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BOOK REVIEWS

Reflecting on the Past, Anticipating the Future

by Jay C. Thompson, Jr., Book Review Editor

Following this issue of the Book Reviews column, I will pass the proverbial torch for this task to others. I have been associated with the publication of educational HORIZONS for the past twenty-three years. During that time, I have written for the journal and served in several other roles to help promote the professionalism for educators with which the journal and organization have become synonymous. I was privileged to serve multiple terms on the Publications Advisory Board, including chairing that group for two terms. To those people with whom I served, I extend my sincere appreciation for the dedication and effort each provided. The resulting publications have been examples of synergy at work in proactive ways. This experience has been personally and professionally very valuable.

For the past eight years I have been the editor of the Book Reviews column. That role has enabled me to read and stay current with the literature in the rapidly changing educational environment in which we find ourselves immersed at the beginning of the twenty-first century. I want to thank those who have been willing to read and review a myriad of books. At times it has been difficult to find individuals willing to take the time to perform such a demanding task. For educational professionals to provide judgments about new books for colleagues is an important role, one unfortunately often overlooked or taken for granted.

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During my tenure, I have had the opportunity to work with several outstanding editors and personnel in the Pi Lambda Theta International Office in Bloomington, Indiana. As an organization we have had not-unexpected struggles during those years, but the future for the journal and the organization is exceptionally bright. I extend a personal “thank you” to PLT staff members for the support, understanding, and encouragement they have provided. The dedication and professionalism of that group will continue to serve PLT well as educators face a future that will undoubtedly include challenging times. With the professional support of the organization, our vision of providing an excellent education for every student can be maintained in spite of any bumps on our respective paths toward promoting quality.

The books reviewed here on media, technology, virtual schools, and knowledge building based upon understanding changing relationships pursue the powerful impact those ideas can have upon learners and education. The authors examine technology as a vehicle to enhance critical thinking and literacy, a compelling argument educators must investigate. These books provide a future orientation to learning and schooling upon which educators need to think and reflect.

Increasing Student Learning through Multimedia Projects

by Micheal Simkins, Karen Cole, Fern Travalin, and Barbara Means
Alexandria, Va.: ASCD, 2002

Reviewed by Neil Mercurius, Information and Education Technology,
Jurupa Unified School District, Riverside, Calif.

“There is no frigate like a book to take us lands away,” claimed the poet Emily Dickinson. *Increasing Learning through Multimedia Projects* is the digital-age frigate that provides a bird’s-eye view of far-away places. As books provide the travel to distant places through imagination, multimedia provides the scenery along the way. Milton Chen’s foreword introduces the key idea of this book: “Project-based learning redefines the boundaries of the classroom. No longer are students confined to learning within the four walls.”

Simkins, Cole, Travalin, and Means tender a user-friendly guidebook for *all* teachers who use computers in the classroom. An excellent travel guide to project-based multimedia learning, the book gives teachers various instructional models to apply in the classroom. Additionally, teachers will enjoy moving students from one project to the next, exploring each chapter, and surveying each page for a project that blends both artistry and technology to achieve an aesthetic effect.

Activities in the book supply teachers with step-by-step processes for thinking, planning, gathering, organizing, completing, and presenting

quality projects in the classroom. In addition, the chapter entitled “Making a Real-World Connection” combines “curriculum, multimedia, real-world connection, assessment, collaboration, extended time, and student decision making” dimensions of project-based multimedia projects. For example, topics include connecting through student interests, student experiences, and significant issues. The projects will encourage student learning while providing practice in using different types of multimedia tools, therefore allowing students to access information outside the classroom, seek advice from other professionals, pull their work together, and share it with their classmates.

Increasing Student Learning through Multimedia Projects is a “must have” for all teachers. It is simple, easy to follow, and provides guidelines for assessing students’ finished projects.

Teaching Youth Media:

A Critical Guide to Literacy, Video Production, and Social Change by Steven Goodman

Series on School Reform. New York: Teachers College Press, 2003

Reviewed by Matthew J. Stuve and Jayne R. Beilke, Department of Educational Studies, Ball State University, Muncie, Ind.

Steven Goodman is the founder and executive director of the Educational Video Center (EVC) in New York City, a community-based media center serving low-income youth. In *Teaching Youth Media*, he advances the following definition of critical literacy: the “ability to analyze, evaluate, and produce print, aural, and visual forms of communications.” He suggests that nonprint sources are an important component of representation and that multiple literacies should be considered and incorporated by inner-city teachers. He also claims that schools fail to address the importance of the mass media as the predominant language of contemporary youth. By ignoring or discounting these representations, teachers fail to understand the potential of media education to empower students to change their worlds.

Goodman encourages the development of critical thinking and literacy skills through media education. Although he does not reference the critical theorist Paolo Freire, Goodman’s conception of critical literacy is similar to Freire’s concept of *conscientization*, or the development of a critical consciousness of the world in order to take social action. Having named the world around them, inner-city youths can use technology (specifically video cameras) to critically *frame*, deconstruct, and change their worlds. For both Freire and Goodman, literacy (respectively, print and nonprint) is potentially liberating.

A good portion of *Teaching Youth Media* is devoted to describing and evaluating the learning processes of students in EVC classes and workshops. In brainstorming sessions, students consider topics such as police-youth relations, youth crime and violence, hip-hop, and sports as subjects of their documentaries. Their choices are consistent with inner-city realities that are not necessarily studied critically in formal classrooms. To illustrate the process of developing critical literacy through media education, Goodman reflects upon the process involved in producing a documentary on gun violence.

Goodman's primary message is that video, in a documentary format and as a medium of expression, is an alternative literacy for the students involved in the EVC. Yet the dilemma of how to integrate such literacy into the American classroom remains. It is difficult to reconcile visual and digital literacies with existing technology-poor classrooms. Goodman's example of urban at-risk youths struggling and overcoming such artificial barriers results in what he calls "visible victories."

By using video to give voice to the students at the EVC, *Teaching Youth Media* identifies a problem for which video provides a solution. More substantially, Goodman calls upon teachers to re-imagine the school day by using video. Painting an accessible picture of the process, Goodman's book issues an invitation to teachers to first read *Teaching Youth Media*; then write a grant and purchase an iMac, camcorder, tapes, microphone, and a tripod; and finally, visit a local nonprofit, youth-serving agency and produce a movie with the agency's clients (taking a few pre-service teacher education students along for assistance). Along the way, educators and students alike will learn something about schooling, identity, literacy, and the lives of children. In the process, one might, as Maxine Greene says in the foreword, just "transform some corners of the world."

The Virtual High School: Teaching Generation V

by Andrew Zucker, Robert Kozma, Louise Yarnall, Peter N. Stearns, Chris Dede, and Camille Marder

New York: Teachers College Press 2003

Reviewed by Neil Mercurius, Information and Education
Technology, Jurupa Unified School District, Riverside, Calif.

During the late 1980s, the term *virtual* produced mental images of children gathering in entertainment parlors to gaze into huge box-shaped machines, where they navigated with joysticks with both hands. Riveting, bell-like sounds emanated from the machines in reaction to children's movements; streaks of beaming lights bounced off humans and objects, coupled with audio closely matching the victorious sounds of a Las Vegas slot machine. To go further back in time, *virtual* would invoke an image

of Abraham Lincoln sitting at his desk with only the twinkling of candlelight to complete his course work in law. When both images are combined with modern technology, such as the computer, the Internet, and distance learning, the term *virtual* presents a far different connotation, and virtual schools are the primary images to emerge.

Andrew Zucker, the director of the Center for Education Policy at Stanford Research Institute International, undertook with his colleagues to analyze the emerging phenomenon of the virtual school within kindergarten through 12th-grade (K–12) education. They selected the Concord Consortium Virtual High School of Hudson Public Schools in Hudson, Massachusetts, as the study site for their investigation. The experiment began in the mid-1990s with a \$7.4 million grant award from the U.S. Department of Education. Although expensive, the project had benefits that far outweighed the costs. Students began to use interactive media effectively and obtained greater access to more courses; administrative overhead was reduced; teaching strategies and learning styles were significantly augmented; and traditional pedagogical strategies were redefined.

Unlike the virtual cafés that became popular throughout the United States during the 1980s and early 1990s, K–12 virtual schools—especially virtual high schools (VHSs)—gained only gradual recognition. Even though higher education continues to experiment with distance learning, with a measure of success in delivering quality education to students in remote locales, K–12 distance education still faces harsh criticism. Zucker et al. do not address the contentions of critics: that virtual learning at the K–12 level dehumanizes learning for both students and teachers; that the delivery system diminishes learning outcomes for disadvantaged and disenfranchised children; and that the quality of instruction, the self-discipline and motivation of the students, and the opportunity to broaden the social skills of students all suffer. Of utmost significance is the questioning of critics about the effects of virtual learning on knowledge.

The Virtual High School provides, however, a profile of virtual education that is a combination of online courses such as NetCourses, distance learning, and virtual learning. When a student takes a high-school course online, added credit toward graduation is expected; however, that credit is valid only if the home district approves the course for that purpose. Consequently, a VHS would better serve the academic community and its students as an accredited diploma-granting institution rather than a course-granting organization (Clark 2001).

The authors take their readers on a brief, but exceptional, journey through the changes in online learning by referencing *Tinkering toward Utopia* (Tyack and Cuban 1995). Early in the book they use the “tinkering” concept to argue that technology can indeed introduce promising change to the educational system: “Tyack and Cuban looked across the history of educational change in the United States—changes that ranged

from the introduction of common schooling and the Carnegie unit to the progressive education movement and the use of technology.” The Utopia principle serves as the philosophical or theoretical perspective for the Zucker et al. study.

Zucker and his associates have organized their book by raising important questions related to the value of VHSs. “What is an online school? What is the online course experience for teachers and students? What are the outcomes of a virtual school? What can be learned from the VHS experience?” The Concord Consortium Virtual High School serves as the reference point for all online schools as the authors examine the characteristics of schools, curriculum, teachers, and students. The products of commercial vendors, such as Apex Learning Software and the Blackboard platform, play a strong role in aiding and influencing the curriculum and delivery of VHSs. The researchers also analyze the successes and failures, strengths and flaws, and qualities and inadequacies of VHS online courses.

The movement toward virtual schools is a natural transition for students of the twenty-first century. With the rapid spread of Internet technologies, the push toward improved standards and assessment, teacher shortages, financial limitations, and the increasing demands for educational options, the VHS model is a viable alternative to the traditional school. *The Virtual High School: Teaching Generation V* is an excellent resource for state, county, district, private, and for-profit organizations considering the VHS as an avenue toward systemic change. This book is rich with models to help those positioned to venture into virtual education.

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Education and Mind in the Knowledge Age

by Carl Bereiter

Mahwah, N.J.: Lawrence Erlbaum Associates, 2002

Reviewed by Barbara Graham, Department of Educational Studies,
Ball State University, Muncie, Ind.

In *Education and Mind in the Knowledge Age*, Carl Bereiter of the Ontario Institute for Studies in Education challenges educators to 1) dispense with a folk theory of mind, a theory that conceives of the mind as a storage chest of ideas, assumptions, theories, desires, and conjectures, and 2) move from a vision of teaching as traditional craft to a vision of teaching as a progressive craft.

In Part I, “Mind in a Knowledge-Based Society,” Bereiter argues against a folk theory of mind with its mind-as-container metaphor. He uses

Popper's description of the three worlds of human interactions to suggest how we can dispense with our folk theories and move to a view of teaching as a progressive profession. World 1 contains the world of physical objects; World 2 consists of knowledge and skills of individuals; and World 3 is the domain of shared ideas. Learning is the work of World 2 because learning is directed at doing something to gain personal knowledge or competence in the realm of physical objects. In World 3, shared ideas are treated as public objects or cultural artifacts that can be stored and accumulated. Bereiter maintains that we operate in the first two worlds; to move into World 3, we must treat cultural artifacts as real objects that can be shaped, publicly examined, and transformed. In his words, we must engage in "knowledge work."

The work of activity- and situated-cognition theorists supports Bereiter's argument, because such theorists suggest that "knowledge inheres in social practices and in the tools and artifacts used in those practices" (p. 58). When individuals "learn" an activity, they participate fully in the cultural practices associated with the activity. Knowledge, then, exists in the "relationships—relationships among the people engaged in an activity, the tools they use, and the material conditions of the environment in which the activity takes place."

An important tool, both to build relationships and to work in the knowledge realm, is dialogue. Bereiter claims that at least two forms of discourse are required for intelligent action in World 3. Intragroup discourse, or discourse within a community, takes place among individuals who are constructing knowledge and relies on norms of cooperation. Intergroup discourse is used to examine the products of different communities: criticism and controversy are the norms.

Before Bereiter concludes his arguments against the mind-as-container metaphor, he presents the six commitments or virtues that he believes are necessary in progressive discourse: 1) a focus on conceptual artifacts; 2) improbability as a positive attribute of conceptual artifacts; 3) common understanding as a priority over agreement; 4) commitment to expand the factual base; 5) selective criticism based on knowledge advancement; and 6) nonsectarianism.

The final part of the first section is devoted to an exploration of various aspects of both knowledge and forms of understanding. We must shift from the "knowing that" perspective of the mind-as-container metaphor to a more connectionist "seeing-as" perspective. We must learn to "acquire a mind that sees learning, thinking, knowing, and the creation of new knowledge as forms of self-organization" (p. 199).

In Part 2, "Education and Knowledge Work," Bereiter contrasts a traditional view of teaching with what he calls a progressive view of the profession. Conceptions of teaching as traditional craft sustain current

practices and inhibit the profession from becoming progressive, which he defines as generating new knowledge. He claims that medicine became a progressive practice when some practitioners engaged in research to understand illness; they knew that research would advance current understanding and lead to treating diseases that were little understood at the time.

The challenge Bereiter issues to educators is to initiate the young into World 3, to have them “join the ranks of those who are familiar with, understand, create, and work with the conceptual artifacts of their culture” (p. 237). To do this, educators should teach for understanding and choose curricular topics by asking the question “What use can students of the designated age and kind make of this concept in their efforts to understand the world?” (p. 311).

Teachers are encouraged to engage students with questions that advance their knowledge and understanding about understanding. Students, teachers, and researchers then would investigate similar questions. Teachers and researchers would study how students explain various phenomena, how they grasp theories, and how they overcome naïve conceptions in particular subject areas.

Bereiter suggests that many educators would insist that they are already teaching for understanding; he provides charts to demonstrate how the meaning of phrases used in World 2 activities would shift when applied to the work of World 3. For example, the phrase “knowledge building,” currently used to describe learning by doing, would refer to producing intellectual property in World 3. He returns to an idea introduced in the first section of the book—that knowledge building requires building new relationships between the knower and the conceptual artifacts being explored, analyzed, and created.

Bereiter presents a conceptual tool for navigating the landscape of understanding by carefully and thoroughly examining the concepts of education and mind. Probing the intersection of the domains of educational policy, pedagogic cultural studies, the learning sciences, and subject matter knowledge as they converge in classroom instruction, he situates the classroom as the place where careful analysis of the real-world problems of teaching and learning should be occurring. Such an analysis becomes feasible only when educators shift from a preoccupation with the realm of World 2 and its mind-as-container metaphor and move into World 3, treating theories, ideas, and conceptual artifacts as real objects that are examined, analyzed, and critiqued for their inherent potential to explain phenomena more completely.

Jay C. Thompson, Jr., Ed.D., is professor of curriculum, Teachers College, Ball State University, Muncie, Indiana.

FROM THE TRENCHES

Mission and Vision in Education

by Edward G. Rozycki

Happy talk, keep talking happy talk,
 Talk about things you'd like to do,
 You gotta have a dream, if you don't have a dream,
 How you gonna have a dream come true?

—Rodgers and Hammerstein, *South Pacific*

Junk Food

Like all sweet things, happy talk risks being addictive. Our educational institutions, responding to public pressure for the upbeat and the heart-warming, have become intellectually obese with happy talk: sweet slogans that enervate clear definition of goals, that obscure inquiry into their achievability, and that have provoked the “fad diets” of standardized testing, teacher accountability, and lockstep curriculum.

A recent vogue has been to introduce another layer of happy talk on top of the timeworn expatiation on missions and goals: statements of vision. Theoretically, we might say that vision statements justify leadership claims on resources. A non-academic might ask, “Just what do you do to earn your salary?” “Provide vision,” comes the answer. Absent critical examination, however, there may be precious little difference between vision and delusion, if by “statements of vision” we mean verbal concatenations mistaken for causal analyses.

As generally conceived, vision statements provide the impetus for missions. And mission statements provide the targets for goal statements. We might find the relationships easy to understand with this simple illustration:

Vision statement: We'll have pie in the sky by and by.

Mission statement: We'll bake something that flies.

Goal statement: We'll make some dough.

Unfortunately, as the history of American education so vividly attests, once this goal has been reached, the missionaries absent themselves from the educational scene with alacrity. The point here is not to ridicule visions or missions, but to suggest they be tempered with a sense of proportion, a knowledge of resources available, and cool evaluation of the likelihood of success. Above all else, it is important to stop sacrificing the Good to pursuit of a Vision of the Best.

Mission and Vision Statements: The GIGO Effect

Much criticism has it that teachers are ill prepared in college for the reality of their jobs in schools. Little attention has been paid, however, to how teachers are subjected, once they have been hired, to group-think processes of indoctrination, usually called “staff development.” Staff development works not infrequently to increase their credulity, stultify their normal critical abilities, and undermine their capacity for reasoned judgment. Much staff development in education is dedicated to examining mission and vision statements.

Here is a mission statement from an affluent school district just outside Philadelphia: *Empower each student to succeed in life and contribute to society.* There is perhaps no more certain indicator of the depth to which our society has been secularized than in the mission statements of those who arrogate to themselves heretofore Divine attributes of Omnipotence and Omniscience. Imagine educators in a middle or high school knowing that they have empowered their students to succeed in life—or perhaps that is merely hyperbole for teaching the students to be literate and minimally mathematical. Are we, then, to imagine that educators are so ego-deficient that someone must routinely, grandiosely, recast their humble yet important achievements of basic schooling as feats of historical significance?

