CENTER ON EDUCATION POLICY CEP

Reflections on a Half-Century of School Reform:

Why Have We Fallen Short and Where Do We Go From Here?

By Jack Jennings, President and CEO, Center on Education Policy

When I studied history in college, I was impressed by those few individuals who took time later in life to reflect on the meaning of events in which they had played a part. I resolved that if I were ever fortunate enough to be involved in some small way in historic events, I would try to understand and write about them.

For 44 years, I've had the privilege of observing, studying, and at times participating in major policy efforts to improve the nation's schools—first as counsel to a Congressional committee and later as head of the Center on Education Policy (CEP), a nationally recognized think tank. Now, approaching retirement, I have an opportunity to reflect on the results of these efforts and their lessons for future policies.

I believe that American school reform has not been bold enough or comprehensive enough to substantially improve public education. Although our schools are doing a better job than in years past of educating an increasingly diverse student body, we haven't done well enough. President Obama summed up the situation succinctly in his 2011 State of the Union address:

> *Over the next 10 years, nearly half of all new jobs will require education that goes beyond a high school education. And yet, as many as a quarter of our students aren't even finishing high school. The quality of our math and science education lags behind many other nations. America has fallen to ninth in the proportion of young people with a college degree. And so the question is whether all of us—as citizens, and as parents—are willing to do what's necessary to give every child a chance to succeed.*

Why have our efforts fallen short? Over the past fifty years, U.S. school reform has been dominated by three major movements, aimed at promoting equity, increasing school choice, and using academic standards to leverage improvement. While all three have changed schooling in notable ways, none has brought about the needed level of general improvements because they mostly sought to improve education from the outside rather than the inside.

To make real progress, we will have to think and act much more audaciously. The next round of reform must focus on the essentials of education—the quality of teaching and curriculum, and the means of funding them. Moreover, if we truly want to improve our schools sooner than later, then we must declare a good education to be a civil right for every child.

This article explains the shortcomings of the three major reforms and proposes a bolder approach for future school reform. The current campaign for the presidency presents an opportunity to discuss this improvement agenda.

History and Impact of Three Major Reform Movements

Over the last 50 years, Americans have tried various approaches to increase children's chances for success by improving the schools. Of the many reforms undertaken, three major movements—equity-based reform, school choice, and standards-based reform—have had broad support and considerable impact.

I've been closely involved in the equity and standards-based reform movements and have studied and carefully followed the development and implementation of all three. So the analysis that follows is based on both personal observations and objective research.

Equity-based reform

In the 1960s and 1970s, the federal government enacted a variety of programs and policies to improve educational equity for minority children, poor children, children with disabilities, children with limited English proficiency, and women and girls. The federal government stepped in because local school districts and state governments were not providing these students with equality of opportunity.

This movement took shape in the 1960s when the dominant domestic policy issues were expanding civil rights for African Americans and reducing poverty. The Civil Rights Act in 1964 marked a breakthrough by not only eliminating officially-sanctioned race-based discrimination, including separate school systems for white and black students in the southern states, but also opening the door to remedies for past discrimination.

The Elementary and Secondary Education Act of 1965 (ESEA) instituted another tool for equity-based education reform—the use of separate, or "categorical," aid programs to provide extra educational services for specific groups of students at risk of educational problems. Title I of this act introduced a flagship program to improve education

for children from low-income families, and this was followed in subsequent years by other smaller programs focusing on the needs of additional groups of students.

Another major law, enacted in 1975 to ensure a free, appropriate public education for children with disabilities, blended civil rights protections for these children with categorical federal aid for their education. Unlike Title I and other categorical programs, this statute, later renamed the Individuals with Disabilities Education Act (IDEA), incorporated strong procedural rights and the authority for parents to sue in court if their children did not receive services guaranteed under the law. Also unlike other categorical programs, IDEA obligated school districts to pay for the range of services agreed to in a student's individual education plan, regardless of the level of federal and state funding earmarked for the education of children with disabilities.

Title IX of the education amendments of 1972 was also heavily influenced by the civil rights movement. This law forbids recipients of federal aid from discriminating against girls and women, but unlike IDEA or Title I, Title IX provides no major financial assistance for programs for girls and women.

