Reality Check

Can Separate Be Equal?

The Overlooked Flaw at the Center of No Child Left Behind

A Century Foundation Guide to the Issues

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The Overlooked Flaw at the Center of the No Child Left Behind Act

Reality Check

A high percentage of U.S. public elementary and secondary schools are among the finest in the world. But for many of our children, especially those who live in low-income urban school districts, the nation's educational system is failing. Today, the reading level of the average, low-income twelfth grader is the same as that of the average, middle-class eighth grader—regardless of race.[1] The No Child Left Behind Act of 2001 (NCLB), enacted with broad bipartisan support, sought to address such inequities. The act, which employs a strict regimen of testing and accountability, requires that all children—poor or rich, black or white—be "proficient" in reading and math by 2014.

Now, NCLB is coming under attack from both conservatives and liberals. Progressives point out that NCLB is severely underfunded—and indeed, in President Bush's new budget, the appropriation requested for the program is $9.4 billion less than the level authorized by Congress. Conservative state legislators have attacked NCLB as a federal intrusion on local control—a perennial objection of dubious validity.[2] But NCLB's biggest flaw has less to do with what it attempts to do—hold schools accountable—than what it does not attempt to do: address concentrations

1. National Center for Education Statistics, *NAEP 1998 Reading Report Card for the Nation* (Washington, D.C.: U.S. Department of Education, 1999), pp. 44, 59.
2. See Leo Casey, "Education and American Federalism," *21st Century Schools Project Bulletin*, January 13, 2004.

of poverty in our public schools. As it turns out, a school's effectiveness has a lot to do with the share of its student population that lives in low-income households.

What the No Child Left Behind Act Attempts to Do

NCLB seeks both to raise all students' achievement levels and to reduce the achievement gaps among students of differing races and incomes. In return for federal funding, states are required to test each student in reading and math for grades 3–8. The testing is done to ensure that schools are held accountable for making mandated "adequate yearly progress" toward raising achievement.

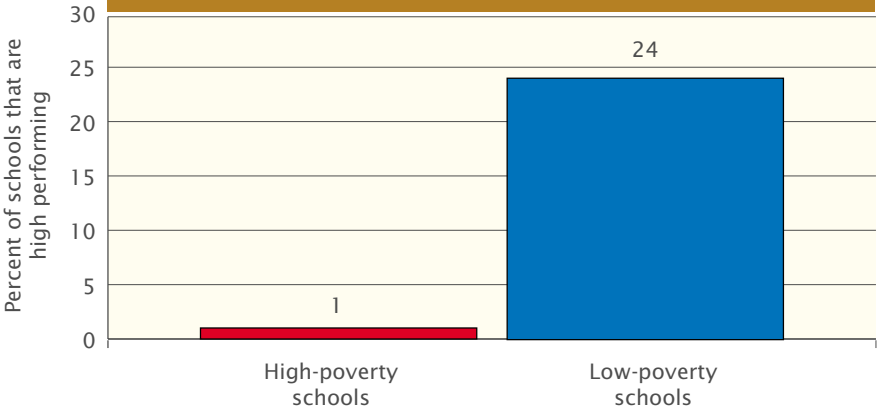
NCLB requires that schools failing to make such progress for two consecutive years provide students with public school choice—that is, allow them to transfer to a higher-performing school and cover the costs of transportation. After a third year of failure, schools are required to offer supplemental educational services, including private tutoring. After four consecutive years of failure, the school's district must take corrective action, which could include adopting a new curriculum or replacing staff. One of NCLB's other major provisions is a requirement that all public school teachers be "highly qualified" by the end of the 2005–2006 school year.

What NCLB Neglects

But NCLB does not address the central obstacle in the struggle to reduce the achievement gaps: the concentrations of poverty in American schools. High-poverty schools (schools in which at least 50 percent of students qualify for free or reduced-price lunch) are much less likely to be successful than middle-class (low-poverty) schools. As Figure 1 shows, a middle-class school is twenty-four times as likely to be consistently high performing as a high-poverty school.