Another nearby community has its schools profess: *The mission of the X School District is to ensure that every student is inspired and prepared to be a passionate lifelong learner and a productive, invested participant in the local and global communities.* (Can one even say this aloud without hyperventilating?) Weeks of faculty time are spent cooking this mission down into supposedly operational goals. On the surface, the issue is this: how are teachers to bring the mission into their day-to-day pursuits? Instruction time is forgone as teachers meet to pursue this will-o'-the-wisp. In their committees they find out that the surface is only to be polished: hardly ever scratched. Insightful or possibly critical questions are deflected during the group-think process by the school's resident lickspittle, who cajoles those assembled into “preserving a collegial atmosphere” and “keeping everyone on task”—an insinuation that probing inquiry is “out of place” or “not quite professional.”

Whatever scatterbrained confabulations the staff generates are taken as answers, solemnly recorded and duly acceptable to local, state, and regional accrediting agencies. As they say in the computer-programming world, GIGO—garbage in, garbage out.

Such activity wastes time, spirit, and intellect—ask any educator (in private)—because the mission statement is never subjected to careful scrutiny prior to attempts to “operationalize” it: “Our vision is yadda, yadda. Our mission, therefore, is blah, blah, blah. What does this mean for your classroom?” “For me it means *glug, glug, glug!*” “Excellent! We’ll definitely meet our accreditation requirements now.”

Mission and Vision Statements: Organizational Sporks

Unless you have dealt with preschoolers, you may not have encountered a Spork. Sporks are plastic spoons with a few dull tines molded into their tips so they can work somewhat like forks to pick up food. Sporks are for novices—those too inexperienced to handle spoon and fork expertly on their own. We also give children Sporks if we do not trust them to use them as we want, e.g., as eating utensils rather than as swords for dueling or shovels for digging, or whatever fertile imagination may dream up. Sporks are safe. But they are hardly precision instruments.

The primary use of mission or vision statements is as dull utensils of publicity and persuasion: they are slogans intended to motivate people to selected ends and to obscure the real differences of opinion normally found in school communities. Clever staff-development processes invite all members of the school community to “contribute” to the formulation of mission statements but leave the authority for interpreting those vague residues of concern in the hands of the few. That’s why probing questions are discouraged. When authority and control of resources are the real issues, educators are invited to keep talkin’ happy talk.

Educator Dementation

I work with doctoral students in education. Most of them are principals, superintendents, or other school administrators. They are intelligent, dedicated, hard-working people. But they are so involved in the political environment of the schools that they confuse the language appropriate to such an environment with that necessary to delineate a research problem carefully. They imagine that visions, missions, and goals automatically relate as causes and effects. They believe that ideas which are articulable are variables which are measurable; that voices which are ignored are voices of assent.

When I talk to my students about non-educational matters, I notice that they have not lost their capacity for careful judgment; they have a clear sense of costs and benefits and of the likelihood of achieving them.

They have a normally developed conception of cause and effect. And they know how to deliberate on ethical issues as well as anyone. But when the discussion wanders into the field of education, their common sense suddenly shrivels: they treat their general knowledge, their life's wisdom, as nothing. That, I believe, is the consequence of the indoctrination they have received as educators. That is what is wrong with the pre-service training of teachers, not some lack of technical expertise or content-area knowledge. In-service staff development—in particular, the perpetual blather about visions, missions, and goals—just reinforces their intellectual, psychological, and moral lobotomy.

Assessing Visions and Missions

So I train my students to ask questions. I assure them it is legitimate to subject the dogmas and slogans of their profession to the same kind of scrutiny that they do other concerns of life. In particular, I teach them to consistently formulate two kinds of questions: critical questions, and criteria questions.

Critical questions worry the causal assumptions of a vision or mission statement. They may also look to uncover alternatives to the means-ends relationships alluded to. Criteria questions ask how we identify items mentioned in a mission or vision.

For example, let's examine the mission mentioned earlier:

The Mission of the X School District is to ensure that every student is inspired and prepared to be a passionate lifelong learner and a productive, invested participant in the local and global communities.

Critical questions are:

1. How does what happens to students during the time they are in X School District cause them to be lifelong learners? Are there later important influences? How can we ensure that outcome?
2. Need they be passionate about it?
3. Is inspiration necessary or sufficient to have that effect?
4. How does what happens to students during the time they are in X School District cause them to be productive participants in either the local or global community? Are there later important influences?
5. Need it be both local and global communities?
6. Will we not be satisfied if they are not "invested"?

Criteria questions hammer away at two points: what are the criteria for identifying important terms, and how will we know at any given time that those criteria have been met? Some examples are:

7. What are the criteria for being a lifelong learner? How can we tell whether an eighth-grader will meet those criteria at age forty-five, or if he will be “passionate” about it?
8. Does a successful, compulsive gambler count as a passionate life-long learner?
9. What do we mean by a “productive, invested participant”?
10. What kind of participation counts as being in the local, or global, community?

My students who undertake analyses of vision or mission statements find this activity easy, once they get over the shock that I am inviting them to think along these lines. They burst out frequently in gleeful laughter yet insist that they will never have the opportunity to ask such questions on the job.

I ask them, “Why is that, do you suppose?”

I get many variations on the same answer: “You ask questions like that and they’ll take you for a troublemaker.”

Then I get down to the moral of the lesson: Be assertive. Tell your potential critics that you are coming at the vision and mission statements from a research and implementation perspective. If they will not or cannot answer your critical and criteria questions, then all the visioning and missioning in the world will not amount to anything more than wishful thinking and wasted time.

Edward G. Rozycki is a twenty-five-year veteran of the school district of Philadelphia. He is an associate professor of education at Widener University, Widener, Pennsylvania.

THE CUTTING EDGE

No Flower Shall Wither;
OR,
Horticulture in the Kingdom of the Frogs

by Gary K. Clabaugh

In olden times, when hope still mattered, a little boy named Horace was in love with flowers. When they bloomed, Horace was very, very happy; and when they withered, he was very, very sad.

Now Horace was a small frog, living in the Kingdom of the Frogs. In this realm, Bullfrogs reigned supreme because of their ability to croak very loudly and remain hidden for long periods in the muck at the bottom of ponds.

Happily for Horace, Bullfrogs professed a great love of flowers. In fact, the Kingdom's residents were compelled to pay tribute to support community greenhouses where small frogs sent their seedlings. Bullfrogs preferred private greenhouses for their own seedlings.

One fine day the Bullfrogs began harrumphing that the state-run greenhouses were in an awful mess. In *A Kingdom at Risk*, a blue-ribbon Bullfrog panel even proclaimed, "If an enemy dominion were in charge of our greenhouses, their condition would be a cause for war." Bullfrogs were fond of finding causes for wars.

Few stopped to consider that public greenhouses operated under Bullfrog rules and that Bullfrogs determined their resources. Fewer still seemed to notice that public greenhouse conditions mirrored public conditions in the Kingdom (bad neighborhoods, bad greenhouses; better neighborhoods, better greenhouses).

When Horace came of age and it was time to make his way in the world, he thought and thought about what to do. "I know!" exclaimed Horace with a smile, "I shall become a licensed horticulturalist"—certification being necessary for state greenhouse employment—"and bring flowers to bloom."

In the Kingdom of the Frogs, learning vital things—such as how to remove Bullfrog bunions or assist Bullfrog tax avoidance—required lengthy and focused schooling. Horticultural training was far easier.

Colleges, largely controlled by Bullfrog trustees, saw horticultural programs as a source of ready revenue and little more. Bullfrogs even set up easier “alternative routes” to certification—“Grow for the Kingdom,” for example—just in case traditional routes were too tough. “Such alternatives,” Bullfrogs earnestly croaked, “open careers in horticulture to bright people who are enthusiastic about plant growth.”

Horace wondered, “Why is it so easy to become a horticulturalist when other important things are hard?” Nonetheless, he took the standard training and learned as much as he could. Meanwhile, the Bullfrogs continued to stoke dissatisfaction regarding public greenhouses.

When Horace graduated he found a position in a public greenhouse in one of the poorer neighborhoods of the Kingdom. There were many such neighborhoods. Horace quickly discovered that he and his fellow horticulturalists had little say about how the communal greenhouse was run. Horace was not permitted to whitewash the greenhouse glass, so his sun-sensitive plants soon were scalded. He had no control over the greenhouse heat; so his cool-weather plants soon were cooked. Greenhouse managers even decided what type of fertilizer he should use.

If leggy seedlings needed pinching back, Horace wasn’t permitted to do it. Seedling owners had to be consulted, and then greenhouse management made the final decision. Horace was not even permitted to apply insecticide or pull a weed. Only administrators, who in turn were controlled by a greenhouse board operating under strict Bullfrog rules, could make such decisions.

Horace would fill in the requisite pink slips requesting spraying or weeding, but nothing came of them. In consequence, Horace’s plants soon were sucked dry by white flies, mealy bugs, and aphids, while weeds stole their nourishment.

It wasn’t clear to Horace why the greenhouse was run that way. Some said Bullfrog mandates left the manager little choice. Others blamed it on the manager’s desire to be a Bullfrog. Still others thought it was because greenhouse board members had no horticultural training and knew little about growing flowers.

In this Kingdom it was customary for agronomical ignoramuses to control horticultural affairs. Even the Bullfrog Secretary of Horticulture had no knowledge of plant husbandry—though he was well connected at the pond. In lieu of knowledge he substituted croaky solemnity. He regularly admonished greenhouse managers, for instance, to “demand higher expectations at all levels.” In self-defense, greenhouse managers afterward declared that when plants didn’t thrive, it was some horticulturalist’s fault.

Meanwhile Horace was realizing how important it was that he had no control over how plants were sprouted and first raised as seedlings. By the time plant owners brought them to the greenhouse, their all-important

early growth period was over. Horace would get seedlings that were leggy from insufficient sun, stunted from inadequate fertilizer, or wilted from too little water, and often it was too late for him to undo the damage.

Old-timers told Horace that there was a time when struggling seedlings were put into a smaller greenhouse and given special care. But Bullfrogs declared that as many plants as possible should be put in the main greenhouse. Thus Horace received seedlings requiring more care than he could give.

Horace and his co-workers also controlled their seedlings only part of the day, five days a week, 180 days of the year. The rest of the time, and that was a great deal of time indeed, seedlings were “cared for” by their owners. That gave them ample opportunity to undo whatever Horace did.

It wasn't that the seedling owners were all indifferent. Many cared about their plants, but they were too besieged or uninformed to care properly. You see, small frogs were underpaid, often out of work, and sometimes homeless. Many were sick, and without health care. All that was because only Bullfrogs mattered in the Kingdom of the Frogs.

No matter what shape seedlings were in when he got them, Horace tried his best to make them thrive. In the end, though, the damaged condition of many new seedlings, inane greenhouse rules, incessant hectoring of Bullfrog officials, and seeing his work undone by plant owners combined to grind Horace down.

About this time the Frog King emerged from the muck on the bottom of his pond, swam to the surface, stuck his thick Bullfrog head out of the water, and croaked a royal decree. “Henceforth,” he thrummed mightily, “no flower shall wither!” And with that he dove back into the muck.

Little additional money followed for public greenhouses, but new mandates did. Bullfrog officials declared, for instance, that all public greenhouses must measure and report plant development. “Henceforth,” the Bullfrogs croaked, “public greenhouse plant growth must be assessed, the results proclaimed, and horticulturalists held accountable.” (There was no mention of measuring plant growth in the private greenhouses that served the Bullfrog's seedlings.)

Accountable Horace struggled mightily, but the neglected seedlings given him proved his undoing. He just couldn't get them all to measure up. Soon Horace was under the greenhouse manager's baleful stare. Sternly he said to Horace, “Too many of your plants are not meeting standards.” Horace started to explain, “But there is so much I don't contro—” “Ah, ah, ah!” the manager interrupted. “I had hoped you wouldn't offer excuses! Truly professional growers just admit they must do a better job.”

Horace wasn't the only horticulturalist whose damaged plants often failed to thrive. So many plants were stunted that the Bullfrogs threatened to label the greenhouse “dangerously substandard.” “If that happens,” the

greenhouse administrator warned, "I'm not going down alone!" Then he began drawing up the Bullfrog-mandated Seedling Safety Plan.

Plant owners began thinking about transferring their seedlings to other greenhouses. Bullfrogs assured them it was every plant owner's right. Practically, though, their choices were limited to the same poor neighborhood. Oddly, the Bullfrogs knew that would happen, though they never said so.

Soon Bullfrog corporations began taking over communal greenhouses, operating them for profit. Just as many seedlings withered as before, but the Bullfrogs were much more contented.

The greenhouse season came to an end and there was sadness in Horace's eyes that had never been there before. He was unsure into what realm he was withdrawing. He also wondered what made him weary before his life had truly begun. Yes, Horace still loved flowers. Only now, when he saw a blossom, he found it difficult not to think of all the seedlings that had no real chance to bloom.

It was then that Horace's "miracle plant" came into flower. When Horace had received this seedling, it was in sad, sad shape. But it evidenced an uncanny resilience, responding eagerly to Horace's tender care. Yes, every time the plant went home, it came back worse for wear. But Horace would nurse it back to health, and the plant gained even more vigor.

When Horace's "miracle plant" finally came into bloom, it was a wonderful thing! Covered with fleshy pink blossoms that had blood-red interiors, it revealed a beauty that took Horace's breath away. "I've never seen anything so magnificent!" Horace said, as his weariness fled and the sadness left his eyes.

Horace spent the vacation recovering and considering his future. Eventually, because of that one glorious plant, he decided to return to the greenhouse for a second year. When he did, Horace found that things were worse than ever. Thanks largely to Bullfrog mandates, love of flowers was either an afterthought, or not thought of at all. The focus was on growth charts and standards instead.

Horace still was determined to once again do his very best. "Few worthwhile things are easy," he thought. But beneath that surface hopefulness, his sadness and weariness already were reemerging.

THE END

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BEHIND EVERY SILVER LINING

The Other Side of Highly Qualified Teachers

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by Wade A. Carpenter

One of the recurring abuses of classical and tutorial education was . . . er, uh . . . “overfamiliarity” between teacher and student.¹ So we modern, progressive Americans have overwhelmingly put our children into public schools. In doing so, we’ve taken our children out of the hands of pedophiles and put them into the hands of politicians. So this is an *improvement*?

For teachers and schools and schoolchildren, the politics of education is a no-win situation. My favorite writer on the left, Joel Spring, has put his finger on one of the most basic problems of public education: Public schools serve public purposes.² That mission makes them political, so the interests of the children and teachers are at best secondary. Given that there are hundreds, perhaps thousands, maybe even 270 million purposes for public education, schools and the people in them are completely vulnerable to attack by politicians. Consequently, we will spend countless hours and dollars responding to every demand of every parvenu who can raise money for advertising time. So let’s say, just for argument, that some statistical and pedagogical miracle actually elevates 100 percent of our kids to grade level by 2012. Immediately, somebody will point out that too many kids are overweight. Then, if educators get that problem solved, it will be dental hygiene. Next, crime, or they can’t talk to foreigners, or read a road map (and fully 48 percent will never, ever ask directions!), or tell a hickory tree from an oak or. . . . Get the idea? Since teachers and schools and kids will *always* fail at *something*, educators might as well understand that they will be an endless source of exploitable issues. Then we should also remember the business-community axiom that “If you say something ten times, it becomes true” and that astute politicians can afford to say anything they want just about as often as they want. In contrast to the educator, for the demagogue it’s a no-lose situation.

So what’s the latest illustration of my point? Obviously, No Child Left Behind. Things are even worse than the contributors to this issue report, especially in teacher education. Here the problem arises from the admin-

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istration's decision to leave the definition of the term "highly qualified teacher" up to the states. Like the "disaggregation of data" requirements that Lowell Rose and the others discuss, the "highly qualified" notion itself was a splendid idea, an encouraging response to long-standing complaints about out-of-field teaching, including some published in educational HORIZONS.³ State control is another eminently defensible idea that can be debated by intelligent people of good will. The problem is that teachers and teacher educators, like our children, are defaulting into the hands of the politicians. They and their administrative minions are deciding the criteria for "highly qualified teacher" for at least three reasons: (a) professors have uneven credibility and teachers have little real empowerment; (b) the public neither knows nor cares about what makes a highly qualified teacher; and most important, (c) most people couldn't care less about their children's education, but they *are* very concerned with their children's *success*. Educators have, I'm afraid, completely misread the public on that one, and the politicians have gotten it right. Success is of interest to everyone, but education is of interest only to the educated.

A couple of weeks ago education professors in Georgia were notified that the Professional Standards Commission will establish a test-out option for teacher certification.⁴ Similar to the practice in Texas, Idaho, and several other states, anyone with a college degree will be able to take the PRAXIS tests and become a teacher in-field.⁵ Even more dismaying is the proposal to allow anyone with master's degrees in anything to become principals. The insult to teachers, the danger to kids, and the threat to teacher preparation are chilling. As of this writing (December 17, 2003), it appears to be a "done deal."

We were appalled, but as always, there are different ways of depicting this:

1. It may bring new blood and new ideas into the public schools. This, of course, is a nice way of saying that it may break the domination of left-leaning, warm-and-fuzzy education professors on the teaching force. Although I would not be opposed to breaking up such a monopoly, I am not convinced that one exists. Certainly there are a lot of "lefties" in the professoriate, and a lot of advocates of "soft" pedagogy, but to say the least, their influence on actual teaching practice is dubious.⁶ Furthermore, the proposal completely nullifies the past decade's substantial improvements in many ed schools, and that will hurt children.
2. It may close down those schools of education that have been turning far too many semi-literates out into the schools. The downside here is that *improving* teacher education is probably a better idea. While I am not convinced that well-educated educators will solve

all the world's problems, I'm pretty sure that less-well-educated teachers will not.