In 1974, the U.S. Supreme Court ruled that children must be given a meaningful education regardless of their language background. The *Lau* remedies, taking the name of that case, lay out how school districts can offer such aid to students who do not speak English. Backing up this obligation on school districts is a federal program under ESEA to provide aid for educating English language learners.

As this brief history illustrates, the equity-oriented 1960s and 1970s saw the creation of categorical aid programs, programs of aid backed up by legal protections, and civil rights statutes that apply regardless of whether states and districts receive additional aid. The latter two strategies have produced the greatest success because they are more forceful, and they continue to be used today.

As a result of all of these strategies, discrimination against African Americans and other students from minority backgrounds is outlawed and prosecuted if found. Girls and women have made great advances in education and are now finishing high school and going to college at higher rates than males. Students with disabilities are mostly educated in regular classrooms, and their rates of attendance at institutions of higher education have reached record levels.

Although test scores have gone up over time for poor and minority children, it is difficult to make a direct connection between these increases in academic achievement and the federal programs intended to help these groups. Among the factors making this task challenging is that Title I and other aids for students at risk have traditionally been treated as separate add-ons to school districts' regular education services. Their impact has also been muted because their funding never reached the large amounts originally conceived. Finally, although the law requires comparability of services among schools, over 40% of Title I schools spend less money on instructional personnel than non-Title I schools do.

In sum, the equity programs of the 1960s and 1970s improved education for many students, especially when those efforts were backed up by civil rights guarantees. But they had two major shortcomings. First, their impact was constrained because they became separate, add-on services funded with limited federal aid and placed on top of inequitably distributed state and local funding. Second, by their very nature, categorical funding and individual guarantees of civil rights were not designed to generally improve the broader educational system.

School choice

The choice movement, the second major school reform, is based on the premise that parents ought to choose, at public expense, the school their child attends. Some proponents contend that parental choice will bring market forces

to bear on education, weeding out ineffective schools by promoting competition. Others advocate choice out of a desire to pick a school for their children that is compatible with their religious beliefs. Still others believe that low-income parents should have the same right as higher-income families to pick a better school for their children.

School choice can take many forms, including publicly funded vouchers for private school tuition, charter schools, tax credits to pay for private school tuition, and public school choice programs. The first form is the most controversial.

In 1990 the Wisconsin state legislature was the first to enact a statute allowing public funds to be used in Milwaukee to educate children from low-income families at public or private schools. In 2011 this program was expanded to encompass more school districts in the state.

In 1995 the Ohio legislature followed Wisconsin's lead by enacting a voucher program for poor students in Cleveland. In 1999, the Florida legislature enacted a general state voucher program that was later found unconstitutional by the state supreme court, as well as a program of vouchers for students with disabilities that remains in place. Since then, several other states and cities have enacted various types of voucher programs, including some that have been declared unconstitutional by state courts. Most recently, in 2011, the Indiana legislature created a broad-reaching voucher program, open to students statewide who meet certain income requirements.

Educational choice has also expanded through the growth of charter schools, which exhibit aspects of both public and private education. Charter schools are public because they are generally created or "chartered" by a governmental agency and rely on public funds for their operation. They must also follow certain legal requirements, such as testing their students for the No Child Left Behind Act (NCLB), and not teaching religion. They are similar to private schools in that they may be free from requirements placed on public schools in such areas as choosing their student bodies and employing non-union teachers. They are also mostly controlled by boards that are not publicly elected and can be managed by profit-making companies as well as non-profit entities.

The first charter school opened in Minnesota in 1992, and by 2011 their enrollments constituted 4% of the total U.S. elementary and secondary school population nationwide. Although not affecting many students, charters tend to be concentrated in certain geographic areas, such as in Dayton, Ohio, where one-third of the students are in charters, and Washington, D.C. where 40% of the students attend charter schools.

For those who favor charters because they believe that these policies will provide a better education for children than regular public schools, the facts are discouraging. Only 17% of charter schools produced higher test scores than comparable public schools, according to a comprehensive national review of such schools. Moreover, 37% of charters produced lower scores than public schools, and the remainder showed no difference from regular public schools.

