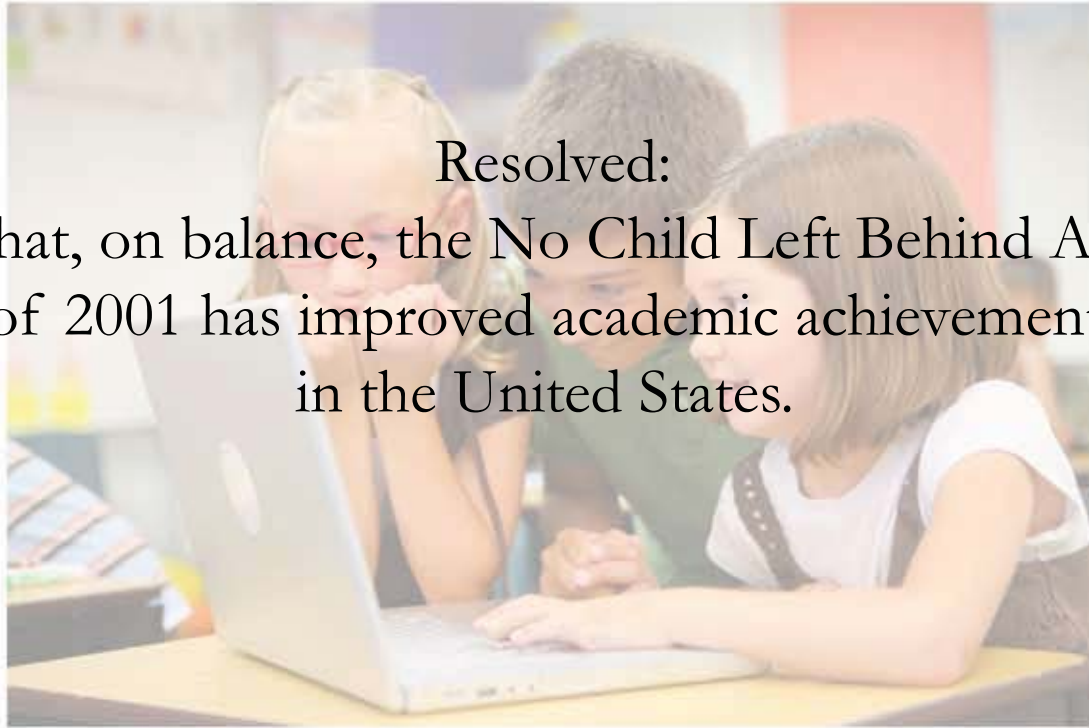


2008/2009

Public Forum Debate

Topic Analysis



Resolved:
That, on balance, the No Child Left Behind Act
of 2001 has improved academic achievement
in the United States.

Writers & Contributors

Zach Prax, Nick Bubb, Glenn Prince

Contributing Editors: Glenn Prince

Managing Editor: Mike Bietz

Publisher: Victor Jih

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TOPIC ANALYSIS BY NICK BUBB

What is No Child Left Behind?

No Child Left Behind is one of two major legislative accomplishments during President George W. Bush's terms in office. The law requires that all schools that receive Title I funding must meet Adequate Yearly Progress on state-administered standardized tests. Adequate Yearly Progress (AYP) requires that every public school improve on the standardized test by a certain percentage each year. Title I funding is the major federal Requirements on schools vary from state to state. The law also requires that states create and administer a standardized test to track academic achievement. The law, however, does not instruct the states how or what to measure.

There is more to the history of NCLB, but I don't think that it is all that relevant to the discussion about whether or not the law has improved academic achievement. There are other interesting policy issues that underlie NCLB, such as the federal government's role in the education system. However, much of that discussion is precluded by the topic. Feel free to research this history if you are interested in a more thorough background.

Interpreting the Topic

My first reaction to this topic is that the National Forensic League has missed the main issue that exists with No Child Left Behind (NCLB). That is – whether or not the law should be renewed. A debate about whether or not the law should be renewed (re-authorized) is more likely to be a debate that citizens in the real world might have. Debates about facts, from an audience's perspective are boring. Most citizens lack the skills to discern the truth from conflicting sets of information. And so, these debates become little more than an irresolvable shouting match.

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Unfortunately, that is not the debate that we are given. Whether or not the act has improved academic achievement, from a certain standpoint – can never really be known (hence the ensuing shouting match). This all depends on what we think the scope of the term academic achievement is. Is the scope specific to a particular set of schools in the United States? The economically impoverished schools perhaps? But what about the private schools? Since the topic is unclear about how much achievement is significant, most affirmative debaters are going to get a lot of power to construe the topic in favorable lighting and to substantially lower their burden of proof. Causality is also notoriously hard to prove. To what extent affirmative debaters need to show causality can be a major argument for the negative. Most affirmatives will interpret the topic as a statement that requires improved academic achievement somewhere in the United States. Conversely, most negatives will interpret the topic as requires improved academic achievement everywhere in the United States.

This leads me to my first important point about the interpretation of the topic. No matter how the words are defined in the resolution, the topic has a huge bias towards the affirmative with the general public. This is strictly because causality is hard to prove, and the resolution asks for the affirmative to demonstrate some form of causality. Fortunately, if you are pro, this is public forum and you may get some of the general public as your judges. However, if your region is anything like mine – your judges are predominantly from one profession: teaching. And teachers are likely to be predisposed to the negative position, for reasons we shall discuss. My advice with handling the flip: if you have a judge that's a teacher: pick negative. If not, affirm.

Most coaches advocate for speaking last. My recommendation is to assume that you can debate just as well no matter which advantage in the time order you gain. If that assumption holds, then you should pick which side optimizes your chances for getting a win. That means picking arguments that your judge is predisposed to agree. This alone is likely to increase your winning potential on this topic. It is sad, but

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true. Standardized tests are a polarizing subject, particularly when it comes to teachers. Thus, it is not likely that you will receive a fair hearing if you are force to defend standardized tests.

There is much to be said with respect to the statistics behind NCLB. That is: whether or not a state is or is not meeting AYP; whether a given state has set its standards at a relatively low level; or how much certain schools or states “game” the system. That some of these things exist is true, but to what extent is not entirely clear. Making these facts relevant to the discussion about whether or not the law has helped improved academic achievement is another story. If the discussion would be about whether or not the law should be renewed, I think they might have a greater importance. I would also like to take a moment to stress this fact: do not, do not, do not make this debate about a competition of numbers. For example – the pro says 20 states have met AYP (not sure if this true, but go with it) and the con says – no only 15 have. And the judge rolls his or her eyes wondering why s/he decided to volunteer to this sheer boredom.

Arguments about statistics are well and good, but they need to be connected in a meaningful way to the topic at hand. You have been warned.

Affirmative (Pro) Arguments

At heart I am still a policy coach, so it’s hard for me to talk about PF topics in PF jargon (despite the fact that PF has no jargon). If you see the words “affirmative” I mean pro. Forgive me. There are several different strands of argumentation for the PRO:

First, statistical evidence that the law is working. See the caution above about using statistical evidence. Use statistics in a meaningful way to advance a claim. Several indicators suggest that progress is being made with respect to how students learn. One example is the National Assessment of Educational Progress or NAEP scores. NAEP is a large nationally representative sample of how American students fare in math, reading, and science. Other areas are tested and the NAEP is expected to expand to test

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other subject areas. A December 2006 article from the Department of Education summarizes some of the gains seen in the NAEP scores,

“The long-term Nation’s Report Card (NAEP) results, released in July 2005, showed elementary school student achievement in reading and math at all time highs and the achievement gap closing. For America’s nine-year-olds in reading, more progress was made in five years than in the previous 28 years combined. America’s nine-year-olds posted the best scores in reading since 1971 and math since 1973 in the history of the report. America’s 13 year olds earned the highest math scores the test ever recorded. Reading and math scores for African American and Hispanic nine-year-olds reach an all-time high. Math scores for African American 13 year olds reach an all time high. Achievement gaps in reading and math between with and African American nine-year-olds and between white and Hispanic nine-year olds are at an all-time low.”

www.ed.gov/nclb/overview/importance/nclbworking.pdf

The report goes on to say,

The state-by-state Nation’s Report Card results, released in October 2005 showed improvements in the earlier grades in which NCLB is focused. In the last two years, the number of fourth graders who learned their fundamental math skills increased by 235,000 – enough to fill 500 elementary schools! Across-the-board improvements were made in mathematics and in fourth-grade reading. African American and Hispanic Students posted all-time highs in a number of categories. Forty-three states and the District of Columbia either improved academically or held steady in all categories (fourth and eighth grade reading and ... math).

Now, this information is well and good, but it needs a lot of unpacking in order to understand correctly. By using these pieces of evidence, affirmative debaters are making many implicit claims that they need

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to defend. First, that these statistics represent actual gains in student achievement. For example – closing the achievement gap (between racial groups) does not necessarily mean that all groups are improving. It could mean that Caucasian students are not gaining in academic achievement as much as minority groups are. This effect would narrow the difference between the groups, but would not produce a more educated America.

Second, affirmative debaters make the claim that the achievement gap is something that we need to fix. Not many people will dispute this claim, because at its roots, it suggests that all people should receive a quality education. (A claim that I think few people would reject on face). However, is this significant evidence to show that NCLB is working to help improve academic achievement?

Third, affirmative debaters also implicitly make the claim that testing measures academic achievement. Or at least that the tests are appropriate measures of a student's knowledge and skills. To some extent this seems like a simple claim, but this will be a major issue that negative debaters will raise. Affirmative debaters would best to think through why testing is important.

There are also important questions to ask of that evidence. Such as – does this information really measure the affect of No Child Left Behind? Or is it merely reporting how the NAEP scores have trended over the recent years? How much of that change (all of it? Some of it?) is related to NCLB?

The second major affirmative argument is defending “standards-based reform.”

NCLB is “standards-based reform.” This is an important educational theory that debaters would do well to educate themselves about. The basic idea, and there are probably a few derivations, is that by setting a standard, we can then hold schools accountable for the information they impart to our students. Schools that meet the standard are rewarded with Title I funds, and schools that fail to meet the standard for a sufficient period of time are punished. The basic idea is that this encourages schools to be more

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accountable in producing a quality education. Fearing that their funding will be reduced, schools will come up with strategies in order to improve academic achievement. Parents, armed with standards-based information, will send their children to well performing schools and leave failing ones.

NCLB does many of these things. It forces states to measure their schools and set a standard of information that they want to know. Schools are then tracked by AYP to see if they are significantly improving. NCLB even requires school districts to allow students to transfer or provide free tuition if their schools fail to meet AYP for three consecutive years. Information about each school is published each year. Parents can easily research this information and make decisions about where to send their student accordingly.

Affirmative debaters can articulate that by introducing this level of accountability, they have improved academic achievement and set up a bureaucratic structure that is more likely to raise the level of achievement than a non-standard based system.

A third and final affirmative argument could deal with focusing on minority groups.

This should be relatively obvious by taking a look at the Act's name: No Child Left Behind. No – no, they didn't name it after a crazy religious book – it's a goal that all children; regardless of socioeconomic class and race should receive the same quality education. Thus, there is increased focus in making sure that minority groups improve on receiving the basic elements of a quality education.