3. It may encourage people with "serious" majors to become teachers, thereby raising the level of content knowledge in the teaching force. Additionally, it can be seen as getting warm bodies into the classrooms. Georgia is said to have a terrible teacher shortage. The problem with this line of reasoning, both the silver lining and the dark side, is that there is no general teacher shortage in the state. Oh, certainly there are holes here and there (not enough science teachers in Dahlonega or special ed teachers in Waycross, etc.), but *there is no general teacher shortage*. What exists is a shortage of people willing to teach in Georgia schools. There are thousands upon thousands of fully trained and certified teachers who will not teach in Georgia schools, and nationally there are hundreds of thousands of fully certified people who have walked away from what schoolteaching has become in the hands of the politicians. This is a crucial distinction, since if the problem really were a teacher shortage, the solution would be precisely what the authorities are doing—recruiting warm bodies. If, however, the problem is a shortage of teachers willing to teach, the solution is to make conditions in the schools better.⁷
4. It's better than the current policy requiring only high school diplomas for substitutes . . . including *long-term* substitutes. Then again, maybe it really isn't necessary. After all, *anybody* can teach, right? And think of all the money we could save just by going down to the corner for day-laborers. Speaking of which:
5. It may ease budget pressures on reelection-conscious legislators and budget-strapped administrators. As far as they are concerned, there is no downside to this argument. Teachers and children, however, might not be so enthusiastic. And as far as teacher educators are concerned, the actions of those state agencies amount to a stab in the back. As any salesperson knows, putting one's entire reliance on one customer or client is usually bad business. The states' actions have now shown clearly and brutally that government is a bad business partner, and that teacher educators have been naive to have entrusted their jobs—much less children's futures—to them.

Can we fight back with the argument that "the research" supports teacher education courses? I'm not sanguine, since

1. Much of the research on both sides is methodologically suspect: the opponents of teacher education can provide just about as much

“documentation” to support their claims as the proponents can, and most of it on both sides is open to accusations of self-interest.

2. Even the research that has been done well still depends on what questions the researchers asked and how they asked them. Any researcher who cannot frame questions to favor his or her own point of view should not have been granted the doctorate.
3. Only a tiny fraction of the public would be able to understand technically respectable research. And even if by some unhappy chance the data were overwhelmingly and undeniably to go against the researcher’s position, the rhetoric of the report can still nullify the outcome of the research. For instance: a measly rise from one percent effectiveness to two percent can be reported as “a whopping 100 percent improvement.” Likewise, “The research suggests . . .” actually means nothing more than “I found at least one article that agrees with me,” but the public doesn’t know that. Et cetera, et cetera. So politicians can selectively and skillfully use what passes as “research” and spout their nostrums ten times—virtually no one will ever know the difference. To put it nicely: the problem with democracy is that although it is the most responsive form of government, it is also the most embarrassing. Finally,
4. Only a tinier fraction of the public cares what the research says. American anti-intellectualism is proverbial, and analyzed ad nauseum by commentators from H. L. Mencken to Richard Hofstadter.⁸

On a more positive note, I suspect that regardless of the research, we can establish the need for teacher education in the public’s mind by slightly redefining the argument: Does a teacher (singular) need teacher education? No, of course not. We’ve all known excellent teachers without a shred of formal pedagogical preparation, and, alas, we’ve all known fully certified idiots.

On the other hand, do teachers (plural) need teacher education to teach well in the schools the politicians have created? Damn right they do. The ironic thing is, we don’t even need research to document that, since the politicians’ own rhetoric about how rotten the schools are, combined with the well-earned distrust and contempt they have brought upon themselves over countless generations, has already hoisted them on their own petards. Character counts, but an absence of character is even easier to count.

So now, let’s look on the bright side of the dark side: states that are allowing test-out options for teacher certification have, whether they know it or not, deregulated teacher preparation. Now we are free to do right by our students and their students. For too long we have turned out highly certified teachers. Now we maybe we can turn out highly qualified ones. The ed schools will, I hope, take different approaches,

each building on its own strengths. As long as they prepare their students to pass the states' stupid tests, the students can get certified. True, ed schools are no longer protected by the politicians, but then again, they are no longer answerable to them, either. And maybe teacher educators can now understand that politicians are not to be trusted. Not now, not ever. As Henry VIII's ex-chancellor Cardinal Wolsey said on his deathbed: "If I had serued God as dyligently as I haue don the kyng he wold not haue given me over in my gray heares."⁹

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Notes

1. The standard work on classical pederasty is H. I. Marrou, *Education in Antiquity*, trans. George Lamb (Madison: University of Wisconsin Press, 1948; 1982), 26–35.
2. *American Education: An Introduction to Social and Political Aspects*, 5th ed. (New York: Longman, 1991), 4.
3. E.g., Richard M. Ingersoll, "Deprofessionalizing the Teaching Profession: The Problem of Out-of-Field Teaching," *Educational Horizons* 80 (1): 28–31; Gregory Kent Stanley, "Faith without Works? Twenty-five Years of Undervaluing Content Area Knowledge," *Educational Horizons* 80 (1): 24–27.
4. For the full text of the proposal, and a response to it by the deans and chairs of Georgia ed schools, see "Certification Redesign" and "Who Will Teach Georgia's Children?" Georgia Association of Independent Colleges of Teacher Education WebCenter, <<http://www.gaicte.org/>>.
5. Michelle Galley, "Texas Ponders Easing Route to Secondary Teaching," *Education Week*, December 3, 2003: 16; AACTE Education Policy Clearinghouse, <<http://www.edpolicy.org/>>. Accessed December 12, 2003. Descriptions of alternative certification programs in other states litter the Internet. For a good start, see the ERIC System's *Becoming a Teacher*. ERIC InfoCard #2, <http://www.ericsp.org/pages/become/alternativeRts.html>.
6. See Larry Cuban, *How Teachers Taught: Constancy and Change in American Classrooms, 1890–1990*, 2nd ed. (New York: Teachers College Press, 1993). The critiques of ed schools' content and effectiveness are, of course, beyond numbering, and range wildly in quality. Perhaps the most recent is discussed by Bess Keller, "Education Courses Faulted as Intellectually Thin," *Education Week*, November 12, 2003: 8.
7. For an excellent discussion of this issue, see "TalkBack Live: A Highly Qualified Teacher for Every Classroom: Teacher Recruitment and Retention." *Education Week on the Web*. December 9, 2003, <http://www.edweek.org/ew/tb/tblive/transcript_12-09-2003.htm>.
8. Mencken's famous quote, "Nobody ever went broke underestimating the taste of the American public," can be found, with many others apropos to this column, at <http://www.quotationspage.com/quotes/H._L._Mencken/>; Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Knopf, 1972).
9. From George Cavendish's *The Life and Death of Cardinal Wolsey*, 178–179, <<http://www.library.utoronto.ca/utel/ret/cavendish/cavendish.html>>.

LEGAL UPDATE

Filtering the Internet: The Children's Internet Protection Act

by Martha M. McCarthy

Accompanying the explosive growth of the Internet have been concerns about protecting children from viewing pornographic and other harmful images through cyberspace. In the past few years, Congress has passed several acts to censor Internet sites available to children, but only the Children's Internet Protection Act (CIPA) has received Supreme Court endorsement to date.¹

CIPA focuses on the *recipients* of Internet transmissions, unlike earlier measures that placed criminal penalties on those transmitting pornographic or sexually explicit materials to minors.² Signed into law in 2001, CIPA requires public libraries and school districts receiving federal technology funds to enact Internet safety policies that protect children from access to obscene or pornographic images or other visual depictions harmful to minors.³ In short, public libraries and schools must install filtering software on their computers as a condition of receiving the federal subsidies. CIPA does not specify which filters must be used and stipulates that the filters can be disabled in certain situations for adult patrons. Under the law, local communities have latitude to decide what materials are inappropriate for minors, and the federal government cannot impose national standards in this regard.

In a six-to-three ruling that reversed the court below, the Supreme Court rejected the facial challenge to CIPA in *United States v. American Library Association*.⁴ Chief Justice Rehnquist stated for the Court plurality that Congress has wide latitude to attach conditions to the receipt of federal aid, as long as the conditions are consistent with public policy objectives. Recognizing that Congress cannot induce recipients of federal aid to engage in unconstitutional activities, the plurality concluded that libraries do not violate the First Amendment by using the filtering software required by CIPA. The Court agreed with the government that since public libraries do not have pornographic movies and magazines on their shelves, they should not have to offer patrons access to pornography via library computers.

The Court also distinguished CIPA from earlier provisions, emphasizing that Congress is not imposing criminal penalties under CIPA but is merely conditioning the receipt of certain federal funds on adopting a policy of Internet safety for minors that includes blocking measures. The plurality found that the federal government's refusal to fund an activity differed significantly from the imposition of criminal sanctions for engaging in the activity.⁵

The Court concluded that a library does not acquire Internet terminals to provide a forum for Web publishers to express themselves, any more than it purchases books to provide a forum for the books' authors.⁶ The plurality reasoned that the library's primary concern is not to encourage the expression of diverse views, but rather "to facilitate research, learning, and recreational pursuits by furnishing materials of requisite and appropriate quality."⁷ The Court considered it irrelevant that the library reviews every book it makes available but does not review all websites; mere provision of Internet access does not create a public forum for expression. With no public forum at issue, the Court reasoned that Congress did not have to pursue alternatives that are less restrictive than filtering software. It even questioned whether less-restrictive options were available, because it is not practical to have librarians police all computer monitors, and moving computers to more secluded areas where others could not inadvertently see the monitors might actually increase pornography viewing.

The plurality reasoned that the ease of disabling the blocking apparatus for individual adult viewers adequately addressed legitimate concerns about filters screening out some constitutionally protected speech. CIPA indicates that the filters can be disabled for adults for bona fide research and other lawful purposes, but during the Supreme Court oral arguments the U.S. Solicitor General conceded that the law would allow adults to ask for filters to be disabled without specifying such purposes.⁸

Justices Stevens, Souter, and Ginsburg dissented in this case, contending that the law went too far in restricting access to Internet materials, because some of the blocked materials represent protected speech. Justices Souter and Ginsburg strongly disagreed with the plurality's conclusion that libraries themselves could impose these content-based restrictions on materials accessible to adults without violating the First Amendment. They distinguished selection decisions from censorship decisions, arguing that the latter should be subjected to the highest level of judicial scrutiny.

Impact on Public Schools

Because only a small portion of schools used Internet filters prior to the enactment of CIPA, this law and the Supreme Court's decision

upholding it affect public schools nationwide. Given the Court's rejection of a facial challenge to the public library component of CIPA, it is quite unlikely that a successful challenge to the public school portion of the law could be mounted. Courts have recognized restrictions on the rights of children that would not be allowed for adults and traditionally have found broader First Amendment rights to access to information in public libraries than in public schools.⁹ In the one Supreme Court decision addressing censorship in a public school library, *Board of Education v. Pico*, clear guidance was not provided on the First Amendment issues.¹⁰ In this 1982 ruling, the plurality affirmed the appellate court's remand of the case for trial because of irregularities in the procedures the school board used in removing library books and unresolved factual questions regarding the school board's motivation for the censorship. But even the three justices who would have recognized a protected right for students to receive information noted the broad authority of school boards to remove materials considered vulgar or educationally unsuitable.¹¹

In more recent rulings the Supreme Court strengthened the broad discretion of public school personnel to curtail students' lewd and vulgar expression and to censor expression in school-related activities for pedagogical reasons.¹² Therefore, it seems within the school's authority to adopt filtering software for school computers, and indeed, most parents expect schools to shield their children from viewing obscene or sexually explicit materials.¹³

Nonetheless, legislation and litigation pertaining to Internet censorship in schools are especially sensitive because of the tension between safeguarding the free exchange of ideas and protecting children from harmful materials via the Internet, both of which are valid governmental interests. Critics of the Supreme Court's recent decision are primarily concerned that Internet filters block a considerable amount of speech that is protected, including some political expression.¹⁴ Even though CIPA prohibits federal agencies from interfering with the process used in local communities to determine what materials are inappropriate for minors, most schools and libraries are complying with CIPA by purchasing filtering software from a few major companies. Since software companies actually are making the censorship determinations, the decisions may not conform to local norms as much as envisioned.

Public schools are being cautioned about buying filtering systems from organizations connected to any ideological or religious groups or from firms that will not reveal the criteria used to block sites.¹⁵ Once specific filters are selected, school personnel should strive to avoid misunderstandings by providing students and their parents with the criteria used in blocking sites. Of course, schools and libraries can refuse to

install any filters at all if they are willing to forgo the federal subsidies, but few will select this option.

Although the facial challenge to CIPA failed, the possibility remains that a challenge to a specific *application* of the law could be successful. Since the law authorizes, but does not require, librarians to unblock sites upon the request of adult patrons, if a particular library cannot unblock websites or disable the filter (or the process is quite laborious), a legitimate First Amendment challenge to the application of CIPA might be mounted.¹⁶ Another possible challenge to the law's application might include allegations that, because the companies that produce Internet filters decide what materials will be blocked, public school boards are unlawfully delegating their authority to determine the curriculum. Students also might assert that their protected expression is being censored by the software filters. Increasingly, students are creating their own web pages where they post material of interest to them, and if filters overblock student expression that is not vulgar or disruptive, students might have a valid First Amendment claim.¹⁷

In light of CIPA's requirements, students may be able to receive some Internet messages from classmates through their home computers, but not have access to the messages at school. Thus, one result of CIPA might be the creation of a disadvantaged class of students denied access to certain materials because they do not have computers at home. Even so, those students are not likely to succeed in asserting that CIPA violates equal protection rights or parental rights to direct the upbringing of their children, given the overriding interest in shielding children from viewing harmful materials on the Internet at school.¹⁸

The Supreme Court's endorsement of CIPA, although clearly a victory for groups trying to shield children from cyberspace pornography, does not resolve all the legal issues. Challenges involving the Internet seem destined to increase, and the Supreme Court recently agreed to review a case involving another federal law that imposes penalties on creators or transmitters of indecent Internet materials for commercial purposes if the materials are known to be accessible to minors.¹⁹ The legal questions go beyond concerns about freedom of speech and the protection of minors; there also are significant privacy concerns related to the increasing ease of cyberspace access to personal information about individuals.²⁰ Undoubtedly, courts will continue to be confronted with complicated legal issues pertaining to sending and receiving transmissions via the Internet, and this is an area of law that school personnel should carefully watch.

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Notes

1. *United States v. Am. Library Ass'n*, 123 S. Ct. 2297 (2003), upholding 47 U.S.C. § 254 (2003). For a more detailed discussion of litigation involving this law and earlier measures, see Martha McCarthy, "Internet Censorship: Values in Conflict," *Education Law Reporter* (in press).

2. The Communication Decency Act of 1996, 47 U.S.C. § 223, in part criminalized Internet transmissions of obscene or indecent messages to recipients under 18, and these provisions of the law were struck down in *Reno v. ACLU*, 521 U.S. 844 (1997). The Child Online Protection Act of 1998, 47 U.S.C. § 231 (2003), prohibits materials harmful to minors from being distributed for commercial purposes through the World Wide Web and establishes criminal penalties for those knowingly transmitting such materials. This law was struck down by the Third Circuit, and the Supreme Court has agreed to review the ruling. *ACLU v. Ashcroft*, 322 F.3d 240 (3d Cir. 2003), cert. granted, 124 S. Ct. 399 (2003).

3. See 20 U.S.C. § 9101 et seq. (2003) (providing grants to link libraries electronically with educational, social, or information services); and 47 U.S.C. § 254(h)(1) (2003) (providing discounted Internet access for qualifying libraries). In 2002, Congress appropriated more than \$200 million under these two programs.

4. 201 F. Supp. 2d 401 (E.D. Pa. 2002), rev'd, 123 S. Ct. 2297 (2003). Chief Justice Rehnquist and Justices O'Connor, Scalia, and Thomas signed the plurality opinion. Justices Kennedy and Breyer concurred with the judgment but offered slightly different reasoning. Justices Stevens, Souter, and Ginsberg dissented.

5. 123 S. Ct. at 2308 (citing *Rust v. Sullivan*, 500 U.S. 173, 193 [1991]). But see notes 2 and 19; the Court has not yet resolved the constitutionality of the Child Online Protection Act.

6. 123 S. Ct. at 2305. For a discussion of forum analysis, see *Cornelius v. NAACP Legal Defense and Educ. Fund*, 473 U.S. 788, 802 (1985); *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 47-48 (1983).

7. 123 S. Ct. at 2305.

8. *Id.* at 2306, citing Tr. of Oral Arg. at 4.

9. For an example of restrictions on the rights of children, see, e.g., *Ginsberg v. New York*, 390 U.S. 629 (1968) (upholding conviction of a store owner who violated the state statutory prohibition on selling obscene materials to minors, even though the material at issue would not be obscene by adult standards).

10. 457 U.S. 853 (1982). Seven separate opinions were written in this case.

11. *Id.* at 871.

12. See *Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260 (1988) (censoring expression in school-related activities); *Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675 (1986) (curtailing lewd and vulgar expression).

13. Kelly Rodden, "The Children's Internet Protection Act in Public Schools: The Government Stepping on Parents' Toes?" *Fordham Law Review* 71 (2003): 2158-2166.

14. Michael J. Miller, "Weeding Out Spam," *PC Magazine* (August 19, 2003): 7.

15. John Berry, "The Disarray of Defeat: There Is a Small Victory for Free Access in Our CIPA Setback," *Library Journal* (August 15, 2003): 8.

16. See 123 S. Ct. at 2310 (Kennedy, J., concurring); *id.* at 2319 (Souter, J., dissenting).

17. For a discussion of cases involving disciplinary actions against students for Internet transmissions, see Nelda Cambron-McCabe, Martha McCarthy, and Stephen Thomas, *Public School Law: Students' and Teachers' Rights* (Boston: Allyn and Bacon, 2004), chapter 4; and T. K. Daniel and Patrick Pauken, "The Electronic Media and School Violence: Lessons Learned and Issues Presented," *Education Law Reporter* 164 (2002): 1-15.

18. See Rodden, "Children's Internet Protection Act in Public Schools," 2154-2160.

19. *Ashcroft v. ACLU*, 124 S.Ct. 399 (2003), interpreting the Child Online Protection Act. See note 2.

20. The U.S.A. Patriot Act of 2001, P.L. 107-56, in part expands lawful intrusions into libraries' and bookstores' records, including computer usage, to identify potential terrorists. There are concerns that this law in conjunction with required Internet filters will have a chilling effect on what people read. See "ALA: Exceeding Expectations," *Library Journal* (August 15, 2003): 38.

ON BALANCE

The Marriage of Liberal Arts Departments and Schools of Education

by Sidney Trubowitz

There is a growing momentum in academia for liberal arts departments to become involved with schools of education in the preparation of teachers and efforts to improve schools. This drive has been accelerated by reports indicating substandard performance by students in all areas but particularly in mathematics and science. It is reinforced when we find that school systems lack full complements of certified teachers in these areas. There is general agreement that cooperation between the different academic communities would be helpful. However, if such efforts are to be productive, universities implementing such partnerships should be aware of the problems that will inevitably occur.