The explanation for the achievement gap is complex and includes both home and school factors. Low-income students, on average, come to school less ready to learn. But the concentration of poverty in certain schools has an independent effect. While research finds that low-income students do worse than middle-class students, on

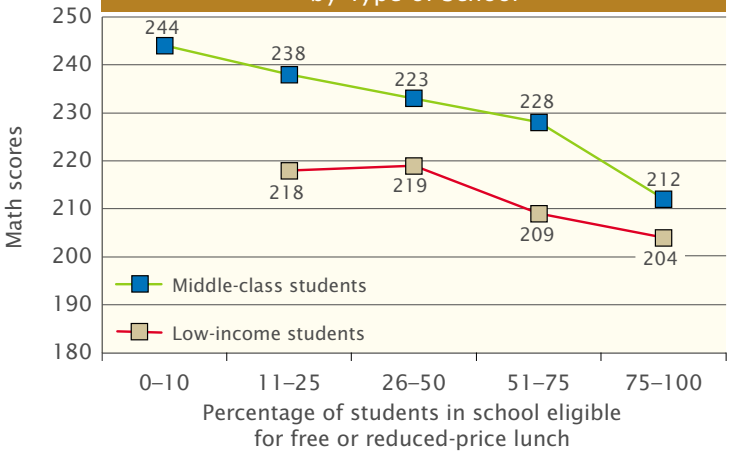
Figure 1. Percentage of Schools that Are Consistently High Performing, by Socioeconomic Status



Note: High poverty is defined as at least 50 percent of students eligible for free or reduced-price lunch; low poverty (middle class) is defined as fewer than 50 percent eligible. High performing is defined as being in the top third in the state in two subjects, in two grades, and over a two-year time period.
Source: Douglas Harris, "Beating the Odds or Losing the War? A National Portrait of Student Achievement in High-Poverty Schools," Economic Policy Institute, forthcoming.

average, there is one exception to this rule: low-income students attending middle-class schools perform higher, on average, than middle-class children attending high-poverty schools. Figure 2 demonstrates this phenomenon. The top line tracks the score of middle-class students on the fourth grade National Assessment of Education Progress (NAEP) math test, and the bottom line shows the scores of low-income students. Students from both groups do better on the left side of the figure (in middle-class schools) and do worse as they move to the right (in high-poverty schools). Strikingly, low-income students in middle-class schools score better than middle-class students in the highest-poverty schools.

Figure 2. Student's NAEP Math Scores, by Type of School



Note: Low income is defined as eligible for free or reduced-price lunch, middle class as not eligible. Math scores are the average scores of public school students in fourth-grade mathematics on the National Assessment of Educational Progress (NAEP) in 2000. There were insufficient data to arrive at a reliable estimate for the math scores for low-income students in the lowest-poverty schools.
Source: U.S. Department of Education, *The Condition of Education* (Washington, D.C.: Government Printing Office, 2002), p. 58.

NCLB does nothing directly to address America's long-standing problem of separately educating poor and middle-class children. Fifty years after *Brown v. Board of Education*, NCLB is an effort, like most education reform, to make separate but equal work. The notion, in part, is that outside pressure and accountability will lead states to "fix" high-poverty

schools. But this approach is likely to fail because research finds that what all students need most is the good learning environment found in majority middle-class schools. Specifically:

- *Middle-class schools have an adequate financial base (as measured against student needs) to provide small class size, modern equipment, and the like.* Most studies find that low-income students need considerably more spent on their education than middle-class students do in order to produce high levels of achievement, yet affluent districts spend a cost-adjusted $7,510 per pupil, compared to $6,254 in high-poverty districts.[3]

- *Middle-class schools are more likely to spend money on the classroom than on bureaucracy.* One reason for this difference is that there is less pressure in middle-class areas to make education a jobs program for adults in the community, because plenty of well-paying private sector jobs are available for middle-class parents.[4]

- *Middle-class schools provide an orderly environment.* Indeed, middle-class schools report disorder problems half as often as high-poverty schools,[5] and low-income students are about twice as likely to report the presence of street gangs at school as more affluent students.[6]

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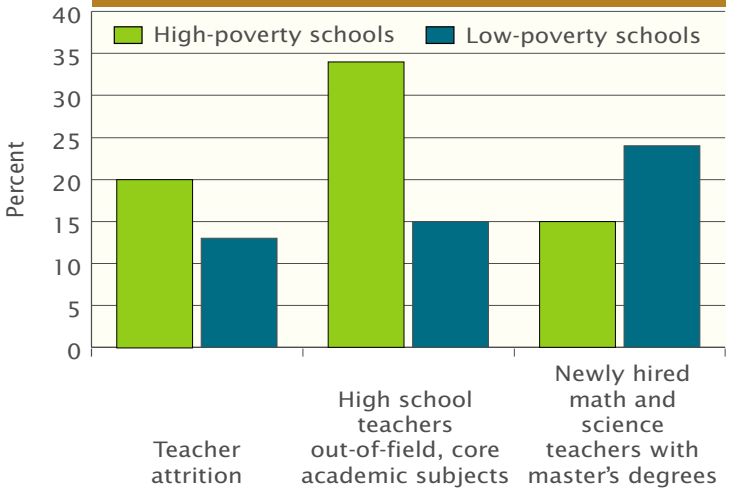
3. Kevin Carey, "The Funding Gap: Low-Income and Minority Students Still Receive Fewer Dollars in Many States," Education Trust, Washington, D.C., Fall 2003, Table 3, p. 7.
4. See Richard D. Kahlenberg, *All Together Now: Creating Middle-Class Schools through Public School Choice* (Washington, D.C.: Brookings Institution Press, 2001), pp. 65–66.
5. Ibid., p. 58.
6. Paul E. Barton, *Parsing The Achievement Gap: Baselines for Tracking Progress* (Princeton, N.J.: Educational Testing Service, October 2003), p. 19.