Affirmative debaters can defend that this is an important goal to pursue because it addresses underlying socioeconomic problems and increases upward mobility for minority groups. All of which can be sold as good things and reasons why academic achievement has improved for those minority groups.

Negative arguments –

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Or how not be a Monty Python Sketch

(If you don't get it, Google "Monty Python Argument")

Negative arguments are numerous. I will try and focus on a limited number of them. Most negative arguments are probably better if they critique the theory contained with the NCLB Act – rather than attempting to indict the affirmative on empirical ground. The reason for this, is those arguments are unlikely to be strategic or interesting. This will result in the aforementioned judge boredom. The “yes it does” v. “no it isn't kind of” debate that goes nowhere. Remember, “an argument is a connected series of statements intended to establish a proposition... It's not just contradiction... Argument is an intellectual process. Contradiction is just the automatic gainsaying of any statement the other person makes.”

(No it isn't)

The first major criticism is that NCLB's focus on standardized test is not actually true academic achievement. There are a number of issues involved. Test taking is only one of many skills that academics should impart to students. But standardized tests examine individuals for knowledge, not other skills. This is an important point. Today's students need to learn not just the knowledge necessary to navigate the world, but also students need to learn how to analyze and solve problems, deal with technology, and interact with other human beings. These skills are as important for jobs as knowledge retention. Standardized tests often fail to address these skills. Thus, the standard that is set only looks at the most basic forms of education. And the most basic forms of education might not be what are needed for the preparation of future students.

I think it almost goes without saying that some people just do not perform well on standardized tests, but yet can exhibit skill that goes beyond their tested level of knowledge. Test anxiety is real. Some very smart people do not take tests well – some don't even fair well in the regular educational format. Bill

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Gates, Steve Jobs, and others have quit school at some point because the experiences gained in school could not have matched what awaited them in life. To force our evaluation of education (and thus funding decisions) on whether or not students take tests well seems silly to some. However, I think that this ought not be your main criticism. The law of large numbers seems to imply that for at least as many people that do not take tests well, there are some that are excellent test takers and that in general things out to balance out.

Another criticism takes issue with the standardized tests as well. Many people claim that NCLB changes the practice of teaching, because teachers only teach the information that is on the test. In fact, NCLB creates a set of incentives for teachers to do this. Because schools have funding on the line, principals are going to be looking to remove teachers whose students perform poorly on standardized tests. Thus, teachers have it in their interest to teach only the information on the test and drill it into their student's heads so that they perform as best as they can on these tests. Many people claim that this is bad for education because creativity and diversity are lost in education. Without diversity in education, no one teaches the importance of many subjects in the humanities – from Jackson Pollack to Miles Davis – all of these great artists are lost in the quest to obtain better mathematic scores. A better alternative is to provide additional support to teachers to make sure that they have the resources necessary in order to inspire creative minds. We risk losing creativity and exploration if everything is simply rote.

We can further extend this line of criticism to say that NCLB may focus too much on math and reading to detriment of other important subjects. Music, and art education are important subjects that are always on the boarder line of being cut out of many school districts. If school districts are forced between teaching a subject that is going to reward the school with federal funds and one that is not measured by the test, then NCLB only gives principals and superintends further reasoning to reduce funding to art education. And to really drive this point home, feel free to lump speech and debate in with the activities that are being squeezed out due to NCLB's funding formula. It's always good to point your opponent on the side of having to attack debate – an activity that they clearly love, otherwise they wouldn't be

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debating this late in the season. You can extend this criticism further if you want to direct the criticism to physical education, which is also at an all time low. PE is increasingly needed among today's students, who too often spend more time watching TV and playing video games, than maintaining an active life. And we can apply the same line of criticism again, to some states with regard to science education. Although many states may test for science, such a requirement is not required.

A third major criticism with NCLB is the general structure of the law. If schools fail to meet AYP, then they are at risk of losing their funding and those schools risk their students being sent to other schools. This makes sense if the fix to the problem is to introduce accountability to the school system. However, if the problem lays with in the school system itself, there is little reason to believe that additional accountability is going to improve the system. NCLB sets up schools for failure because it drives away the dollars needed to fix the system and provides no resources to fix the school that has the problems. Its naïve to assume that the schools will simply close and that another school can solve all of the problems that closed school experienced. A better alternative would be to work with the problem in order to make the school better so that it can meet the standard. We drastically make the education of our students worse if we force them to constantly move to find a good school.

There are many other criticism of the law and the general theory of standards-based education. (Two more that I think are worth mentioning. First, NCLB requires that schools that participate in the program allow military recruiters in the school. If you think additional requirements for the military are at odds with producing a quality education, then this could be developed in a full-blown argument against NCLB. Second, some people complain that NCLB has eroded local control of education because of federal mandates. If you think local control is important, then you have another set of criticisms to level against NCLB).

However, the problem with these criticisms is that they are hard to relate to the PF topic as it is written. If the topic were NCLB should be renewed, than any and all arguments about NCLB would be fair game.

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However, we are limited to arguments about whether or not it has increased academic achievement. Most of the criticisms I have outlined here are essentially re-defining what it means to have academic achievement. These negative positions use a more expansive definition of academic achievement in order to argue that the incentives and structure behind NCLB fails to increase academic achievement.

Concluding Thoughts

The affirmative gains a large advantage because the negative is locked into a no-alternative world. NCLB either is or is not improving academic achievement. My view is that in the strait up evaluation of the claim skews affirmative, because the amount of evidence is hard to critique. This is because the resolution is a proposition of fact – not of value or policy. The resolution can either be true or false. Sure, there may be things that we need to improve with NCLB, but the topic asks you to show that the law increases achievement. If you are affirmative, it is important to tout how you have achieved this burden constantly.

On the other hand, if you are negative, its best to expand the definition of what is academic achievement as far as you can. Then you can sneak in as many criticism of the law as you can. Additionally, negatives can also use the sheer difficulty of proving causality to their benefit. If the affirmative does a poor job illustrating the evidence and theory behind the law, then by all means, beat the aff on empirical arguments.

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TOPIC ANALYSIS BY ZACH PRAX

History is not kind to idlers. The time is long past when America's destiny was assured simply by an abundance of natural resources and inexhaustible human enthusiasm, and by our relative isolation from the malignant problems of older civilizations. The world is indeed one global village. We live among determined, well-educated, and strongly motivated competitors. We compete with them for international standing and markets, not only with products but also with the ideas of our laboratories and neighborhood workshops. America's position in the world may once have been reasonably secure with only a few exceptionally well-trained men and women. It is no longer.

-A Nation at Risk: The Imperative for Educational Reform, April 1983

It's hard to believe, but the United States has not always been so concerned with education. In the early 20th century, school was made mandatory, but only in the wake of the Great Depression. Indeed, the choice to make education compulsory was done not for educational reasons but for economic; by forcing children to go to school, the government was able to decrease the total number of people fighting for increasingly scarce jobs.

With the launch of the Soviet space satellite *Sputnik* in 1957, the United States finally began to take education seriously, suggesting that schools do all they can to increase competitiveness in math and sciences in order to stay relevant in the international community. With the publication of "A Nation at Risk" in 1983, however, the U.S. finally came to one fundamental conclusion: its schools were failing. The report criticized the educational infrastructure in the U.S., and for the first time ever, the United States began to set some real plans into motion to fix the problems of education.

Jump ahead twenty years, and the same discussion is still being had. The 2001 reauthorization of the Elementary and Secondary Education Act, otherwise known as the No Child Left Behind Act, was a major plank of the Bush platform in the 2000 election cycle. Despite the major improvements in

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education that had been instituted since the Sputnik launch (such as the Titles of the landmark Elementary and Secondary Education Act of 1965 and the Education for All Handicapped Children Act in 1975), education leading up to the 21st century was still in a dismal condition. Despite major improvements, massive inequalities still existed (read no further than Jonathan Kozol's Savage Inequalities to see how a physical distance of just a few miles can create a huge gap in educational opportunity). Prior to 2001, several students who would not meet the cut in testing were given a free pass to stay home by administrators so that their testing results would not be reported nor published. Kozol's savage inequalities were perpetuated by schools that often did not care how their students were doing, and NCLB aimed to stop this.

By specifically picking out subgroups in testing data and enforcing test reporting by all students – not just the ones who were guaranteed to get good test results – NCLB sought to make major changes to the unequal educational structure in the US. However, like any policy initiative, the methods utilized by NCLB to achieve its admirable goal of educational equality have been called into question. Indeed, the National Forensics League has chosen a resolution that both educational practitioners (and, on a much more diluted level, politicians) have been debating for the past nine years; for this, I think that whoever at the NFL is responsible for choosing this resolution deserves a hearty “thank you”. In my extemporaneous speaking days, education was always one of my favorite issues to discuss, and I think that this is the perfect resolution to combine elements of that event to debate. This is a resolution that is timely, debatable, and has an enormous amount of literature to research; it's just too bad that this will only be debated for one month.

With all of this said – let's get down to business. I'm dividing this analysis into three components: first, it's important to discuss terms of the resolution and discuss their implications in the round; second, I'll discuss various pro and con arguments you may consider running.

I. Resolutional Analysis.

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On Balance – Bravo to the wording committee. While the addition of this phrase may seem insignificant, I think it has a critical implication for the round: teams will need to establish positions as a general principle, rather than creating case positions based on random occurrences. While there have been cases of NCLB leading to teachers involved in mass-cheating by changing student test bubbles in New Hampshire, this act has not happened frequently enough to establish a meaningful con position. There could be lots of extremely interesting positions on each side that have happened in a few extreme cases, but it is important to make sure you are proving the truth or falsehood of the resolution as a general principle.

No Child Left Behind Act of 2001 – Clearly, the primary consideration of the resolution. Here's a decent summation of what it's all about:

In order to avoid lower standards for poor children, [NCLB] requires each state to develop objectives so that 'all groups of students reach proficiency within 12 years.' Based on a method used in Texas, the law requires reporting by 'poverty, race, ethnicity, disability and limited English proficiency' ...This approach makes sense to keep the failure of particular groups from being submerged in unfocused averages, that is, to keep worse results from poor children from getting lost in better results from others (pg 102).¹

There are lots of stipulations in NCLB that debaters will quite frankly not need to address; protections of voluntary prayer services and mandatory distribution of student information to military recruiters are in the bill, but really don't do much to improve academic achievement. Alas, the above describes what the bulk of the debate is and should be on in the round: the effect that standardized testing has on education (and with it, the consequences for poor performance).

¹ Hochschild, Jennifer and Scovronick, Nathan. The American Dream and the Public Schools. New York: Oxford University Press, 2003.

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No Child Left Behind is guided with the primary goal of meeting Adequate Yearly Progress (more commonly known as AYP). A school has made AYP if two different goals are met: first, each group of students in each subgroup must meet or exceed the statewide annual objective; second, at least 95 percent of the students in a certain subgroup enrolled at a school must take the standardized test². If a school succeeds in both requirements each year, it continues to make AYP. If it does not meet the requirements twice a row, it becomes a “failing school”. After the 2nd failing year, schools are mandated to create a two-year plan aimed at increasing scores. A third year of failing, and the actions become more punitive; eventually, districts must allow complete school choice (meaning students can take themselves and their tax dollars with them) to other schools in the district, and at the end of the 5th failing year, the state takes over. Complete restructuring occurs, a majority of the administration and teachers lose their jobs, and the school is completely re-staffed.