A major difficulty comes from the stereotypical view that each group has of the other. For example, liberal arts professors accuse education faculty of ignoring content and focusing on ideas like critical thinking and hands-on learning. E. D. Hirsch capsulizes the criticism when he says, “[O]ne cannot think critically without knowledge of facts, and many aspects of reading don’t lend themselves to hands-on learning especially after first grade” (*New York Times*, Op Ed. page, November 4, 1999). Education faculty counter by pointing to the inanity of teaching isolated facts and refer to the classic first chapter of Charles Dickens’s *Hard Times* and Mr. Gradgrind’s pronouncements:

Now, what I want is, Facts. Teach these boys and girls nothing but Facts. Facts alone are wanted in life. Plant nothing else, and root out everything else. You can only form the minds of reasoning animals upon Facts: nothing else will ever be of any service to them.

So long as each group maintains a rigid perception of the other’s view and fails to see that process and facts are not separate domains but rather exist in mutual support, difficulties in collaboration will prevail. For example, professors of education may define research differently than liberal arts professors. Their educational research may result from exten-

sive observation in classrooms, exploring such ideas as children's use of metaphor, their responses to different kinds of questions, and their use of materials. Many liberal arts professors, on the other hand, view research as involving experimentation, the establishment of control groups, and other elements of what might be accomplished in a laboratory setting.

Difficulties emerge also from opposite ideas regarding what represents rigorous scholarship. Some liberal arts professors value only publications replete with scholarly references and even go so far as to deprecate material written in plain language. Case studies, analyses of experience, and reports of action research are regarded less than highly. This attitude, joined by a questioning of the appropriateness of professional-preparation units on a university campus, can lead to the idea that education faculty are "soft" in their thinking. The result is that in initial contacts, some professors of education find themselves in the position of having to prove themselves.

Although schools of education may occupy the bottom rung of the prestige ladder, it is not unusual for other forms of hierarchical thinking to be the case on college campuses: science professors look down on social science faculty, physics professors deem themselves superior to chemistry instructors, and so the pecking order operates. If individuals and groups are to work with each other in a collaborative fashion, attitudes generated by this kind of thinking need to change.

Other problems arise when there is no shared view on how to develop curriculum. For some the task of curriculum implementation is simple. Find a textbook or curriculum bulletin, order materials, and provide the teacher with a guide about what to say or do. This lack of awareness of what constitutes meaningful curriculum development is illustrated by the comment of a well-meaning professor who told a group of teachers that when they didn't know something, he'd be willing to fill in the gaps in their grasp of information. It was his belief that children's learning comes simply from mastery of content.

We have seen over and over how, after a brief flurry of enthusiasm, curricula developed by eminent professors join a long list of discarded innovations. A vivid example is the New Math. Authorities in the field believed that instruction would improve if teachers simply learned and applied particular techniques. Little consideration was given to the inevitable wide range of teacher reaction; the problems faced by parents in dealing with the New Math; the effects of administrative behavior on teacher relationships; and the innumerable other ways in which the school's social system would be impacted. If liberal arts academicians and education professors are to work together on teacher preparation and school improvement, there needs to develop some commonality of view about how to effect change.

Connected to this problem is the fact that many professors lack familiarity with schools. They talk glibly about developing programs and materials that can be transported from school to school like a vaccine to cure or prevent illness. They do not understand that each school is different and that prescribed, mechanical approaches unmodified by knowledge of a school's culture, personnel, student body, and community are unlikely to be productive. The problem of unfamiliarity with schools is compounded when professors from varied disciplines assume they have sufficient knowledge of educational institutions since as students they all have had twelve years of schooling.

Narrowness of experience sometimes leads to a superficial understanding of school operation. In our own effort to establish a campus school at Queens College, some professors mouthed phrases without pausing to give them meaning. For example, one stated, echoing the feelings of others, "The principal runs the school." There was no discussion of what it means to be principal of a campus school; what is the role of college faculty, teaching staff, and parents in decision-making; or how decisions are to be made. On another occasion glib approval was given to the idea of parental involvement without stopping to discuss what in real terms was meant by the phrase. In still another instance professors stressed the need for a literacy committee to establish a curriculum appropriate for the pre-kindergarten and kindergarten classes, the grades with which our campus school was beginning. The only stated goal for such a committee was to identify a program, a textbook to teach literacy, or both. Again there was no sharing of ideas regarding the meaning of literacy, no exploration of how published materials support its development, and no consideration given to what constitutes a broad-based approach to the development of literacy. Attempts to raise questions were dismissed with the retort that the school needed to have a curriculum, as though a body of printed material separate from a discussion of implementation would suffice. Lack of mutual understanding led to a surface approach to the development of sound educational practice.

Another source of misunderstanding comes from different views of how children learn. Lecturing is the most common method of instruction on the university level. By telling, some professors presume that absorption will take place. They anticipate that students come with a readiness to learn and that pupil interest and involvement matches their own; thus, they tend to see students as vessels to fill with knowledge rather than as active participants in learning. The problems for children in profiting from this approach become even more pronounced with younger children, for whom play is the important work and for whom hands-on experience is the way to learning.

Despite predictable problems, cooperation and collaboration between liberal arts departments and schools of education can result in great benefit to schools. But in addition to recognizing the inevitability of problems, there should be an identification of appropriate roles for individuals and representatives of different disciplines. For example, what is the appropriate role for a Ph.D. in chemistry or mathematics in working with kindergarten children? How can the resources represented in the different disciplines be integrated into programs for teacher preparation, curriculum development, and school improvement? What needs to be considered in selecting professors to work in schools: familiarity with student socio-economic class background; comfort level with age group; knowledge of school culture?

There should also be ongoing assessment of the collaborative process, not only as it relates to how professors from different specialties interact but as to how university personnel from varied disciplines work with public school faculty. It is not surprising that people coming from a range of backgrounds will bring different perceptions to projects on which they may be working together. This situation calls upon the participants to develop sensitivity to the point of view of others.

We cannot bridge the gap between liberal arts departments and schools of education by talk alone. Years of separate thinking will not yield to an exchange of words. At Queens College a few professors have hurdled departmental barriers to co-teach courses. In one case, a professor of education and a member of the history department agreed to collaborate on teaching a course about using literature to teach history. Their planning together, their reading the same books from the class bibliography on literature for adolescents, and their joint visits to schools allowed them to learn about each other's worlds. The two professors maintained an ongoing dialogue and illustrated their cooperative approach by regularly exchanging views as part of class discussions. In the course, students learned about history and also how to think like historians. The two professors began to share a common language and to develop a better understanding of how to bring history to children.

If professors from liberal arts departments and schools of education are to become productive partners in attempts to improve education, they need to move past negative perceptions of each other, to open themselves to different ideas, to go beyond jargon, to find opportunities to co-teach courses, and together to increase their familiarity with schools and how children learn.

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About This Issue

*J. Ogden Hamilton,
Executive Director, Pi Lambda Theta*

This issue represents a departure for **educational HORIZONS**. It is the first of four issues that proceed from Pi Lambda Theta's 2003 leadership conference. The plan was to select topics for the conference that are of immediate significance in education and then use the journal as a vehicle for developing the underlying issues that will endure long beyond the immediate "hot" topics.

The topics with the strongest prima facie claim to being of immediate significance arguably were the stated priorities of President Bush's No Child Left Behind Act (NCLB). The four that were most pertinent to our members and readers, and the names of the nationally prominent experts who addressed them, are: testing, standards, and accountability (Lowell Rose, the twenty-five-year executive director of Phi Delta Kappa); improved teaching (Ron Wolk, founding editor of *Education Week* and *Teacher Magazine*); safer schools (John Merrow, PBS education correspondent); and parental choice (Charles Glenn, author of *The Myth of the Common School*).

Each conference speaker has authored an essay that anchors a follow-up issue of **educational HORIZONS**. That essay is accompanied by companion pieces written to extrapolate, develop, or otherwise build on the enduring themes drawn from the anchor essay. Thus we intend to place today's hot but ephemeral topics into the context of the enduring issues that transcend hot topics past and present. This issue demonstrates the nature of the balance between educators' urgent need to understand today's hot topics and their less urgent but more fundamental need to understand the underlying issues that will continue to drive successive waves of hot topics until they are understood and addressed.

Lowell Rose's anchor piece explains in very clear language the Malthusian flaw in the process by which schools and school districts will be adjudged failures under NCLB. As hot topics go, there are few that present as serious an immediate challenge to educators. However, NCLB

will pass into history just as every act before it has, and more quickly than most if Lowell Rose's scenario is played out to its conclusion. What has enduring importance is the underlying subject of standards, testing, and accountability: the promises and pitfalls they present, and how they might be addressed.

Three companion essays by authoritative writers provide grist for long-term understanding:

- In a heretofore-unpublished policy statement written on behalf of the International Confederation of Principals, William Grobe and Douglas McCall provide a clear statement of how practicing principals think standards and testing should be used.
- Expanding on Lowell Rose's piece, a veteran Vermont superintendent, William Mathis, shows how, from a superintendent's point of view, the NCLB's approach to standards, testing, and accountability could have serious negative consequences for the students it was written to benefit.
- Writing on behalf of the Council for Exceptional Children, Executive Director Drew Allbritten and his co-authors address how NCLB, as currently written and administered, creates for children with disabilities an intensified microcosm of the impossible overall situation described by Lowell Rose.

A fourth companion piece deserves a disclaimer, for I wrote it myself. It is uncommon for an executive director to write a substantive piece for publication in his association's journal, but after listening to Lowell Rose speak, I just had to. As a private-sector CEO for a quarter of a century I regularly saw the proven tools of business—most recently standards, testing, and accountability—have the counterproductive effects of intimidating and discrediting educators. At last I have heard someone speak clearly about how educators can use those same business tools to help themselves, their students, and American education in general, using the challenge of NCLB as a catalyst. That deserves a trumpet fanfare, and I cannot pass up the opportunity to blow the horn and put the focus on the enduring issue of establishing goals and performance measures.

A closing note on NCLB is in order, because over the course of all four **educational HORIZONS** addressing NCLB, there will be barely a positive statement about the act. That is not because of the editorial position of Pi Lambda Theta. It is because when we were developing a conference theme, we found that not one of the considerable array of educators, pundits, and commentators available to us had any interest in substantive discussion of NCLB. There was a consensus—in truth it was unanimity—that the apparent intentions behind the act are beyond

reproach, but that as written and administered the act cannot succeed and therefore is more appropriately the subject of short-term survival workshops than long-term intellectual thinking.

To be sure, there are those who write eloquently in support of the act, touting the value of standards and testing. However, the theoretical value of standards and testing is largely uncontested. The topic does not become interesting until it is put into practical application, for example in NCLB. Lowell Rose's analysis of that practical application is based on logic and mathematics, not opinion or spin. Perhaps that is why, like the theoretical value of standards and testing, it is largely uncontested.

We hope that thoughtful consideration of the enduring issues raised in this issue will guide future efforts to bring to education the same benefits that standards, testing, and accountability have brought to business for so long.

No Child Left Behind: The Mathematics of Guaranteed Failure

Lowell C. Rose

I. History and Background of NCLB

The signing of the No Child Left Behind Act on January 8, 2002, moved the federal effort to influence K–12 schooling to a new and higher level—more aggressive, focused, and directive. The act requires that school districts and schools demonstrate adequate yearly progress (AYP) toward a particular goal: universal student achievement of standards established by each state. Each year, school districts and schools that do not achieve AYP will be labeled “Did Not Make AYP,” and after two such years they may suffer sanctions that include loss of federal funding, termination of staff, and dissolving the school district.

The new law was accompanied by promises of higher funding, both to enhance the prospects of success and to serve as an incentive for compliance. However, two years after NCLB was signed amid bipartisan euphoria and more than one year into implementation, its chances of success and prospects for increased funding are, at best, uncertain. In Indiana, for example, Title I funding has increased only 11 percent over the year before NCLB was signed; virtually all of that amount funds new programs mandated by NCLB; and members of the state’s congressional delegation say that there is little prospect of increased funding in future years. Many educators suspect that NCLB may join special education as a major unfunded mandate.

The fanfare that accompanied NCLB seemed to herald a new federal initiative. Technically, however, NCLB is but the latest reauthorization of the 1965 Elementary and Secondary Education Act. During the past thirty-seven years, it became the practice to assign each reauthorization a distinctive title: hence, 2001’s “No Child Left Behind Act.” Each version of the ESEA has sought in particular to improve the achievement of low-performing students. Over the years an increasing emphasis on out-

comes culminated in the 1994 reauthorization (dubbed “Goals 2000”), which emphasized higher standards, testing based on those standards, and demands for accountability. Also along the way, federal frustration over a perceived lack of progress began to grow.

That was the background against which the provisions of the 2001 NCLB reauthorization were framed. Both presidential candidates in 2000 had promised change and improvement in education. Upon taking office, the new Bush administration garnered support by focusing on the seductive promise that no child would be left behind. Those heady days of bipartisanship in education were symbolized by pictures of the president and a partisan archrival, Sen. Edward Kennedy, dining at the White House to discuss the future of K–12 education.

II. The Problem with NCLB

So just what is wrong with NCLB? To understand the answer, it’s important to understand one of the act’s major requirements (and greatest strengths): breaking out test scores by demographic groups—black, Hispanic, Native American, Asian, special education, LEP (limited English proficient), economically disadvantaged, and white. The act requires demographic breakouts in order to avoid a classic anomaly in education data: satisfactory overall group performance that simultaneously obscures poor performance by subgroups. Unreported subgroup performance is one reason U.S. society and policymakers have tolerated achievement gaps between certain subgroups—students living in poverty, blacks, Hispanics—and other groups, usually white or more advantaged students.

The strength of NCLB is in forcing educators to confront disparate student achievement. That strength is, however, negated by the act’s single numerical goal for all groups and its requirement that each group reach 100 percent proficiency in twelve years, no matter the achievement level at which it began. NCLB’s single goal for all breakout groups, applied without concern for where a group starts or how much improvement it demonstrates, virtually guarantees immediate failure for school districts and schools that enroll high percentages of the most challenged students. (See Part IV, “Calculating Your District’s AYP.”)

The single-goal approach also guarantees that students who have had the greatest difficulty achieving must demonstrate the greatest progress. Virtually all the research on aspiration and student achievement has found, however, that improvement must be measured against the point at which the student begins; that it is hard work; that it comes unevenly, with significant gains accompanied by plateaus and temporary setbacks; and that improvement requires ongoing effort and commit-

ment. The literature as well as direct professional experience and common sense tell us that both effort levels and chances of success are enhanced by goals that force stretching but are nonetheless, given enough effort and commitment, within reach.

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The NCLB scheme, ignoring the research consensus, assumes that improvement is continuous and consistent and that goals can be reached in a fixed time, regardless of the distance to be traveled. It says, simply, that we use 2001–2002 as the base year and progress in equal annual steps for twelve years, when 100 percent proficiency will be achieved. At the risk of oversimplifying, *measuring improvement from the point at which the school district, school, or breakout performance begins, using measures based on same-student performance*, would avert the NCLB's harshest consequences almost immediately. The school-improvement plans of Indiana and several other states already employ such an improvement focus.

However, even with realistic performance goals and measurements based on improvement by same-student cohorts, the issue of what constitutes realistic achievement will have to be addressed. This writer has yet to encounter a single person who believes that 100 percent proficiency for all students is a realistic or reachable goal.

III. Applying NCLB to Indiana: A Hypothetical

A good place to examine the potential impact of NCLB is in my home state of Indiana, one of the earliest states to embrace the accountability movement. Structured efforts to improve student achievement in Indiana began in the mid- to late 1980s. Indiana became one of seventeen states that complied fully with the provisions of the 1994 initiative, Goals 2000; when NCLB was signed in 2002, Indiana had already been measuring its own AYP benchmarks for four years. In addition, Indiana's Public Law 221, passed in 1999, places schools in categories based on improvement shown, with the first such placements to be made after the fall 2005 testing. Under P.L. 221, student progress for grades 3 to 10 will be assessed through same-student comparisons that use year-to-year test scores. In 2000, a graduation-qualifying exam at grade 10 was implemented, with few of the problems encountered in other states.

The passage of NCLB provided good news immediately for Indiana's budgetary woes: the funding needed to support the planned expansion

of ISTEP (Indiana Statewide Testing for Educational Progress) testing. The Indiana Department of Education (IDOE) accepted the challenge of NCLB and began planning to implement NCLB. The IDOE planning effort involved all those interested in K–12 schools (including the author, as a consultant to the Indiana Urban Schools Association [IUSA]). As a result, Indiana became one of five states placed on the fast track for federal approval.

As familiarity with the demands of NCLB grew, however, the law's ultimate feasibility came into question in many quarters. During that period, I developed and made several presentations on implementing NCLB in Indiana. In the process I used the results of the ISTEP tests given in September 2001 to calculate AYP for the participating schools (at that point, Indiana's AYP determinations for the NCLB base year, 2001–2002, were not yet made). I planned to use the figures to provide specific examples of the way AYP data could be used to focus instruction. Soon, however, I realized that NCLB's AYP calculations doomed the vast majority of schools and virtually every school district in Indiana to failure, with the schools that serve the highest percentage of challenged students achieving failure first.

In general, I concluded that applying NCLB to Indiana using 2001 data without mitigating measures would produce drastic and unexpected results. Here are the projections I made for Indiana school districts and schools based on the 2001 test data:

- Two hundred sixty-nine of the state's 293 school districts would have failed to achieve AYP.
- The twenty-four school districts that would have achieved AYP had an average enrollment of 770 students and an average minority enrollment of 1.7 percent.
- Each of the thirty school districts in the Indiana Urban Schools Association would have failed to make AYP. (The thirty-four IUSA school districts tested 93.8 percent of the state's black students, 68.2 percent of the Hispanic students, and 56.4 percent of the free- or reduced-lunch students.)
- Sixty-eight percent of the schools in the IUSA would have failed to achieve AYP.
- The failing schools in the IUSA would have included 95 percent of the high schools, 92 percent of the middle schools, and 57 percent of the elementary schools.

