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An Ecological Approach to National Education Reform: Recommendations for the Reauthorization of No Child Left Behind¹ By Robyn Gould

Congress enacted the federal education law, No Child Left Behind (NCLB), with the objective of improving public schools. Unfortunately, five years later, studies show that the law has failed to improve, and in some cases has caused a decline in, public education in the United States. The bill is up for reauthorization this year. As advocates and policymakers engage in vigorous debate as to how to amend the bill, most ignore a fatal defect in the structure of the law. Lawmakers based NCLB measures on marketplace principles. However, in the education arena, market-based assumptions and policies do not always work. Instead, those seeking to amend NCLB should look to another theory—the ecological systems approach—to fashion solutions that will improve education for all children. Specifically, NCLB must accommodate the human dimension of education and the interdependent structures that influence student learning.

An Overview of No Child Left Behind

Beginning in the early 1980's, on-going reports that youth in the United States were performing at lower levels in school than youth in other nations sparked a national focus on

education.² Policymakers and educators expressed concerns that student achievement was not “high enough or widespread enough” to continue to meet the demands of an increasingly competitive global economy.³ In response, Congress passed, in 2002, the most aggressive, federal education law ever passed, No Child Left Behind (NCLB).

NCLB's Goal: To Increase Achievement Among All Students

As advocates and policymakers studied gaps in student achievement among different regions of the country, they began to see striking differences between economically and racially diverse groups of children in the same cities and regions. NCLB sought to change this disparity by “ensur[ing] that *all* children have a fair, equal, and significant opportunity to obtain a high-quality education.” Specifically, Congress intended for the law to provide an equitable public education to all students, to support all groups of students toward a higher level of achievement, and to close the achievement gap.⁴

Congress then translated these principles into four goals: (1) all students will reach proficiency or better in reading and math, (2) all students

will be taught by highly qualified teachers, (3) all students will graduate high school, and (4) all students will be educated in a safe environment.⁵ Underlying the legislation is an assumption that schools are the source of the achievement gap and, therefore, they alone can solve the problem without any change in the other inequities in society.⁶

How NCLB Works: Measuring Success Through Student Tests and Penalizing Low-Performing Schools

To accomplish these goals, NCLB uses a test-driven accountability structure. The law requires yearly tests of all children in grades 3-8 in reading, math, and more recently, science. Schools must then report annually on performance by student subgroups, sorted by ethnicity, special education, English language learners, and economically disadvantaged students. States then use these reports to determine if schools are making “adequate yearly progress” (AYP).⁷ Each state determines the testing standards schools must meet to satisfy AYP in their state.

NCLB attempts to encourage school improvement by sanctioning low-performing schools. When a school is “failing,” or progressing below AYP

1. The views and recommendations expressed in this article are those of the author, and not necessarily those of the National Center for Youth Law.

2. Rhona S. Weinstein, *Reaching Higher: The Power of Expectations in Schooling* (2002).

3. Richard Rothstein & Rebecca Jacobsen, *The Goals of Education*, 88 *Phi Delta Kappan* 264-272 (2006).

4. Gail L. Sunderman, et al., *NCLB Meets School Realities: Lessons from the Field* (2005).

5. Randy J. Dunn, R.J., & Jesse H. Ruiz, J., *No Child Left Behind*, Illinois State Board of Education (2002).

6. Richard Rothstein, *Class and Schools: Using Social, Economic, and Educational Reform to Close the Black-White Achievement Gap* (2004).

7. Lance D. Fusarelli, *The Potential Impact of the No Child Left Behind Act on Equity and Diversity in American Education*, 18(1) *Educational Policy* 71-74 (2004).

levels, it may lose its federal funds, be restructured as a charter or magnet school, or be forced to give its students the choice to attend a different school in the district.⁸

NCLB also tries to increase teacher quality by requiring that all teachers have a bachelor's degree, a teaching certificate, and experience in the subject matter they are teaching. Finally, NCLB establishes a federal stance on graduation rates by requiring that states include these rates as a measure of high school performance.⁹ The law defines graduate rate as "the percentage of students, measured from the beginning of high school, who graduate from high school with a regular diploma...in the standard number of years."¹⁰ However, states may request approval from the U.S. Department of Education to use a different definition. The legislation does not require graduation rates to reach a specific percentage goal.

NCLB Has Not Improved Public Education

A team of researchers with the Civil Rights Project at Harvard University conducted a comprehensive study of the impact of NCLB on 11 school districts over six states.¹¹ The study included a review of interviews, observational data, and achievement measures from six states. Two districts were selected in each state for assessment and the overall selection of schools represented a wide range of geographical, political, racial, and economic diversity.

