters of both the legislation and the regulations were ignorant of the methodological implications of what they wrote, or they were aware and deliberately imposed a methodological burden designed to produce some level of failure or compromise in the assessment processes. One would hope that the latter was not the case. With this perspective from the national level, let us shift to a more regional one, focusing on the Northwestern and Rocky Mountain areas of the country.

A REGIONAL, SECONDARY SCHOOLS VIEW

NCLBA has significantly impacted all secondary students within the Rocky Mountain and Pacific Northwest region. However, ethnically diverse and ELL, as well as gifted and talented students have been compromised in multidimensional areas. The major reason for this is the rigidity of the law and its inability to address a variety of learning styles and subject areas. Additionally, rural schools are also struggling to comply with the requirements and unfair mandates of this legislation. It is particularly challenging to recruit and retain highly qualified teachers in a multiplicity of subject areas in rural secondary schools with small enrollments.

While it is acknowledged that the intention of NCLBA is to close an achievement gap and strengthen academic skills in reading and mathematics, the notion of fairness coupled with excess requirements, and lack of appropriate funding continues to be a concern throughout the region. For example, Native Peoples and ELL students will flourish and excel in programs that offer regional autonomy and support a rich curriculum. Kohn (2007) argues that the law is completely unredeemable and cannot be fixed by sanding its rough edges but by improved assessments that address the root causes of inequity. These inequities are manifested in NCLBA's components that force regional school districts to reallocate resources to math and reading rather than focusing on engaging ELL students, measuring overall achievement for Native American students, and strengthening educational opportunities for gifted and talented students.

In addition to recognizing the growing number of ELL students, it is critical to realize that these students represent close to 100 native languages from an increasing number of countries. Some of their native language skills may include spoken languages in which written language skills are limited, not well developed, or in some cases, non-existent. The parents and guardians of these ELL students are ill-prepared to address their students' educational needs or provide adequate support, but this doesn't mean that they care any less for their students' well being or success than other parents. Often these students do not have experience taking tests or the necessary literacy skills and preparation required to be successful. Secondary students are struggling to learn English language skills and demonstrate



competency at the same time as they are working to master the content skills required to earn the credits that must be acquired for graduation. Because tests used to assess NCLBA annual achievement objectives for all high schools vary from state to state across the region, students who move from one area to another are not assessed equitably. States within the region are encouraged to include separate achievement goals for ELL students, ethnically diverse students, or students with disabilities, and those from low income families. However, the implementing regulations mandate that only the most severely disadvantaged children in any test group, those in the bottom 2%, are excused from using the standard AYP instrument and ELL students must take the test in English after the third year of enrollment in a school. The pressures in this case are very obvious, reduce the difficulty of the tests or the definition of "proficient" in scoring, or teach to the test to improve performance. Both compromise the objectives stated in the legislation and in the implementing regulations.

In addition, at the same time, high schools are being held accountable for graduation rates - rates that require successful completion of social science, humanities, and language arts courses, subject areas that are not included in the required testing. Herein lies one of the major objectives conflicts in NCLBA. The act takes no measure of graduation rates, dropout percentages, or longitudinal observation of the groups tested in 3rd or 8th grade, factors which provide a much higher reliability outcome measure than AYP test performance as designed.

Throughout the Northwest and Rocky Mountain region, there are numerous native communities with students who represent

the many different faces of American Indian students. Some of these students are bicultural or traditional and are often placed in situations where they are forced by cultural standards to hide their talents, communication skills, and abilities (Klug, 2004). Language and cultural abilities strongly impact student performance, as well as the teaching and learning strategies best suited for the needs of these students. Traditional assessment procedures applied to all mainstream students and also utilized for Native students do not always accurately measure student knowledge. In fact, because NCLBA reporting relies heavily on tests of intelligence and achievement, and these tests contain biases favoring a disproportionate number of Caucasian students, NCLBA therefore inhibits an accurate assessment for Native American students. Certainly cultural aspects, work samples, and measures of creativity are not incorporated in NCLBA assessments for schools throughout the region that include Native populations. Meanwhile, according to Downs, millions of high school students continue to drop out, and the achievement gap between minority students and white students is not closed (Downs, 2007). Is this because the assessment tests required by NCLBA do not adequately measure the same knowledge, skills, or level of achievement supposedly required by law?