Regarding vouchers, religious proponents are satisfied by just having the right to use public funds to send their children to religious schools. But, for those seeking higher achievement, the results are similar to charters: test scores for students who attend private schools with vouchers are generally no higher than those for students with similar characteristics who remained in the public school. And, in those studies that do show higher scores, these gains are inconsistent across grade levels, students of different races and ethnicities, and subject areas.

The choice movement shows no signs of slowing down, despite evidence that its promise of producing better education has not been realized. Parents may be pleased with their choice of school, but in general their children's achievement is no greater than if they had stayed in the regular public school. It is an interesting case of convictions trumping evidence.

Standards-based reform

The original purpose of the standards-based reform movement was to identify what students should know and be able to do at specific grade levels and to measure whether they were mastering that content. As the movement matured, it took on the additional purpose of applying consequences to schools whose students did not show mastery. In this way the standards movement morphed into test-driven accountability.

Standards-based reform originated in the late 1980s when the National Council of Teachers of Mathematics wrote a set of national standards for mathematics. The nation's governors and the George H.W. Bush Administration subsequently adopted that approach for other subject areas and proposed the adoption of national academic education standards and national tests to measure how well students were learning, but this effort was not successful.

Bush's successor as president, Bill Clinton, continued to advocate for the basic approach of using standards and tests to reform education, but with a key variation. Rather than promoting national standards and tests, he urged states to develop their own standards and tests to measure student proficiency. Clinton's legislation was enacted, but, after great debate, that law did not include proposals to require states to provide the educational opportunities for students to reach those standards.

By the time George W. Bush was elected president, all of the states were either in the process of implementing standards and aligned tests or had done so. The No Child Left Behind Act proposed by Bush, ramped up the intensity of Clinton's laws by prescribing more extensive grade-level testing, setting a deadline of 2014 for all students to be proficient in English language arts and mathematics, and mandating specific actions that schools and school districts had to take if they did not reach the state-prescribed yearly goals for student proficiency.

The enactment of NCLB in 2002 was a turning point for the standards movement. Instead of academic standards serving as a focal point to raise the quality of instruction in schools, test-driven accountability became the norm. Teachers understood that if their students did not pass the annual state accountability tests, their schools would be labeled as "failing" by the news media because of the penalties prescribed by NCLB. In 2011, nearly half of U.S. schools did not meet their state targets for student proficiency.

The standards and testing movement has resulted in clearer expectations for what should be learned in school. For the first time in American history, every state has made public its academic standards in the crucial areas of English language arts and mathematics. Moreover, the problems that emerged from having different standards in each of the 50 states spurred the nation's governors and chief state school officers to develop Common Core State Standards in English language arts and mathematics, which have now been adopted by 45 states and the District of Columbia.

The standards movement also has promoted greater equity. The same academic expectations are set for all students in a state, and far greater attention is being directed to narrowing the achievement gap between various groups of students. Results on state tests are generally increasing although this is not matched with the same level of increase on the National Assessment of Educational Progress.

Despite these benefits, the major problem with standards-based reform is that it has become test-driven reform. The accountability provisions in particular have created a culture in which teachers' actions are motivated by the need to meet annual state targets for the percentage of their students that must score proficient on state tests; if too many

students fall short, the school will fail to make "adequate yearly progress," or AYP. In the most egregious cases, such as in Atlanta, this has led to teachers falsifying test results. In other cases, teachers have set aside their regular lessons during the weeks before the state test in order to spend the time prepping students on material that is likely to be tested. In many cases, it has meant a narrowing of the curriculum to place greater emphasis on English language arts and mathematics, the two subjects that must be tested under NCLB.

Other aspects of NCLB are also troublesome. Schools are equally labeled as failures whether just one group of students, such as students with disabilities, fails to meet achievement targets or their entire student body falls short.

By 2011, opposition to the law had become so intense that some relief from its provisions had to be provided. Since Congress had not reached agreement on changes, the Obama administration took action to grant waivers from some of the most troublesome provisions of the law.

Clearly, standards-based reform has gone astray. Few would argue that it has broadly raised the quality of American schools.

The Schools and the Three Reform Movements

Each of these three reform movements has left its mark on American education, but each has fallen short of its initial promise.

