

An Open Letter to President-Elect Obama,  
Secretary-Designate Duncan  
and  
the 111th Congress



December 2008

Dear President-Elect Obama, Secretary-Designate Duncan and members of the 111th Congress:

Congratulations on your election! The challenges awaiting you are many and we understand that the problems of K-12 education policy may not be at the top of your immediate to-do lists, at least beyond plugging holes in state education budgets.

Still, as Rahm Emanuel said recently, “A crisis is a terrible thing to waste.” The present moment is a unique opportunity for change and reform on many fronts, including our elementary and secondary education system. The federal government has a key role to play in spurring America’s progress toward a world-class education system. This could be a time of acceleration of that progress, not retrenchment.

Yet getting the federal role right is a tricky business. In this letter, we suggest how to do so. We’re surely not alone; by our count, at least a few dozen new “white papers,” books and “open letters” have surfaced in recent months, with myriad interest groups and analysts putting forward their view on how Uncle Sam should do his work related to primary-secondary education.

We like to think, however, that we are distinctively positioned. That’s partly because the staff and board of the Fordham Institute have decades of combined experience in federal education policymaking. If there’s a mistake to be learned from, we’ve made it. Partly it’s because, as analysts, we’ve been tracking the federal role in education practically since its inception. (And eight years ago we sent a similar, if more bullish, letter to President-Elect Bush and the 107th Congress.) Partly it’s because (much to the chagrin of our friends on the right and the occasional puzzlement, if not comfort, of our friends in the center and the left) we’re not tied to any rigid ideology. But mostly it’s because we’re not beholden to anyone and are therefore free to offer fresh thinking about the federal role, unencumbered by the interests of members or the vagaries of internal politics. And what federal policymaking needs now, we believe, is a fundamental reassessment, not a few nips and tucks at the edges.

In this paper, we review the current education policy landscape and its main players, and offer our view of the ideal K-12 federal role. We also address the ten big policy battles that are looming on the horizon. In summary:

The various education associations, interest groups, experts and think tanks can be broken down into three major groups with distinct agendas:

- **The System Defenders.** This camp believes that the public education system is fundamentally sound but needs additional resources in order to be more effective.
- **The Army of the Potomac.** This camp holds generally sound instincts about reform, but suffers from a boundless faith in Washington’s ability to accomplish significant positive change in K-12 education.
- **The Local Controllers.** This camp wants Uncle Sam, for the most part, to butt out of K-12 education—but to keep sending money.

We support a fourth approach, which we call Reform Realism. In particular, we believe the federal government should:

1. **Provide flexible dollars targeted at disadvantaged children.** Principals and superintendents, facing the sunshine of greater transparency around their schools’ results, should have the flexibility to spend Washington’s dollars as they see fit.
2. **Foster the development and use of common standards and tests.** While asking federal bureaucrats or politicians themselves to set standards and create tests would be perilous, you could bring governors together and task them with agreeing on what students should know and be able to do in core subjects at various stages of their K-12 schooling.
3. **Offer cash incentives to states or districts that want to embark upon promising but politically treacherous reforms.** The cleanest way to do this is to enhance the Title I payments to states or districts that are pushing hard on important reforms—without insisting that these dollars be spent on those reforms.

**4. Produce high-quality education data and solid research on what does and doesn't work in education.** Today, education research and statistics is the caboose of federal education policy when it should be the engine.

**5. Protect the civil rights of individual students and educators.** This is a traditional and needed element of the federal role and must continue, both at the Education Department's Office for Civil Rights and in other agencies.

Meanwhile, Uncle Sam should eliminate the following items from his responsibilities:

- **Oversight of state testing and reporting systems.** Once we have national tests that yield reliable data, states should be free—under the watchful eyes of their own citizens—to make their own decisions about how to turn that information into school ratings.

- **Mandated school sanctions.** Along with much else, we would eliminate No Child Left Behind's (NCLB) school transfer, free tutoring, and restructuring provisions.

- **Dictates around teacher credentials.** If reformers want to encourage changes in the human capital pipeline, they should incentivize it, not make rules about it. The “highly qualified teacher” mandate should be scrapped.

Even if the Reform Realist approach is not fully embraced any time soon, there are key ways that policymakers can nudge the federal role in that direction. Here are ten big policy battles to come, and how each could be resolved in line with the principles of Reform Realism:

1. Question: **Whether and how to move toward a system of national standards and tests?** Answer: Promote voluntary, non-governmental, “common” state standards and aligned tests and a regimen of total transparency regarding school, district, state, and subgroup performance on those tests.

2. Question: **Whether to ease the “universal proficiency by 2014” mandate?** Answer: Yes, eliminate both the “universal proficiency” mandate and the 2014 target. “Adequate Yearly Progress” (AYP) timelines should be tied to individual students and tethered to college and work readiness. The goal, then, should be to get a sizable percentage of students to college- and work-readiness standards by the end of 12th grade.