The Rocky Mountain and Pacific Northwest region is geographically composed of a large number of small, rural school districts. Often secondary students commute considerable distances on a daily basis to attend high school in a town containing one campus that serves rural students who travel from sparsely populated outlying areas. Not only students, but teachers as well, travel to the



high school from out of town. Rural high schools frequently compensate faculty members at lower salaries than urban schools, yet according to NCLBA law, highly qualified teachers are required in each subject area. While rural high schools throughout the region are making every effort to step up to the plate and provide additional training and staff development for faculty, it is a considerable challenge to attract and retain highly qualified teachers in designated subject areas at rural high schools. "NCLBA's rhetorical call for a highly qualified teacher in every classroom draws on the desperate reality we face in our schools today. The question is will NCLBA's policies shepherd us to the promised land of schools teeming with 'highly qualified' teachers? From both structural and political perspectives, the answer is an unqualified, no" (Au, 2004 [page number missing for direct quote](#)).

What is the impact of NCLBA on the education of gifted and talented students throughout the region? The law boasts rigorous standards-based proficiency goals. Yet these goals emphasize reading, math and some science. Considerable effort and resources are dedicated to addressing the needs of at-risk and below grade level students. However, it is crucial to encourage our brightest and best to excel in order to gain acceptance by top notch colleges and universities and to compete with students from foreign countries to realize success in our global society. If limited funds are available and they are dedicated to assisting students at the lower end of the continuum, this compromises the ability of secondary educators to enhance the strengths of our exceptionally able learners. When highly capable students do not receive appropriate educational experiences that motivate them and

challenge them to high ideals, the brightest and exceptionally able are limited in their performance. Due to the unfunded mandates and controversy surrounding teachers faced with teaching to the test to obtain acceptable scores and accompanying funding, the impact of NCLBA is less than positive for all concerned. It's fairness, flexibility, and funding is problematic according to Rep. George Miller, Chairman of the House Education Committee (2007). Impacts of NCLBA on teaching standards, curriculum, and subject matter are also critical to the conflicted emphases under examination. A close look at the anecdotal evidence from one state and in one subject matter area follows.

NCLBA, SOCIAL STUDIES AND IDAHO

For the most part, anecdotal evidence from Idaho echoes much of what has been argued at the national level regarding the NCLBA and its relationship with social studies in particular. Interviews conducted with an Academic Achievement Director in a rural district (Weiser), a social studies supervisor in an urban district (Boise), and Cheryl Franklin, an elementary social studies methods professor (formerly at Boise State University and currently at the University of New Mexico) revealed a general consensus in three main areas: they appreciate the intent behind the NCLBA legislation but lament the application of it; the random and haphazard application has created crucial problems in reporting; and finally, that history and social studies are at best neutrally affected and, in most cases, are in danger of being significantly squeezed out of the curriculum in the interest of addressing the areas that are tested in the exam.



Weiser, Idaho's Academic Achievement Director, Wil Overgaard, states, "NCLBA is a double-edged sword in many respects" (W. Overgaard, personal communication, October 30, 2007). On the one hand he argues, "It has raised our level of awareness and concern for student achievement. Many, if not most of our (and other districts') initiatives are designed to address the academic needs of students in order to make Adequate Yearly Progress." In order to accomplish this, "The state has adopted standards and purchased an assessment tool that is (supposedly) aligned to those standards." Now the district "tests and measures student achievement with these tools, plans and designs curriculum based on the standards, and implements interventions for those who do not meet the standards of proficiency." However, while Overgaard acknowledges the intent of NCLBA, it remains "unrealistic in its view of the many factors that influence student achievement." The legislation requires students to "meet the same standards of achievement without regard to socio-economic status which influences a student's early exposure and richness to education without regard to student disabilities (from significant cognitive impairments to significant processing deficiencies), and without regard to a student's English language proficiency." This is not realistic according to Overgaard.

