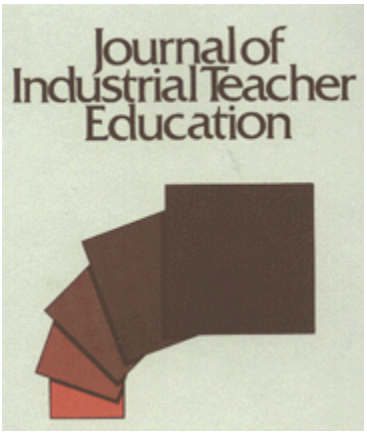

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The No Child Left Behind Act: A Look at Provisions, Philosophies, and Compromises

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The No Child Left Behind (NCLB) Act of 2001 was born in controversy, and the passage of time has not lessened the controversy surrounding it. Initially, this act appeared to be legislation which would have little or no impact on career and technical education. However, as CTE centers have expanded, course offerings which offer embedded mathematics and science credits to secondary students, and as some CTE centers have begun to offer stand-alone mathematics and science credit, this legislation may have a significant impact on personnel and program issues for CTE centers. A review of the literature revealed compelling arguments on both sides of this issue.

The impetus for NCLB appears to have arisen from research conducted by key staff members of President Bush's administration. Staff members concluded that many present-day educational systems were still attempting to serve a population that has not existed since the 1950s. In 1950, the U.S. workforce consisted of 20% professionals and 20% skilled laborers. The remaining 60% consisted of unskilled labor (Sclafani, 2002). For this 60%, academic success was not a prerequisite for life success. Students who dropped out of school or who failed to achieve basic competencies could still expect to find gainful employment and, basically, enjoy the American dream.

By 2000, such was not the case. In 2000, 20% of the workforce was still composed of professionals. However, only 20% was composed of unskilled labor; and 60% was composed of skilled labor (Sclafani, 2002). A substantial increase in immigrants to the U.S. during this same time span created a job market in which competition was fierce for low-paying unskilled jobs. Clearly, US students who sought the American dream could no longer leave school without a diploma or be socially promoted from grade to grade without demonstrated improvement. Education and success now had become officially linked.

The current administration advocates that Americans should take responsibility for the quality of education in American schools. This stance was partially fueled by the experiences of Secretary of Education Rod Paige. When Paige was superintendent of the Houston Independent School District, he was initially perplexed by the disproportionately large number of ninth graders in the system. He discovered that in the ninth grade, for the first time, Houston students were required to pass a proficiency exam in order to be promoted. After being retained for a year or two, many abandoned school. Paige attributed this failure to the system rather than to the students. He shared this belief with then-Texas governor and later U.S. President George W. Bush. This shared philosophy served as the impetus for the NCLB Act (Sclafani, 2002).

NCLB's Four Primary Areas

Highly Trained Teachers

NCLB has four primary areas that have possible ramifications for CTE (Donlevy, 2002). One primary feature of the act is its focus on highly trained teachers. New teachers must meet standards set by the state and approved by the U.S. Department of Education which identify them as highly qualified for the subject(s) they teach. Teachers already in classrooms had four years to meet state standards (Rose, 2002). Studies which isolate critical factors for student success all indicate that teacher quality is of uppermost importance (Sclafani, 2002). In particular, Sanders and Horn (1998) concluded that race, socioeconomic level, and class size were not reliable predictors of student achievement. Teacher quality, however, was paramount (Strahan, 2003). What criteria identify a teacher as highly qualified? In Oklahoma, two criteria have been proposed for satisfying this standard. A teacher must be certified in the subject(s) he/she teaches and must be successful in the yearly evaluation process. It is the belief of officials in the Oklahoma State Department of Education that the rigor of the state evaluation process ensures that only highly qualified teachers will be successful (Ruhman, 2003).

The "highly qualified" component of NCLB, as determined by the state, takes issue with a key philosophy of CTE. In this system, teachers are hired for their industrial proficiency; and this experience and expertise are usually the primary factors used to make staffing decisions. These teachers may not obtain standard certification until several years into their teaching career. Additionally, they may serve as instructors in programs which offer embedded mathematics or science credit. They may have provisional certification in trade and industrial education only. By state definition, they are not highly qualified. Can a school which transcripts the academic credit received from these instructors do so and be in compliance with NCLB? Will a school opt to refuse CTE credit rather than risk the loss of federal funding? Will this, in turn, impact CTE student recruitment? Is the state philosophy in conflict with that of CTE?

State Accountability

Another key aspect of NCLB relates to accountability. In the Act, states are left to identify their own student achievement standards and to develop assessments which align with these standards (Sclafani, 2002). These state plans must meet the standards of the National Assessment of Educational Progress (Hombo, 2003). Essentially, states must create an accountability system which includes all students. Progress in mathematics, reading, and

science must be measured yearly. Schools which do not demonstrate this progress over two years must develop corrective action plans. If these plans do not produce results, schools may face changes in staffing and curriculum, or a possible state takeover (Donlevy, 2002). While schools receiving Title I funds have long been required to conduct assessments, such assessments were required only in one grade per span. Under NCLB, every child must be tested yearly in grades 3 through 8 in reading and mathematics (by the 2005-2006 school year) and in science (by the 2007-2008 school year).