Has Improved – We’re not talking about future benefits. Positions shouldn’t rely on the overall goals of No Child Left Behind and how the United States’ educational system might look in 2012. This wording in the resolution demands a comparative analysis of the time of implementation – 2001 – compared with how things are in the status quo. In addition, you may want to say a word about improvement. If educational quality is increasing for a very small number of students while opportunities for the majority decrease, that’s not, on balance, “improvement”. Comparative weighing will be important in this resolution; teams will want to weigh on both a scope level (total number of students effected) as well as a magnitude level (how far-reaching and important are the benefits / harms of No Child Left Behind?)

² *No Child Left Behind: Accountability and AYP*. U.S. Department of Education Student Achievement and School Accountability Conference, October 2002.
<<http://www.ed.gov/admins/lead/account/ayp/edlite-index.html>>

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Academic Achievement – The multiple interpretations possible with this one phrase should be important in developing the round.

Pro teams will probably want to talk about test scores and accountability, and use that as their basis for academic achievement. By splitting up subgroups (African-Americans, Native Americans, students getting free and reduced price lunch, students with disabilities, English as a Second Language) and disaggregating their results from the school as a whole, school administrators and teachers have been forced to develop strategies to specifically target traditionally under-represented students. In this sense, the pro should certainly use academic achievement to talk about the scope of students affected by new teaching practices – more students are targeted for learning – as well as the gains made in reducing the achievement gap.

Con teams will want to go beyond test results to discuss academic achievement. There are several important characteristics of achievement that cannot simply be measured by tests; indeed, the supremacy of tests can actually decrease student achievement (more on this later).

All in all, the precise way in which you define “educational achievement” can likely have an important effect in the round. Ensuring you are utilizing a proper standard of achievement can make sure that your impacts in your position remain relevant in the context of the resolution.

II. Pro Arguments

In all fairness, the pro probably has the greatest burden of proof in the round. While lay people are by and large the judges that public forum is supposed to cater to, teachers frequently judge the event. Many teachers have a very distinct bias against No Child Left Behind; for a myriad of reasons, it is not a popular piece of legislation for the teaching profession because of the effects it has on the classroom. This isn't to say that it is impossible to win on the pro, but it is to say that pro teams need to be smart in

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the arguments they are making. Arguments maintaining that NCLB has improved education because it checks unprofessional teachers probably aren't the most strategic ones to make.

Overall, a strong pro consideration is that No Child Left Behind has attempted to create relatively uniform state standards in terms of what defines "academic achievement". Being completely unmentioned in the US Constitution, education has always been a state consideration. As each state developed its own legislation regarding education, each state also developed extraordinarily different standards; while some states have extremely high expectations, other states have established low ones. NCLB has helped create a greater sense of equity from state to state in regards to their educational policies.

One good strategy for pro teams to use to prove a bettering of educational achievement is to develop arguments regarding equity in schools. If education is the great equalizer in society, schools had been doing a relatively poor job of providing it to the disadvantaged students that need it the most. Indeed, testing is a necessary component to ensuring school accountability in teaching various subgroups. While subgroup-specific evidence exists for all of the various groups, there is particularly good stuff regarding English as a Second Language (ELL) learners:

"Transcending the historic lack of emphasis on tracking achievement patterns and ensuring academic growth for all language minority learners, one of the significant benefits of NCLB has been an increased awareness of the academic needs of students from non-English-speaking homes; schools are now accountable for teaching English and content knowledge to these learners...Although a rational accountability system that validly assesses the skills of language minority learners is far from sufficient for ensuring the civil rights for these learners, history suggests that it is a necessary condition. Providing a high-quality education to language minority learners in the United States will require a concerted, multifaceted effort that goes far beyond identifications and tests, yet one essential step forward in that effort would be to improve

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how we identify these learners and how we assess their progress toward higher levels of academic proficiency”³ (pg 72-74).

Furthermore, discussions could be had on how NCLB had increased teacher quality. This isn't to say that it ensures teachers are teaching certain standards – but it is to say that teachers now have certain characteristics that make them “highly-qualified teachers”: a teacher must possess a bachelor's degree, must be fully licensed in his or her field, and must have a basic level of competency in that field⁴. Before NCLB, it was not uncommon in certain states for teachers to teach outside of their licensed areas. However, the advent of NCLB has attempted to remedy this; districts seek teachers specifically highly qualified in their area to teach in order to maintain access to state and federal funding.

Accountability should be a key component of the pro's advocacy. NCLB requires districts to publicly show its strengths and weaknesses to both parents and the community at large, not just of the school in general but of each subgroup as well. The standardization of test data reporting has made districts and individual schools much more transparent. Now, communities know if their schools are working or not (rather than assuming that they are), and that disclosed data can make schools more likely to be fixed. Some states already required districts to conduct self-reporting prior to NCLB; the legislation has mandated it if states wish to keep all Title I funding intact.

III. Con Arguments

³ Kieffer, Michael, Lesaux, Nonie, and Snow, Catherine. “Promises and Pitfalls: Implications of NCLB for Identifying, Assessing, and Educating English Language Learners”. Holding NCLB Accountable: Achieving Accountability, Equity, and School Reform. Ed. Gail Sunderman. Thousand Oaks, California: Corwin Press, 2008. 57-74.

⁴ Aspey, Susan. “Charting the Course: States Decide Major Provisions Under No Child Left Behind”. U.S. Department of Education Archived Information. 14 July 2004.
< <http://www.ed.gov/news/pressreleases/2004/01/01142004.html#elements>>

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First, cons could do well by critiquing the system of standardized testing that No Child Left Behind imposes. It could be argued that high-stakes testing mandated by NCLB in order for schools to show academic improvement have overall been inimical to the goal of increasing educational achievement. Here are some potential arguments you could consider running:

As a whole, standardized testing causes classroom teaching to worsen. While classrooms should be the place to teach critical thinking skills, the classroom has become too focused on improving test scores, when there is little correlation that increased test scores translate into better employees, college students, etc⁵. Indeed, teachers are replacing critical thought with rote memorization and test-taking strategies. Just about every teacher has at some point taught strategies on taking multiple-choice exams or writing a five-paragraph essay – both skills that are meaningless in a real world environment.

Further, standardized testing is causing schools to remove important elements of a well-rounded curriculum that are not tested – namely music, physical education, and art. Though these are important elements to a child’s school experience, they are being taken out in order to push more teaching of material that is deemed “important enough to be tested”. One teacher’s harrowing account of the effect of NCLB on school curriculum is a powerful account of the destructive nature of NCLB:

“No Child Left Behind has done to my school what it has done to untold thousands of urban schools. Our arts programs are gutted, our shop courses are gone, foreign languages are a distant memory. What’s left are double math classes; mandatory after-school drill sessions; the joyless, sweaty drudgery of summer school. Our kids come to us needing more of everything that is joyous about the life of the mind...what they get is workbooks...And never mind the ultimate irony, that replacing every good aspect of school with test prep will undoubtedly result in lower

⁵ Wood, George. “A View From the Field: NCLB’s Effects on Classrooms and Schools”. Many Children Left Behind: How the No Child Left Behind Act is Damaging our Children and Our Schools. Ed. Deborah Meier and George Wood. Boston: Beacon Press, 2004. 33-52.

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*test scores. The reality is that the leaders of this great nation are working very hard to turn our children into undereducated test drones”.*⁶

Finally, an emphasis on standardized testing – and the ramifications for student failure – often serves to undercut student satisfaction and lead to less successful high school graduates. NCLB might do well in forcing students enrolled at a school to participate in testing regardless of how they might perform, but a direct correlation between the tests imposed by NCLB and increased dropout rates have been witnessed. Take Sharpstown High School in Houston, Texas⁷. Lauded by educational professionals for upping test scores, Sharpstown simultaneously found itself much, much smaller just two years after standardized testing emphasized by NCLB took place – a freshman class that started at 1,000 soon fell to just 300 seniors. This is not one random occurrence; increased dropout rates have been noticed across the country as test scores continue to improve. Yet, schools noticing this situation are still “passing” because those students dropping out are no longer enrolled, meaning they are excluded from the 95 percent participation mandated by AYP guidelines⁸.

As a defensive strategy, con teams would do well by de-emphasizing the importance of standardized testing.

First, cons can argue that basing a student’s performance on one test day and on single test subjects is not a good way to evaluate growth. Indeed, “...reliance on a single test, rather than multiple indicators of performance, can be risky and unfair. It is right to say that many factors affect student achievement and that test scores can be misleading unless these things are adequately taken into account...And it is

⁶ Sonnenblink, Jordan. “Killing Me Softly: No Child Left Behind”. School Library Journal (1 May 2008).

⁷ Schemo, D.J. “Questions on Data Cloud Luster of Houston Schools”. New York Times 11 July 2003.

⁸ Darling-Hammond, Linda. “From ‘Separate but Equal’ to ‘No Child Left Behind’: The Collision of New Standards and Old Inequalities”. Many Children Left Behind: How the No Child Left Behind Act is Damaging our Children and Our Schools. Boston: Beacon Press, 2004. 3-32.

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right to emphasize that schools do more than teach academics, and that test scores fail to measure the range of purposes that ought to guide school performance”⁹ (pg 96). Simply put, standardized testing is not a good way to evaluate academic achievement, and thus NCLB is wrong to emphasize it.

Test inflation – a byproduct of standardized testing – is another interesting defensive argument cons could make to argue against NCLB. While test scores have increased in many students since the passage of NCLB, the scores and their interpretation are meaningless because student performance is simply a matter of regurgitation of facts rather than a solid understanding of the general field they are being tested on. Brian Jacob explains it better:

When one hears that high-stakes accountability leads to inflated test scores, it also means that the test scores are no longer a good indicator of the overall student skills and knowledge and, by extension, the achievement gains are misleading because they may not reflect a more general mastery of the subject...When teachers focus instruction on particular topics and skills that are commonly measured on the high-stakes exam, students may make substantial improvements on the exam because of their improvement on items that test these specific understandings, instead of a general improvement in the larger subject area” (pg 275)¹⁰.

If the emphasis on standardized testing wasn't bad enough, cons also have a few significant implementation problems with NCLB that can be discussed, all which have served to worsen education and academic achievement.

⁹ Moe, Terry. “Politics, Control, and the Future of School Accountability”. No Child Left Behind: The Politics and Practice of School Accountability. Ed. Paul Peterson and Martin West. Washington D.C.: Brookings Institution Press, 2003.

¹⁰ Jacob, Brian. “Gains Under High-Stakes Testing in Chicago”. No Child Left Behind? The Politics and Practice of School Accountability. Ed. Paul Peterson and Martin West. Washington D.C.: Brookings Institution Press, 2003. 269-291.