Those results reflect a particularly pernicious consequence of the way AYP is to be calculated. As mentioned earlier, larger schools test more students, which means more breakouts and a greater chance of fail-

ure to achieve AYP. Larger numbers tested also mean that less relief will be gained from applying the test of statistical significance, a test used to guarantee that differences are real. In addition, NCLB applies a single goal without concern for where a group starts or how much improvement it demonstrates. Therefore, when diversity adds more students who start far from the goal, the odds of achieving AYP diminish. At the school district level, achieving AYP in Indiana is almost beyond reach.

To see why it is vital to take into account both the starting point and the ability of the students in a breakout group, let's examine how the act would treat Indiana's special education students. The data for special education students in Indiana measured in the 2001 ISTEP testing showed that 252 of the 256 breakout groups would have failed to achieve AYP. (Communities with high socioeconomic levels furnished the four breakout groups that would have achieved AYP, which leads me to speculate that the basis of their special education placement was something other than cognitive ability.)

Most of Indiana's special education breakouts in 2001 would have missed NCLB targets by twenty to forty percentage points. Even taking into account NCLB's alternative assessments for some special education students, it appears that, regardless of the effort put forth, most special education breakout groups will not meet NCLB's standards. Special education groups will bear the brunt of the failure of school districts and schools to make AYP. It is difficult to believe that such a result is good for either special education or the school-improvement effort.

Given such projections, the logical question becomes: "Will any purpose be served by giving the schools that enroll a high percentage of disadvantaged and minority students a label that will be equated with 'failing'?" After all, Indiana's recent scores on the National Assessment of Educational Progress (NAEP) and other external measures suggest that the state's students have performed well in comparison to students in other states and consistently improved in recent years.

I realized that NCLB's AYP calculations doomed the vast majority of schools and virtually every school district in Indiana to failure.

But beyond that, if the "retro" exercise in applying NCLB to Indiana's 2001 numbers proves anywhere close to accurate, NCLB's methodology guarantees that matters will progressively worsen. For reasons related to the state of technology, more grades will be added to the testing pool each year, so "Did Not Make AYP"—which will be understood by everyone to mean "This school district or school is a failure"—will occur more often each year. The handful of school districts and schools left standing in 2005 will then be further challenged when, in compliance with NCLB,

the goals will jump by 25 percent of the difference between the initial goals and 100 percent proficiency.

Due in part to abbreviated media coverage, few people realize that AYP determinations and the possibility of improvement and corrective action status apply not only to schools but to school districts. AYP and NCLB sanctions may, in fact, prove most severe and immediate at the school district level. A district that fails to achieve AYP for two consecutive years will move to “school improvement” status. It must, at that point, work with the state to develop a plan for achieving AYP. A school district failing to make AYP for the fourth consecutive year moves to “corrective action” status, which under NCLB authorizes the state to exercise one of seven options:

- Reduce programmatic or administrative funds.
- Replace the curriculum.
- Terminate personnel relevant to the failure.
- Move some schools from the jurisdiction and provide alternative governance.
- Appoint a receiver to replace the superintendent and the board.
- Abolish and restructure the school district.
- Provide choice for school district students to attend successful neighboring school districts.

How does Indiana plan to proceed in relation to the seven options? The indication to date has been that none is permissible under Indiana law and that virtually all the state will be able to do is consult with school districts on how they spend their money. Given the federal government’s supremacy in distributing money, that statement is of little comfort.

In early 2003 I spoke to twenty relatively small school districts. Six of those districts will undoubtedly fail to make AYP—even though every school in them will achieve AYP. Think of that in terms of the purposes for which the school district exists!

IV. Calculating Your District’s AYP

Judge NCLB and its AYP system not in the abstract or based on what others say. To really understand AYP, familiarize yourself with the process. Take actual data for school districts and schools with which you are familiar, and calculate AYP.

I have calculated AYP several thousand times for school districts and schools with large enrollments, small enrollments, great diversity, and little or no diversity. That hands-on experience has led me to conclude that the NCLB’s AYP system will prove useless for improving student achieve-

ment. AYP targets not individual students but school districts and schools, and it effectively guarantees that virtually all of them will be labeled failures. That inevitability derives from the mandated mechanics of AYP.

The mechanics of AYP. The overall group and each breakout group in a school district or school are required to meet goals specifying the percentage of students who must pass the state tests on English and math. The goals are fixed by the state using a formula prescribed in NCLB. The goal is the same for all groups.

To determine if your school achieved AYP, you start with the overall group and ask, “Did the group make the goal in English?” If the answer is yes, you ask the same question for math. If the answer again is yes, you have two yeses. Now move to the first breakout group. A breakout group is any group—say, students with disabilities—for which the number of students tested in the school district or school is greater than the threshold number (the “N”) stated in the state plan. In Indiana and most other states the N is 30. Ask the same two questions for the first breakout and then repeat the process for each of the other breakouts. The first “no” answer means that the school district or school did not make AYP.*

A predominantly white elementary school with an enrollment of 250 or less will seldom miss achieving AYP because it won't contain groups large enough.

The typical urban school district in Indiana includes between four and seven breakout groups. The more breakouts, the more difficult it becomes to make AYP. In a school district or school with every one of the eight breakout groups, it will be necessary to answer “yes” eighteen times (twice for the eight breakout groups, and twice more for the overall group) to meet AYP based on test data alone. But for those with all yeses on the questions related to test data, there are still hurdles to jump. To protect against the possibility that school districts or schools might hold low-achieving students out of the testing, NCLB’s authors included a requirement that 95 percent of the overall group and 95 percent of all students in each breakout group must be tested in English and 95 percent in math. The N required for a breakout differs from state to state. In Indiana, it is thirty students tested. Apply that standard next. That adds

*In calculating AYP, consider the compound probabilities alone: if every group has a 99 percent chance of making AYP—nearly ideal conditions that are rarely seen—the odds that all thirty-seven groups will achieve AYP are equal to .99 to the 37th power, which is 0.689, or only slightly more than two out of three. Thus, despite the fact that our hypothetical school is nearly ideal, there is a nearly one in three chance that it will not achieve AYP. If each breakout has an 80 percent chance of making AYP—probably not bad in the real world—the chances that all thirty-seven will achieve AYP are fewer than 3 in 10,000. If one does not consider that situation impossible, factor in that the reason for defining a breakout group in the first place is usually to focus on students who have historically underachieved.—Ed.

two more required yeses for the overall group and two for each breakout group, bringing the number to thirty-six for a school district or school with the full complement of breakouts.

NCLB also requires at least one secondary indicator for each school. At the high school level, it must be the graduation rate. For other schools, the secondary indicator is determined by the state. Indiana's goal is a graduation rate of 95 percent for its high schools and 95 percent average daily attendance for all other schools. The secondary indicator, at least in Indiana, applies only to the overall group, thereby bringing the possible number of yeses required to thirty-seven.

It is plain to see how small schools with little diversity can achieve AYP. White breakouts achieve AYP. A predominantly white elementary school with an enrollment of 250 or less will seldom miss achieving AYP because it won't contain groups large enough. Given the N of 30 used in most states, it will have few, if any, breakouts. Case in point: the principal of an elementary school studied the data, realized his 600-plus-student elementary school would not make AYP, and called me to say, "If we split this school into three schools in the same building, we wouldn't have any breakouts and all three would make AYP."

Extend the game as long as you can. It is an interesting, albeit perverse, exercise to see how far any school or district can "drill down" into its breakout groups before it fails. The first rule in extending the game is to avoid beginning with the special education breakout. Most school districts and large schools have such breakouts and few will make AYP. As already noted, using the 2001 data, 256 of Indiana's 293 school districts would have had special education breakouts in the 2001 testing, and all but three would have failed to achieve AYP. I used the more-recent 2002 ISTEP data to calculate AYP for the thirty-four school districts in the Indiana Urban Schools Association. Had I started with the special education breakouts, I would have identified each of the school districts as "Did Not Make AYP." The game would have been over.

Absent significant change, NCLB will at minimum fail to improve schooling and do nothing to aid low-performing students.

To extend the game one must carefully choose the order in which the breakout groups are taken. If Indiana is a typical state, the breakout for Asians is a good place to start. That group is likely to score highest in terms of the goals. The white breakout also will earn two yeses in most schools. From that point on, the prospects of making AYP are iffy; nonetheless, there is much to be learned from extending the game. For example, free/reduced-lunch, Hispanic, black, Native American, and LEP

groups are among the least likely to make AYP. The finding should not be surprising given what we know about the achievement gap.

Drilling down further, however, you will quickly conclude from the free/reduced-lunch percentages that there is legal poverty and then there is real poverty. Free/reduced-lunch groups in urban areas are unlikely to achieve AYP, while their counterparts outside the urban areas sometimes outperform the paid-lunch group. Therefore, Hispanic and black students in school districts with high socioeconomic levels are far more likely to achieve AYP than their counterparts in school districts serving students from lower socioeconomic levels.

As you drill down into your own data, you gradually become aware of a paradox: as the information you acquire about the correlates of student performance in your own schools becomes more textured and valuable, the notion of measuring school performance with the types of tests mandated by NCLB becomes less plausible. That realization made it easier for me to accept the overall conclusions of my analysis. Even without including special education, thirty-two of the thirty-four Indiana Urban Schools Association school districts were ultimately identified as “Did Not Make Adequate Yearly Progress.” The special education breakouts made it unanimous.

Safe harbor or Russian roulette? To be fair, it must be noted that NCLB includes a “safe harbor” provision that schools can use to make AYP. Safe harbor is reached if the actual percentage of students failing a given test is reduced by 10 percent. Note that the percentage itself must be reduced, not the number of students. To maintain rigor where safe harbor is used to make AYP, NCLB requires that any group using AYP to reach safe harbor must also satisfy the secondary indicator. It is the only time that secondary indicators come into play for breakout groups.

At best safe harbor is a Russian roulette kind of process because, in different years, the students will be different, the “N’s” may be different, and the demographics of those tested may change. However, that is not why I downplay the safe-harbor provision here. I do so because urban school districts and schools in Indiana and most other states will miss AYP in multiple instances, leaving moot the issue of safe harbor in relation to a specific percentage.

V. Where Do We Go from Here?

Looking back, it is easy to see that my initial positive reaction to NCLB was based on general support for the act’s goals and incomplete understanding of the specifics of implementation. One early warning sign of NCLB’s deficiencies was its goal of 100 percent proficiency; nonetheless, many supporters, including this writer, generally withheld com-

ment, confident that the matter could be addressed later. [*Congress may consider changes in NCLB beginning in 2007, when the act comes up for reauthorization.—Ed.*] One hopes that such thinking does not prove wishful.

We have a saying in Indiana: “That dog won’t hunt.” Putting it bluntly, the current No Child Left Behind Act merits that description. Absent significant change, NCLB will at minimum fail to improve schooling and do nothing to aid low-performing students. In the worst-case scenario, NCLB could do serious damage to the school-improvement effort nationally and to the promising efforts already under way in states such as Indiana. The students most in need of help would be the biggest losers.

Where, then, do NCLB and AYP leave us? There is much in NCLB to like and embrace. The focus on “leaving no child behind”—systematically identifying and then addressing the needs of low-achieving students—is still a worthy if distant goal. Analyzing test scores, especially those of subgroups, is so basic to improving achievement that it is difficult to understand why its implementation required a federal mandate.

The prospects for change depend on many factors, among them political will; the willingness to face the fact that changes are needed; the staying power of those promoting change; and the true motives of those responsible for NCLB—whether they were good intentions marred by haste, disappointment over the results of past legislation, or even a desire to create a stalking-horse for vouchers. If the provisions of NCLB as they stand at this writing are not changed, the greatest consolation for the education community and all concerned may be that the results of NCLB will so lack credibility that they will be not be taken seriously. In that event, NCLB will go down as one of the greatest missed opportunities in the history of American education.

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Valid Uses of Student Testing as Part of Authentic and Comprehensive Student Assessment, School Reports, and School System Accountability

A Statement of Concern from the
International Confederation of Principals

by William J. Grobe and Douglas McCall

Introduction

In recent years, governments worldwide have increased their use of standardized tests and other forms of external tests to measure and report on student achievement in selected academic subjects. That trend, responding to public pressure on decision-makers to make school systems more transparent and accountable, is often colored by criticisms of the effectiveness of public schooling (Beldon, Russonello, and Stewart 1998).

Schools and school districts often publish the results of such large-scale tests with little apparent regard for their limited use in improving student performance and system monitoring (Bartley and Lawson 1999). Such tests are often not situated within a coherent policy and accountability framework based on learning and overall assessment of student achievement. In addition, the results of the tests are often not correlated or analyzed by context, student and family characteristics, or other factors that determine school or student success (CISA 2001). The tests often provide no information that helps students and educators improve their practices. Moreover, invalid uses of large-scale testing have been exacerbated by the news media, narrowly focused interest groups, and elected officials (CASA 1995b).

This paper has been prepared because school-based administrators are increasingly concerned that current policies and practices on student testing are causing negative consequences (CASA 1995a). They include

- unfair and invalid assessment of student, school, and system achievement
- a secretive or unintended shift of priorities to focus on a narrow range of student knowledge and literacy-numeracy skills despite the continuing stated and unstated pressures on schools to achieve broad mandates related to other knowledge, vocational preparation, and social development
- ill-informed and nonproductive public debates about schooling that are based on single test results and rankings without obviously required contextual information that is readily available
- few decisions that lead to reallocated or increased resources

Indeed, school leaders report that already some schools are returning to “teaching to the test” and other poor pedagogical practices (Elmore 2002). A recent study in the United States (Amrein and Berliner 2002) shows several unintended consequences emerging from the over-use of large-scale tests. For example, extensive high-stakes testing correlated with declines in results on other standardized tests that have been developed with higher degrees of objectivity, such as the SAT.

School leaders around the world believe that many current student testing policies and related accountability practices contain flaws that detract from our primary goal of improving schools (AASA n.d.). The apparent preoccupation of many jurisdictions with providing comparative statistics on a narrow range of student abilities presents an incomplete and misleading picture to the public. Although our organization, the International Confederation of Principals (ICP), does not reject out of hand the need for culminating, comprehensive experiences that assess academic achievement, we believe that school leaders must, however, differentiate between examinations set by governmental agencies that have a political purpose of their own and those created by educators to substantiate growth. To that end, the ICP recommends that *testing should be based on what we know about learning*. (See “Learning Principles” sidebar, p. 134.)

Promoting children’s learning is a principal aim of schools. Assessment lies at the heart of this process. It can provide a framework in which educational objectives may be set and pupils’ progress charted and expressed. It can yield a basis for planning the next steps in response to children’s needs. . . . [I]t

should be an integral part of the educational process, continually providing both “feedback” and “feed-forward.” It therefore needs to be incorporated systematically in teaching strategies and practices at all levels. (TGAT 1998)

[See “Principles of Assessment for Learning” sidebar, p. 139.]

Large-Scale Tests: Uses and Abuses

As reported by A. C. Porter (2002), many principals have expressed concern that large-scale tests, by measuring only the cognitive domain and often using only multiple-choice or limited-response questions, reduce the learning being measured to its lowest form and fail to reflect the wide range of skills, knowledge, and attitudes that schools are required to foster among students.

The narrow range of the tests likewise narrows the type of education being offered. Testing should reflect the broad goals of education, not learning in its lowest form and more than simple memorization skills within the cognitive domain. It should measure student cognition such as performing required procedures, communicating their understanding, and solving routine and non-routine problems. Testing should provide an opportunity for students to generalize, prove, and make educated conjectures about the content.

However, tests are often based on recently developed curricula, for which the intended learning outcomes have been poorly communicated. Teachers often have inadequate opportunities to learn the curricula and adapt their teaching practices. The content of the curricula required as the basis of the test is rarely reviewed and prioritized to ensure that the stated outcomes can be achieved within the time available for instruction. The learning outcomes for the curricula that will be tested are not always stated clearly and in measurable, specific terms.

Studies conducted in other jurisdictions indicate that large-scale testing can cause more qualified and experienced teachers to leave schools that repeatedly score low in the publicized rankings. Such schools often serve disadvantaged students or those with special needs, so those students are increasingly underserved by the public school system.

The purposes and rationale for examining the knowledge, attitudes, and skills that are to be measured by a test should be presented and discussed before developing a test. That rationale should explicitly describe the purposes of the test, how it will help students, teachers, and parents to improve learning, and how the results will be used in decision-making. The rationale should also describe in detail the consultative processes and independent expert reviews that will be used to develop, implement, interpret, and announce the results of the tests. The tests used by education authorities should be developed, administered,

Learning Principles

1. Learning needs to be activity-based.
2. Learning needs to include cooperative learning opportunities.
3. Learning is dependent on situations that are meaningful to the child.
4. Learning needs to address attitudes and values.
5. Learning needs to encompass the use of literature.
6. Learning needs to develop critical thinking skills.
7. Learning is affected by developmental stages.
8. Learning is affected by evaluation strategies.
9. Learning is dependent on developing communication skills.
10. Learning is reinforced through integrated experiences.
11. Learning needs to be promoted without gender bias.

scored, interpreted, reported, and acted upon in explicitly defensible ways that are based on solid research evidence (ETS n.d.).

A clear distinction between tests used for accountability and monitoring purposes and those used for the improvement of student learning is not always maintained. For example, state- or province-wide tests involving all students are unnecessary if the purpose is to monitor program effectiveness. A random sample of students would suffice. Because of the number of students, the marking of such tests often takes months and feedback is provided several months after the test, making such tests meaningless to students, teachers, and parents. Further, the participation of disadvantaged groups, which typically are defined in terms of cultural differences, disabilities, language, access to community and family resources, etc., is typically not sufficiently taken in to account in the preparation, delivery, and interpretation of the test.

In addition, the administration and interpretation of the tests should respect well-defined professional practices and standards (CPA 1996).

Educators are finding that large-scale testing is placing a disproportionate burden on schools, and that the balance between program development and program evaluation is not being maintained. For example, one jurisdiction is spending one dollar per pupil on curriculum development while spending three dollars per pupil on large-scale student testing.