- *Middle-class schools have a more stable student population, which makes it more likely that learning will occur.* For example, in one study the percentage of students who transfered between schools in a twelve-month period was 34 percent in high-poverty schools, compared with just 14 percent in affluent schools.[7]

- *Middle-class schools have strong principals and well-qualified teachers trained in the subjects they are teaching.* Research shows that teachers in middle-class schools are more likely to be licensed, less likely to teach out of their fields of expertise, less likely to have low teacher test scores, less likely to be inexperienced, and more likely to have greater formal education (see Figure 3).

Figure 3. Teaching Quality, by Socioeconomic Status



Source: Richard M. Ingersoll, cited in Jay Mathews, "Top Teachers Rare in Poor Schools," *Washington Post,* September 10, 2002, p. A5; Richard M. Ingersoll, cited in "Parsing the Achievement Gap," Educational Testing Service, 2003, p. 11; Linda Darling-Hammond, "Doing What Matters Most: Investing in Quality Teaching," National Commission on Teaching and America's Future, 1997, pp. 25–27.

- *Middle-class schools have a better curricula and higher expectations.* For example, middle-class schools also are more likely to offer Advanced Placement classes and high-level math.[8]

7. Michael J. Puma et al., *Prospects: The Congressionally Mandated Study of Educational Growth and Opportunity: Interim Report* (Bethesda, Md.: Abt Associates, Inc., 1993), p. 250, Exhibit 3.10.
8. Kahlenberg, pp. 72–74.

- *Middle-class schools have active parental involvement.* For example, parents of children in middle-class schools are four times as likely to be members of the PTA and much more likely to participate in fundraising.[9]

- *Motivated peers who value achievement can encourage excellence among classmates.* Peers in middle-class schools are more likely to do homework, less likely to watch television, less likely to cut class, and more likely to graduate—all of which have been found to influence the behavior of classmates.[10] Moreover, high-achieving peers in middle-class schools share their knowledge informally with classmates all day long. For example, a child who attends a middle-class school is likely to be surrounded by peers who have a much richer vocabulary than students in high-poverty schools.[11]

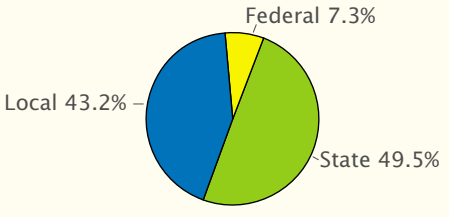
NCLB does seek to address some of these inequalities between middle-class and high-poverty schools, but it does so in a piecemeal fashion that accepts poverty concentrations as unalterable. For example, the act's requirement that every classroom have a "highly qualified" teacher by 2005–2006 is essentially limited to a mandate that teachers teach in their fields of expertise. That is a necessary, but by no means sufficient, condition for good teaching. Likewise, NCLB's Title I funding is meant to provide extra money to high-poverty schools, making up for some of the

9. Ibid., pp. 62–64.
10. Ibid., pp. 51–58.
11. Ibid., pp. 50–51.

inequality in spending outlined above. But federal funds remain a small percentage of overall education spending (see Figure 4), and Title I would not bring schools to the levels of extra funding that experts say are required.

Ultimately, public policy must strike at the fountainhead of these various inequities: the practice of educating middle-class and low-income children in separate schools.[12] In theory, the public school choice provisions of NCLB take us a step in the direction of more economically integrated schools by (1) allowing children trapped in failing schools—usually high-poverty schools—to transfer to better-performing public schools and (2) enabling low-income students to get priority for transfers. Although these provisions should encourage economic school integration, in fact, the early experience with NCLB suggests that very few families are taking advantage of the opportunity to transfer. A recent survey of ten urban districts by the Harvard Civil Rights Project found that in each of the districts, fewer than 3 percent of

Figure 4. Federal Money Is a Small Portion of Public Elementary and Secondary School Funding, 1999–2000