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First, the division of subgroups has led to more segregated schools and classes. Indeed, there is now increasing pressure to segregate along several lines¹¹ (pg 92):

- Segregation of schools by ethnicity. NCLB brings with it a ‘diversity penalty’: schools that have more diverse subgroups than other schools are in a worse position to achieve AYP. Thus, schools attempt to keep the different number of subgroups at a minimum in order to focus on that one group.
- Segregation of classes by ability. Schools may be more likely to track students by ability level – classes composed of top test taker with those composed of bottom test takers. Lower-performing students lose out when they cannot interact with their higher-performing peers in the classroom setting.

The impact is evident: classrooms and schools are becoming homogenous, meaning students are missing out from interaction with other groups. When subjects being taught and experiences being shared become less diverse, it becomes harder to reach true academic achievement.

Second, there are severe funding issues that are raised with NCLB’s implementation. States have found themselves responsible for funding the standardized exams¹² (pg 16). In 2006, the General Accounting Office estimated that states would have to spend between \$1.9 and \$5.3 billion dollars on test production and evaluation (less for multiple-choice only tests, more for short answer exams). In many states, federal funding barely covers the testing, leaving states responsible for using their own budgets to subsidize the exams. Unfortunately, all standardized exams can do is identify problems; they do nothing to fix them. The impact: with massive amounts of money being spent on evaluation and identification of educational problems, it must be taken out of solutions than can be used to fix them.

¹¹ Kohn, Alfie. “NCLB and the Effort to Privatize Public Education”. Many Children Left Behind: How the No Child Left Behind Act is Damaging our Children and our Schools. Ed. Deborah Meier and George Wood. Boston: Beacon Press, 2003. 79-100.

¹² Umpstead, Regina. “No Child Left Behind Act: Is it an Unfunded Mandate or a Promotion of Federal Educational Ideals?” Journal of Law and Education, April 2008.

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Sadly, a few pages in a handbook do not give NCLB the full credit or study it deserves. Seriously, hundreds of articles/books and thousands of pages have been dedicated to its review. I strongly encourage you to do a very hefty review of the literature to find additional arguments and support for your advocacy.

Good luck and good debating! I hope you have found this helpful. Please remember, this topic analysis should just be a start to your argument construction. With that said, happy researching!

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PRO CARDS

STUDENT GROWTH FROM NCLB HAS IMPROVED IN GENERAL
Glod, Maria. The Washington Post. Test Results Improve After 'No Child' Law, Study Finds.
Wednesday, June 25, 2008; Page A02**<**<http://www.washingtonpost.com/wp-dyn/content/article/2008/06/24/AR2008062401322.html>**>**

Students are performing better on state reading and math tests since enactment of the landmark No Child Left Behind law six years ago, according to an independent study released yesterday...The study, which included data from 50 states, found that achievement on state reading and math exams has improved in most of them. The trend is largely mirrored on national exams, the study found, although the gains tend to be smaller. One exception was in eighth-grade reading, in which gains on state exams significantly outpaced those on the national test. In Maryland, the report found, achievement gaps between black and white students and between low-income and middle- to upper-income students narrowed in reading across grade levels. The picture was mixed in math.

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HARLEM VILLAGE ACADEMY HAS BEEN SUCCESSFUL IN NCLB IMPLEMENTATION

Fact Sheet: No Child Left Behind: Keeping America Competitive in the 21st Century. White House Documents and Publications, April 24, 2007. Accessed L/N

Harlem Village Academy Is Showing We Can Reach NCLB's Goal Of Helping Every Student Reach Grade Level Or Above. Harlem Village Academy opened in the fall of 2003. During that first year, fewer than 20 percent of its fifth graders were meeting State standards in math. Last year, 96 percent of the students from that same class were meeting State standards in math for the seventh grade.

We See The Good Results Of No Child Left Behind In New York City. In the five years since No Child Left Behind was passed: The percentage of New York City fourth graders meeting State reading standards has increased by more than 12 points. The percentage of the city's fourth graders doing math at grade level has increased by almost 19 points.

We See The Good Results Of No Child Left Behind Across The Nation. In math, nine-year-olds and 13-year-olds earned the highest scores in the history of the test. In both reading and math, African-American and Hispanic students are scoring higher - and beginning to close the achievement gap.

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NAEP POINTS HAVE BEEN ON THE RISE

Duffet, Ann, Steve Farkas, and Tom Loveless. High Achieving Students in the Era of No Child Left Behind. Thomas B. Fordham Institute.

http://www.edexcellence.net/detail/news.cfm?news_id=732&id=17

What has happened to the national naep scores of high and low achievers since the advent of nclb? The four graphs in figure 1 show the naep scores of high- and low-achieving students from 2000 to 2007. The graphs on the left, figures 1a and 1b, display scores for fourth grade; those on the right, figures 1c and 1d, display scores for eighth grade. In fourth grade, both high and low achievers made large gains in math (figure 1a). Scores at the 90th percentile rose from 264 to 274, a gain of ten points. Scores at the 10th percentile rose a whopping eighteen points, from 183 to 201. Both gains are statistically significant at $p < .001$. For a more meaningful measure of the magnitude of such gains, a ballpark estimate is that one year of learning is equal to about eleven naep points. A gain of eighteen points at the 10th percentile is equal to more than one and a half years of learning, an increase that any teacher or parent of a low-achieving student would surely notice and applaud.

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ROLE OF STANDARDIZED TESTING AND AMERICAN ACHIEVEMENT INCREASING

Bettinger, Eric. P. Improving Academic Achievement. A Series of Research and Policy Publications of The Schubert Center for Child Studies. Policy Brief 4, March 2007

In response to this research and to the growing concern in the United States that our children are not achieving at the level of children in other developed nations, the federal government enacted the No Child Left Behind Act of 2001. No Child Left Behind (NCLB) established an impressive goal: All students will meet high achievement standards by 2014. It changed the federal government's role in K-12 education by focusing on school success as measured by student achievement. It mandates each state to identify learning standards, implement measures to track success and, by imposing sanctions on schools and districts that fare poorly, holds every school accountable for making "adequate yearly progress." This action has dramatically expanded the role of standardized testing in public education, requiring that students in grades three through eight be tested every year in reading and math. Since the implementation of No Child Left Behind, students in Ohio have made gains in academic achievement. Since 1999, according to the Ohio Department of Education, average student test scores (as measured by a performance index ranging from 0 to 120) have increased by more than 19 points—from 74 to 93.

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NCLB HELPS POOR-PERFORMING STUDENTS

Jennings, Jack and Diane Stark Retner. Ten Big Effects of the No Child Left Behind Act on Public Schools. <http://www.readingrockets.org/article/12843> (2006)

Scores on state tests in reading and mathematics that are used for NCLB purposes are going up, according to nearly three fourths of the states and school districts, and the achievement gaps on these same tests are generally narrowing or staying the same. States and districts mostly credit their own policies as important in attaining these results, although they acknowledge that the "adequate yearly progress" (AYP) requirements of NCLB have also contributed.

Schools are paying much more attention to achievement gaps and the learning needs of particular groups of students. NCLB's requirement that districts and schools be responsible for improving not only the academic achievement of students as a whole but also the achievement of each subgroup of students is directing additional attention to traditionally under performing groups of students, such as those who are from low-income families or ethnic and racial minorities, those who are learning English, or those who have a disability. States and school districts have consistently praised NCLB's requirement for the disaggregation of test data by subgroups of students, because it has shone a light on the poor performance of students who would have gone unnoticed if only general test data were considered.

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NAEP 2006 SHOWS IMPROVEMENT FROM NCLB

U.S. Department of Education. No Child Left Behind Is Working: December 2006.

The long-term Nation's Report Card (NAEP) results, released in July 2005, showed elementary school student achievement in reading and math at all-time highs and the achievement gap closing.

- For America's nine-year-olds in reading, more progress was made in five years than in the previous 28 combined.
- America's nine-year-olds posted the best scores in reading (since 1971) and math (since 1973) in the history of the report. America's 13-year-olds earned the highest math scores the test ever recorded.
- Reading and math scores for African American and Hispanic nine-year-olds reached an all-time high.
- Math scores for African American and Hispanic 13-year-olds reached an all-time high.
- Achievement gaps in reading and math between white and African American nine-year-olds and between white and Hispanic nine-year-olds are at an all-time low.

NAEP 2005 SHOWS IMPROVEMENT FROM NCLB

U.S. Department of Education. No Child Left Behind Is Working: December 2006.

The state-by-state Nation's Report Card results, released in October 2005, showed improved achievement in the earlier grades in which NCLB is focused. In the last two years, the number of fourth-graders who learned their fundamental math skills increased by 235,000—enough to fill 500 elementary schools!

- Across-the-board improvements were made in mathematics and in fourth-grade reading.
- African American and Hispanic students posted all-time highs in a number of categories.
- Forty-three states and the District of Columbia either improved academically or held steady in all categories (fourth- and eighth-grade reading and fourth- and eighth-grade math).

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NAEP TRIAL URBAN DISTRICT ASSESSMENTS SHOW IMPROVEMENT IN READING AND MATH

U.S. Department of Education. No Child Left Behind Is Working: December 2006.

The Nation's Report Card Trial Urban District Assessments for Reading and Math, released in Dec. 2005, showed students in select urban school districts improving faster than their peers over the last two years.

- Fourth-graders in 8 of 10 urban districts made larger gains in math than the national average.
- Fourth-graders in 7 of 10 urban districts made larger gains in reading than the national average.
- Eighth-graders in 7 of 10 urban districts made more progress in basic math skills than the national average.

NAEP SCIENCE FINDS IMPROVEMENT FROM NCLB

U.S. Department of Education. No Child Left Behind Is Working: December 2006.

The Nation's Report Card Science 2005 Report found significant academic gains by fourth-graders.

- Overall, fourth-graders improved four points in science achievement over 1996 and 2000 levels, with the lowest-performing students making the largest gains.
- African American and Hispanic fourth-graders made significant gains as well, narrowing the achievement gap.

IMPROVEMENT IN PERFORMANCE FROM NCLB IS SUBSTANTIAL

Branin Bowe, John Cronin, G. Gage Kinsbury, Martha S. McCall. The Impact of the No Child Left Behind Act on Student Achievement and Growth: 2005 Edition. April 2005.

The primary public policy goal of NCLB is to assure that all students in grades 3 through 8 (and one high school grade) are proficient performers in reading and mathematics by 2014. States have reported varying rates of progress toward this goal on their own tests. One of our objectives was to evaluate the rate of progress toward this goal using a common assessment across a multi-state population. The differences in performance scores observed in this study would indicate that school systems have achieved some improvement in performance since the beginning of NCLB. In mathematics, the improvement in performance was substantial. Fall 2003 results were better than fall 2001 results in every grade with a weighted average improvement of .72 RIT points.

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US SECRETARY OF EDUCATION SHOWS HOW NCLB WORKS **Spellings, Margaret. U.S. Secretary of Education. USA Today, March 2, 2006.**

The law is working as advertised, as Campbell reluctantly admits. Math scores in the earlier grades are at all-time highs, and the "achievement gaps" between white, Hispanic and African-American 9-year-olds have reached historic lows. But we're changing more than numbers. We're changing behavior. The result can be seen in schools such as Maury Elementary in Alexandria, Va. In 2004, just two out of five third-graders passed the state's reading test. Some parents transferred their children to better-performing schools. This wake-up call was just what was needed. A new principal and teachers were hired, the school met its academic goals and enrollment is now up 20%.