Large-scale tests developed by governments are often not reviewed by independent experts and others who reflect the diversity of the test takers, parents, educators, and other constituencies involved with the curricula, program, and schools. The results are often announced and prematurely presented to the public as being reliable. The research indicates that such tests require a minimum of three years' use before they should be considered reliable. Nor are large-scale tests often subjected to scrutiny through independent surveys to determine if they are considered credible by representative samples of teachers, parents, and students.

Often estimates of reliability and standard errors of measurement for the tests are not well understood by the news media and the public, leading to misinterpretation and false claims. Confidence intervals should be provided as well as the procedures used to obtain samples, and the nature of the populations being studied should be described. Those concepts and cautions should be clearly articulated in all written documents, emphasized in all announcements, and explained clearly at every opportunity to parents, teachers, and the news media.

Baselines and benchmarks (interpretations of "high" standards and levels) are often undertaken after the test is completed, and some reports indicate that education authorities have sometimes manipulated such standards after the test results are compiled. To prevent such abuses, benchmarks, or standards for achievement, should be based on scientific, published evidence that they are achievable and that achieving those benchmarks will have a long-term impact on outcomes later in the student's life and career. Data sets and tables should be freely available to qualified independent researchers so that they can conduct secondary analyses of the data without interference or control by education authorities or governments.

Yet other abuses of large-scale testing abound. For instance, the reported results of large-scale tests often ignore the number of times the participating students have taken such tests. For example, students in Alberta province are often among the highest scorers on international and national tests. The students in Alberta are also the students who most often take such tests. Similarly, students in Asian countries are tested more often than students in other countries because they tend to score well in large-scale tests.

In another variation, results of tests are often released without prior knowledge and consultations with the key stakeholders. That practice

often leads to public debates and widely varying interpretation of the results, sowing confusion among parents and the public. The lack of a protocol and process enables interest groups to interpret the data from anomalous perspectives. Although all forms of debate and analysis are welcome, it behooves the leaders and decision makers within the system to analyze jointly the results with a view to identifying common interpretations and plans of action to improve the results and learning process.

Often the results of one test are equated with similar tests, with earlier versions of the test, or with similar tests at different grade levels or ages. That practice is inappropriate unless such comparisons have been specifically planned in the development of the test. Often, such comparisons employ “item response theory” and are therefore the product of arcane mathematical and statistical interpretations. In effect, apples are compared to oranges and the results the test suggests are of no value.

Media treatment of the test most often adds to the confusion. News media representatives are often not fully briefed about the interpretation of the results and meetings are often held without media editorial staff to explain the results.

Most large-scale tests currently in use do not measure a variety of forms of intelligence and learning styles (Rudner and Plake 1989). Instead of covering all required subjects and courses, they examine only a selected few subjects. Testing and publishing test results create pressure on schools to focus on the tested subjects, to the possible neglect of many subjects currently accepted as part of a well-rounded, required school curriculum. If subjects—from literature, math, science, and history to family studies, physical education, computer skills, career education, and the arts—are less important than literacy, numeracy, and the ability to reason, they should be declared non-compulsory (Gordon 2002).



A Fair Assessment: Assessment *for* Learning

Testing should respect principles of fair assessment. Not only should assessment and evaluation be continuous, but they should be an integral part of the teaching-learning process as well. Assessment and evaluation should also take into account a child's learning profile (defined as including the child's cognitive, affective, and psychomotor domains as well as development level and learning style), and they should be designed specifically to assess particular and clearly stated instructional goals, objectives, and educational outcomes.

Process skills as well as content knowledge should be assessed and evaluated. The methods used should be both valid and free from language, gender, cultural, and racial bias. Reading and writing should be viewed as processes during assessment and evaluation. Finally, students and their parents or guardians should be active participants in assessment and evaluation, and evaluation procedures and results should be fair and expressed to them in clear language.

Assessments *of* learning and assessments *for* learning are both important. We already have many assessments of learning in place; therefore, if we are to balance the two we must make a much larger investment in assessment for learning.

It is tempting to equate the idea of assessment for learning with our more common term "formative assessment," but they are not the same. Assessment for learning is about far more than testing more frequently or providing teachers with evidence so they can revise instruction, although those steps are part of it. In addition, educators now agree that assessment for learning must involve students in the process.

When teachers assess for learning, they use the classroom-assessment process and the continuous flow of information about student achievement that it provides in order to advance, not merely check on, student learning (Cimbriez 2002). To do so, teachers undertake several steps:

1. understand and articulate the achievement targets that their students are to hit;
2. inform their students about those goals, in terms that students understand, from the beginning of the teaching and learning process;
3. transform their expectations into assessment exercises and scoring procedures that accurately reflect student achievement;
4. use classroom assessments to build students' confidence in themselves as learners and help them take responsibility for their own learning, in order to lay a foundation for lifelong learning;
5. translate classroom assessment results into frequent, descriptive (as opposed to judgmental) insights to help students improve;

6. continuously adjust instruction based on the results of classroom assessments;
7. engage students in regular self-assessment, with standards held constant so that students can watch themselves grow over time and thus feel in charge of their own success; and
8. actively involve students in communicating with their teachers and their families about their achievement status and improvement.

As it plays out in the classroom, the effect of assessment for learning is that students keep learning and remain confident that they can continue to learn if they keep trying to learn. In other words, students don't give up in frustration or hopelessness.

Recommendations

Our school administrators have identified several actions that, if implemented, could alleviate the abuses associated with large-scale testing.

1. *There should be public decisions based on test results and other assessment results that involve the allocation or reallocation of human, administrative, and financial resources* (Bond 1995).
 - Remedial and support programs should be readily available for students who fail the test.
 - The specific test results should be reviewed in sufficient detail to make necessary adjustments in the specified learning outcomes, curricula, teaching and learning materials, program, school organization, and teaching practices.
 - A timetable for formal, public review and decision-making based on the results must be published when the test is being administered.
2. *The results of student tests should be compiled into comprehensive, contextual school or community profiles composed of data from a variety of sources and made available to educators and parents for planning purposes*

Such data could include the level of education, level of income, and first languages of people in the community. Descriptive and administrative data could include the number and nature of programs offered in the school covering several aspects of the school environment: e.g., the number and nature of students participating in extracurricular and community service activities; the qualifications of teachers assigned to teach the subjects or assignments; the number of parent volunteers; and the accessibility and service levels of student health, social service, youth, justice,

Principles of Assessment for Learning

- Principle 1: Assessment for learning should be part of effective planning of teaching and learning.
- Principle 2: Assessment for learning should focus on how students learn.
- Principle 3: Assessment for learning should be recognized as central to classroom practice.
- Principle 4: Assessment for learning should be regarded as a key professional skill for teachers.
- Principle 5: Assessment for learning should be sensitive and constructive because any assessment has an emotional impact.
- Principle 6: Assessment should take into account the importance of learner motivation.
- Principle 7: Assessment for learning should promote commitment to learning goals and a shared understanding of the criteria by which they are assessed.
- Principle 8: Learners should receive constructive guidance about how to improve.
- Principle 9: Assessment for learning should develop learners' capacity for self-assessment so that they can become reflective and self-managing.
- Principle 10: Assessment for learning should recognize the full range of achievements of all learners.

and employment workers from the community who are coordinated with the school programs.

The data should be grouped and accessible so that parents, educators, and others can make reasonable comparisons of their own schools' trends over several years with those of similar schools in other jurisdictions.

3. *The results of student tests should be included in an Indicators system that accurately monitors all the relevant factors that affect learning:*

School systems should benefit from well-developed and -implemented Indicators or reporting systems (Lashway 2001). Unfortunately, Indicators systems have been badly misused by education authorities. Serious errors and invalid uses of Indicators include:

- monitoring only student outputs and not reporting on context (student characteristics), inputs (financial and human resources), processes (program status and implementation), and long-term outcomes (relevance to post-graduation life and career achievement)
- poor consultation procedures
- reluctance to publish results by province or state unless the authorities control the data and the reporting mechanism

The International Confederation of Principals suggests that to implement these principles and practices, testing for monitoring and accountability purposes should be clearly separated from testing for student improvement and progress. For example, to monitor the effectiveness of a system or program, it is neither necessary nor cost effective to test all students when a random sample can provide the same information.

We also recommend that the learning outcomes of all curricula should be achievable, and consensus-seeking during the curriculum development process should not result in inflated or unachievable outcomes. We must ensure that all learning outcomes within curricula be stated clearly and ensure that stated learning outcomes are based on scientific evidence wherever available.

Educators should have access to the means to create authentic alternative assessment tools such as scoring rubrics, student portfolios, and locally developed tests and quizzes. We must ensure that secondary analyses of the large-scale tests are undertaken to measure the impact of factors such as socioeconomic status, family and student characteristics, community resources, and program resources such as school facilities, equipment, teacher qualifications, and school organization. At least three years of test development and piloting should elapse before test results are announced and before they are considered reliable.

In addition, independent confirmation and evidence are needed to determine that current tests are not biased for certain groups of students or toward certain learning styles. We must also seek independent confirmation that current tests are appropriate for their stated purposes and

that the results lead to meaningful analysis, policy-making, program development, and professional development. Independent assessors should validate large-scale tests to ensure that they meet the standards defined by professional authorities and experts. Independent confirmation should also establish that such tests are not leading to unintended consequences such as “teaching to the test.”

Schools need the means to collect, analyze, and monitor local community, student, and program data so that comprehensive profiles of school communities can be created, monitored, and used in school planning and coordination with other agencies. Schools should use technology to access and analyze their own data.

Schools should consult stakeholders on how the results of large-scale tests should be released to the public and, in consultation with stakeholders, define a transparent process for the review, analysis, and joint interpretation of the results of large-scale tests. That process should note when and how decisions based on the results will be made. Orientation sessions for journalists held before the release of such data will help ensure that they are aware of the science underlying appropriate interpretations of the data from large-scale tests.

Finally, schools should provide independent experts with easy access to conduct secondary analyses of the results of large-scale tests. Data-collection procedures for international, national, and state or provincial tests and surveys should be consolidated so that the response burden on schools is reduced.

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NCLB and High-Stakes Accountability: A Cure? Or a Symptom of the Disease?

by *William J. Mathis*

The fetchingly titled No Child Left Behind (NCLB) act resonates for a distracted populace accustomed to glancing at news-lite. With NCLB, politicians can promise simplistic solutions for a hurried, overscheduled people while government simultaneously cuts taxes.

Our nation is becoming a country of individual interests disengaged from civic, community, and social activities, as Robert Putnam documented in his richly researched *Bowling Alone*.¹ If good health, well-being, democracy, and richness in human relations are our goals, then No Child Left Behind is not the solution but a frenetic and malignant manifestation of the syndrome Putnam has observed. Children will be tested, a cloud of scores generated, and schools punished through a statistical process as alien as an IRS audit.

Parents, provided no incentive for involvement in the community school, are to use public funds to buy “supplemental” services or vouchers. The system will encourage low-performing students to drop out of school rather become productive and contributing citizens of their society. NCLB’s ratings numbers lend themselves to superficial media coverage. All in all, the NCLB framework attempts to transform what must be a community enterprise into a market commodity.

John Dewey postulated that the goal of education is a democratic society. Certainly skills for economic development and work-force productivity are essential. However, the national labor statistics tell us that in our technological age, 60 percent of the jobs require on-the-job training, 20 percent require higher education, and 10 percent require technical training.² With SAT math scores at a thirty-six-year high and a record number of students taking the test, National Assessment scores high and steady for the past twenty years, and dropouts at an all-time low, our education system more than meets labor-force projections. Focusing strictly on test scores appears to define the wrong problem.³

Elsewhere in this issue, Lowell Rose has demonstrated the negative effects NCLB's standards-based elements will have on schools, communities, and society at large: that is, the law's explicit requirements that disproportionately measure schools by standardized test results and mete out successively more draconian penalties if a school or district fails to make "Adequate Yearly Progress" (AYP) in test score increases.

Quite simply, NCLB cannot successfully reform American education. If it could, ours would not be an education system Americans would want. The Fall 2003 Gallup Poll tells us that 83 percent of the population does *not* believe reading and math scores validly measure a school; 80 percent are concerned that art, music, history, and other subjects will be given short shrift if they are deemphasized. In choosing between the NCLB punishments and investing in the community school, 74 percent said we should help students in their present schools rather than siphon funding from needy schools and give it to outside vendors or voucher schools.⁴

The Nine Fallacies of Standards-Based AYP

Here's why the standards and Adequate Yearly Progress system cannot work:

I. Statistical Impossibility

Although NCLB uses the phrase "scientifically based" 111 times, no conceivable scientific foundation can allow 100 percent of the students to achieve the same high standard—in twelve years, no less. In common parlance, a "high" standard is considered high because few people achieve it. If everybody achieved it, it would be a low standard.

Considerable evidence says that NCLB will punish increasing numbers of schools for inadequate AYP—not because the schools are failing, but because it will prove mathematically impossible to make the grade.⁵ Rose amply demonstrates the absurdity of such systems by showing that in time virtually every Indiana school district will fail. In 2003, Florida Gov. Jeb Bush said that 87 percent of his state's schools did not meet the Adequate Yearly Progress goals. *Education Week* reported that in 2003 57 percent of Delaware's students failed to achieve AYP.⁶

Obviously, even the highest-performing schools may eventually find they cannot ensure that every student will reach a high standard. As states have begun releasing lists of schools that did not make AYP, even long-term standards supporters such as the National Business Roundtable have cautioned against the lists' lack of credibility.

II. *Setting the Bar High*

Typically, standards are set by a committee of outside subject-matter professionals and teachers in the field. Using a structured professional consensus model, they decide what the standards should be. In other words, a committee of people with a vested interest gets together and decides how high is “high.” Not surprisingly, they generally conclude that “high” is fairly high. To illustrate, let’s say that we gather a group of top-ranked collegiate high-jumpers to define high-jumping standards. Inasmuch as they all jump higher than six feet, they set the bar at a “low” level of 4½ feet—a standard that would flunk 95 percent of the nation’s population, even after extensive systematic training and drill. Applying the philosophy of NCLB, we would conclude that clearly, our schools have failed to teach high-jumping.

*NCLB cannot successfully reform American education.
If it could, ours would not be an education system
Americans would want.*

Science standards, for instance, are typically set by a group of scientists and science teachers. Not surprisingly, they have a different and higher set of expectations for science than does the so-called person on the street. Such single subject-matter standards ignore the very different levels of science knowledge that people need based on their jobs and personal interests. Besides being too high, such standards are unlikely to have practical value even if they *are* achieved. Most of us were taught Boyle’s law but few of us remember it when we check the tire pressure in our cars. For many, it is simply irrelevant.

III. *Alignment: The Illusion That Tests Measure the Standards*

The third fallacy of standards-based AYP arises because state standards are often quite broad, but tests have to be narrow because of time and measurement constraints. The assumption used to finesse the discrepancy is termed “alignment.” Test makers, test administrators, and states claim that their tests are “aligned” with the standards.

Alignment usually means only that the tests are not grossly incompatible with the standards. It does not mean that they comprehensively, validly, and reliably measure the performance for which the standards were set. In social studies, does the test emphasize civics or does it focus on history? What about tests in psychology and political science?

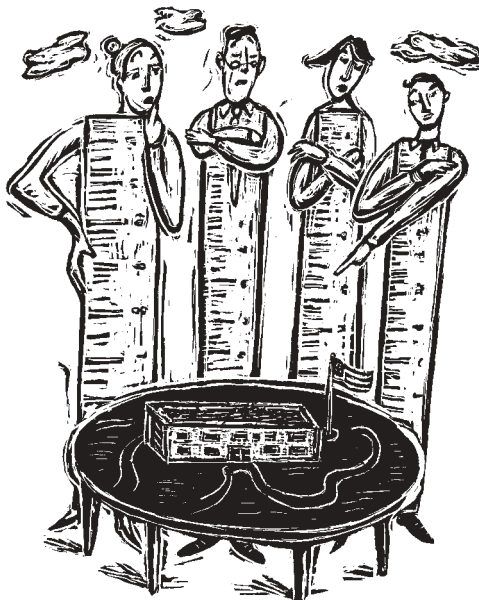
The breadth of a particular field prevents measuring overall performance in any practical fashion. In science, such fields as astronomy, chemistry, oceanography, physics, or biology are just too vast to have a test that faithfully represents the subject-matter content. Even in basic

math, proficiency in algebra does not necessarily translate into proficiency in geometry.

Test makers circumvent such difficulties by assuming that knowledge in a field is vertical and hierarchal (the “latent trait” assumption). Likewise, they seek to test “higher order” skills that are assumed to encompass lower levels of knowledge. As logically appealing as those premises appear, there is precious little evidence that such relationships exist, particularly above the elementary grades.

To their credit, test makers have become increasingly concerned about “alignment” and have more rigorously followed guidelines such as those promulgated by the American Educational Research Association.⁷ Nevertheless, the inherent incompatibility of the vast breadth and depth of required knowledge and the limitations of testing makes that an impossible task.

Even if tests were truly aligned with standards, the inherent shortcomings of testing can confound the results. School scores are erratic from one cohort of students to another, and as the number of students tested decreases, the scores become even more erratic. Kane and Staiger calculated that 70 percent of the difference in test scores between the fourth grade this year and the fourth grade next year is due to testing error and cohort effects rather than to changes in student learning.⁸ The result is that the tests simply do not validly measure performance relative to state standards.



IV. The Superman Assumption: Schools Can Do It All

The fourth fallacy of standards-based AYP is that it assumes that schools can do things they demonstrably cannot do. It presupposes that schools are solely responsible and perfectly capable of remedying substandard academic performance for all children regardless of nonsupportive homes, lack of student motivation, and varying academic ability levels.

It took a strange combination of interests for that unrealistic assumption to become welded into federal law: reformers who wanted to improve urban schools; people frustrated with bureaucracy; conservative reformers who wanted to privatize public school functions; and educators, driven by their idealism and belief that they could reform the world if given the chance.

A recent deluge of programs and workshops such as “Zap the Gap” and “Fifty Ways to Close the Achievement Gap” has promised “cutting edge” methods to meet NCLB requirements. As valuable as such programs may be, there is no evidence that they will be panaceas. In fact, they may simply offer false hopes and contribute to making promises that cannot be honored. The applicable research base is controversial and subject to partisan analysis and interpretation, but few responsible scholars say the schools can singlehandedly ensure that all children can reach a high (or even moderate) standard.