Additionally, secondary schools must tie proficiency to some valid form of assessment. Schools which fail to demonstrate acceptable student progress face loss of Title I funds (Goertz & Duffy, 2003). Will common schools continue to be willing to allow CTE institutions to provide the instruction in key academic assessment areas and risk loss of funding?

CTE institutions, at least in some states, have well-defined accountability standards. However, these standards do not measure student achievement with the same scale as that required by NCLB. While technically exempt from NCLB requirements, CTE centers in most states depend heavily upon common schools' cooperation for recruiting students. In order to maintain this cooperation, CTE institutions additionally may have to assume responsibility for the academic growth of their students in mathematics and science.

Research

A third aspect of NCLB relates to research. Academic programs must be rooted in scientifically validated practice (Sclafani, 2002). While more research is needed into how students learn mathematics and science, CTE would seem to have an advantage in this area. Ample evidence exists to support the validity of hands-on activities and their correlation to student success (Bottoms & Sharpe, 1997). Will common schools with low performance in mathematics and science encourage greater student participation in CTE courses?

Parental Choice

A final aspect of NCLB relates to parental choice. Parents may choose to transfer their children from low-performing schools to high-performing schools. Low-performing districts will be required to pay the bill for the transfers. In rural schools, these transfers could be out-of-district (Hombo, 2003). It is in the best interest of both common schools and CTE centers to work together to promote student growth.

Dropout Recovery Implications

It is quite likely that NCLB will become a matter of great concern to CTE institutions that operate dropout recovery programs. The Oklahoma Department of Career and Technology Education provided grant funding to seven such programs in the state. These programs work in cooperation with common schools in their district. The students are enrolled in their respective common schools, but attend classes at CTE centers. Dropout recovery program instructors deliver instruction, and the various common schools transcript the credit. Because these students are enrolled in common schools, they certainly will be included in NCLB mandates.

A great difference of opinion as to NCLB impact on dropout recovery currently exists between administrators of these programs. Some believe that their programs will be exempt from the stipulations of NCLB, which is unlikely. The NCLB mandate for highly qualified teachers almost certainly will apply to instructors in dropout recovery programs (Rose, 2002). As long as dropout recovery students are enrolled at common schools, these students will not be exempt from the mandate to demonstrate adequate yearly growth. School funding is tied to

this, and common schools have no choice but to monitor the progress of all students for whom they are held accountable. CTE institutions will undoubtedly face a choice between complying with NCLB mandates or discontinuing dropout recovery programs.

NCLB and Special Needs Students

Critics of NCLB, demonstrating a progressive philosophy, often cite the negative social and vocational ramifications of the requisite high-stakes testing for special needs students. The critics also claim that such testing is discriminatory (Albrecht & Joles, 2003). In 1975, the Individuals with Disabilities Education Act stipulated that students with disabilities should, as much as is feasible, be included into the general education setting. NCLB broadens this inclusion to encompass accountability standards such as high-stakes testing. (Albrecht & Joles, 2003). It would appear that this inclusion places an unfair burden on students with special needs. Individualized education plans do not always identify testing accommodations; and even when they do, current testing practices do not always allow for these modifications (use of calculators, spell-check, and oral demonstrations). Albrecht and Joles (2003) noted that this inclusion in testing may result in "the stigma of failure, lowered self-esteem, anxiety, and an increase in the number of students dropping out of school" (p. 87).

Because NCLB rewards school districts with incentive awards based on student performance, special needs students often feel personally responsible for their district's failure to receive such rewards. While such students may have achieved the required competencies, the high-stakes testing on which rewards are based does not allow them to demonstrate their competencies within the format of the exam. According to Albrecht and Joles (2003), "Accommodations for students with physical or sensory disabilities are routinely approved, whereas students with cognitive or behavioral difficulties may not receive the modifications" (p. 89). In some states, test scores of special needs students may be discounted if accommodations were made. In order to satisfy NCLB, these special needs students would be required to take remedial courses until they could demonstrate proficiency in the designated way. The implications of this for CTE centers are clear. A substantial number of CTE secondary students are special needs students. Remedial courses for these students would preclude their participation in CTE programs. While federal policymakers appear to be softening their stance toward the inclusion of special needs students in such high-stakes testing, it remains to be seen how significant the changes to NCLB will be in this area.

Albrecht and Joles (2003) point to states whose assessment practices are equitable to special needs students. Minnesota, New Jersey, Ohio, Arkansas, and Wisconsin exempt students with disabilities from high-stakes exams tied to graduation requirements, while Texas allows special needs students to participate in alternative assessments.

Implications

Davis (2003) indicated that the NCLB Act could actually create a "have and have not" system of public schools. Schools that perform well are rewarded with additional funding, while schools that perform poorly risk loss of critical funds. Though students at poorly performing schools are allowed to transfer, this is not always a viable option. Transportation may be inconvenient; high-performing schools may be enrolled to capacity; or students may not possess sufficient self-esteem to leave the security of a neighborhood and established friends to venture into the uncharted territory of a new school.