The *No Child Left Behind Act* gives students a chance to do better by helping schools to do their best.

NCLB HAS IMPROVED TEACHER EFFORTS

Mantel, B. (2005, May 27). No Child Left Behind. *CQ Researcher*, 15, 469-492. Retrieved February 19, 2009, from CQ Researcher Online, <http://library.cqpress.com/cqresearcher/cqresrre2005052700>

In 2004, No Child Left Behind became "a significant force affecting the operations and decisions of states, school districts and schools," according to the Center on Education Policy, an independent advocate for public education. For example, the law has compelled states and school districts to step up efforts to test students in more grades and put "highly qualified" teachers in every classroom. In addition, for the first time entire school districts have been labeled "in need of improvement."

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NCLB HAS DECREASED ACHIEVEMENT GAPS BETWEEN STUDENTS

Mantel, B. (2005, May 27). No Child Left Behind. *CQ Researcher*, 15, 469-492. Retrieved February 19, 2009, from CQ Researcher Online, <http://library.cqpress.com/cqresearcher/cqresrre2005052700>

The Center on Education Policy surveyed states and a sampling of school districts and reported that 73 percent of states and 72 percent of districts said student achievement is improving. In addition, states and districts were more likely to say that achievement gaps between white and black students, white and Hispanic students, and English-language learners and other students were narrowing rather than widening or staying the same.

Delaware is a case in point. The state has made some of the largest strides in raising achievement and narrowing gaps among elementary students. For instance, the gap in Delaware between the percentage of reading-proficient white and Hispanic fifth-graders narrowed from 31 points in 2001 to less than five points in 2004, and for African-American students, the gap narrowed from 22 points to 16.

NCLB SHOWS ACADEMIC IMPROVEMENT

Stevenson, Erika and Waltman, Kris. University of Iowa. *The Impact of NCLB on Instructional Changes: A Consequential Validity Study*: April 2006.

The most important goal of improving the equity of educational experiences for all students is to ensure that “no child is left behind.” Prior to NCLB, most accountability programs did not require schools to disaggregate achievement data by sub-groups, thus causing some groups of students to “fall through the cracks” if a school’s aggregated data was overall generally high. Teachers in this study indicated that they believe attention to low performers has increased and that attention to middle and high performers has remained unchanged, suggesting that any school-wide effort to improve the achievement of low performers is not at the expense of the average or high performing students. Additionally, teachers interviewed from schools that have implemented reading initiatives also believe that the low performing students are benefiting from the program (Stevenson & Waltman, 2006).

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**TEACHERS HAVE BECOME MORE ACCESSIBLE SINCE NCLB
Government Action Accountability. No Child Left Behind Act Improved Accessibility to
Education's Information Could Help States Further Implement Teacher Qualification
Requirements: November 2005.**

Data reported to Education by 47 states suggest that the majority of core academic classes were taught by teachers who met NCLBA requirements during the 2003-2004 school year. States have improved in their ability to track and report the percentage of core academic classes taught by teachers who met NCLBA qualification requirements, but several limitations on the quality and precision of state-reported data make it difficult to determine the exact percentage of core academic classes taught by teachers meeting the requirements.

NCLB DECREASED THAT ACHIEVEMENT GAP

**Judd Gregg. [U.S. Senator, R - New Hampshire]. "No Child Left Behind Act of 2007."
*Gregg.Senate.gov.***

http://gregg.senate.gov/public/index.cfm?FuseAction=PressRoom.FloorStatements&ContentRecord_id=bfc4f50b-802a-23ad-4b6a-080bc7c88f64&Region_id=&Issue_id.

The No Child Left Behind Act has been successful in narrowing the achievement gap and improving student performance. Since the passage of No Child Left Behind, the United States has witnessed a greater increase in student achievement in the last 5 years than in the 30 previous years combined, as well as a significant narrowing in the achievement gap. Because of No Child Left Behind, parents are now empowered with information on the quality of their child's school and given the ability to improve their child's education through additional tutorial services.

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NCLB HAS BEEN SUCCESSFUL

Amit R. Paley. [Staff Writer]. "Scores Up Since 'No Child' Was Signed." *The Washington Post*. June 6, 2007.

<http://www.washingtonpost.com/wp-dyn/content/article/2007/06/05/AR2007060502684.html>.

The nation's students have performed significantly better on state reading and math tests since President Bush signed his landmark education initiative into law five years ago, according to a major independent study released yesterday. The study's authors warned that it is difficult to say whether or how much the No Child Left Behind law is driving the achievement gains. But Republican and Democratic supporters of the law said the findings indicate that it has been a success. Some said the findings bolster the odds that Congress will renew the controversial law this year. "This study confirms that No Child Left Behind has struck a chord of success with our nation's schools and students," U.S. Education Secretary Margaret Spellings said in a statement. "We know the law is working, so now is the time to reauthorize." The report, which experts called the most comprehensive analysis of test data from all 50 states since 2002, concluded that the achievement gap between black and white students is shrinking in many states and that the pace of student gains increased after the law was enacted. The findings were particularly significant because of their source: the nonpartisan Center on Education Policy, which in recent years has issued several reports that have found fault with aspects of the law's implementation.

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ACHIEVEMENT GAPS ARE DECREASING DUE TO NCLB

Ramirez, Eddy. Study Says Student Reading and Math Scores Are Improving: US News and World Report. June 24, 2008.

Since No Child Left Behind took effect about six years ago, most states have found some success narrowing the achievement gap between white and minority children. Student achievement in mathematics and reading has also improved in a majority of states. But it's impossible to say how much credit the federal education reform law deserves. These are the major findings of a [new report](#) by the Center on Education Policy, an independent group in Washington, D.C., that analyzes education reforms.

The CEP study sought to answer two main questions: whether reading and math achievement has improved and whether achievement gaps between groups of students have narrowed. Researchers concluded that the nation has made progress on both fronts. They found that student achievement in math and reading has improved on both the federal and state assessments, though gains are stronger in elementary and middle school grades than at the high school level. Federal and state results also showed that the achievement gap between white and African-American students has been shrinking.

NCLB HAS NUMEROUS BENEFITS

Simon, Ray. Assistant Secretary for Elementary and Secondary Education. The Capital To the Classroom Year 3 of No Child Left Behind: 2005.

This report on CEP shows that No Child Left Behind is having a positive impact on our nation's schools and their students. Based on a survey of 49 states, the conclusion of the report is that there has been tremendous progress made in just the first three years of the law: student achievement is up, students with disabilities are getting more time and attention, at-risk students are receiving help earlier, and the achievement gap that has existed for decades is finally starting to close.

March 2009 Public Forum

Resolved: That, on balance, the No Child Left Behind Act of 2001 has improved academic achievement in the United States.

Victory Briefs: www.victorybriefs.com

MATH SCORES HAVE IMPROVED BECAUSE OF NCLB

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008. < http://www.nwea.org/assets/research/national/NCLBImpact_2005_Study.pdf >

In general, we found that average mathematics scores of the fall 2003 group had improved over the average scores of the fall 2001 group. The weighted differences between groups ranged from improvements of about .7 (Asian) to 2.0 RIT points (African-American), with the effect sizes ranging from .05 to .14. African-American, Hispanic, and Native American students posted the largest gains. In reading, the fall 2003 group also made gains, although the gains were smaller than those found in mathematics. The weighted differences ranged from about .4 (European- American) to 1.2 RIT points (African-American), with effect size differences ranging from about .02 to .08. African-American, Hispanic, and Asian students posted the largest gains.

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STATE PROGRAMS, LIKE NCLB, ARE GOOD

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008. < http://www.nwea.org/assets/research/national/NCLBImpact_2005_Study.pdf>

We found that students enrolled in grades that were included in state testing programs showed larger improvements in performance than students who did not. These differences were more substantive in mathematics than they were in reading. In mathematics, the cumulative gain for students who participated in state testing was 2.50 RIT points beyond those achieved by students who did not participate. This gain, if sustained over time, would translate to a 4 to 6 percentage point improvement in proficiency based on the standards employed in the hypothetical example above. Students participating in state testing programs also fared considerably better on the growth measurement than those who did not. In mathematics, these gains would amount to a 3 to 4 point improvement in average RIT performance between third and eighth grade, assuming they were sustained cumulatively. The difference in growth was substantive for reading as well, with students participating in testing programs gaining an average of more than 2 RIT points over students who did not.

NCLB HAS RESULTED IN HIGHER TEST SCORES

Neal, Derek. Left Behind By Design: Proficiency Counts and Test Based Accountability. University of Chicago. June 2007. <http://www.nea.org/assets/docs/2AL_web_ver_final.pdf>

Our results do not suggest that NCLB has failed to affect the performance of all disadvantaged students. Figures 2a and 2b show that 2002 ISAT test scores among fifth graders in Chicago were higher than one would have expected prior to NCLB over most of the prior achievement distribution, and it is important to note that even CPS students in the fourth decile of the third grade achievement distribution faced just over 20% and just under 15% chances of being proficient in reading and math respectively prior to NCLB. Thus, many low-achieving students in Chicago appear to have done better on ISAT under NCLB than they would have otherwise, and as we note above, this is true regardless of the average level of performance in a given school.

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NCLB HAS INCREASED PERFORMANCE SCORES

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008.< http://www.nwea.org/assets/research/national/NCLBImpact_2005_Study.pdf

The differences in performance scores observed in this study would indicate that school systems have achieved some improvement in performance since the beginning of NCLB. In mathematics, the improvement in performance was substantial. Fall 2003 results were better than fall 2001 results in every grade with a weighted average improvement of .72 RIT points. The cumulative difference in performance across grades was over 4 RIT points. One way to interpret the magnitude of this difference is to attempt to frame it in terms of the improvement it might create in proficiency rates, which has become the most common statistic used to represent student performance.

NCLB HAS IMPROVED TRANSPARENCY

Hickok, Eugene. No Undergrad Left Behind. The Heritage Foundation. Oct 12, 2006.< <http://www.heritage.org/Press/Commentary/ed101206a.cfm>>

One of No Child Left Behind's hallmarks is transparency. Today parents know more about the performance of their children's schools than ever before. This same principle needs to be applied to higher education. Colleges and universities need to be able to explain why they charge the tuition they charge, what their graduation rates are, what they feel constitutes an educated person and how they propose to get first year students from here to there. The various college rating systems and publications are entertaining and interesting to read, but they don't provide the sort of objective data tuition payers need to make informed decisions.

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Victory Briefs: www.victorybriefs.com

NCLB HAS INCREASED TRANSPARENCY

Forster, Greg. Critics Miss Benefits of No Child Left Behind. The Friedman Foundation for Educational Choice. May 16, 2008; <

<http://www.friedmanfoundation.org/friedman/newsroom/ShowNewsItem.do?id=80253>>

Before NCLB, many states didn't give standardized tests at all, or didn't release the results in a timely and publicly useable format. Now they all do. And all 50 states now participate in the Nation's Report Card, a single national test of a representative sample of students, which allows researchers to conduct cross-state comparisons.