3. Question: **In allowing states to adopt “growth models,” how much growth is enough?** Answer: Focus on the growth of individual pupils across the achievement spectrum. Give states leeway to design systems that chart the trajectories of students and incentivize schools to make progress for all of them.

4. Question: **Whether to allow states to include “multiple indicators” in their AYP calculations, including test scores in subjects beyond math and reading?** Answer: Give states discretion to experiment in this area, too. Encourage them to include science and history in their AYP determinations.

5. Question: **Whether to maintain NCLB's “cascade of sanctions”?** Answer: No. States should design their own interventions. Congress could provide incentives (i.e., extra money) for states or jurisdictions to tackle these reforms aggressively.

6. Question: **What to do about the “highly qualified teachers” mandate?** Answer: Eliminate it. But also encourage (via incentive grants) states and districts to experiment with new teacher evaluation systems.

7. Question: **Whether to scrap Reading First?** Answer: Alas, yes, but replace it with a program focused on building reading comprehension through solid academic content, in the spirit of Core Knowledge. Make this program voluntary, and provide plenty of discretion.

8. Question: **Whether and how to invest in “scale up” and “capacity building” endeavors?** Answer: If

Uncle Sam must get involved in this domain, he should do so via incentives. The most practical approach is to create discrete competitive grant programs, fashioned after the Teacher Incentive Fund (which supports merit-pay programs).

9. Question: **How to maintain the integrity of federal education data, research, evaluation and assessment?**

Answer: Maintain the checks and balances of organizational independence that insulate key research and statistical and assessment activities from political pressures—without making them irrelevant to the country's pressing educational needs and priorities.

10. Question: **Whether to keep the Institute of Education Sciences (IES) and its key components at their present scale or invest seriously in education research, data, assessment and evaluation?** Answer: Dramatically boost funding for IES. Research and development is how we get smarter about education; modern data systems and ample, timely assessments are how we keep track of our progress; objective evaluations are how we determine what is and isn't working; and doing all of this right requires doing a lot more of it.

Respectfully,

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## Introduction

The federal role in education is in greater flux today and beset with more disputes and dilemmas than at any time in the past decade. Since at least the dawn of the 21st century (and, arguably, since the Charlottesville “summit” of 1989), a rough “Washington Consensus” about education has shaped the core assumptions and basic strategies of both Democratic and Republican policymakers in the White House, the Department of Education, and the Congress. Closing achievement gaps has been the focus. “No excuses” has been the ethos. And standards-and test-based accountability, first encouraged, then coaxed, then more-or-less mandated by Uncle Sam, has been the dominant strategy.

These assumptions are now coming under heavy attack. The Washington Consensus is disintegrating—but with nothing obvious to replace it. Both parties’ political “bases” are fed up with the No Child Left Behind Act (NCLB)—the statutory linchpin, high-profile symbol, and main accomplishment of the old consensus. Education progressives and political liberals with ties to the teacher unions and other education groups recoil from

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the law’s obsession with testing and resist its presumption that schools alone can dramatically improve the life chances of poor children. Conservatives and libertarians abhor NCLB’s expansion of federal control and yearn to return to “first principles” of limited government. Somewhere in the middle are sundry reformers of various stripes, mostly occupying the political center, who are fighting to maintain the major contours of NCLB while fixing its more onerous and less workable provisions. They seek to mend it while, on their left and right, powerful forces would prefer to end it. (Just about everyone, however, wants to keep the federal dollars flowing—although as one moves from right to left, the price tag rises.)

Navigating this rocky terrain will be difficult, perhaps impossible. Compromises will be made. New policies will be imperfect. But the advent of a new administration and Congress is unfailingly a time of hope and creativity. It’s a good time to ask, what would the ideal federal role in K-12 education look like? And, mindful that such an ideal may not be attainable in the present environment, what would worthy movement toward it encompass?

This letter addresses both questions. First, it sketches what we believe to be the optimal federal role in primary-secondary education, a role that might actually succeed, a role that is reform-minded but also realistic about Washington’s limited capacity to bring about change, and cognizant of the many pitfalls of unintended consequences. We use the term Reform Realists to characterize supporters of this approach, ourselves included.

After framing such a role at the “macro” level, this letter turns to big education policy disputes that loom on the horizon and suggests solutions that align with a limited yet reform-oriented

federal role. Let’s get started.

## Part I: Right-Sizing the Federal Role in Education

Surveying the education policy landscape on the Potomac’s banks, we see the myriad of interest groups, advocacy organizations, think tanks, and policymakers coalescing into three big and noisy camps.

**The System Defenders.** These folks—the teacher unions, other traditional education groups, and their friends on Capitol Hill—believe that the public education system is fundamentally sound but needs additional resources in order to be more effective. They fuss at length about “capacity building” (i.e., more dollars for teacher training and development); want big bucks for everything from school construction to class-size reduction; and would minimize the extent of transparency, external accountability for results, and school choice for families. Their vision of the federal role resembles the current version, with its many programs, formulae, rules and complexities—albeit with a lot more money and a lot less accountability.