The most noteworthy shortcoming of these movements is that they mostly sought to influence what went on in the classroom—the heart of education—through *external* means. Greater equity was to be secured by adding on services. Choice was to be a market force sifting out bad schools. Test-driven accountability sought to use test results as a lever for change. The exception to that pattern is the academic standards portion of that last movement which sought to define better what should be taught.

Since I was involved in some of these reforms, I understood not only what they were attempting to do but also why certain approaches were taken. For instance, Title I and other categorical programs were intentionally made separate so that extra aid would reach the designated groups of students. I remember well the scandals of the late 1960s when Title I funds were used to pay for swimming pools.

With accountability, tests were seen as a shortcut to bring about improvement. In the 1990s when I was counsel to the House education committee, I was visited by a governor active in the standards movement. He argued for national legislation because he told me that tests would be the lever that would bring about broad school improvement. Raising the quality of the teaching force and more equitably distributing good teachers were seen as more difficult than requiring testing and making public the results.

For half a century, external remedies have been tried and are not sufficient. If American education is to see major improvement, it is time to concentrate on the core components of what happens in the classroom—who is teaching, what is being taught, and how those key elements are funded. Those are the hard issues, and we have approached them timidly. Now, we must confront them forcefully.

Of these three core components, the greatest progress has been made in influencing *what is being taught*. The standards movement has better defined the academic content that students should learn, despite the sidetracking into test-driven accountability, and the Common Core State Standards for English language arts and mathematics are being implemented by the adopting states.

If those common standards are to positively impact student achievement, they must be fully infused throughout the education system. Pre-service education of prospective teachers and professional development for current teachers must be aligned to the standards. High-quality curricula, textbooks, and lesson plans based on the standards need to be developed. The new common assessments aligned to these standards, currently being developed, need to be finished and used for improving education, not just for accountability like the current state tests.

Further, common state standards should be developed and adopted in other subject-matter areas, such as science, social studies, the arts and music. If expectations for learning in these subject areas are not defined, then they will not receive the attention that English language arts and mathematics receive. Also, since there will hopefully be more useful tests for reading and math, better assessments will also need to be developed for these other subject areas.

Although the component of "what is taught" is further along than the other two basic components of education, success is not assured. The country must stick to that task with all its complexities and finish it.

The second component of what happens in the classroom, improving the quality of *those who are teaching*, has been the focus of several reform efforts over the last half century, with some degree of success. For instance, teachers can voluntarily apply for and obtain national certification from the National Board for Professional Teaching Standards through a very demanding process intended to show that they are knowledgeable and effective. According to the Board, 3% of American educators now have this certification. Other groups, such as the National Commission on Teaching and America's Future, have also sought to improve the quality of the teaching force, but all these efforts have not had the broad effect on America's classrooms that is needed.

Now is the time to treat teachers as true professionals and put a well-prepared and effective teacher in every classroom in America. To achieve this, we should elevate the image of the profession by making transparent the complexities of effective teaching and the skills and conditions necessary for teachers to teach effectively. This involves the following steps:

- Drawing teaching candidates from the top tiers of college students
- Closing colleges of education that consistently produce ineffective teachers
- Offering induction and mentoring for new teachers and professional development for all teachers in the subjects they teach
- Improving working conditions for teachers
- Substantially increasing teacher pay
- Removing ineffective teachers from the profession
- Using financial incentives and other inducements to attract the most effective teachers to the schools with the most challenging student populations
- Training principals to be instructional leaders

The Obama administration has sought to deal with one problem—creating evaluation systems for current teachers so that ineffective teachers can be removed from the classroom. A much more ambitious and comprehensive agenda to improve the quality of teaching ought to be pursued. All these issues must be addressed, regardless of how difficult they are to deal with. Piecemeal approaches will not do it.

Thomas Payzant, the former school superintendent of the San Diego and Boston school districts who is now at Harvard, was one of our advisors a few years ago as CEP sought to rethink the federal role in education. His strongest advice to us was that the principal problem of American education is human resources, and that the quality and training of teachers and administrators must be improved to bring about any general upgrading of schools. I have come to agree with him.

This leads to the third factor, *how education is funded*. It is one thing to say that every child will be taught a challenging curriculum by a well-trained and effective teacher, and it is quite another thing to find the funds to bring that about.