This transparency represents an incredible boon. The amount of empirical research done on education has been growing at a breathtaking rate. Before NCLB, education was a fringe element at best in economics, political science, and other social science disciplines. Now it's everywhere. A lot of that research is due to the data made available by NCLB.

NCLB HAS HELPED DISABLED INDIVIDUALS

Vaughn, John R. National Council on Disability. The No Child Left Behind Act and the Individuals with Disabilities Education Act: A Progress Report. January 28, 2008.

In our evaluation of NCLB and IDEA, students with disabilities appear to be doing better academically, and they also appear to be graduating with diplomas and certificates at higher rates than in prior years. Data suggest, however, that there is still certainly concern about the dropout levels of students in the states. Regardless of whether that concern is definitional or real, we ultimately need to better understand the manifestations of new rules and regulations on these students. According to our analyses, one of the most important results of NCLB and IDEA appears to be that students with disabilities are no longer ignored. To that end, NCLB and IDEA have had a significant, positive impact. Teachers, administrators, and the community are becoming aware of what students with disabilities are capable of achieving if they are held to the same high standards and expectations as their peers.

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Victory Briefs: www.victorybriefs.com

**NCLB HELPS FUND READING PROGRAMS
EPE Research Center. No Child Left Behind. September 21, 2004.**

The act creates a new competitive-grant program called Reading First, funded at \$1.02 billion in 2004, to help states and districts set up "scientific, research-based" reading programs for children in grades K-3 (with priority given to high-poverty areas). A smaller early-reading program seeks to help states better prepare 3- to 5-year-olds in disadvantaged areas to read.

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Victory Briefs: www.victorybriefs.com

NCLB HAS BEEN SUCCESSFUL

U.S. Department of Education. Two Years of Accomplishment With No Child Left Behind: Jan 2004.

When President Bush entered office in January 2001, only 11 states were in full compliance with previous federal education accountability standards. On June 10, 2003, President Bush announced that all 50 states have approved accountability plans under NCLB.

Reading First and Early Reading First: President Bush proposed and signed into law the Reading First and Early Reading First initiatives as part of his unequivocal commitment to ensuring that every child can read by the third grade. These programs enable more children to receive scientifically-based reading instruction programs in the early grades.

All 50 States and the District of Columbia have approved Reading First plans to ensure that every child is reading on grade level by the end of the third grade.

As of October 1, 2003, \$1.78 billion in Reading First funds have been distributed to the states that have provided training to tens of thousands of teachers and provided instructional materials. In addition, since the passage of No Child Left Behind, states have received almost \$200 million in funds for early childhood reading efforts through such initiatives as Early Reading First and the Early Childhood Educator Professional Development program. Extensive technical assistance has been made available to states, districts and schools as they develop and implement their Reading First programs. The Department of Education recently awarded a \$36.8 million contract to establish the National Center for Reading First Technical Assistance to provide ongoing, high-quality technical assistance to states, districts and schools by the country's leading experts in the implementation of scientifically-based reading instruction.

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NCLB HAS FOSTERED SUPPORT FROM NUMEROUS EDUCATIONAL FACILITIES

U.S. Department of Education. Two Years of Accomplishment With No Child Left Behind: Jan 2004.

Institute for Education Sciences - The Institute of Education Sciences reflects the intent of President Bush and the Congress to advance the field of education research, making it more rigorous in support of evidence-based education and therefore a critical component to the success of No Child Left Behind.

Data Management Tools - Additionally, in September 2003, President Bush with Secretary Paige announced the School Information Partnership, a unique public-private partnership designed to assist states in meeting the letter and the spirit of NCLB as it relates to educational data reporting. Through the financial support of the Broad Foundation and the Department of Education, states have been given the opportunity, at no cost for the next two years, to report and analyze certain data through an easy-to-use Web-based service. Further, the partnership will enable states and their districts to communicate educational data to parents, educators, and the general public, consistent with the requirements of NCLB, while providing policymakers with better information to improve decision-making.

Unspent Federal Funds Available: No Child Left Behind has made significant new resources available to states and local school districts, but some states and school districts have not been able to take full advantage of these resources. According to the Department of Education, as of December 11, 2003, a total of nearly \$6 billion in federal education funds remained unspent, waiting to be drawn down by state officials. These funds are from amounts appropriated in 2000 through 2002.

The total includes nearly \$2 billion in No Child Left Behind Title I funds intended to benefit disadvantaged children across America. The total also includes more than \$1.6 billion in unspent No Child Left Behind school improvement funds that provide extra help to struggling schools, and nearly \$2 billion to assist children with disabilities. Some of the money has been in the account since fiscal year 2000, more than a year before No Child Left Behind was even enacted.

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Victory Briefs: www.victorybriefs.com

NCLB GIVES EVERYONE OPTIONS

US Department of Education. How No Child Left Behind Benefits African Americans. September 2005.

"The bipartisan No Child Left Behind law ensures that schools are held accountable for the academic progress of every child, regardless of race, ethnicity, income level or zip code:

- Because of No Child Left Behind, closing the achievement gap is now a national priority.
- Schools are now held specifically accountable for the annual progress of African American students.
- Schools must have high expectations for every child -- the soft bigotry of low expectations is no longer tolerated.
- Parents now receive important information about the academic performance of their child and his/her school.
- No Child Left Behind requires annual assessment of students in grades 3-8 and once more in high school.
- The law requires states and school districts to give parents easy-to-read, detailed report cards on schools and districts, telling them which schools are succeeding.
- When schools don't make the grade, families are given new options.
- Schools that don't meet state academic standards for two years in a row are identified as "in need of improvement."
- Parents must be offered the choice of sending their child to another public or public charter school in the district that is not in need of improvement, as well as transportation to that school
- Schools that don't meet state standards for three years must offer free tutoring or other academic services to eligible low-income students.

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CON CARDS

STUDENT GROWTH SCORES HAVE DECREASED UNDER THE NCLB

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008.<

http://www.nwea.org/assets/research/national/NCLBImpact_2005_Study.pdf>

The rate of student growth actually declined between the school year prior to NCLB implementation (fall 2001 – spring 2002) and the fall 2003 – spring 2004 school year. In mathematics, the average weighted difference was -.25 RIT points and in reading the average difference was -.17 RIT points. While these differences are slight, they indicate that teachers are not yet achieving the gains in learning during the school year that will be needed to sustain large improvements in performance for the future.

STUDENT GROWTH IN EVERY ETHNIC GROUP HAS DECREASED SINCE THE NCLB

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008.<

http://www.nwea.org/assets/research/national/NCLBImpact_2005_Study.pdf>

Unfortunately, while the achievement gap may have narrowed, the fall to spring growth of Hispanic, African-American, and Native American students in our sample fell far short of the growth achieved by other students. These differences in growth were quite large. For example, the difference in mathematics and reading growth between European-American and African-American students averaged more than 2 RIT points in each grade.

Victory Briefs: www.victorybriefs.com

OVERALL CONCLUSIONS FROM NCLB STUDY

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008.<

http://www.nwea.org/assets/research/national/NCLBImpact_2005_Study.pdf>

Two of the worrisome elements at this point are that if change in achievement of the magnitude seen so far continues, it won't bring schools close to the requirement of 100% proficiency by 2014. Students in ethnic groups that have shown achievement gaps in the past grow less under NCLB, and may grow less than comparable European-American students.

SCHOOLS SUFFER MORE AFTER NCLB

Dillon, Sam. Under 'No Child' Law, Even Solid Schools Falter. New York Times Oct 12, 2008.

<http://www.nytimes.com/2008/10/13/education/13child.html?pagewanted=2&_r=1&sq=no%20child%20left%20behind&st=cse&scp=7>

A state-by-state analysis by The New York Times found that in the 40 states reporting on their compliance so far this year, on average, 4 in 10 schools fell short of the law's testing targets, up from about 3 in 10 last year. Few schools missed targets in states with easy exams, like Wisconsin and Mississippi, but states with tough tests had a harder time. In Hawaii, Massachusetts and New Mexico, which have stringent exams, 60 to 70 percent of schools missed testing goals. And in South Carolina, which has what may be the nation's most rigorous tests, 83 percent of schools missed targets. Under the law, all public schools must test students every year and if those in any group fall short, the school misses its targets and is put on probation. All states adopt their own curriculums and testing standards, and the rigor of the tests varies greatly. Schools that miss targets for two consecutive years are labeled "needing improvement" and face escalating sanctions that can include staff changes or closings.

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NCLB ALLOWS STATES TO CALCULATE STATS IN ANY WAY THEY WANT- MISREPRESENTING THE DATA

Numbers Game, New York Times. Oct 29, 2008.

<<http://www.nytimes.com/2008/10/30/opinion/30thu2.html>>

The United States once had the world's top high-school graduation rate. It has now fallen to 13th place behind countries like South Korea, the Czech Republic and Slovenia. Worse still, a new study from the Education Trust, a nonpartisan foundation, finds that this is the only country in the industrial world where young people are less likely than their parents to graduate high school. Most American parents never see these damning international comparisons, which are based on census figures and labor force statistics. Instead, parents who want to know how their schools are doing in terms of vital statistics like graduation rates must rely on phony calculations cooked up by state governments that are determined to hide the truth for as long as possible. With these problems clearly in mind, Margaret Spellings, the secretary of education, has issued new regulations for how school graduation rates are calculated and reported to the public under the No Child Left Behind Act.

TEACHERS ARE FORCED TO CONCENTRATE ON MEETING PROFICIENCY MARK INSTEAD OF INDIVIDUAL GROWTH

Cronin, J.; Kinsbury, G.G.; McCall, M.S.; & Bowe, B. (2005). The impact of the no child left behind act on student achievement and growth. Retrieved from the Northwest Evaluation Association 17 Apr 2008.

As the New York Times explained it, "individual growth has slowed, possibly because teachers feel compelled to spend the bulk of their time making sure students who are near proficiency make it over the hurdle. The practice may leave teachers with less time to focus on students who are either far below or far above the proficiency mark, the researchers said, making it less likely for the whole class to move forward as rapidly as before No Child Left Behind set the agenda."

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NCLB HARMS EDUCATION DUE TO NARROW FOCUS

Studies Claim NCLB Harms Education Due to Narrow Focus AccesSchool Funding. April 14, 2004.

Advocates of comprehensive liberal arts education have recently voiced their concerns over what they claim are the negative effects of the "No Child Left Behind" (NCLB) Act on arts and foreign language education. According to recent reports, a full curriculum, including the arts, foreign languages, geography, social studies/history, and civics, faces the increasing threat of decreased instructional time and lower resource allocations because these subjects have been left behind by NCLB.

"Academic Atrophy The Condition of the Liberal Arts in America's Public Schools," a report released by the Council for Basic Education on March 8, 2004, surveyed 956 principals in Illinois, Maryland, New York, and New Mexico to determine students' access to a complete liberal arts education. Principals overall reported decreased time spent teaching arts, foreign language, and elementary social studies.

Researchers also discovered that schools enrolling higher numbers of minority and low-income students were more likely to experience decreased instructional time in both arts and foreign languages. Researchers have suggested that a widening opportunity gap has also emerged, as minority and low-income students experience lower accessibility to liberal arts classes.