He further acknowledges, "We need and want to 'close the gap' of differences between our students." But Overgaard asks, "Can we make all students equally proficient in the time frame set out in the law?" He also sees the random nature in the way these statistics are reported. For example, "each state is allowed to establish its own time line leading to the requirement of 100% proficiency in math and reading by

2013." He acknowledges that "they also are allowed to develop their own assessments and set their own cut scores for determining proficiency." Consequently, "In the State of Idaho this year we need to have 78% of our students (including subgroups of 32 or more) proficient in reading and 70% proficient in math to make AYP." However, "75% of the schools failed to make this standard. This year Montana required only 50% of their students to make proficiency scores on their tests in reading and math and so 90% of their schools made AYP." He notes, "They obviously wanted to delay the big jumps towards 100% proficiency until after the 2008 presidential election." "How's that for policy making?" he quipped (W. Overgaard, personal communication, October 30, 2007).

"Consider this," Overgaard argues, "two states in the Deep South (Mississippi and Alabama) are claiming 90% of their schools are making AYP, but on the National Assessment for Educational Progress (NAEP)—a national test comparing scores in reading and math among 4th, 8th, and 12th graders—they are near the bottom compared to the other states." However, "Idaho is above the national average in reading and math on the NAEP, but only 25% of our schools can make AYP?" he puzzlingly asks. "Each state has to include a third achievement indicator," Overgaard explains. "In Idaho we need to graduate 90% of our students or at least show growth from the year before; however, Montana only requires a graduation rate of 69% for AYP. In our elementary schools, the third indicator in Idaho is based on the Language Usage scores of students." "But," Overgaard claims, "some states use attendance rates. There appears to be a problem..." (W. Overgaard, personal communication, October 30, 2007).



Overgaard acknowledges the need for schools to be accountable. However, he argues, "We would prefer that we be held accountable for student 'growth' while they are enrolled in our schools." He recognizes that "students should benefit from our instruction, curriculum, etc. and we should be able to account for that growth using acceptable measures like the Idaho Standard Achievement Test (ISAT)." However, "is it realistic for us (or any school) to guarantee that all of our students will be proficient by 2013?" He asks, "How many coaches can guarantee the outcome of their athletes? Some may high jump 5' and that is a great accomplishment for them. Should we be expected, or is it possible to make them a 7' jumper because the law requires them to meet the same high standards of achievement?" (W. Overgaard, personal communication, October 30, 2007).

Specifically, regarding social studies, Overgaard rhetorically questions, "At the risk of being cynical, is social studies counted in AYP? Is it measured or reported against any established standards?" While he acknowledges, "It has always been an important part of every school's curriculum, and is required by the state for graduation," he questions, "what are administrators focused on in the current political environment?" He appreciates the "initiatives in Congress and at the state level to improve social studies instruction." However, "there is an adage in education that what gets tested gets taught, and what gets tested and reported, gets taught thoroughly." "Unfortunately," Overgaard admits, "social studies is a somewhat neglected curriculum because of the national and state initiatives in reading, math, and now science (a new test for graduation in Idaho beginning with the class of 2012). There are some great social

studies programs and teachers out there, but they are not driving the train" (W. Overgaard, personal communication, October 30, 2007).