**The Army of the Potomac.** These folks—from civil rights groups such as Education Trust, “New Dem” bastions such as Education Sector and the Progressive Policy Institute, to nominally bipartisan initiatives such as the NCLB Commission—hold generally sound instincts about reform. They see unions and school boards as barriers to improvement and equity; they favor holding schools accountable for public dollars; they believe in empowering parents, at least within the realm of public education; and they focus laser-like on closing achievement gaps and promoting educational equality. Their Achilles heel is their near-boundless faith in Washington’s ability to accomplish significant positive change in K-12 education. Even though the federal government is three or four steps removed from schools (and contributes less than ten cents of the school’s revenue dollar), they remain confident that the right mix of car-



rots and sticks, suitably engineered by selfless policymakers and implemented by tireless technocrats, can lead to an educational utopia. They downplay the unintended consequences caused by NCLB (and other well-intended federal education laws); indeed, most of them would ratchet up Uncle Sam’s pressure on states and local schools.

**The Local Controllers.** These folks, led by conservative and libertarian think tanks such as Heritage and Cato, and represented on the hill by the likes of Senator Jim DeMint and Congressman Pete Hoekstra, want Uncle Sam, for the most part, to butt out of education policy—but to keep sending money. They see NCLB as an aberrant overreach, an unprecedented (and



perhaps unconstitutional) foray into the states' domain. Many within this faction also want to see reform, particularly in the form of greater parental choice of schools, but at day's end their federal policy position resembles that of the system-defenders. They want to keep the federal dollars flowing, albeit at a much more modest rate than those on the left, but to remove the accountability that currently accompanies these monies. They have given up on Uncle Sam as an agent for positive change, period. And they have enormous confidence that communities, states, and parents, unfettered from and unpestered by Washington, will do right by children.

Before we proceed further, note that almost nobody wants to scrap the federal role in K-12 education entirely. Eliminating NCLB, to be specific, would imply stopping the \$25 billion a year that pours through that legislation into America's public schools. After all, No Child Left Behind is just the latest iteration of the 40-year-old Elementary and Secondary Education Act (ESEA). Even were Congress to eliminate the Department of Education, ESEA would surely live on.

We're already witnessing scuffles between the System Defenders and the Army of the Potomac. Both are found in sizable numbers within the Democratic party and, since well before the convention in Denver, they've been rumbling over that party's future approach to education and, more urgently, for primacy within the new administration. (Today, it appears to us that President-Elect Obama's policies will fall somewhere between the preferences of these two factions.)

The GOP—in disarray over any number of issues and challenges—has a similar factional fight regarding K-12 education. On one side, the Local Controllers would devolve power and authority to states, school boards and parents, pretty much turning the Education Department into a check-writing machine. On the other side, a residue of NCLB defenders and reformers

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within the Republican Party argue amongst themselves (as well as with the Local Controllers) about what sort of rewrite would best propel the U.S. toward a higher-achieving and more internationally competitive education system.

We mostly associate ourselves with a fourth group, the Reform Realists, favoring a vigorous but realistic federal role that respects what is best done from Washington and for the entire nation while dismissing federal programs, policies and practices that, in our judgment, cannot succeed. We hope others will join our tiny band.

#### **The Reform Realist Perspective**

Reform Realists share some core assumptions with both the Army of the Potomac and the Local Controllers, though we don't have much in common with the System Defenders. Like the Army, we embrace standards, assessment, and accountability; we believe America's achievement gaps are morally unacceptable, socially divisive and politically unsustainable; and we recognize that for the United States to remain secure and

prosperous in a dangerous but shrinking and flattening world, our education system must be far more effective and productive than it is today. Like the Local Controllers, we favor school choice in almost all its forms; we understand that states are where most of the policy action (and funding) in K-12 education are vested; and we realize that individual communities, schools, educators and families have variegated needs and differing priorities across this big and diverse land.

Like the Army of the Potomac, we abhor the notion of spending billions of taxpayer dollars without demanding improved results in return. But we agree with the Local Controllers that federal action too often yields unintended, undesirable consequences, and that policymakers would be wise to adopt the medical profession's maxim of "first do no harm." We've learned that Uncle Sam's education levers are few and none too powerful and that, in the real world we inhabit, there's not much that the Education Department can do to coerce states and districts to do things they don't want to do or are organizationally incapable of doing—much less to do those things well. School reform is difficult, complex work and the application of federal carrots and (less commonly) sticks can only go so far.