Another study released late last year by the National Association of State Boards of Education also reports a narrowing curriculum in public schools. "The Complete Curriculum Ensuring a Place for the Arts and Foreign Languages in America's Schools" suggests that NCLB's focus on testing only certain subjects has placed the arts and foreign languages at risk. Schools must report students' scores on assessments testing performance in math, reading, and science, but are not held accountable for achievement in arts or foreign languages.

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Victory Briefs: www.victorybriefs.com

SCHOOLS ARE MISSING THE MARK- 40% OF SCHOOLS IN CN MISS THE MARK

Hussey, Kristin. More Schools Missing the Mark, Raising Pressure. New York Times. Oct 10, 2008. <<http://www.nytimes.com/2008/10/12/nyregion/connecticut/12nochildct.html>>

SINCE 2001, when President Bush signed the federal No Child Left Behind law, schools in Connecticut have scrambled to revamp curriculums, step up professional development for teachers and continually assess students' test scores to comply with the law's requirements. It is an effort that has dominated the agendas of school officials not just in Connecticut, but all over the nation, and not everyone is happy that test results have become such a focus. When results of the latest test scores were announced a few weeks ago, about 40 percent, or 408, of the public schools in Connecticut did not make the grade under the federal law, state officials said. The state added 100 schools to its list of schools that failed to meet the federal benchmarks.

NCLB IS NOT RESPONSIBLE FOR RISE IN TEST SCORES

Woodruff, Judy. Testing No Child Left Behind IT's origin, impact, and future. PBS, Where We Stand. Sept 5, 2008.< <http://www.pbs.org/wnet/wherewestand/reports/testing-no-child-left-behind/nclb-its-origin-impact-future/196>>

NCLB's defenders say that the law has pumped billions of federal dollars into America's schools, and that rising test scores are evidence of its success. Despite this claim, there's no concrete evidence to support the idea that NCLB has made an appreciable mark on student achievement. Why? Under the law, states are required to set their own standards. To avoid penalization, some states have been charged with deliberately setting low standards – or gaming the system. Under NCLB, states also have little incentive to develop tests that go beyond the multiple choice format – raising the charge that our system is creating generations of “bubble kids.” A recent survey by Education Week reported that 42 percent of students are now taking state reading and math tests that are entirely multiple choice – a format that saves both time and money.

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**NUMBER OF SCHOOLS FAILING TO MAKE AYP HAS DECREASED
National Education Association. 2008-09 Adequate Yearly Progress (AYP) Results Many
More Schools Fail in Most States. Oct 20, 2008. <<http://www.nea.org/home/16107.htm>>**

In virtually every state that has released AYP results this school year (results based on 2007-08 tests that determine status for schools for the 2008-09 school year), the number of schools failing to make AYP has increased, dramatically so in many cases. In several states, the rate at which schools are failing AYP doubled, tripled, and even quadrupled. NEA is tracking this information as states release it. These results are not unexpected. AYP forces all states, school districts, and schools on a march to 100% proficiency by 2013-14. Each state had to establish a trajectory setting out for each year the percentage of students who must score proficient or higher on the state's reading and math test. In addition, several states set their AYP trajectory so that much larger yearly rates of increases in the percentage of students who must be proficient occur in the last half of the 12-year path toward the required 100 percent proficient level. These "balloon payments" are likely to result in even larger rates of schools failing AYP in the next several years. Indeed, several states that have conducted projections of AYP results in the year 2013-13 predict that between 75 and 99 percent of all school will fail AYP. A just-published analysis in the scholarly journal *Science of AYP in California* showed that almost all California elementary schools would fail to meet AYP by 2014.

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Victory Briefs: www.victorybriefs.com

NCLB ACCOUNTABILITY SYSTEM IS UNRELIABLE

Sunderman, Gail. Press Release New Book Provides Examination and Evaluation of The No Child Left Behind Act. UCLA's Graduate School of Education and Information Studies. Jan 9, 2008. <<http://www.civilrightsproject.ucla.edu/news/pressreleases/pressrelease20080109-book.html>>

Harvard testing expert Daniel Koretz argues that the entire NCLB accountability system is not based on hard evidence. Koretz says, "We know far too little about how to hold schools accountable for improving student performance." Jaekyung Lee, associate professor of education at the State University of New York in Buffalo, compares the findings from the National Assessment of Educational Progress (NAEP) to state assessment results and shows that the federal accountability hasn't improved reading and mathematical achievement or reduced achievement gaps. "Based on the NAEP, there are no systemic indications of improving the average achievement and narrowing the gap after NCLB," says Lee. Other contributors suggest that the nation has not focused on the kinds of serious long-term reforms that can actually produce gains and narrow the huge gaps in opportunity and achievement for minority students.

NCLB = LESS PREPARED STUDENTS

National Education Association. Americans Find Narrowing the Curriculum a Real Concern According to PDK/Gallup Poll . Oct 20, 2008. <<http://www.nea.org/home/16178.htm>>

The following statement can be attributed to NEA President Reg Weaver "Narrowing the curriculum and teaching to the test are only two of the unintended consequences of No Child Left Behind, and educators were the first to sound the alarm on this trend," said NEA President Reg Weaver. "The law's single-minded focus on test preparation is robbing students of the opportunity to think critically and solve problems. We need to prepare them for the real world, for success in the new industries of tomorrow like alternative energy, medical research and technology.

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ACADEMICALLY DISADVANTAGED STUDENTS ARE LEFT BEHIND

Neal, Derek. Left Behind By Designed Proficiency Counts and Test Based Accountability. University of Chicago. June 2007. <http://www.nea.org/assets/docs/2AL_web_ver_final.pdf>

New York City, Los Angeles, Cleveland and many other cities educate large populations of disadvantaged students in states with accountability systems that are roughly comparable to the 2002 system implemented in Illinois.³² Based on our results, it is reasonable to conjecture that hundreds of thousands of academically disadvantaged students in large cities are currently being left behind because the use of proficiency counts in NCLB does not provide strong incentives for schools to direct more attention toward them. Further, NCLB may be generating this type of educational triage in nonurban districts as well. Any school that views AYP as a binding constraint and also educates a significant number of students who have little hope of reaching proficiency faces a strong incentive to shift attention away from their lowest achieving students and toward students near proficiency.

MATH AND READING SCORES REACHED A PLATEAU AFTER THE NCLB

**Bruce Fuller, Joseph Wright, Kathryn Gesicki, and Erin Kang. Gauging Growth How to Judge No Child Left Behind?. July 5, 2007.<
http://www.nea.org/assets/docs/2AL_07EDR07_268-278.pdf>**

More sobering news arrived a year later when fresh NAEP scores stemming from 2005 testing were released. They showed how the nation's students had performed over the 3 school years following NCLB's enactment. Reading scores among fourth graders remained flat, with 31% of the nation's children at or above proficient in 2002, 2003, and 2005 (Perie, Grigg, & Donahue, 2005). The share of eighth-grade students proficient or above in reading had fallen 2 percentage points. The percentage of fourth graders proficient in math continued to climb between 2003 and 2005. Math scores at the eighth-grade level had reached a flat plateau.

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ACADEMIC GROWTH FLATTENED OUT, STATE POLICIES RESPONSIBLE FOR GROWTH, NOT NCLB

Bruce Fuller, Joseph Wright, Kathryn Gesicki, and Erin Kang. Gauging Growth How to Judge No Child Left Behind?. July 5, 2007.< http://www.nea.org/assets/docs/2AL_07EDR07_268-278.pdf>

Achievement gains, going back to the early 1970s, are most discernible at the fourth-grade level. Mean scale scores in reading—independent of the proficiency-bar debate—climbed by about one grade level between 1971 and 2004, with at least half of this bump coming between 1999 and 2002 (seen in the regular NAEP time series). Some policy mix, rooted in state-led accountability efforts, appears to have worked by the late 1990s. But growth flattened out in fourth grade over the 3 years after enactment of NCLB.

NCLB DOES MORE HARM THAN GOOD

Fair Test. “No Child Left Behind” After Six Years An Escalating Record of Failure. Jan 25, 2008.< <http://www.fairtest.org/NCLB-After-Six-Years>>

After six years, there is overwhelming evidence that the deeply flawed “No Child Left Behind” law (NCLB) is doing more harm than good in our nation’s public schools. NCLB’s test-and-punish approach to school reform relies on limited, one-size-fits-all tools that reduce education to little more than test prep. It produces unfair decisions and requires unproven, often irrational "solutions" to complex problems. NCLB is clearly underfunded, but fully funding a bad law is not a solution.

NEEDIEST CHILDREN ARE RECEIVING INADEQUATE EDUCATION

Fair Test. “No Child Left Behind” After Six Years An Escalating Record of Failure. Jan 25, 2008.< <http://www.fairtest.org/NCLB-After-Six-Years>>

Since NCLB was signed, reading scores on the National Assessment of Educational Progress (NAEP) have stagnated, and the rate of improvement in math has slowed. The neediest children in our nation continue to receive an unequal and inadequate education. In Texas, for example, the “achievement” gap narrowed on the state test but widened on NAEP. The façade created to portray Houston and “the Texas Miracle” as national models crumbled. Similar problems are surfacing in other states. The U.S. cannot test its way to better schools.

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NCLB CAUSES MANY SCHOOLS TO FAIL AND FAILS TO ADDRESS THE REAL CAUSES OF CHILDREN BEING LEFT BEHIND

Fair Test. "No Child Left Behind" After Six Years An Escalating Record of Failure. Jan 25, 2008.

Thirty percent of the nation's schools failed to make "adequate yearly progress" (AYP) in 2005-06. Diverse schools are more likely to 'fail' simply because they serve children from more demographic groups, all of which must meet NCLB's mandates simultaneously. Independent researchers agree that nearly all schools will eventually be labeled "in need of improvement" (INOI) and sanctioned under NCLB. This will happen because of the way AYP statistics are calculated, not because all schools are actually in need of major improvement (though some schools clearly do need help). NCLB fails to address key reasons many children are left behind. The best school, the best teachers and the best curriculum can make a huge difference, but basic needs like housing, health care and nutrition must also be addressed. These gaps continue to widen. By blaming schools and focusing attention on boosting test scores alone, NCLB dampens the political will to address the real needs of children.

NCLB RESULTED IN FEWER SCHOOLS REACHING AYP

Fair Test. "No Child Left Behind" After Six Years An Escalating Record of Failure. Jan 25, 2008.

The number of schools making "adequate yearly progress" plunged from 6,488 to 5,113 since last year, according to state educators who released school progress reports Thursday. That's a drop from 67 to 52 percent of the state's public schools. Officials said more schools faltered because No Child Left Behind requires a higher percentage of their students this year to have proficient scores in English and math on statewide exams - 35 percent of students this year from about 25 percent last year.

March 2009 Public Forum

Resolved: That, on balance, the No Child Left Behind Act of 2001 has improved academic achievement in the United States.