Area Social Studies Director Russ Heller for the most part agreed with Overgaard's analysis. "By now, nearly all parties concede (at least grudgingly) that the aim of closing the achievement gap between ELL, Special Education, low socio-economic-status (SES), minority, low-achieving and other distressed students is a worthy goal - and (at least many of us agree) we weren't doing a very effective job with that goal." He echoes Overgaard's lamentation of the one-size fits all expectation and reporting, and commented on how the Boise School District has reacted generally and in regard to Social Studies in particular. Heller states, "I think Boise has now put a priority on two things - holding ELL students harmless for a period of years (and making that a permanent feature of Idaho's tests) and forcing the test provider (vendor) into releasing an item analysis that we can use to inform instruction."

"Do elementary teachers neglect their subject/disciplines for the sake of instruction in 'tested' areas?" Heller asks. "Some do, I'm sure." "However," Heller states, "when the science supervisor and I visited a large number of schools a few years back (before science was included in ISAT), we discovered a surprising number of teachers (principally, those who enjoyed social studies) felt no restriction on their teaching social studies (or science, for that matter). Did we also discover a considerable numbers of teachers who avoided or abbreviated social studies/science instruction?, Heller questioned. "Yes." However, he notes, "the trick is determining whether or not these same teachers devoted appropriate



time and instruction to social studies/science before ISAT. We could not make that determination.”

Heller summarizes, “In short, I think a marginal number of elementary teachers have put social studies in the parking lot or have restricted instruction to accommodate pressures for performance in math and language arts.” He relies on end of course exams so that “by seventh grade (in our system), the issue is moot.” However, he does acknowledge that “in-service time, professional development, etc. continue to be dominated by models of improvement tied at least indirectly to NCLBA concerns.”

Social studies professor Cheryl Franklin was much more critical toward the effect of NCLBA on the teaching profession generally and on social studies in particular. In her research conducted on this issue she emphasized “the overall loss of job satisfaction that they [teachers] overwhelmingly noted in their survey. She described teachers as “disheartened” and “discouraged” because of the pressure that high stakes testing has introduced. While all the teachers respected the need for accountability, they continued to voice the constant refrain of unfair testing and reporting practices prohibiting accurate assessment of growth. Franklin predicted that as science becomes one of the required testing areas then it will “make a comeback” but “social studies will be left even more by the wayside.” When asked if social studies has been integrated into the reading programs as a way to maintain its presence in the curriculum and still meet reading test emphasis, Franklin stated, “even though students may be reading about history or social studies in their weekly readers, they are still not engaging in *inquiry*.” It is this process that Franklin believes is critical to the study of history

and social studies and is being left out of the curriculum. Finally, Franklin concluded by saying, “these people entered the teaching profession to make a difference and to help children. They do not feel like the current climate is helping them to do that.” The test taking pressure is “not fostering an intellectual curiosity generally, nor exercising abilities of inquiry in particular” (C. Franklin, personal communication, November 7, 2007).

Conclusions

The NCLBA’s primary focus on reading and mathematical achievement, combined with the regulatory mandates relating to uniform improvement rates in the levels of “proficient” and “advanced” scoring, and stated goal of all students reaching that level by 2014, in effect pushes schools, LEAs and states into policy choices that place primacy on reading and mathematics skill building. This is to the exclusion of other curricular areas, and also drives states to design or choose achievement testing instruments which have a significantly lower level of difficulty in achieving at least the “proficient” scoring level. Both of these actions can lead to only one result, students less prepared to meet the total demands of a 21st century global society. The scenario that is very likely to take place is that intense focus will be placed on reading and mathematics, to the disadvantage of other curriculum areas, especially the social sciences, humanities, fine arts and non-English language instruction. NCLBA is driving states, LEAs and schools to focus on the “meager minimum” to quote the NCSAF. This national policy is completely out of step with the needs expressed over and over in the literature and in the testimony related to reauthorization of the ESEA, again citing the words of the NCSAF and the essence of Friedman’s argument,



“we need to bring what we teach and how we teach into the 21st Century.”