The study found that while some improvements have been made since the passing of NCLB, the legislation has fallen short on all of its stated goals. Disturbingly, researchers found that NCLB had a disproportionately negative impact on poor schools.¹² The study lists several reasons for NCLB's failure including: (1) its focus on test results as a sole measure of

school performance, (2) its failure to provide a method for redistributing "good" teachers to the schools that need them, and (3) its use of a rigid enforcement process that emphasizes harsh penalties and fails to accommodate for differences between school environments.¹³

Other reports have found similar results – that NCLB has resulted in lower academic standards and an inability to build the capacity of quality teachers in the schools that need them the most.¹⁴ Furthermore, states use the minimal flexibility within NCLB's federal framework as a means of working around the law. Too often, states define their adequate yearly progress (AYP) goals in ways that ensure they can meet standards, rather than in ways that will improve student achievement.¹⁵

An example from a Los Angeles classroom exemplifies how NCLB's test-driven accountability system often penalizes the very schools it seeks to assist. A teacher in the Los Angeles Unified Schools District gave her students a standardized reading exam involving a passage related to a picture of a house, a ball in front of the house, trees and flowers.¹⁶ The test focused on a tiny little sliver hanging off the house, which took the teacher 20 minutes to determine was a picture of an icicle. The teacher realized that her students would fail the test simply because there are no icicles in East Los Angeles and the children, due to economic circumstances, would not have traveled to a cold-weather region. Poor results on exams like these result in school sanctions.

This is not an isolated story. There is countless anecdotal evidence that state tests meant to measure student achievement fail to do just that because they rely on general knowledge that students, sometimes for reasons of differing racial or economic backgrounds, do not have.

Lawmakers Should Base NCLB Reform on Educational Theory, Not Market Principles

Opponents of NCLB are considering a long list of amendments to fine-tune the legislation. Yet no amount of fiddling will fix the problem unless Congress changes the underlying framework of the law. Rather than using market theory -- which equates schools with service goods and students with customers -- lawmakers should use an ecological framework, which reflects the complex relationships between institutions, families, communities, and individuals. That is, in order to succeed, NCLB must address the human dimension of education and the interrelated structures that influence the success of our educational system.

NCLB Cannot Succeed Because it is Based on Marketplace Principles

Marketplace principles operate on the notion that competition fuels businesses to provide high quality and low cost goods and services to customers. This is because customers will look elsewhere if they do not like the price or quality of the goods or services offered by a particular business. There are many reasons why this approach to education fails to improve schools.

- A market-based approach to education assumes that the purpose of education is economic success and that students can be treated like customers in a business.¹⁷ Yet, while businesses may fail, schools may not. This is exemplified by the story of a successful businessman providing a teacher in-service training on running a school like a business.¹⁸ When one teacher in the audience asked what to do with a bad batch of blueberries, the businessman replied, "You throw them out." The teacher responded, "That's

8 *Id.*

9 *Id.*

10 Section 200.19(a)(i)

11 Sunderman et al., *supra* note 3.

12 *Id.*

13 *Id.*

14 Paul Tough, *What it Takes to Make a Student*, *The New York Times Magazine*, 44-51 (2006, November).

15 EdSource, *School Accountability Under NCLB: Ambitious Goals and Competing Systems* (2005, August).

16 Interview with Los Angeles Unified School District elementary school teacher on November 5, 2006.

17 Eugene Edgar, *Democratic Dispositions and Cultural Competency: Ingredients for School Renewal, Remedial and Special Education* 231-241 (2002, July-August).

18 Max Fisher, *Of "No Child Left Behind" and Blueberries* (2003). Retrieved April 29, 2007 from http://www.education-world.com/a_curr/projdev077.shtml.

right. Unfortunately, however, schools can't reject their defective blueberries."¹⁹

- The market-oriented approach to education is rooted in the exchange of commodities, which ignores the humanness inherent when the good or service is learning.
- The market-based framework assumes that students fail only because of a lack of choice and competition between schools. This eliminates any discussion of other factors contributing to the low performance of particular students or schools.
- Finally, the market-based approach fails to acknowledge that schools do not always have sufficient resources to compete in the marketplace.

By relying on market principles, NCLB attempts to create competition between schools through the use of sanctions. An “underperforming” school may be forced to permit its students to choose another school in the district.²⁰ The idea is that this competition will encourage school improvement.