V. They All Don't Start from the Same Place

The fifth fallacy of standards-based AYP lies in its failure to recognize the need for schools to cope with differences in personal capital and a widespread lack of social capital. Each student brings a certain amount of personal capital to the school. As any teacher will testify, children have different abilities and attributes—only one of which is demonstrated on any given test.

Each student also brings a certain amount of social capital to the school, that is, parents' educational level, the value the family places on education, the student's socioeconomic environment, the effects of peer groups, and similar assets and liabilities. Certainly the school can do wonders in many cases, and the success stories are the stuff of American legend. But to expect all schools to bring all students to those high standards despite huge variations in social and personal capital is to ask for more than schools can realistically provide.

In the rush for better teaching and curriculum development, what often gets ignored are programs designed to offset the often overwhelming effects of undereducated parents, poverty, cultural deprivation, poor nutrition, and substandard medical care. The Organisation for Economic Co-operation and Development (OECD) ranks the United

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States twenty-second of twenty-five industrialized nations in education equality. Educators and society, with a great deal of political disagreement, have ambivalently and reluctantly edged around that problem. However, since 1999, thirteen major state studies have addressed the cost of providing an adequate standards-based education to all children. With surprising uniformity given the different methods, locations, and authors, those studies show that we need to spend twice as much money on “at risk” children as we do for other children. The overall price tag of those compensatory programs would increase school budgets between 20 and 35 percent.⁹ That would mean early education programs, individualized instruction, after-school programs, home-school coordinators, smaller class sizes, smaller school sizes, and a number of like programs. With a current federal budget deficit of historic proportions and state budgets in deficit as well, it is doubtful that funds will be appropriated for those purposes.

Some would argue that NCLB’s purpose is to erase exactly those divisions across ethnic and wealth lines that result from differences in social capital. But the lack of funding and political support for those essential programs puts the high-sounding NCLB promises somewhere over the rainbow. Inadequately funded laws of narrow academic purpose such as NCLB magnify, rather than diminish, the socioeconomic disparities that constitute the paramount challenge to effective education for a democratic society.¹⁰

VI. Steady Progress

Progress must be steady: fallacy number six of standards-based AYP. As Rose points out, steady progress toward a test-score goal is unrealistic, and assuming that it is can create paradoxical outcomes. Massachusetts has faced the embarrassment of one year’s award-winning schools taking a dive the following year; other states simultaneously report schools as being honored with awards and also sentenced to “technical assistance” for failing to make AYP; North Carolina’s T. C. Berrien School, hailed as a success story on the state’s parallel accountability program, failed to make AYP under NCLB.¹¹

State plans submitted to the federal government under NCLB use one of three projected scenarios to meet the required increases in test scores. One is steady annual progress; another is a plan for stairstep growth based on multiyear plans; and a third has been labeled the “balloon payment,” in which small increases in early years are followed by great increases in later years.¹² Unfortunately, no research basis exists for any of those schemes.

The balloon-payment scenario has the advantage of delaying mass failure of a state’s schools until after NCLB comes up for reauthorization

in 2007—perhaps the law will be changed at that time and catastrophe avoided—but that’s about the appearance of satisfying bureaucratic requirements, not improving school performance, much less student performance.

VII. Penalties Will Be Concentrated among the Poor and the Diverse

An unfair concentration of penalties reflects fallacy number seven of standards-based AYP: the implicit assumption that the playing field is level and penalties will be incurred as the result of poor performance independent of any other differences among schools. But the penalties will not be applied to the more affluent schools. For forty-six states, the most severe sanctions of diverting money to outside vendors, vouchers, and forced reorganization apply only to schools that receive Title I money, i.e., schools that are sufficiently poor and deprived to be eligible for that federal money.¹³ Ethnically diverse schools will be declared failures even faster than poor schools. As Rose points out, any ethnic, special education, or language breakout that fails to make adequate yearly progress will get the whole school labeled a failure. The very schools that already receive the smallest funding in relation to their needs will suffer the most.

The important question is not how NCLB will or will not be brought into conformity with reality, but how we should transform American education in the aftermath.

As noted, federal and state governments are unlikely to provide adequate funds for improving such schools. Even the much-touted voucher options will, in many cases, have little effect because students have choices only within the same poor-performing school district.

VIII. Funding Inadequacies

U.S. Secretary of Education Rod Paige, who often speaks of NCLB’s “historic” investments in compensatory education, thus highlights fallacy number eight of standards-based AYP. In the sense of total dollar appropriations, Paige’s assertion is correct; however, the federal administration’s promised \$18 billion has been reduced by one-third, to \$12 billion. As a percentage of total school spending, the federal compensatory appropriation is a mere 4 percent.

Compared to needs, \$12 billion does not go far toward paying the NCLB’s added costs, estimated at between \$84 billion and \$148 billion.¹⁴ At the same time NCLB was being signed into law, the Education Trust reported that high-poverty districts spend 23 percent less than low-poverty districts across the nation.¹⁵ It is doubtful that the schools with the greatest financial needs and program costs will receive the funds required to meet the mandates.

IX. Would a Single Curriculum Be Wise?

The ninth fallacy of standards-based AYP is its goal of measuring all students on the same narrow cognitive tests. The curriculum required to aim at this unattainable goal would bode ill for the nation's future creativity, imagination, well-being, and economic productivity. Placing our educational emphasis on tests that primarily measure socioeconomic level is a model we can safely predict will not be appropriate for a rapidly changing twenty-first century.

We can expect even faster change in the twenty-first century than in the tumultuous twentieth. We cannot forecast what the most essential skills and knowledge will be, but it seems unlikely that restricting ourselves to a narrow, linear view of knowledge will give future generations the knowledge or the cultural capital that will sustain them in an unknown world.

Conclusions

Flawed as the NCLB is, it was supported by a coalition of political forces that benefited from the law—among them the media, pundits, politicians of both parties, market-model ideologues, conservatives, libertarians, the private school industry, entrepreneurial school superintendents, test makers, and an affluent middle class.¹⁶

It is easy to predict that NCLB will fail for the very simple reason that it cannot succeed, but in politics strange transformations take place. Even the political forces that aligned to create NCLB are growing aware of the law's shortcomings and the unpopularity of many of the act's provisions. Even though hard-liners say "no amendments," we can reasonably expect to see the law repealed or transformed amid considerable political tacking and spinning. The important question is not how NCLB will or will not be brought into conformity with reality, but how we should transform American education in the aftermath.

Standardized tests are an essential part of the school equation today. Properly used, tests can measure improvement over time, inform the public, and tell us what portions of our population may not be receiving a good education. What we must not permit is the abuse of test results in high-stakes, standards-based accountability programs. Certainly we should not allow test scores to punish those who were denied equal or adequate resources in the first place.

As any person, student or adult, who has spent time in a school can testify, people do not evaluate schools by computer printouts of test scores. The value and meaning of a school lies in the quality of the experiences of the people who go there. That means we must measure schools as part of what they contribute to their students and their communities, and we must measure communities and societies by what they

give to their students and their schools. That means we must value civic engagement, social responsibility, voting, and peer leadership as much as test scores.

Accountability systems mean little if our children are unhealthy, unsafe, die young, make inadequate livings as adults, or cannot in general improve their lot in life. We must look at unemployment rates, crime rates, and even the numbers of musicians and artists we develop and employ (and yes, appropriate standardized test scores).

Locally elected school boards and school councils (not boards at distant county seats or state capitals) closely monitoring the life of schools, coupled with unbiased, outside professional reviews, have an admirable record of success. If we centralize, consolidate, and nationalize our school system, we will narrow the vital purposes of education and advance the separation of the school from the people and their community.

Rather than a solution to our problems, NCLB is the manifestation of a society that has lost its sense of community and purpose. Instead of passively complying with a law that further alienates individuals from their society, we must refocus our laws to include the societal and democratic purposes of education. We must remind people that an essential purpose of schools is to prepare good citizens who practice civic virtues; to develop a caring generation that looks to the needs of others and the health of its communities, towns, and cities—indeed, of the nation and the world. That requires us to realize that our hope for the future lies in the encouragement of the unlimited cornucopia of intelligences, skills, and attributes that lie in our young people. To paraphrase Dewey, the task requires us to educate and train a new generation of people who will leave their world a better place than they found it.

Notes

1. Robert D. Putnam, *Bowling Alone* (New York: Simon and Schuster, 2000), 287–335. After carefully calculating a social capital score and ranking each state, Putnam found that states with populations most involved in church, business, political, volunteer, or social club activities had the most positive measures of performance: effective schools, safe neighborhoods, children's welfare, healthy economies, longevity, low television watching, and strong democratic traditions.
2. D. E. Hecker, "Occupational Employment Projections to 2010," *Monthly Labor Review* (U.S. Department of Labor, 2001).
3. "SAT Verbal and Math Scores Up Significantly as a Record-breaking Number of Students Take the Test." College Board Report, N0218 <www.collegeboard.com>. National Center for Education Statistics, National Assessment of Educational Progress (NAEP), *1999 Long Term Trends*.
4. See, for example, the 35th Phi Delta Kappa/Gallup Poll on education, September 2003 results on curriculum, testing, and NCLB.
5. David Figlio, "Aggregation and Accountability: Will No Child Truly Be Left

Behind?" Fordham Foundation, Washington, D.C., 13 February 2002; Thomas J. Kane and Douglas O. Staiger, "Volatility in School Test Scores: Implications for School-Based Accountability Systems." Unpublished paper, Hoover Institute, Stanford University, Palo Alto, Calif., April 2001; and Walt Haney, "Lake Woebeguaranteed: Misuse of Test Scores in Massachusetts, Part I," *Education Policy Analysis Archives* 10:6, May 2002.

6. Erik W. Robelin, "State Reports on Progress Vary Widely," *Education Week*, September 3, 2003.

<http://www.edweek.org/ew/ew_printstory.cfm?slug=01ayp.h23>.

7. "Standards and Tests: Keeping them Aligned," *Research Points* 1:1, Spring 2003. American Educational Research Association.

8. Kane and Staiger, "Volatility in School Test Scores."

9. William J. Mathis, "No Child Left Behind: Costs and Benefits," *Phi Delta Kappan* 84:9, May 2003: 679–687. Since the publication of this paper, new studies have been conducted in Kentucky, Arkansas, and North Dakota. The results of this new work are consistent with the original findings.

10. Craig D. Jerald, *Education Trust*, August 9, 2002; and *A League Table of Educational Disadvantage in Rich Nations* (Florence: UNICEF Innocenti Research Centre, Innocenti Report Cards, No. 4, November 2002). See also Putnam, *Bowling Alone*.

11. Michael Winerup, *New York Times*, September 3, 2003.

12. Lynn Olson, "Approved Is Relative Term for Education Department," *Education Week* 22:43, August 6, 2003, 34–35.

13. Ibid.

14. "The Other Gap: Poor Students Receive Fewer Dollars," *Education Trust Data Bulletin*, March 6, 2001.

15. Mathis, "No Child Left Behind."

16. Ellen Brantlinger, "An Application of Gramsci's 'Who Benefits' to High Stakes Testing." Paper presented at the 2003 American Educational Research Association Annual Meeting, Chicago, April 2003.

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Will Students with Disabilities Be Scapegoats for School Failures?

*by Drew Allbritten, Richard Mainzer,
and Deborah Ziegler*

In 1975, P.L. 94-142, now known as the Individuals with Disabilities Education Act (IDEA), moved the special education debate from segregated programs that excluded students from access to schools and classrooms to more inclusion (also known as “mainstreaming”) with higher expectations.

In general, special educators have viewed IDEA as a special education law that the wider education community at best tolerates. Special educators know how often discussions end with “because IDEA requires it” rather than recognition of an opportunity for special students to excel. Unfortunately, parents who are veterans of the special education process also know the gap between what IDEA requires and what local school systems will actually tolerate.

Even though the No Child Left Behind Act (NCLB) of 2002 is primarily a law for students in regular education, it also constitutes a federal commitment that students with disabilities will receive genuine access to the general education curriculum. Its promise that students with disabilities will achieve at the same levels as other students is momentous for disabled students. Schools and school districts are to be held directly accountable for the learning progress of all students, explicitly including students with disabilities. NCLB mandates that schools include all students with disabilities, as well as students in the general education curriculum, in an assessment and accountability system. The law also requires schools to report the learning progress of students with disabilities each year separately from that of other students. NCLB refers to the minimum acceptable increase in performance measures as adequate yearly progress (AYP).

Although special educators welcome the federal government’s commitment to include all students in assessment and accountability sys-

tems, the commitment has numerous presumably unintended consequences. Moreover, the federal commitment depends on several factors, each of which must be well grounded in scientific and pragmatic knowledge. Few of them are. To the degree that NCLB has placed policy before knowledge, special educators, parents, and the public cannot have complete confidence in the law's promised outcome.

Measuring Adequate Yearly Progress (or Not)

Put simply, the AYP provision of NCLB requires school districts to demonstrate each year that students with disabilities are making progress toward proficiency in the general curriculum. The goal is laudable: ensuring that such students catch up with all other students within twelve years. As momentous as that promise seems, though, the structure of NCLB's mandated performance will likely force school-accountability systems to subject students to unreasonable high-stakes threats—e.g., having to pass an exam to move from one grade to the next or to earn a high school diploma.

When states use such combined student- and school-accountability systems, ultimately requiring every student to achieve the same high standard, one likely result is disproportionately high dropout rates among at-risk students, particularly those with disabilities. A persuasive case can also be made that pre-test to post-test improvement or growth scores, which are widely used for measuring the learning progress of students with disabilities, are more appropriate for both general curriculum students and students with disabilities than are single-standard tests. All such information should be incorporated into AYP to render it a more accurate performance-based measure.

In a perfect world, students with disabilities would be tested at the grade level of their age mates. In the real world, however, such testing is not necessarily appropriate. In fact, most students with disabilities have received inadequate local school support and services for success at grade level, even if the severity of their disabilities doesn't preclude grade-level success. And even for regular education students, parents and teachers may have chosen to focus limited time and resources on equally important learning outcomes that are not measured by grade-level testing. In those situations grade-level testing does not accurately reflect student progress and achievement.

Accurate and Fair Accountability System (or the Lack Thereof)

Special education professionals collectively embrace educational accountability to ensure the highest possible academic outcomes for students with disabilities. However, the commitment of NCLB assumes that

existing assessment systems are reliable and valid, when in fact current systems are neither reliable nor valid. For example, NCLB requires identifying students with disabilities who need alternate assessments, and the federal government has issued guidance stating that only an arbitrary one percent of students should need alternate assessments based on alternate achievement standards. In fact, the number of students with disabilities who will require alternate assessments based on alternate achievement standards is not known. Furthermore, the technology to identify every student with a disability who will need alternate assessments based on alternate achievement standards does not currently exist.

States are currently developing several different models for determining how many students need alternate assessments. The systems vary qualitatively, depending on how they are conceived and how they fit within a state's general assessment system. Because the numbers of students identified also vary widely, it is premature to claim any progress in establishing the validity and reliability of measures of the learning progress of students with disabilities. It is also significant that states have been slow to adopt procedures for including students with disabilities in



meaningful assessment systems. Given that six years later, many states have yet to implement fully the alternate assessment provisions from IDEA in 1997, it is clear that the field of special education is still just coming to grips with the issues surrounding alternate assessments.

How can AYP be accurately measured when the factors that determine AYP are not research based? That question so far remains unanswered, not only for the alternative assessments of special education but for the standardized assessments of general curriculum students as well.

Inconsistent Nomenclature

To complicate matters further for special education students, the NCLB rule allows states to define which students have the most significant cognitive disabilities. IDEA requires the Individualized Education Program (IEP) team to make the decision about which students qualify for the alternate assessment.

In a perfect world, students with disabilities would be tested at the grade level of their age mates. In the real world, however, such testing is not necessarily appropriate.

There is a potentially crippling inconsistency between the individual determination in IDEA and the limiting qualification contained in the state determination of the most significant cognitive disability. IEP teams will determine that alternate assessment is appropriate for students with mild mental retardation whose other disabilities make an alternate assessment most appropriate and who do not meet the state-determined criteria. Even more disruptive, allowing states to develop definitions and eligibility criteria for alternate assessments based on alternate achievement standards is not consistent with existing professional terminology and definitions, which will complicate data collection and analysis at a time when accurate research evidence is sorely needed. As NCLB is currently written, the new term “students with the most significant cognitive disabilities” and the one percent cap for the participation of students in alternate assessments based on alternate assessment standards and resultant AYP calculations may undermine the long-established IDEA policy of individualization within the context of the IEP development process.

Special educators support a single, statewide accountability system consistent with NCLB for all states. Through the Council for Exceptional Children (CEC), they support requiring states to include within their accountability systems a set of guidelines for identifying the students with disabilities who need alternate assessments, as well as a requirement that states specifically report the number of students with disabilities who take alternate assessments. However, even with those elements

of accountability in place, the performance of students who need alternate assessments based on alternate achievement standards, but who may not meet the state criteria for the “most significant cognitive disabilities” requirements, could be excluded or inaccurately weighted in school-related AYP calculations and in overall school district accountability determinations. That result would work to the detriment of the student, the school, and the school district, and there is reason to expect that if it happens, schools and school districts will shift as many of the consequences as they can from themselves to the students.

The Legacy of Being Perceived as a Burden

Despite IDEA’s guarantees (e.g., free, appropriate public education [FAPE], due process protections, state and federal monitoring, and strong parental advocacy guarantees), too many school boards, administrators, principals, and teachers continue to devalue the unrealized potential of students with disabilities. Even without NCLB, special education advocates have had to fight for “inclusion,” access to the general curriculum, and meaningful transition to adult life.

Too many school boards, administrators, principals, and teachers continue to devalue the unrealized potential of students with disabilities.

NCLB virtually guarantees that the presence of special education students in a school will contribute to the school’s failure to make AYP. That danger, combined with the additional cost of implementing the one percent cap and the “students with the most significant cognitive disabilities” designation, could increase the already existing anti-special education bias. Because improved federal policies have not changed attitudes at the state and local levels, special educators remain concerned that the alternate-assessment cap based on alternative achievement standards may become a way to avoid appropriate AYP accountability. As long as providing services to special education students is perceived as a burden, school-level AYP for students with disabilities is likely to be a “damned if you do, damned if you don’t” proposition.