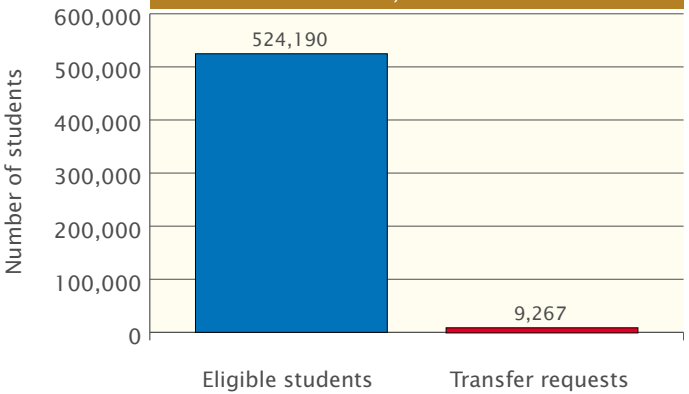
Source: U.S. Department of Education, National Center for Education Statistics, Digest of Education Statistics, 2002, Table 156, available at http://nces.ed.gov/programs/digest/d02/tables/dt156.asp.

12. See The Century Foundation Task Force on the Common School, *Divided We Fail: Coming Together through Public School Choice* (New York: Century Foundation Press, 2002).

eligible students in failing schools exercised the option of transferring to another school in 2002–2003 (see Figure 5).[13]

Part of the problem is that NCLB does not require interdistrict choice. Thus parents in urban areas, faced with few good options, end up not asking for transfers for their children. Another part of the problem is that administrators sometimes actively discourage transfers.[14]

Figure 5. Only a Small Percentage of Students Transferred under NCLB in Ten Districts, 2002–2003



Source: Author calculations from Jimmy Kim and Gail L. Sunderman, *Does NCLB Provide Good Choices for Students in Low-Performing Schools?* (Cambridge, Mass.: The Civil Rights Project, February 2004), p. 16, Table 3. The ten districts surveyed included Mesa, Arizona; Washington, Arizona; Fresno, California; Chicago, Illinois; Buffalo, New York; New York, New York; Richmond, Virginia; Atlanta, Georgia; and DeKalb, Georgia. Los Angeles also was surveyed but was excluded from these calculations because it did not have a NCLB transfer policy for 2002–2003.

13. Jimmy Kim and Gail L. Sunderman, *Does NCLB Provide Good Choices for Students in Low-Performing Schools?* (Cambridge, Mass.: The Civil Rights Project, February 2004), p. 6. For similar findings, see Michael Casserly, "No Child Left Behind: A Status Report on Choice and Supplemental Services in America's Great City Schools," paper presented at a conference sponsored by the American Enterprise Institute and Thomas B. Fordham Foundation, Washington, D.C., January 15–16, 2004; and Center for Education Policy, *From the Capital to the Classroom: Year 2 of the No Child Left Behind Act* (Washington, D.C.: Center for Education Policy, January 2004).

14. For an example of this phenomenon in Montgomery County, Maryland, public schools, see Richard D. Kahlenberg, "A County's Failing Policy," *Washington Post*, June 24, 2002, p. A19.

Although NCLB fails to address the core problem of economic segregation, a growing number of local school districts have risen to this challenge. In Wake County, North Carolina, for example, the school board has adopted a policy that no school should have more than 40 percent of students eligible for free or reduced-price lunch and no more than 25 percent of students reading below grade level. The district, which includes the city of Raleigh and its surrounding suburbs, has nearly 90 percent of students reading at or above grade level. Today, the number of students living in school districts with economic integration programs is nearly 500,000, a sharp increase from about 20,000 in 1999.[15]

15. See Richard D. Kahlenberg, "Economic School Integration: An Update," Century Foundation Idea Brief, September 2002, available at http://www.tcf.org/Publications/Education/economicschoolintegration.pdf; and Kahlenberg, new preface to the paperback edition, *All Together Now* (Washington, D.C.: Brookings Institution, 2003), pp. xvii–xx.

Reforming No Child Left Behind

NCLB undoubtedly has certain strengths—it sets out important goals, and it sets high standards for all students—but it needs mending. The public school transfer provisions should be strengthened, especially to allow interdistrict choice to suburban schools. And NCLB should provide districts with incentives to integrate their schools economically through universal public school choice, a system in which all families engage in choice rather than only the most motivated parents. In theory, states and localities might do this on their own, given the pressure of NCLB to raise achievement. Addressing school concentrations of poverty, however, is a politically difficult step. Expanding these programs to the more than 50 million students nationwide will require pressure from the federal government, which historically has played that role of behalf of disadvantaged and minority children. Otherwise, the noble goal of NCLB—bringing virtually all children up to academic proficiency—will prove to be yet another unfulfilled promise.

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