Thus we believe in a targeted and strategic federal role in K-12 education with Uncle Sam sticking to important elements that he can do well (and that others do less well)—but leaving the rest to states, communities, educators and families. We believe in a federal role that is balanced between equity (i.e., gap closing) and excellence (i.e., accelerating the performance of all students and boosting the country's educational effectiveness). In particular, we believe that the federal government can properly and effectively do five things—and not much more:

#### **1. Provide flexible dollars targeted at disadvantaged children.**

We have no qualms with Washington's traditional role in supplementing the education resources devoted to society's most vulnerable youngsters. Uncle Sam is reasonably adept at collecting and distributing dollars, and some redistributionism in K-12 education is entirely appropriate, considering that today the schools that poor kids attend generally receive fewer state/local resources than those serving their more affluent peers. But those federal dollars should arrive at schools with minimal strings attached. Principals and superintendents, facing the sunshine of greater transparency around their schools' results, should have the flexibility to spend Washington's dollars as they see fit. In an ideal world, we'd dump all federal K-12 funding into the Title I formula (particularly its most targeted piece) and slash the red tape that currently accompanies most of those dollars through dozens of separate formula-based and categorical programs. (Short of that, we'd advocate "transferability" provisions that would allow local administrators to pool federal funds as they like.) This would push Uncle Sam closer to a "weighted student funding" approach, which we prefer.

#### **2. Foster the development and use of common standards and tests.**

No Child Left Behind promised greater transparency, but has actually produced less. Parents are told that their children are "proficient" in reading and math when they aren't anywhere close to being on track for college or a decent job. School results aren't comparable across state lines. Decisions about whether a school makes "Adequate Yearly Progress" (AYP) are opaque and almost random. This is a national outrage—the K-12 equivalent of letting credit rating agencies declare high-risk mortgage securities to be sound. We can do better. While asking federal bureaucrats or politicians themselves to set stan-

dards and create tests would be perilous, certainly President-Elect Obama could bring governors together and task them with agreeing on what students should know and be able to do in core subjects at various stages of their K-12 schooling. (A coalition of groups, including governors and state superintendents, appears ready to forge such common agreement.) And the feds could provide incentives (in the form of extra money or regulatory relief) for states to adopt these higher expectations as their own. A national test that produces national results and a blizzard of data that could be sliced every which way would give America the transparency it needs. Put simply, we would forego federally-driven “accountability” in return for much more trustworthy “transparency,” and leave it to the states to

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determine how to use the national data to rate schools and how and when to intervene in those that aren’t measuring up.

**3. Offer cash incentives (and thus both encouragement and political cover) for states or districts that want to embark upon promising but politically treacherous reforms.** The cleanest way to do this is to enhance the Title I allotment of states or districts that are pushing hard on important reforms—without insisting that the federal dollars be spent on those reforms. For instance, states that are serious about intervening in low-performing schools, or creating high-quality charter schools, or ending teacher tenure, would receive extra dollars that they could use as they like. Similarly, districts that pay teachers according to the value they add to their pupils’ education, or that experiment with high-quality virtual schools, or that equalize resources between schools would get extra funds. Congress would make explicit what reforms warrant additional funding but the dollars themselves arrive as a general supplement (via Title I) to the deserving state or district, not a restricted categorical payment that must be used in prescribed ways. (A more traditional approach would offer competitive grants for states or districts that sign up for particular reforms, such as expanding school choice programs or alternatively certifying principals and teachers.) Either way, Washington could play a constructive role in pushing for reform in places that volunteer to participate without trying to force all 50 states and 15,000 school districts to move in the same direction.

**4. Produce high-quality education data and solid research on what does and doesn’t work in education.** Today, Washington’s education research and statistics, despite recent improvements, is still little more than a policy afterthought, receiving scant money, minimal attention, and even less respect. It’s the caboose of federal education policy when it should be the engine. Congress should plow dramatically more funds into the Institute for Education Sciences (IES) and push the National Center for Education Statistics (NCES) to create a data collection system worthy of the 21st century. (Officials might start with the suggestions outlined in Fordham’s recent book on this topic, *A Byte at the Apple*.) And the National Assessment

of Educational Progress (NAEP), aka the “Nation’s Report Card,” should be strengthened and made even more independent from political tug-o-wars. (Congress has a chance to work on this piece immediately, as the federal education research apparatus—like NCLB—is overdue for reauthorization.)

**5. Protect the civil rights of individual students and educators.** This is another traditional and worthy element of the federal role and must continue, which means maintaining the role of the Department of Education’s Office for Civil Rights.

In sum, Washington should:

- Direct funds to needy children.
- Make school results transparent.
- Provide financial incentives for key reforms.
- Generate high-quality research and data.
- Protect individual civil rights.

Then stop.

That’s right. Stop.

That’s plenty for Uncle Sam to tackle, we believe, but it would mean jettisoning major pieces of his current role, including:

**Oversight of state testing and reporting systems.** As we move to common national standards and tests, this role obviously expires. Good riddance—because the federal/state relationship works worst when it fosters cat-and-mouse games played around “Adequate Yearly Progress.” And once we have a national test that produces reliable data, states should be free—under the watchful eyes of their own citizens—to make their own decisions about how to turn those data into school ratings. Some might, for example, rank their schools on an A to F scale while others might keep some semblance of AYP and still others go in a different direction altogether. Most will likely look at “student growth over time,” but each state would be free to tackle this somewhat differently. Furthermore, private organizations such as GreatSchools.net might offer their own judgments about individual schools and groups such as Education Trust can be counted upon to mine the data for revealing examples and comparisons.