However, the “competition” created by NCLB has hindered, rather than helped, schools.²¹ A student may only participate in the “marketplace” if his or her school is failing. Students must attend the local public school in their area, *unless* their school is below AYP. Therefore, schools maintain a “monopoly” over their “customers” as long as they meet AYP. Schools try to avoid sanctions at all costs. This results in schools and districts narrowing curriculum, teaching to the test, providing more lenient and easier tests, and lowering standards.²² This system can also hinder students that are given permission to choose a different school. In many cases, higher performing schools do not want to accept these transfer students for fear they will bring down their school's AYP.²³

Lawmakers Should Use Ecological Theory to Shape Education Reform

Ecological theory is the study of the interrelationships of organisms and their environment.²⁴ An ecological framework takes into account multiple levels of interaction in a world of complex overlapping systems. Changes or conflicts in any one layer will ripple throughout other layers. When using this framework, one must consider the effect that a change in one layer may have on another layer. Starting in the 1970's, educational researchers have used ecological systems theory to better understand classroom dynamics and to develop new approaches to teaching.²⁵

How we define an issue frames our inquiry and informs the solutions we employ to solve it.²⁶ Defining education reform within an ecological framework would shift attention away from economic factors and towards the human side of schooling, the interdependence of systems, and the conditions that lead to differential educational outcomes.²⁷ This would expand our understanding of the issues that youths face in schools. In addition, it would allow lawmakers to bring together “somewhat disparate and disaggregated features of the problem into a dynamic and integrated whole.”²⁸

Our educational system is made up of a complex web of students, parents, educators, and community members. The system is influenced by politics, economics, and social norms. At the heart of the system is a child whose success in the world depends on the child's immediate surroundings as well as the cultural, social, and political attitudes that influence the child's environment daily. An ecological approach to education reform is particularly useful, and some would argue critical, because it addresses these complex and interdependent human systems.²⁹ These considerations are

largely absent from a market-based approach to education.

Ecological theory requires us to revisit the purpose of education reform. It suggests that schools cannot operate with the sole aim of promoting academic achievement in math and reading, because schools cannot accomplish these goals without considering other factors affecting individual achievement.³⁰ The goal of education reform in an ecological model is to produce individuals capable of establishing caring relationships – relationships that in turn support students' motivation to learn and their ability to contribute to society.³¹

By changing the goals of education reform, schools can then explore other critical issues that affect student success. Research demonstrating statistically significant achievement gaps as early as kindergarten underscores the need to acknowledge and address these other issues.³²

For example, schools could work to improve children's physical and mental health by coordinating with local agencies that provide these services.

Ecological theory also teaches that students will be more motivated to learn in a friendly, non-coercive, and supportive environment.³³ These environments have not been achieved under the market-based approach of NCLB. In fact, several teachers in Oakland and Los Angeles reported that they did not even know that a safe environment was part of the NCLB legislation. These same teachers were told on numerous occasions that their districts did not have the funds for metal detectors and other programs that these teachers felt were critical not only to their own safety, but also to cultivating a safe learning environment for their students.³⁴

An ecological approach also accommodates individual differences. Personal experience critically shapes how we negotiate intellectual and

19 *Id.*

20 No Child Left Behind Act of 2001

21 Scott E. Masten, S.E. (ed), *Case Studies in Contracting and Organization* (1996).

22 Tough, *supra* note 13.

23 *Id.*

24 Weinstein, *supra* note 1.

25 William G. Huitt, *Systems Model of Human Behavior* (2002). Retrieved from <http://chiron.valdosta.edu/whuitt/materials/sysmdlo.html> on July 12, 2007.

26 Weinstein, *supra* note 1.

27 *Id.*

28 *Id.* at 7.

29 *Id.*

30 James P. Comer, *Leave No Child Behind: Preparing Today's Youth for Tomorrow's World* (2004).

31 (Noddings, 1996; Comer, 2004).

32 Douglas N. Harris & Carolyn D. Harrington, C.D. (2006). *Accountability, Standards, and the Growing Achievement Gap: Lessons from the Past Half-Century*, 112(2) *American Journal of Education* 209-239 (2006).