In Illinois, my home state, the Winnetka school district spends about $17,842 a year per student, and only 0.2% of its students come from low-income families. The Cicero school district in the same county spends about $8,831 per student, but 90% of its students are from low-income families.

Children from middle-income and higher-income families already enjoy several advantages. They enter school with a broader knowledge of vocabulary than do children from poor families, and they retain their educational gains during the summer to a much greater degree. These advantages are reinforced when schools serving middle- and higher-income students have twice as much money to spend on education as schools serving low-income students. School districts serving middle- and higher-income students often have greater property wealth than do districts that serve mainly low-income students. These wealthier districts are also better able to recruit and retain teachers because they tend to have better facilities and students with fewer academic and social problems than do poor districts.

In light of this reality, how can we pretend that the common standards adopted by Illinois will lead to students in Cicero achieving at the same rate as students in Winnetka? Schools must have the resources necessary to provide students with a genuine opportunity to reach the standards. For that to occur, state school funding systems must take into account the costs of providing such an opportunity to all students.

Money makes a difference in whether Cicero can offer an up-to-date curriculum and the facilities and materials to support that curriculum. Moreover, the greater educational needs of students in poverty make essential high-quality preschool and summer programs to better prepare children from lower-income families for school and help them sustain their gains. Money also makes a difference in whether Cicero can offer salaries to effective teachers that are at least competitive with those in Winnetka. In fact, Cicero will have to offer even higher salaries and other inducements to get the best teachers into the district. How can it do that if it spends half as much as the more affluent school district? Expenditures in high-poverty districts also must be greater than in low-poverty districts to meet students' need for additional services. Of course, both high- and low-spending districts should be held to high standards for the wise use of funds.

Thus, these three main components—the quality of the curriculum, the effectiveness of the teacher, and the funds to pay for them—are closely intertwined.

Another important factor deals with the family of the student and societal differences, since much of the variance in student achievement is explained by home and family factors. Those characteristics include family income, parents' level of education, parental involvement in the child's education, the availability of and exposure to reading and educational materials in the home, and the presence of two parents. Lack of adequate health care, unemployment of parents, and neighborhoods with gangs and high crime rates are also obvious impediments to education.

Parents should be motivated to do what they can to help their child do well in school. Absent that commitment, schools should offer services such as adult mentors, health clinics, and after-school programs that will help to compensate for parental and societal deficiencies.

That is the agenda the U.S. must pursue to broadly improve our educational system. I would hope that leaders would advocate for such a comprehensive reform, but what I see instead is—at best—a piecemeal approach to change. From my experiences I know that such modest attempts won't succeed in bringing broad improvement. There must be a focal point to attract interest and to direct effort—which leads me to my last point.

A Civil Rights Issue

A key lesson I have learned from nearly half a century of involvement in policy is that big ideas have a much greater impact than small ones. If the three reform movements of the last 50 years have not brought about sufficient improvement, and if we must instead concentrate on the heart of education—curriculum, teaching, and funding—then we must be bold enough to break out of the current ways of dealing with those three issues. We must have new big ideas to bring about broad improvement.

An approach along those lines has been suggested by both President George W. Bush and President Barack Obama. In his weekly radio address following passage of the No Child Left Behind Act, President Bush declared that "education is the great civil rights issue of our time."

President Obama has continued with that theme. At the National Action Network gala in April 2011, he said, "The best possible education is the single most important factor in determining whether (our children) succeed. But it's also what will determine whether we succeed. It's the key to opportunity. It is the civil rights issue of our time."

To make those words a reality, the President should propose, and the Congress should adopt, a law that says that no child in the United States will be denied equal educational opportunity in elementary and secondary education through the lack of a challenging curriculum, well-prepared and effective teachers, and the funding to pay for that education.

In other words, equal educational opportunity for all ought to be declared a federal civil right, as the nation did when it sought to end racial discrimination through the Civil Rights Act of 1964, or eliminate educational barriers to girls and women through Title IX, or guarantee students with disabilities a free and appropriate public education, or assure that the needs of students with limited English proficiency would be addressed. Those areas are where federal action has been most successful because words were backed up by legally enforceable rights.