**Mandates around school sanctions.** The federal government has proven utterly incapable of enforcing NCLB’s “cascade of sanctions” for low-performing schools. States or districts that aren’t interested in providing choices to parents, or offering free tutoring, or closing down (or reconstituting) failing schools have found innumerable ways to stymie Washington’s dictates in this domain. Nor does the Department of Education have any real competence here. Like it or not, states must be put back in the driver’s seat, even if that means that “accountability” in some states grinds to a halt. States should design their own intervention systems, though the federal government can certainly incentivize them to go in certain directions—voluntarily—via competitive and incentive grants. This means that, along with much else, we would eliminate NCLB’s school transfer, free tutoring, and restructuring provisions.

**Dictates around teacher credentials.** NCLB’s “highly qualified teachers” provision has been gamed into meaninglessness. The solution is not to ratchet up its requirements to a “highly effective teachers” gambit, but to recognize the unintended consequences that flow from Uncle Sam intervening in such

school-specific issues as staffing decisions. If reformers want to encourage changes in the human capital pipeline, they should incentivize it, not make rules about it. The “highly qualified teacher” mandate should be scrapped.

**Red tape.** All of the big categorical programs in NCLB come with miles of rules and regulations. Most started with reasonable instincts, of course. Involve parents! Use research-based strategies! Involve the community in planning! But the result is a compliance culture that works against reform while burdening busy administrators with meaningless paperwork. Yes, grantees must show that they are using funds for appropriate educational purposes and not wasting taxpayer dollars, but that’s the work of auditors. The red tape should go into a bottomless drawer.

### The Makings of a Grand Compromise?

There you have it, the contours of a “Reform Realist” approach—oriented toward systemic change but humble about Washington’s role. We believe that such a strategy could attract considerable support from reformers across the ideological spectrum. It could also become the basis for a “grand compromise” in federal education policy.

Consider what the factions have to gain. For the System Defenders, it would mean an end to federally-mandated sanctions on low-performing schools. For the Local Controllers, it would mean a much lighter regulatory load emanating from Washington. And for reformers, it would mean an environment with much greater transparency, data, and solid research than we enjoy today—all of which could provide a far healthier environment for reform at the state and local levels.

We’re well aware that this is a fundamentally different approach to federal policymaking in K-12 education and only in our dreams do we picture the Obama administration and leaders of the 111th Congress swiftly embracing it. But it truly has promise as a way out of the current political thicket that surrounds NCLB. And it might actually work.

## Part II: Ten Disputes and How to Resolve Them

Now let’s suppose that our full vision of the optimal federal role does not immediately prevail. How might Reform Realists push federal policy closer to it? Here we examine ten of the most consequential major policy fights to come in the next few years—and suggest where Reform Realists should draw their lines in these sands. Not surprisingly, most (but not all) of these discreet items relate to reauthorization of NCLB.

**1. Whether and how to move toward a system of national standards and tests?** In private, more and more people from both parties now acknowledge that the U.S. would be better off with national standards and a single testing system, indeed that such commonality may be prerequisite to many other worthy changes. We’ve seen that NCLB’s perverse incentives—mandating “100 percent proficiency” by 2014 but allowing states to define proficiency however they like—have created an environment where raising standards is politically treacherous. Yet most analysts agree that the United States needs much higher standards if it is to compete with the rest of the world.

Still, there’s continuing reluctance among Local Controllers (the bogeyman of a national curriculum, the fear that national standards will inevitably become federal standards and then

used to coerce Uncle Sam into shouldering responsibility for funding and implementing every imaginable step to attain those standards). There’s anxiety in some states that have done a commendable job of developing their own standards, assessments and accountability system. There’s confusion as to where national standards and tests would leave off and “accountability” would begin. And there’s much dissent regarding the proper vehicle for developing and then managing such standards and tests. (Must national mean federal? What about the NAEP? What about states that don’t want to participate? And so on.)

The proper Reform Realist approach is to promote voluntary, non-governmental “common” standards and aligned tests and a regimen of total transparency regarding school, district, state,



and disaggregated subgroup performance on those tests. (We’d love standards and tests in all of the subjects of the core curriculum but could settle for math and reading to start.) In other words, a let’s-hold-hands strategy among states should be nurtured. Uncle Sam could help by providing incentives and assistance for states to join in. But he certainly shouldn’t get involved in developing the standards and tests themselves. What he must do instead is maintain the “Nation’s Report Card” (NAEP) as a reliable external auditor of states that do and states that don’t join in this effort.

**2. Whether to ease the “universal proficiency by 2014” mandate?** While the ethos of “leave no child behind” is admirable, it’s well known that few if any practicing educators believe “universal proficiency” is attainable at any point in time, at least not if proficient means anything serious, such as being on track for college. We have ample evidence that expecting this of every child—regardless of cognitive capacity, home circumstance or disability status; regardless of immigrant status and English-language fluency—is naive if not cruel. And it’s evident from the implementation of NCLB that exemptions and exceptions and waivers and concessions are already being made to this wishful but unworkable rule. Yet everybody understands that any explicit backing away from universality raises the immediate and unanswerable question: “which kids don’t you care about?” The big temptation faced by NCLB reauthorizers will be to keep the stated goal of universality but to delay its effective date—and to empower the executive branch and perhaps the states to make more exemptions, exceptions and waivers—in effect, backing away from universality without admitting it.