33 Comer, *supra* note 30

34 Interviews with 2 teachers from Oakland Unified School District and 2 teachers from Los Angeles Unified School District from November 5, 2007–November 20, 2007.

moral life.³⁵ John Ogbu's "cultural ecological theory" takes a similar view. He suggests that different perceptions among minority groups towards schooling, and the treatment of minorities in the larger societal context, often affects student learning and achievement.³⁶ Another team of researchers reviewed Arizona schools with majority Latino students to determine why some schools performed better than others. The team found that the schools that were most successful looked "more like Starbucks than Ford Motors. Instead of a one-size-fits-all approach, they are focusing on individual students and customizing education to fit individual needs."³⁷ These findings demonstrate the importance of considering individual, local, institutional, and historical contexts in addressing the disparities in achievement across groups.³⁸

Finally, an ecological framework recognizes that in order to create optimal learning conditions and support the effective implementation of reforms, all entities involved in the educational system must work together. In contrast, the market-based framework of NCLB has fostered an environment of distrust and defensiveness between federal and state entities.³⁹ Moving forward, the success of NCLB requires the development of a Federal-State Partnership aimed at the shared goal of higher expectations and achievement for all students. States, as well as districts, schools, and communities must be included in discussions and decisions related to amending NCLB in order for national education reform strategy to be successful.

Recommendations for the Reauthorization of NCLB

The following recommendations for the reauthorization of NCLB were developed using an ecological framework informed by current educational research and theory.

1. When analyzing and interpreting education reform measures, take into consideration the intricate and interdependent systems that affect learning for all students.
2. Develop a set of "Best Practices Guidelines" to accompany federal legislation, including recommendations for raising expectations for all students and developing a culturally-relevant, caring school climate.
3. Modify the definition of AYP to reflect an individual student's progress over time. While ultimately the goal must be to achieve "proficiency" for *all* students, not all school populations are created equal and schools should be judged on the incremental progress that an individual student demonstrates over time. Linking school success with individual student growth controls for factors outside the classroom that may affect an individual student's ability to learn.
4. Implement an accountability system that assesses students on many levels. Such a system would hold schools responsible for more than just a narrow set of academic subjects by including goals related to the physical and emotional well-being of students, the quality of school facilities, teacher development, and a broad range of learning objectives relevant to succeeding in a growing global economy and democratic society.⁴⁰
5. Develop a set of national content standards, including social and emotional development goals, that provide a floor from which states may build on their own set of standards. Empower states to reform standardized tests to accurately assess student achievement in these content areas while being relevant to the local experiences of children.
6. Provide supplemental education services to all low performing students, not just those attending low-performing schools. Engage teachers to work with parents in the process of selecting the most appropriate SES program for a particular student, as well as to work with the provider to ensure that they are addressing the same goals. Hold SES providers accountable for results and quality of instruction.
7. Implement additional and on-going measures to meet "highly qualified" teacher standards, including a multimodal teacher assessment program. NCLB currently equates teacher quality with certification. However, recent studies illuminate that "having a license to teach doesn't really make you a good teacher."⁴¹
8. Ensure that "highly qualified" teachers are evenly distributed throughout the system by providing incentives to teach in the most challenging schools. Provide on-going support and professional development to these teachers. Recent reports demonstrate that teachers who are leaving urban, high-poverty schools today rate "a lack of support" as one of the top reasons for their decision, often above salary.⁴²
9. Develop a Federal-State Partnership to participate in the reauthorization in order to establish an environment of collaboration rather than competition and to align federal and local incentives to work together toward education goals.
10. Expand education reform measures to address social and emotional development of students by empowering schools to coordinate with local community service providers through voluntary grants.

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35 Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education* (1984).

36 John U. Ogbu & Herbert D. Simmons, *Voluntary and Involuntary Minorities: A Cultural-Ecological Theory of School Performance with Some Implications for Education*, 29(2) *Anthropology & Education Quarterly* 155-188 (1998).

37 Mary Jo Waits et al., *Why Some Schools with Latino Children Beat the Odds... and Others Don't*, Center for the Future of Arizona & Morrison Institute for Public Policy at Arizona State University (2006).

38 The author of this paper acknowledges that there are varying views on how "achievement" is defined in the context of the "achievement gap," however there is

not ample space in this paper to address this aspect of the controversy. Therefore for purposes of this paper, any disparities in achievement refer to those testing differences NCLB tries to remedy.

39 Sunderman et al., *supra* note 3.

40 Tony Scott, *Consensus through Accountability? The Benefits and Drawbacks of Building Community with Accountability*, 49(1) *Journal of Adolescent & Adult Literacy* 48-60 (September, 2005).

41 Linda Jacobson, *Study Casts Doubt on Value of "Highly Qualified" Status* (2007). Retrieved on April 27, 2007 from www.edweek.org.

42 Richard M. Ingersoll, *Teacher Turnover and Teacher Shortages: An Organizational Analysis*, 38(3) *American Educational Research Journal* 499-534 (2001).