I know that critics of this proposal will argue that it means federal intervention in the schools, that the terms will be hard to define, and that the costs will be too great. All of those arguments were made against the Civil Rights

Act, the Elementary and Secondary Education Act, the Individuals with Disabilities Education Act, Title IX, and the *Lau* remedies.

Legislative battles were fought over all of these measures, some states and school districts resisted their implementation, and lawsuits were filed to stop them. Yet, today we can see that progress has been made by African Americans and Latinos, students with disabilities, English language learners, and girls and women.

Isn't it time we extended these rights to all students? We tried piecemeal approaches for certain groups of students, with some success. We tried layering on some extra programs. We tried putting pressure on schools and teachers. Isn't it time we concentrated on what happens in a classroom, and make that experience better for all students? We will have fights about all this, but bringing about broad improvement to American education is worth fighting over.

If states can't broadly improve the quality of teaching and learning and provide sufficient funds to pay for that, then the federal government should step in. That is what happened with the lack of education opportunity in the 1960s and 1970s, but I would propose a more cooperative federal/state partnership than occurred then.

The new civil right to equal educational opportunity could be enforced several ways, as we saw with the equity reform movement. It could be a simple requirement like the Civil Rights Act of 1964 and Title IX, or a requirement included in a grant program like the IDEA.

This right to equal opportunity should be enforced like Title IX—every state receiving federal aid would have to comply with this requirement or face the cut-off of grants. But, this right ought to be accompanied by extra funds to assist with compliance, such as IDEA has. A major grant program makes sense, since the federal government now provides only about 9% of the cost of elementary and secondary education and ought to be a better financial partner in broadly improving schooling. I would set a goal that the federal government support a third of the total cost of education since it has a broader tax base than do local school districts or the states. An additional advantage to a major federal aid program is that it can assist in raising expenditures for education in low-income states.

This grant program to assist with the costs of compliance would be administered by the U.S. Department of Education, but with direction from a council chaired by the U.S. Secretary of Education and composed of five state governors and five chief state school officers. This national/state partnership would oversee the states' implementation of plans to assure that children have equality of educational opportunity. Other countries with U.S.-style federal systems of government, such as Germany, Australia, and Canada, have used similar partnerships to carry out broad policies when the major responsibilities for elementary and secondary education rest with states or provinces, rather than the national government.

This council should also consider how to encourage greater parental involvement in children's education, and how to provide services in schools to make up for the social and economic inequities hampering some children's success. Parental and social influences are so important to securing a good education that they should be involved in any state's plan for broad improvement.

Conclusion

We have a choice. We can talk for another 50 years about making the schools better, and succeed for some. We can adopt piecemeal approaches that have some effect. But if we want broad, major improvement for our nation's schools, we have to act boldly, not just talk or try partial fixes.

This year of presidential and congressional elections provides us with the occasion to discuss making equal educational opportunity available to every child. After all the debate is done, we should recognize that action speaks louder than words and enact legislation to affirm that every American child has a right to a good education.

Credits and Acknowledgements

This paper was written by Jack Jennings, President and CEO of the Center on Education Policy. Nancy Kober, a CEP consultant, edited the paper, and Diane Stark Rentner, CEP's director of national programs, and Alex Usher, CEP's research assistant, provided advice. We are grateful to the people who reviewed this paper: Wayne Riddle, Molly Hunter, Barnett Berry, and Paul Manna.

Based in Washington, D.C., and founded in January 1995 by Jack Jennings, the Center on Education Policy is a national independent advocate for public education and for more effective public schools. The Center works to help Americans better understand the role of public education in a democracy and the need to improve the academic quality of public schools. We do not represent any special interests. Instead, we help citizens make sense of the conflicting opinions and perceptions about public education and create the conditions that will lead to better public schools.

The Center on Education Policy receives nearly all of its funding from charitable foundations. We are grateful to the George Gund Foundation and the Phi Delta Kappa International Foundation, which provide the Center with general support funding that assisted us in this endeavor. The statements made and views expressed are solely the responsibility of the Center.

Center on Education Policy
1001 Connecticut Avenue, NW, Suite 522
Washington, D.C. 20036
tel: 202.822.8065
fax: 202.822.6008
e: cep-dc@cep-dc.org
w: www.cep-dc.org