A better, more honest approach, in the spirit of Reform Realism, is to scrap the “universal proficiency” mandate and the 2014 target. While we would prefer a system of national standards and tests, coupled with complete state discretion about how to turn the results of those tests into school ratings and accountability consequences, there is plenty of middle ground worth exploring. For one, “Adequate Yearly Progress” time-



lines should be tied to individual students and tethered to college readiness. The goal, then, should be to get a sizable percentage of students to college-readiness standards by the end of 12th grade. (Not all, however. If we expect students with cognitive disabilities or adolescents new to the country to achieve “proficiency” just like everyone else, then those proficiency standards will invariably be set low. And a primary goal of Reform Realists should be to return value and meaning to the idea of “proficiency.”) But connect timelines to something real (the exit point of the K-12 system) rather than something artificial (e.g., 2014 or some other arbitrary date Congress sets). After all, what matters is whether a child is ready for the world of work or higher education by the time they are 18, not where they are at a random point in time.

**3. In allowing states to adopt “growth models,” how much growth is enough?** Practically everyone agrees that the next iteration of accountability systems should look at student progress over time rather than snapshots of performance, as we have now under NCLB. But this apparent consensus masks vast dissension about how much growth is enough. Some groups, including many in the System Defenders camp, believe that a year’s worth of growth over the course of a year should be enough to keep any school out of trouble. But what about schools whose students start out many years behind? Is “one year’s growth” simply defined as the average achievement gain made by other students? Others, such as Secretary of Education Margaret Spellings, want to see dramatic growth toward the goal of “100 percent proficiency.” But that approach also has multiple problems. It maintains NCLB’s obsession with a single

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performance point called “proficient”—creating incentives for schools to ignore students far below or already above that line. It also tends to require such dramatic growth that high-poverty schools are unlikely to make it, breeding cynicism and disillusion.

Reform realists should look to policies that focus on the growth of individual pupils. States—which deserve a lot of leeway here—should be able to design systems that chart the trajectories of individual students and incentivize schools to make progress for all of them, whether they are above, below, or at “proficiency.” (States should also be allowed to test “out of grade” so they can accurately gauge where students are and what gains they’re actually making. If you want high-achieving students to grow over time, you can only measure that accurately if you can test them where they are, even a few grade levels above or below their assigned classroom.) Yes, states should expect schools to accelerate the progress of low-achieving students, toward the goal of college and work readiness by the 12th grade. But let’s also admit that no one knows how to do this perfectly yet, so the states should be allowed ample room to experiment.

**4. Whether to allow states to include “multiple indicators” in their AYP calculations, including test scores in subjects**

**beyond math and reading?** The wonky term “multiple indicators” became a big topic a year ago when Education Committee Chairman George Miller floated his NCLB reauthorization bill. Some System Defenders promoted it as a way to include nonstandard assessments (e.g., portfolios, teacher-graded tests) in state accountability systems. The Army of the Potomac responded that such an approach would water down accountability and let bad schools off the hook.

We appreciate those concerns, but as Reform Realists we believe that states should have some discretion to experiment in this area, too. Our top priority is to allow, even encourage, them to include science and history in their AYP determinations. (We believe this would create desirable incentives for schools to avoid narrowing these crucial subjects out of the curriculum, a worthwhile objective that President-Elect Obama addressed on the campaign trail.) While we have doubts about the practicality and validity of portfolios and suchlike, we think the federal government’s disposition toward the states should be: Convince us that you are committed to identifying schools that need help, and we’ll be open to alternative approaches.

**5. Whether to maintain NCLB’s “cascade of sanctions”?** Analysts from left, right, and center have found No Child Left Behind’s school interventions to be a big disappointment. This area may be the best example of federal overreach, showing the inability of the U.S. Department of Education to enforce anything so ambitious and complex. That’s not a criticism of anybody at the department; it’s simply too far removed from individual schools to do much good here. Intervening successfully in a failing school is tough, complex work and, based on experience, not terribly likely to succeed. Doing this work because of a federal mandate makes it even less apt to succeed.

Some advocates in the Army of the Potomac would turn up the heat on states and districts by narrowing their range of options in dealing with failing schools. We understand the appeal of that approach but cannot see it succeeding. There are just too many ways that state and local officials can stymie federal bureaucrats in this domain. (At the end of the day, no matter how big Washington’s carrots and sticks may be, it’s some state or local authority that must actually undertake the school intervention.)

Though we staunchly support choices for parents and believe in bold action at the state and local level in addressing school failure, this is one area where Uncle Sam should keep out. He should leave it to the states to design their own interventions. If he cannot restrain himself from staying involved, he could provide incentives (i.e., extra money) for states or jurisdictions that tackle these reforms aggressively.