Also, across the nation, teaching to the test may likely become the norm as 2014 approaches. Thus as our increasingly “flat world” springs upon us, the tools to meet its challenges are not being developed in our children. Both Friedman’s book and the *Time Magazine* article clearly point toward a set of educational needs that are not in any way emphasized in NCLBA or its implementing regulations. If anything is the truth, they point in an opposing direction, back toward the needs of a late 19th century agrarian and industrial economy, rather than the service and professional systems economy of the 21st Century.

Testing and measurement have already become a prized specialty in school districts and in state departments of education nation-wide. Demand for those specialists will only grow in the future as full implementation and the 2014 goal approaches. Even more prized will be educators who have the skills to design and conduct research that is sufficiently rigorous to meet the standards imposed by the Act. But those researchers will be confronted with disturbing mandates regarding methodology which will be challenging at best, and confounding at the worst. Experience has shown that experimental and quasi-experimental designs do not work well in school settings, for a multitude of reasons. Yet these are the designs mandated by the NCLBA and its implementing regulations. The truth must be told about this conflicting guidance.

While rural schools in the west with significant Title I eligible enrollments may be largely exempt from some AYP reporting impacts, LEAs and states will likely struggle with them, because the LEAs and states

must report on all schools at the 95%/95% levels. Costs of test administration and analysis will only add to the resource burdens in these areas, confounding the need to broaden curriculum and rigor if we are to prepare the forthcoming generation for demands 21st century society will place on them.

None of these conclusions paints a pleasant picture of the near future for education evaluation, assessment or research. Policy makers are not likely to quickly make the changes necessary to create the “sea change” noted in the introduction unless the conflicts described above are placed before them in very clear and convincing terms, support by rigorous and defensible research. It is our obligation as educators to make those presentations as reauthorization of the ESEA and revision of NCLBA are debated and decided.

The late Aaron Wildavsky warned that large policy solutions could lead to even larger on the ground problems (Wildavsky, 1987). In his book *Speaking Truth to Power*, he spent an entire chapter on this issue, propounding what he referred to as the “Law of Large Solutions”. He referred to earlier research that he and colleagues had performed on implementation of sweeping policy change, such as the Model Cities Program, which was also part of the “War on Poverty” initiatives of the Johnson administration, as was the original ESEA. His conclusions were that the results of sweeping policy changes at the federal level were even larger and more complicated policy and implementation problems at the impacted local levels. Unfortunately, Wildavsky’s 1980’s insights have been lost in the NCLBA policy formulation and implementation process. Any changes proposed to the ESEA must be built on the



best practices, documented in the real world of K-12 education, backed by sound and replicable research. This is neither the time nor the place for grand theory proposals, but rather grounded and supportable content and methods.

As educators and researchers, we have an obligation to our clients and stakeholders to define and critique the conflicted objectives contained in the legislation and policies regarding the reenactment of the ESEA. There are major flaws in the legislation and the implementing regulations, as noted above. It is our task to closely scrutinize the contents of both and to make our voices heard to assure the current and future integrity of both educational practice and research. We must be the voices for the expansion of curriculum and rigor, not contraction into the “three R’s”. It is clear from the NCSAF report referenced in the *Time Magazine* article, Friedman’s book, and a host of other sources that our children must become multicultural, multilingual, scientifically and mathematically knowledgeable and technologically sophisticated if they are to join their peers in becoming the masters of the emerging 21st century. NCLBA will not prepare them for this. The research on the real needs and methods to meet them must be done and done quickly. That research must be rigorous and defensible. It is up to us in the education research community to respond to this challenge and to confront this conundrum of conflicted objectives with the clear evidence that the current path is one leading to failure. If we do not, no one will.

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NOTES

Note 1. It is interesting to note that no provision was made for a demographic group identifying the scores of those not included in one of the four categories mandated. While this information can be calculated, it is not without some degree of data manipulation and statistical skill.

Note 2. Two states in particular (Louisiana and Texas) initially considered terminating Title I funding requests in the face of the mandates. Both later reconsidered.