Victory Briefs: www.victorybriefs.com

NCLB RESULTED IN FEWER SCHOOLS REACHING AYP- CALIFORNIA AND HAWAII

**Martin R. West, Research Fellow, Governance Studies, The Brookings Institution. NCLB How to give it a passing grade. December 2005.<
http://www.brookings.edu/papers/2005/12education_west.aspx>**

An Education Week analysis of preliminary data from the 2004-05 academic year showed just such an outcome unfolding in several states. In California and Hawaii, for example, the percentage of schools making adequate yearly progress decreased by 10 and 21 percentage points, respectively, over the previous year, despite the fact that the percentage of proficient students in each state increased. In Hawaii, the percentage of schools making adequate yearly progress fell to 34 percent, the lowest of any state to have reported its data thus far.

NCLB CAUSES SCHOOLS TO IGNORE HIGH-ACHIEVING STUDENTS

Uzzell, Lawrence. No Child Left Behind the dangers of Centralized Policy. Cato Institute. May 31, 2005. <<http://www.cato.org/pubs/pas/pa544.pdf>>

Another problem with NCLB is the way it seems to encourage schools to neglect the most promising students. As a high-stakes system that threatens concrete, painful consequences for falling short, the statute gives educators a perverse incentive to concentrate only on those students whose performance will make the biggest difference in meeting the stated threshold. Educators have no incentive under NCLB to improve further the performance of students who are already well above the level of “proficiency.” Instead of working to turn superior students into outstanding students, schools that want to avoid unpleasant consequences would be well advised to concentrate on turning inferior students into barely adequate students. NCLB thus subtly encourages them to neglect the gifted and talented.

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NCLB ENCOURAGES TEACHERS TO PERMIT CHEATING

Uzzell, Lawrence. No Child Left Behind the dangers of Centralized Policy. Cato Institute. May 31, 2005. <<http://www.cato.org/pubs/pas/pa544.pdf>>

In June 2003 one teacher told the Houston School Board that she had been encouraged to cheat and instructed on how to do so, but apparently neither the school board nor the state education authorities responded seriously to her charges until the Dallas newspaper blew the whistle. That teacher was from Wesley Elementary School—one of the most famous schools in Texas, lauded repeatedly by former Houston school superintendent (and former U.S. secretary of education) Rod Paige as an example for others.⁵⁸ Overall, the Morning News found such suspicious test score anomalies at as many as 400 schools statewide. It should be stressed that this figure represents only about 5 percent of the state's 7,700 schools

INCREASING TEST SCORES DON'T PROVE THAT NCLB WORKS

Dan Lips and Evan Feinberg. No Child Left Behind and the Race to the Bottom. Education news. June 2007.< <http://www.ednews.org/articles/13103/1/No-Child-Left-Behind-and-the-Race-to-the-Bottom/Page1.html>>

The Department report showed that state-defined proficiency standards are often far lower than proficiency standards on the NAEP, a national snapshot of American students' academic achievement. This means that states which claim large numbers of students scoring "proficient" on reading and math tests may just have easier tests than other states. Secretary Spellings called the report "sobering news." The Department of Education report shows why, as Mr.Colbert explained, it is possible for 89 percent of Mississippi's fourth graders to score "proficient" in reading when only 18 percent scored "proficient" on the NAEP exam. To be sure, state tests have always differed from the national exam. The real problem is that No Child Left Behind actually put in place incentives for states to weaken their standards - making it more pressing for them to meet political objectives than to improve student achievement by objective measures.

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MINORITIES, SPECIAL EDUCATION KIDS ARE BEING FURTHER MARGINALIZED BY NCLB

Institute for Language and Education Policy. Key Issues in the Reauthorization of NCLB. 2007 <http://www.elladvocates.org/nclb/nclbissues.html>

The No Child Left Behind Act of 2001 promised to "hold schools accountable" for the progress of underachieving groups – racial minorities, special education students, and English language learners – thereby forcing educators to pay more attention to these children. No one doubted that added "attention" would be forthcoming. The question was whether this version of "accountability" is would be beneficial or detrimental to kids. Five years later, as Congress prepares to reauthorize NCLB, the verdict is in. Where ELLs are concerned, the law's impact has been precisely the opposite of what was promised. Research studies and reports from the classroom indicate that these students are not only being "left behind"; they are being further marginalized. In particular, the high stakes attached to assessments – administered primarily in English – have had perverse effects that contradict everything we know about best practices for ELLs.

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US STILL HAS A WIDE ACHIEVEMENT GAP IN COMPARISON TO OTHER NATIONS

**Fair Test. Independent Test Results Show NCLB Failing. Jan 2008.<
<http://www.fairtest.org/independent-test-results-show-nclb-failing>>**

In science and math, U.S. results remained largely unchanged from 2003 to 2007, with scores below the average of other developed (OECD) nations in science and math.(U.S. reading results were thrown out because the tests were misprinted and neither the test contractor nor the federal government caught the error.) Other data gathered for the studies show a wider gap between high and low-scorers in the U.S. than in many other nations, with low-income and minority-group students performing particularly poorly. High scoring nations such as Finland tend to have much less variation between schools than does the U.S., though Finland does have substantial socioeconomic differences in its population. The Progress in International Reading Literacy Study (PIRLS) compares the reading attainment of 9 and 10 year-old children in over 40 countries. U.S. scores from tests administered in 2006 were essentially unchanged from 2001, largely mirroring NAEP results. As in other studies, the U.S. gaps between high and low scorers were large. UDA includes 10 urban districts that voluntarily participate in NAEP. In grade 8 reading, these districts as a whole showed no progress since NCLB was enacted, the same as the nation. Grade 4 reading saw slow progress, comparable to the nation's, with the rate of improvement having slowed since NCLB's passage. In math, progress in grade 4 was very slightly better than in the nation as a whole. Only in grade 8 math was progress in the urban districts notably faster than the national rate.

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NCLB HURTING THE POOR

Zahorchak, Gerald L. Secretary, Pennsylvania Department of Education. NCLB Reauthorization Recommendations. February 2007.

<<http://www.pde.state.pa.us/nclb/cwp/view.asp?a=3&Q=105927&nclbNav=>>>

Resources for census poverty and for School Improvement. Prior to the enactment of NCLB, Title I, Part A funding was generated using a per pupil figure that provided an equitable share of resources to every census poor student in the country. In addition, concentration funding provided supplemental funding to any school district with a high concentration (more than 15% of their families) designated as census poor. With the enactment of NCLB, Title I hold harmless was removed, and two additional Title I funding streams were created - Targeted and the Education Finance Incentive Grant (EFIG).

The intent of these funding streams was to provide additional funding to areas with large concentrations of census poor families. States like California that have large pockets of low income students have seen an increase in federal funding, while states with a more dispersed concentration of poverty have had their funding cut. As concentration – type funding has increased, less funding has been distributed based on per pupil rates.

For Pennsylvania that has meant 162 of Pennsylvania's 501 school districts (32%) have experienced a decrease in total Title I funding for each of the last three years (See Appendix B). Statewide, basic Title I funding, that which is provided to all Title I schools on a per census poor pupil allotment, has been reduced by 5.1% (\$13,742,265) since 2001. While other streams of Title I funding may have increased, the distribution formula dictates the reduction of Title I funds to many districts each year. The three school districts most significantly affected are Bristol Borough School District (loss of \$121/student), Sto-Rox School District (loss of \$116/student) and Harrisburg City School District (loss of \$104/student). Harrisburg City School District, although they are in Corrective Action 2 for the 4th year, lost slightly more than \$1 million.

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NCLB CAUSES TEACHERS TO CONTEMPLATE REMOVING POOR PERFORMING STUDENTS

Terail, Talei Venzant. Many Children Left Behind How the No Child Left Behind Act is Damaging Our Children and our Schools. Radical Teacher; 2007 Issue 78, p. 40-42, 3p.

George Wood's "A View from the Field NCLB's Effects on Classrooms and Schools" gets at the dilemma into which NCLB forces teachers and administrators between the goal of educating each child and the pressure to remove students whose poor performance can lead to a school being labeled "failing." Wood also comments on the so-called "Texas Miracle" the staggering 50% dropout rate in the Houston schools covered up in early reports, as well as concerns that the schools performing best under NCLB are the least diverse, most well-funded and stable schools—a far cry from the types of schools and students NCLB proposes to help.

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NCLB FUNDING DOES NOT HELP SCHOOLS IN LOW INCOME AREAS AND ACHIEVEMENT SCORES REMAIN LOW

Southworth, Stephanie. and Barnshaw, John. "No Child Left Behind, School Choice, and the Charlotte-Mecklenburg school District A Case Study" Paper presented at the annual meeting of the American Sociological Association, Montreal Convention Center, Montreal, Quebec, Canada, Aug 10, 2006 <Not Available>. 2009-02-04 http://www.allacademic.com/meta/p103321_index.html

The purpose of this study was to investigate how the neoclassical school choice, market ideology, Title I and No Child Left Behind held up in a quasi-experimental setting. Contrary to neoclassical assumptions, findings suggest that school choice resulted in increased segregation in CMS and greater inequality. In addition, this research found that both black male and female students had lower achievement scores and white females had lower achievement scores in racially segregated black schools after choice was implemented. The result is that, as school choice increased racial isolation in schools and black students are at risk of having lower scores of their end of grade tests. This result directly contradicts the stated goal of No Child Left Behind, which seeks to increase test scores, performance, and accountability. In addition, for those students who fail to exercise their choice and end up in a school with concentrated poverty, the NCLB Acts increased funding provision for low-income schools does not appear to have a positive effect. Even after controlling for the education levels of the parents, concentrated poverty schools as exemplified by the Title I schools in the study have a negative effect on student achievement.

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**STANDARDIZED TESTS FOR AYP ARE FAILING TO MEET NCLB TARGETS
Berlak, Harold. Senior Research Fellow at the Applied Research Center. Does the No Child
Left Behind Act Improve Schools and INcrease Educational Opportunity? Education Policy
Studies Laboratory, April 2005.**

The mindless and ubiquitous use of standardized tests as the sole measure of educational progress is as unjust as it is absurd. It has had the effect of labeling close to one third of the nations 91,400 schools as failing in 2002-03 based on the failure to make AYP (Annual Yearly Progress) targets set by NCLB regulations. It is estimated that if current rules hold, as many as 90% of schools in most states will be classified as failing in ten years. Irrevocable decisions are being made that shape the direction of the lives of many millions of individuals based on the score on a single standardized, multiple-choice test. Yet none of the tests used to calculate AYP are grounded in observed and documented academic ability or achievement.

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NCLB LEADS TO PEOPLE OF COLOR BEING TARGETED

Berlak, Harold. Senior Research Fellow at the Applied Research Center. Does the No Child Left Behind Act Improve Schools and INcrease Educational Opportunity? Education Policy Studies Laboratory, April 2005.

Reliance on standardized tests affects all students and communities, but as numerous researchers have carefully documented, there is a particularly adverse impact on students and communities of color. Teachers and administrators in low scoring schools which disproportionately serve communities of color are under such extraordinary pressure to meet NCLB's Annual Yearly Progress goals that those most likely to be first in line for a narrow and culturally truncated curriculum, and shrinking educational opportunities are the children of the poor, immigrants, and people of color. Because there is no evidence to support the claim that standardized tests are a valid and credible measure of academic achievement, these tests are a particularly invidious form of structural racism lending the cloak of science to policies and practices that have denied, and are continuing to deny, persons of color equal access to educational and job opportunities.

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