Additionally, Finneran (2002) related the success of high-stakes testing to the economy. He stated that "housing and schools have a symbiotic relationship" (p. 42). Many schools, CTE centers in particular, receive funding from property taxes. Schools with high test scores become the "haves", and their populations increase. The "have nots", low-performing schools, may experience a decrease in funding, both through loss of federal funds and a decrease in home sales in the district. According to Finneran, "The achievement gap between the rich and

poor seems destined to grow" (p. 42).

Davis (2003) offered little hope for a change in the course charted by NCLB. He cited the tendency of some educators to rely on the cyclical nature of political administrations. He referred to the practice of some to "keep a low profile" (p. 104) until the policies disappear with a change of administration. He pointed out that NCLB was enacted with wide bipartisan support, and he even postulated that the Act's mandate of scientifically based research will lead to the elimination of Educational Resources Information Centers and their replacement with a National Library of Education. This library will not be a repository for free inquiry, but rather a repository for an "ideological agenda" (p. 106). Perhaps unrealistically, he speculated that the National Library of Education would resort to book burnings of out-of-date or unpopular information.

On the other hand, advocates of NCLB refuted the claims of dissenters. Strahan (2003) stated that "successful practitioners [can] accomplish these goals in ways that fit their particular students at their particular schools" (p. 299). His contention was that NCLB could result in a "communal sense of responsibility" with regard to student success (p. 301). Dahir and Stone (2003) also advocated this belief. They suggested a seven-step process that would assist school counselors in supporting accountability in a "data-driven school" (p. 214). They depicted school counselors as "powerful partners and collaborators in school improvement" (p. 214). Rose (2002) and Gillis (2003) both predicted that NCLB will lead to an increased partnership between common schools and higher-education organizations. They viewed this as a positive, a cooperative effort among all educational entities resulting in the one common goal of student achievement.

Sclafani (2002), a counselor to the Secretary of Education, touted NCLB as an idea too long in coming. She stated that students who fell behind their classmates in third grade had never caught up by ninth grade (p. 44). She equally indicted teachers, schools, and school districts. According to her, NCLB will force districts and schools to speak honestly about their deficits and to work together to find solutions for them. She made reference to NCLB's requirement that "100 percent of the children achieve proficiency" (p. 46). While detractors declared this impossible, Sclafani raised it as the banner under which all stakeholders must march.

A Philosophical Debate

It would appear that the fundamental difference between the NCLB camps is a difference in philosophy. Those who advocate the Act in its entirety espouse a behaviorist philosophy, a belief that a mandated standard will produce standard results in all students. Certainly, the accountability inherent in NCLB is behaviorist in origin. It is, for all intents and purposes, competency-based education. In competency-based education, the emphasis is on the outcome. It is product-centered rather than process-centered, and acceptable evaluations are criterion-referenced. While CTE is, in many aspects, behaviorist (Elias & Merriam, 1995), the system allows students the opportunity to demonstrate competency in a variety of ways. Such is not the case in NCLB. Results for students can only be demonstrated by success on high-stakes examinations.

Competency-based education places primary emphasis on student outcomes. The qualifications of the teachers are secondary to this. There is a difference of opinion among behaviorists who advocate competency-based teacher education as to how a teacher can demonstrate competency. Most believe this should be determined by demonstrated skills and competencies (Elias & Merriam, 1995). However, there is no consensus as to which competencies are essential. NCLB places greater emphasis on instructors than do most competency-based proponents. Additionally, NCLB measures teacher effectiveness through student outcomes.

The intent of NCLB was closely tied to a desire to produce an adequate workforce of skilled laborers. This is certainly a core value which drives CTE program planners. Where the two groups diverge seems to be in regard to outcomes. NCLB measures outcomes in only one way and ties future funding to an institution's ability to meet prescribed standards. For the designers of NCLB, student success resides solely in academic realms. CTE educators realize that students who are not highly successful in core academic areas may yet be very successful in CTE areas. Progressive philosophy is evident in CTE 's ability to "foster creativity and stability, as well as individuality and social consciousness" (Elias & Merriam, 1995). NCLB is not about creativity or individuality; students must yearly demonstrate a certain level of growth, or they are not deemed successful (Hombo, 2002).

Conclusion

And so the debate rages, and the clock ticks. CTE institutions which deal only with the education of adults are immune from the strife. However, those CTE institutions which seek to enroll secondary students in their programs will more than likely not enjoy this same immunity. NCLB and CTE share many behaviorist beliefs. CTE educators need to involve themselves in the drive to modify NCLB's assessment of outcomes and to define the criteria for teacher qualification. These well may become survival issues for CTE centers that are primarily secondary education institutions.

It is difficult to find a consensus as to how to resolve the problems which NCLB has created for educators. Because of the legislation's bipartisan support, the solution would appear to lie more in the defining of terms than in political action. Common school and CTE educators need to participate in the clarification of the highly qualified teacher concept. Both groups must work together to create alternative assessments which can demonstrate both academic and vocational success. Perhaps this will be the common ground where behaviorists and progressives can meet and effect change.

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