Beyond AYP

Beyond the assessment system and the calculation of AYP are a number of other significant issues that directly impact the inclusion of students with disabilities in state AYP-related accountability systems.

Quality Teachers. Recent research has documented what educators and parents have long known: that children learn most and best from well-qualified, caring, and competent professional educators. However, in special education alone there is currently a shortage of at

least 40,000 qualified special educators, and those shortages are greatest in the districts with the highest poverty rates. Those shortages have a direct impact on AYP, and NCLB is silent about how states and school districts are to recruit a sufficient number of caring and competent special educators.

The support for the only federally supported national center focusing on the issue has just been reduced to \$500,000 a year, which translates to a meager \$10,000 per state. Such support will not permit states to guarantee that every student with a disability has a well-qualified and caring special education teacher. The funding levels make NCLB appear more concerned about state and local accountability systems than about securing the excellent teachers necessary to achieve improved student learning.

Federal and state government-required paperwork and overwhelming caseloads often make it difficult for special educators to use the strongest research-based practices. Such conditions are discouraging, and good teachers leave special education at almost twice the rate that other educators leave teaching in general. Because of the additional administrative burdens of defining breakouts and measuring AYP, NCLB is likely to exacerbate the teacher shortage in special education. NCLB requires public school teachers of core academic subjects to attain “highly qualified” status by the 2005–2006 school year. However, NCLB definitions do not include special education among core academic subjects, thus adding to the disincentives to entering the special education profession.

Limited Resources, Competition, and Resentment. Securing the resources needed to ensure that all students with disabilities reach proficiency on an achievement test will be challenging. To attain AYP, many students with disabilities are likely to require significantly more resources than are available today. But allocating extra resources to students with disabilities may well be perceived as taking resources away from other students, intensifying already existing negative attitudes toward special education.

In special education alone there is currently a shortage of at least 40,000 qualified special educators, and those shortages are greatest in the districts with the highest poverty rates.

Successfully implementing an appropriate assessment and accountability system that includes students with disabilities will require general education teachers, related service personnel, paraprofessionals, administrators, parents, and students to cooperate in planning, application, and evaluation. Even with the best of intentions, intensified competition for limited resources will surely test that collaboration as schools move toward accountability in reading and math. Collaboration

broke down in many previous IDEA-related instances, and the students with disabilities were the victims. That same victimization is already occurring in communities across America with the implementation of NCLB's AYP provisions.

As AYP is implemented, special educators and parents feel the press of competing outcomes. How should they apportion limited time and resources among continued remedial efforts, collaborative planning for accommodations within core general education curriculums, and intense instruction in cognitive learning strategies? If a school's students with disabilities cannot reach the proficiency level of their age mates, NCLB punishes the school and the school district. And because the reason for that failure is the lack of adequate resources to implement NCLB fully, NCLB's punishments in effect target economically depressed rural and urban school districts where the need for positive reinforcement is greatest. Will students with disabilities become the scapegoats for AYP?

Strong Research-Based Practice. NCLB also assumes that there are valid, reliable research-based instructional practices that can eradicate the learning deficits of students with disabilities, and that school districts have disseminated those practices to educators in ways that will support their use in classrooms. Once again, though, it is simply not the case. Public policy is again out in front of research-based practice. Research has revealed many strong practices, but in other significant areas there is scant research-based evidence for practices that ameliorate the learning deficits of students with disabilities. NCLB's assumption that sufficient research-based practices have been identified and integrated into the curriculum is without foundation.

Putting the Cart before the Horse. In mandating assessments founded upon rigorous research, NCLB draws attention to three frustrating realities: The federal What Works Clearinghouse, designed to find and endorse strong research-based practices, is in its first year at this writing and still in the process of establishing the procedures and criteria it will use. But AYP has moved right ahead. In fact, there is still a considerable scholarly conversation occurring concerning what exactly constitutes acceptable research-based interventions and practices in special education and, for that matter, in education in general. But AYP has moved right ahead. There is ample evidence that most teachers are not prepared to use strong research-based interventions even in those limited areas in which they are known. But AYP has moved right ahead.

Systemic Redesign of Our Schools. Perhaps the determining uncertainty affecting the success of NCLB is whether school districts will systemically change from normative hierarchical systems to practitioner-based, child-centered systems. For well over a century, U.S. school systems have been modeled on hierarchical-normative industrial organi-

zations. NCLB's mandate that all students reach an identical level of pre-determined quality within a constant time span is perhaps the best evidence available that the normative model still dominates federal policymaker thinking on public schools.

The "Henry Ford" model simply will not work for special education. Special education, as a non-normative child-centered system, was created more than eighty years ago in direct response to the general education normative system that sorted out students with disabilities who did not fit the normative curriculum. The very thesis of NCLB—that all students must reach a given level of learning in reading and math as measured by a standardized test—is antithetical to the thesis of special education that students with disabilities must be the center of the learning focus and instruction must be individualized according to each student's unique needs.

There has been scant coordination among policymakers to structure an interface between NCLB and IDEA. Consequently, the "all means all" in NCLB does not conceptually relate to the "all means each and every" in IDEA. Debilitating complications at both state and local levels could remain for years. System-wide reforms will be needed to ensure that every student learns at appropriately high and challenging levels and that none is left behind.

What do local school systems look like when all students learn at appropriately high and challenging levels? What are the requirements of the governance structure and the administrative, curriculum, instruction, classroom, community, and support-services levels necessary to make AYP happen? Meeting the demands of AYP will require more than simple differentiated instruction or technology-based solutions; it will require that schools adopt a student-centered focus. It will require the systemic redesign of our educational system to ensure that all our decisions and resources are focused on challenging, successful learning outcomes for every child. But the system-centered focus is alive and well in NCLB.

Ironically, because NCLB will designate as failures most general education students as well as students with disabilities, it just might be the flaws in NCLB that push us to make that comprehensive and viable systemic redesign at last.

Drew Allbritten is executive director for the Council for Exceptional Children, where Richard Mainzer and Deborah Ziegler serve as associate executive directors.

Seize the Day

by J. Ogden Hamilton

When Lowell Rose addressed the participants of Pi Lambda Theta's leadership conference in July 2003, he gave what in my opinion is the best advice to come from any of the four very powerful speakers who took the podium.

Seize the day

In effect, Lowell told the participants that the only constructive function of No Child Left Behind is to serve as a common adversary against which people of goodwill can unite. Faced with the truly Malthusian calculations of Adequate Yearly Progress (AYP), he said local school leaders should not waste any effort working to make AYP; they should pay no attention to NCLB.

Rather, they should have some very serious discussions with their faculties and staffs and determine for themselves what goals and performance measures to adopt: what they will try to accomplish and how at the end of the year they will know whether they have succeeded.

After that, they should go to every community leader they can find and say candidly that under NCLB their community schools will be labeled failures—or whatever euphemism for failure the federal government may be using when the announcement is made. Tell them that some of the schools may not fail in the first year of NCLB, but they will in the second year; and if they don't fail then, they'll go down in the third. Help them to see that given enough time and any diversity at all, virtually every school and every district in the country, no matter how good it may be, is mathematically doomed to failure under NCLB.

But don't stop with a complaint! Merely discrediting NCLB is no more worthy an undertaking than any other manifestation of negative politics; more important, it will leave the real opportunity on the table. Instead, show the community leaders the goals and measures the faculty came up with and get buy-in on those goals and measures as short-term alternatives for NCLB.

And then, the *pièce de résistance*: schedule a big wingding for the day the federal government is to release the AYP figures. Invite the mayor, the city and county councils, state legislators, the press, the chamber of commerce, the taxpayers association, the local clergy—all the community leaders who could be constructive forces in support of the community schools. Announce your performance in achieving the goals the faculty set; celebrate your success. Ignore the NCLB press release; shrug it off if you cannot ignore it.

This goes beyond being feisty

As one with a penchant for iconoclasm and the *tour de force*, I like Lowell's idea of the wingding a great deal. However, as a private-sector CEO for more than a quarter-century, I recognize that the power of his advice—what gives it the potential to revolutionize education district by district—does not lie in the in-your-face defiance, as fun as that may be to contemplate. The advice is powerful because the school system that follows it will have taken responsibility for determining its own goals and performance measures.



For years, most of them spent outside education, I have argued that a school or school district cannot achieve excellence unless it has decided for itself what excellence is and what constitutes success. Among capable managers that rule is axiomatic, and contrary to what many think, excellence in the private sector is not merely “the bottom line.”

For sure, if a business loses enough money over a long enough period, the bottom line becomes the only measure of success. And if a manager’s job is defined in terms of earning short-term profits, the bottom line is the key measure.

But most managers in business don’t have direct profit responsibility, so the bottom line cannot be used to measure their performance. To assess the performance of those managers it is necessary to understand the workings of the business: what are the determinants of organizational success?

Success may depend on many things: achieving low employee turnover, achieving high employee productivity, limiting the investment in equipment, generating repeat business from established customers, limiting business to only certain kinds of customers, navigating regulatory shoals, making the people around you more productive—the list goes on and on, and there certainly is a comparable list for schools, school districts, and teachers.

The most successful managers I have known have had a clear understanding of what determines organizational success and, therefore, what determines whether or not they have done good jobs. They know those things for their own jobs, their boss’s job, and the jobs of everyone who works for them (at least). The knowledge is not just the raw material of an art form: it is basic to their ability to do a good job. With the knowledge, they are in command; they are leaders. Without it, they are drones.

Two managers may hold the same rank and title, but one is the captain of his own ship and the other has condemned himself to rowing in the waist of his own galley.

So it is with educators. Those who are confident in their knowledge of what makes for success are in command; they are leaders. Those who are not give face validity to the caviling of those who promote unflattering stereotypes of teachers.

At the lowest level it’s about vulnerability . . .

When someone says, as many seem to be saying to our schools, “She is doing a lousy job: she’s failed at this, she’s failed at that, employee morale is low, and the customers are complaining,” what’s the constructive reply? In my experience there is only one: reference to measured job performance against wisely chosen goals and measures.

You can disagree, negotiate, joust, and argue, but unless you have the objective data you reduce yourself to the level of your critic, and that means giving away your decisive advantage. After all, it's you (or your employee or your school system) who is the focus of criticism. Surely you should have the home-court advantage in any such debate!

Here's an example that could apply as easily to a school as it did in fact to my own business. Periodically my marketing manager would come to me and complain bitterly about the failings of my operations manager. To hear her tell it, the employees were about to rebel or quit, customers were leaving in droves, and I had to act right away.

In response I would do nothing more than show her the reports that I ran regularly showing the company's critical performance measures. The facts were that we had a very experienced staff with almost zero turnover, fantastic productivity for our market, a minuscule error rate, and superb customer retention.

I never knew if the complaints were a manifestation of employee rivalry or simply the Chicken Little syndrome. The important thing is that it didn't matter which. I could demonstrate that things were fine, so the criticism and doubts went away.

But without clear performance measures at hand I would have been vulnerable to the criticism, my business would have been vulnerable to it, and so would my operations manager.

How would that vulnerability have manifested itself? I'd have been worried and distracted by the reported problems. I would have spent time investigating that I should have spent otherwise. Although I would have found no symptom, I could not have been sure that I hadn't just missed something. I would have annoyed the operations manager and generated insecurity by demonstrating that I could not protect her definitively. And despite all that, I never would have convinced the complaining manager that her fears were unfounded.

In effect I would have been reduced to taking sides because I would have allowed what should have been an objective determination to deteriorate into a matter of opinion: whom I trusted rather than whom I knew for sure to be performing precisely how well.

. . . and schools are amazingly vulnerable

I have known teachers who really understand the goals and measurement thing, and they are really good at what they do. Students love them, parents love them; as a rule they can tell you what each student has accomplished on their watches. They exude the relaxed confidence that I associate with good supervisors.

But I have never known an entire school, much less a district, to have achieved that state of grace. (I'm not saying it doesn't happen, only

that I have no firsthand knowledge of it happening.) On the contrary, I'm told that at the school level there is little interest in goals and performance measures, and a lack of consensus or even open hostility when the ideas are broached.

The results have not been pretty. The lack of agreed-upon goals and performance measures has left schools vulnerable to all manner of criticisms and deprived them of any response much more sophisticated than "Is *not*"; "That's not *fair*"; "It's a lot more complicated than that"; or "Trust us."

"Nature abhors a vacuum" applies in human social behavior as well as the physical sciences. When no goals or measures are set out for a high-profile social institution like a school system, people will tend to set their own goals and measures. The unstated threat is "Do it yourself or we'll do it for you," and in the absence of action by schools, the community has made good on that threat.

The wrong goals and measures

When someone sets goals for you, you can be reasonably sure they will be the wrong goals. How could they not be, if you really know your business better than the person setting the goals? The same is true of performance measures.

Sure enough, when we look at what our schools are being held accountable for by society, what we see would be laughable if it weren't so scary.

And I am not speaking only of NCLB: that is merely the latest refinement of a process run amok in the face of abdication by school officials. Just look at any newspaper article from the past thirty years reporting on schools and the problem will jump off the page at you. For example:

- SAT scores are down.
- This year's fourth-graders did better on the state tests than last year's . . .
- . . . but this year's eighth-graders did worse.
- The graduation rate is 73 percent.
- Minorities now make up 45 percent of the student body.
- Thirty percent of the students being tested in a certain school this year were not enrolled in the school last year.
- The football team lost.
- The basketball team should be a contender.

Cast into the vacuum that exists, every one of those statements takes on the majesty of a performance measure with an implied goal, and collectively they establish what the public thinks of its schools.

It matters not whether the measure is valid, whether the school has any control over it, whether it reflects performance in any way, or whether it even matters a hoot. *Unless the schools have stated clearly what they are trying to accomplish and how they performed against those goals, factoids introduced by others will assume the mantle of legitimacy* and collectively they will comprise the schools' goals and performance measures.

And then the true horror of the vulnerability asserts itself: there is literally no limit to the performance measures that people can dream up, and no limit to the number of implied goals that the school can fail to reach. It's the management equivalent of Custer's Last Stand, except educators don't get to die and make it be over.

A one-time opportunity

Lowell Rose has correctly observed that NCLB has created a one-time opportunity. But for NCLB, schools would be irretrievably mired in a morass of their own making: a morass of third-party goals and performance measures, few of which are relevant, none of which are understood by the public, and most of which don't even lend themselves to rational discussion, much less valid performance measurement.

And now Lowell is challenging all educators—all, not just administrators, but teachers as well—to seize the day. Take this window of opportunity during which the public's long-nurtured perception of your shortcomings is eclipsed by the sheer chutzpah of a federal government that, on the strength of providing about 7 percent of the overall education budget, presumes to tell people what to do and consigns even the best schools to a status of "failure."

It isn't a job for principals, superintendents, school boards, or even state legislators. They can provide leadership and support, but without the enthusiastic participation of at least a core group of teachers, goal setting and performance measurement cannot be meaningful.

You should have until at least 2007, when NCLB is up for reauthorization. One might expect that by then the act's manifest weaknesses will be corrected and it will lose its value as a common adversary.

But maybe not. Given the way the act has been administered so far, the common adversary may be with us for quite a while.

The real agenda behind NCLB

It was a couple of months between the time Lowell agreed to write for our issue and the time he sent us the manuscript. During our initial discussion, I put the popular right-wing-agenda conspiracy theory to him: given that the math of NCLB is beyond dispute and therefore the failure of virtually every public school is guaranteed, is it possible that

NCLB is a plot by the political right to discredit and perhaps disestablish the public schools?

He answered without hesitation, "No." The flaws in the act, although fatal if left untreated, are easy to treat; they probably are nothing more than inevitable consequences of management-by-legislation and would be routinely corrected by administrative action.

Two months later Lowell had a very different opinion. His frustration and growing distrust are wholly understandable: you have a law that received substantial bipartisan support, and nonetheless it is fatally flawed. Someone didn't check out the math, or so it appears. The law is subject to the interpretation of administrators, and so is fixable, but when the rubber actually hits the road, the administration declines to fix it. Rather it moves forward like a robot, piously justifying the Alice in Wonderland scenario the law creates with an appeal to academic excellence.

That just *has* to be a conspiracy to disestablish the public schools, right?

Well, I say it's not. That belief denies the realities of the political process.

It's not about their agenda

Doubtless some of those supporting NCLB and guiding its administration would gladly disestablish the public schools. But certainly there are other motivations, too. NCLB presents a wonderful opportunity for those who support public education to shake up what they see as a Balkanized system so it better responds to the needs of today's society.

And judging from discussions with people who followed the debate prior to NCLB's passage, the largest group of supporters was motivated simply by frustration with the nonresponse of most states to the mandates of the previous education act (ESEA of 1995). Otherwise they had no agenda at all.

So as I see it, it's not logically possible to ascribe motive or agenda to "the federal government." The federal government, as manifest in NCLB, is an abstraction comprising many often-conflicting motives and agendas.

And as I see it, those motives and agendas don't matter anyway. What matters are the outcomes of the decisions and actions taken by those administering NCLB.

It's about your response

"Outcomes" exist on several levels, and only one of those levels matters: the response of America's educators to the situations created by NCLB.

To be sure, the existence of cynicism about the pursuit of a fatally flawed AYP schedule is an “outcome” of NCLB. So is the low morale that can be expected in schools as they “fail.” So is community outrage, whether directed at the federal government or the local schools.

But the outcomes that matter are not the outcomes that merely happen as logical consequences of events. The outcomes that matter are the initiatives American educators take in their efforts to turn those events to everyone’s benefit.

And what this politician or that bureaucrat intended in prosecuting the act just doesn’t matter, not even a little.

Seize the day

We’ve come full circle in this analysis of Lowell Rose’s Patrick Henry-like advice (“Give me liberty, or give me death!”). For decades now America’s schools have been buffeted by the forces of politics and public naiveté like a ship adrift, unable even to secure the helm, much less start the engines.

Now, thanks to the NCLB, America’s educators have a one-time opportunity to do more than bail. They can agree on a direction, start the engines, and develop the momentum that will give our schools the stability and security they will need to weather the waves that inevitably will continue to hit them.

Best of all, they don’t have to do it at the national or even the state level. The district level, to some extent even the school level, is where Lowell’s advice can be applied most powerfully. The opportunity is right there, right now.

All our educators must do is seize the day.

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