As Reform Realists we would eliminate the sanctions cascade entirely. Short of that, we would support “differentiation,” such that only the worst schools come under the most aggressive sanctions. Another approach is to focus federal efforts on school districts with many schools in need of improvement. The surest way to produce no meaningful change is to try to leverage change in too many places at the same time.

**6. What to do about the “highly qualified teachers” (HQT) mandate?** Like others, this provision, was well-intended, but it, too, has fallen far short. By focusing on paper credentials (a college degree, teacher certification, and subject matter knowledge as denoted by a college major or test score), the policy narrowed the definition of “teacher quality” to measures with only a hazy

relationship to classroom effectiveness. By creating the capacious “HOUSSE” (High Objective Uniform State Standard of Evaluation) loophole, Congress ensured that almost all teachers would eventually clear this hurdle, albeit after many hours of frustration and annoyance (which certainly didn’t help NCLB’s popularity within the education profession).

Many within the Army of the Potomac recognize this situa-

### It’s probably too late to save Reading First, so reformers should focus on what’s next.

tion and believe that the solution is to shift the requirement from “highly qualified” to “highly effective” teachers. We agree that teachers should be deemed effective as gauged primarily by their impact on student learning, but we wince when thinking about how such a mandate would be gamed and bungled were it forced from Washington. A much better approach, in the spirit of Reform Realism, is to scrap the HQT requirement while encouraging (via incentive grants) states and districts to experiment with new teacher evaluation systems. Short of that, reformers should at least push to ensure that any HQT mandate is unambiguously friendly toward alternate routes into the classroom and other nontraditional approaches.

**7. Whether to scrap Reading First?** The story of Reading First has all the makings of a 21st century Greek tragedy: A program that is immensely popular within the field, that is probably helping to drive up the nation’s early-grade reading scores, and that rests on some of the best research in education is headed for the policy dustbin, thanks to a pseudo-scandal, a couple of tough (but unfair) evaluations, and its personal connection to the unloved President Bush.

At the same time, Reading First contains a cautionary tale for Reform Realists. Because it was charged with ensuring that districts used only “effective” reading interventions, it put federal officials in the position of picking winners and losers, and using their authority to keep certain vendors out of the market. The explosions that followed underscore the case for a more humble federal role.

It’s probably too late to save Reading First, so reformers should focus on what’s next. Surely the Obama administration will do something in reading—but what? The Reading First studies did make a contribution by indicating the limits of phonics and decoding skills alone in building better readers. (Once little kids learn how to decode words on a page, they need to read good materials in order to build their comprehension abilities.) So the next federal reading initiative might focus on building comprehension through solid academic content, in the spirit of Core Knowledge and E.D. Hirsch. (This would also address President-Elect Obama’s interest in keeping art and music and literature and history in the curriculum.) Such a program could fund initiatives in grades 1-8 to incorporate solid content into daily practice. But reformers should learn a lesson from Reading First: make it voluntary, and provide plenty of discretion.

**8. Whether and how to invest in “scale up,” “capacity building” and “R&D” endeavors?** Both the System Defenders and the Army of the Potomac see the federal treasury as a potential piggybank for their favorite ideas and preferred reforms. Tradi-

tional education groups would love to see more federal investment in teacher training (particularly the university ed-school variety); the “capacity building” of state and local education agencies; and ongoing professional development for teachers and administrators. New Dems are calling for “investments” in taking promising reforms to scale with venture-capital-like grants.

While Reform Realists might agree with the latter group about which reforms are promising and worth supporting (and scaling), we hold far less confidence in Washington’s ability to pick winners and losers, and its capacity to do that sort of thing without a lot of political backlash. If Uncle Sam must get involved in this domain, he should do so via incentives. The most practical approach is to create discrete competitive grant programs, fashioned after the Teacher Incentive Fund (which supports merit-pay programs). Such grants could go to states, districts, even municipalities that voluntarily sign up for bold education reforms in return for extra federal dollars. The U.S. Department of Education knows how to run such programs and experience indicates that, with enough money, these grantees can be given the political cover (as well as the cash wherewithal) to experiment with worthy reforms.

**9. How to maintain the integrity of federal education data, research, evaluation and assessment?** NCLB isn’t the only fed-



eral education statute due for reconsideration by the Obama administration and the 111th Congress. The Institute of Education Sciences needs reauthorizing, too. This is the semi-independent Education Department unit that houses the National Center for Education Statistics, the National Assessment of Educational Progress, the bulk of Uncle Sam’s activity to determine and disseminate “what works” in education, and most of the federal government’s effort to appraise the efficacy of its own programs in this area. These activities didn’t originate with the establishment of IES in 2002—Washington’s involvement in education data, for example, goes back to Reconstruction—but that’s where they’re found today.

For the most part, IES works pretty well and doesn’t need a total makeover like NCLB. But it presents the president and Congress with a medium-size dilemma and a large opportunity.

