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No Child Left Behind Act—A Work in Progress

Fifty years have past since the Supreme Court ruled in *Brown v. Board of Education*. Practice of confining black children to segregated and often inferior schools violated the U.S. Constitution and generally consigned African-Americans to second-class citizenship (*The New York Times*, January 27, 2004). The Supreme Court ruling, however, did not remedy one of the nation's most critical educational issues—poor and minority children trapped in failing schools.

The No Child Left Behind Act (NCLB) of 2001 was passed to ameliorate this concern. The centerpiece of this massive statute, nearly 700 pages in length, requires public schools to bring nearly all students to proficiency in reading and mathematics by the 2013-2014 school year, in exchange for federal education dollars.

Among the law's additional mandates:

- Test scores must steadily improve from year to year. If a school's scores do not improve, teachers and administrators could be replaced.
- All teachers must be deemed highly qualified in each academic subject they teach by 2006.

Law vs. Reality

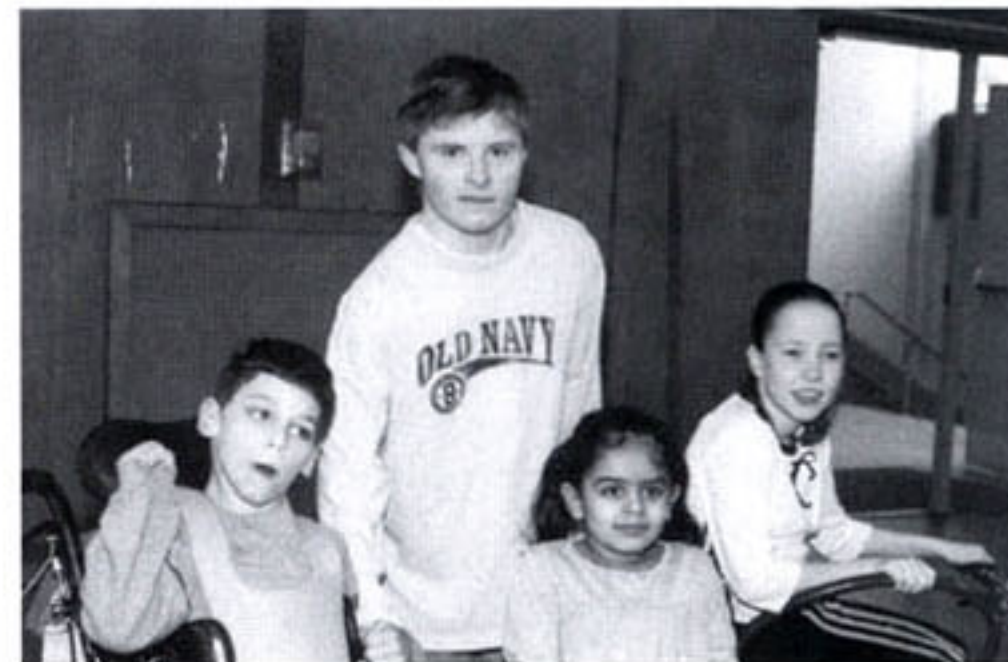
In general, there is broad conceptual agreement among educators with the goals of NCLB. However, standards for education reform were set quite high when NCLB was enacted. The Act is aimed at raising student achievement in all subgroups (i.e., ethnicity, disability, English language learners, and low income). To meet NCLB standards, all subgroups must make sufficient academic progress. If a school fails to educate adequately just one subgroup, the whole school fails and is placed on a *watch list*. As a result, these schools potentially face a host of remedial actions. In addition, if a school a child is currently attending fails to meet state academic standards, the child has the option to choose and attend a higher performing school or be eligible for tutoring and summer school.

Some state legislatures are considering opting out of NCLB, and giving up millions of dollars of federal funding for education. Critics of the law believe it places too much emphasis on testing, represents too much federal interference in local and state decisions, and is woefully under-funded by the federal government (School Rules, *The News Hour with Jim Lehrer*, Public Broadcasting System, March 15, 2004). A recent report, commissioned by Ohio's Department of Education, determined NCLB would cost Ohio citizens \$1.5 billion annually to ensure every child is successfully reading and understanding mathematical concepts at grade level within ten years. The federal government would cover only \$44 million (29.3%) of this cost (*News Sentinel*, January 25, 2004).

Children with Disabilities

Issues raised about the impact of NCLB on children with disabilities are complex. In a positive vein, the Council for Exceptional Children concluded (December 12, 2003)

that accountability measures under NCLB could create greater impetus than IDEA to link students' IEP goals in reading and mathematics



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to standards of the general education curriculum. However, because NCLB requires states to raise achievement levels of all students, including those with disabilities, some state legislators and school administrators argue that the six million children receiving special education services under the Individuals with Disabilities Act (IDEA) of 1997 should be exempt from these higher standards.

In another vein, a *New York Times* (January 27, 2004) editorial recently maintained that while children with cognitive disorders, like retardation, should be exempt from requirements of the law, "many of the children who have been dumped into special education classes are not disabled. They are teachable children who have fallen behind or who present disciplinary problems...." Perhaps as many as 70% of these children are teachable.

Further, teachers of children with disabilities are not exempt from challenges NCLB presents. The mandate that teachers be *highly qualified* in each subject they teach may be an unrealistic requirement of special education teachers who typically teach in several areas (*USA Today*, February 12, 2004).

Work in Progress

While NCLB is potentially the most important school initiative to come along since the country embraced compulsory education in the early 20th century (*The New York Times*, March 16, 2004), legitimate concerns remain. For example, should an entire school be placed on a *watch list* (test scores have not been raised adequately) because of one subgroup's (i.e., ethnicity, disability, etc.) poor proficiency in either reading or mathematics? Will schools placed on the *watch list* be able to attract *highly qualified* teachers? Schools and teachers are held accountable, but is there too little student/parent accountability?



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