The dilemma is whether and how to maintain the various layers of organizational independence that insulate key research, statistical, and assessment activities from political pressures—without making them irrelevant to the country’s pressing educational needs and priorities. Particularly sensitive here are the semi-autonomy of NCES and its commissioner, even within

the IES structure, and the National Assessment's delicately balanced governance arrangement.

Americans need to be able to trust "the facts" about education



whether they like them or not, whether they agree about what reforms are needed, and whether they're satisfied with the effectiveness of current programs. Yet every administration wants its reforms and programs to look good and yearns to show improvements occurring on its watch. Members of Congress have pet programs, too—not to mention states and districts that depend in varying degrees on funds channeled through those programs. And innumerable academics, institutions and interest groups find their own reputations, priorities, and financial well-being entangled with IES-sponsored studies of various sorts.

Hence just about every part of IES, and every project it undertakes, confronts tensions between the imperative to be accurate, objective and trustworthy on the one hand, and pressures, on the other hand, to "spin," "shade," or "slant" its information and to play favorites in allocating its resources, energies or attention.

The current Education Sciences Reform Act contains four important elements of insulation, all of which should be stoutly defended by conscientious education reformers during the reauthorization process:

- The Institute's director is named by the president, with the advice and consent of the Senate, to a fixed term of six years, and the statute calls for him/her to be a "highly qualified authority in the fields of scientifically valid research, statistics, or evaluation in education, as well as management within such areas, and have a demonstrated capacity for sustained productivity and leadership in these areas."
- Watching over and advising the director on policy and priorities is a blue ribbon group called the National Board for Education Sciences.
- The Commissioner of Education Statistics is a presidential appointee, holds office for a fixed term, and possesses several statutory responsibilities that even the IES director may not override. (The former IES director wanted to change this, of course—but that would be an enormous mistake.)
- Responsibility for NAEP is shared between the statistics commissioner and the National Assessment Governing Board, an independent body whose members are named to four-year terms by the education secretary and that possesses its own expert staff.

Each of those "insulating" arrangements brings its own awkwardness, potential for conflict, and vulnerability to bad personnel selections—but the cause of education reform would be

far less well served if any of them were undone.

**10. Whether to keep IES and its key components at their present scale or make a serious federal investment in education research, data, assessment and evaluation?** The large opportunity facing the Obama team and Congress in this sphere is to beef up the work of IES from its present tiny scale to something more like the National Institutes of Health (NIH). To be fair, the total IES appropriation rose from \$240 million in 2001 to \$400 million in 2008. Yet research and statistics continue at a paltry level that would never be tolerated by modern industry or by other key spheres of government activity (e.g., health, defense, law enforcement). In light of America's discontent with the current performance of its education system, the uncertainty surrounding what changes in that system would most effectively boost its productivity and quality, and the extent to which "transparency" succeeds only in the presence of accurate information, the country's underinvestment in the R&D side of education and in the modernization of its data and assessment systems is, frankly, unacceptable and dysfunctional.

But changing this is will require much heavy lifting. By and large, System Defenders want every additional federal dollar to go into programs that more directly benefit their institutions—

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and they're wary of transparency, assessment and evaluation in the first place. Local Controllers tend to find this research stuff obscure and irrelevant, and they're wary of government-sponsored studies that probe into such personal matters as parents reading to their children. The Army of the Potomac generally supports more and better education research and data, but its battalions, too, have favorite programs, pet theories, and cherished reform strategies that they don't much want to see undermined by critical evaluations. (They also tend to argue that we "already know what works.") Moreover, budgets are going to be tight and the president and Congress will face heavy pressure to invest in "action" (and, of course, "pork") rather than dispassionate analysis.

The obligation of Reform Realists in this sphere is obvious. We must do our best to explain to the powers that be that R&D is how we get smarter about education; that modern data systems and ample, timely assessments are how we keep track of our progress; that objective evaluations are how we determine what is and isn't working; and that doing all of this right requires doing a lot more of it.

## Closing Thoughts

NCLB marked both an evolution and a revolution in federal education policymaking. It was an evolution, yes. It built on previous iterations of the Elementary and Secondary Education Act, in particular 1994's Improving America's Schools Act. Its controversial provisions around testing and accountability did not fall out of the sky but were an extension of what Congress had already embraced.

Yet NCLB's focus on subgroup performance, its attempt to intervene vigorously in failing schools, its insistence on universal proficiency, and its application to every classroom in America,



made it a revolution, too. It turned federal education policy into a major political issue for the first time in decades and embedded Uncle Sam into the everyday routines of schools to a much greater extent than anything before it, except maybe for the Individuals with Disabilities Education Act.

Now we are at a crossroads once again. Will Congress continue to ratchet up the extent of federal involvement in America's schools? Will it retreat and return to the adage of local control? Neither is wise. We think there is a third way, an approach that continues the country's path of reform but reclaims for Washington an appropriate and more manageable role.

"Reform Realism" doesn't have the catchy ring of "No Child Left Behind," but it has the benefit of being attainable. It might even be politically popular. How about we give it a try?