



ESEA: Myths versus Realities

*Answers to common
questions about the
new No Child Left
Behind Act*





The No Child Left Behind legislation reauthorizes the Elementary and Secondary Education Act (ESEA), the federal government's largest investment in K-12 education. Title I of ESEA targets over \$10 billion in financial assistance to schools educating low-income students. ESEA allocates almost another \$10 billion for teacher recruitment and professional development, educational technology, after-school programs, and other purposes.

Along with providing additional resources, the No Child Left Behind legislation adds important accountability provisions to Title I of ESEA and establishes a framework for real progress in raising overall student achievement and in increasing parent involvement. The accountability provisions require states to set clear timelines for improving student achievement, with particular emphasis on closing achievement gaps between low-income and minority students and their peers. The new reporting provisions ensure that parents and the public will have a better sense of how schools are doing.

The new law is not perfect—no law ever is—and we would be the first to admit that everyone can find something to dislike in ESEA. However, some of the concerns we're hearing about the new law appear to be based on misconceptions or misunderstandings about both the requirements and the expectations in the law.

Here, then, is our attempt to separate the myths from the realities of ESEA.

	Old Law	New Law
Standards & Assessments	States required to adopt state-defined standards, develop assessments, and identify schools in need of improvement.	Same.
Data collection	States and schools required to collect data on achievement of different groups of students by poverty, race, limited-English proficiency and disability status.	Same. But for the first time, states required to publicly report achievement data by different groups – known as disaggregated data.
Testing	Required three times: once in grades 3-5, once in grades 6-9, and once in grades 10-12.	Beginning in 2005-06, required each year from grades 3-8 and once in grades 10-12.
Accountability	States set up their own accountability systems. No requirement to establish timelines for full proficiency. No requirement to focus on closing achievement gaps.	Every state and school district is responsible for ensuring that students meet the state standard for proficient within 12 years. Schools must use disaggregated data to ensure that ALL groups of students are making adequate progress.
What happens when schools don't meet their goals?	States were supposed to develop systems for requiring change in low-performing schools, but little change actually occurred.	Local leaders choose what form change should take, but real change must be implemented. States, districts, and schools are required to focus additional attention and resources on schools needing improvement. Parents have options to transfer their children to higher performing schools or to receive supplemental education services at school expense.
Teacher Quality	Not covered.	Requires states to define a qualified teacher and to ensure that low-income and minority students are not taught disproportionately by inexperienced, unqualified, or out-of-field teachers. States have until 2005-06 to get all teachers to state standards.





Instead of abandoning high standards, educators should focus on what changes need to be implemented to meet them

Myth: *The requirements in the new ESEA are totally out-of-the-blue and have caught states by surprise.*

Reality: **The new ESEA is built on the foundation of its precursor, which was adopted in 1994. The chart on the facing page compares the provisions from the old law with the new.**

The new law does include several important improvements over the old law:

- expands the information that must be provided to parents and reported to the public, including information about achievement gaps and teacher quality;
- strengthens the requirement that schools identified as needing improvement actually develop and implement plans to improve; and,
- requires, for the first time in the history of federal education legislation, every state to define what constitutes a qualified teacher and to ensure that schools educating low-income and minority students don't employ a disproportionate number of unqualified, inexperienced, or out-of-field teachers.

Together, these requirements should help to bring about much-needed public discussion—and much-needed change—in communities where achievement gaps between groups of students have not been addressed and where educators haven't been held accountable for student achievement.



Myth: *States risk losing their federal education funding if test scores don't improve.*

Reality: **There is absolutely no linkage between student achievement scores and federal financial assistance. No state will lose money if it does not meet its goals. There are rules for receiving federal funds through Title I, but they merely require states, school districts and schools to report on their progress and, where achievement falls short of state expectations, to take steps to improve. Title I money is not conditioned on the attainment of any particular achievement level or achievement gain.**

Myth: States are being forced to lower their standards to meet goals set by the federal government.

Reality: If states feel compelled to lower their standards for fear of not meeting them, it means one of two things is true: Either the standards were wildly unrealistic and never intended to establish what all children need to know or the state has no confidence that its teachers and schools can improve. Instead of abandoning high standards, educators should focus on what changes need to be implemented to meet them.

Keep in mind that ESEA asks states to make progress teaching students to the state *proficient* standard, not to the *advanced* standard that is also established by each state. We acknowledge that all students learning to proficiency is a tremendous challenge given existing gaps in both learning opportunities and achievement. But it is a challenge that we've never really asked our schools to confront.

Consider this: the data clearly and consistently show that **schools educating the highest proportion of low-income and minority students continue to employ a disproportionate number of unqualified, inexperienced, and out-of-field teachers, offer the least rigorous curriculum to their students, and get less than their fair share of money and other resources.** Yet to this point, nobody has insisted that states find ways to assure that all students get the kind of educational opportunities they need to reach state standards.



Myth: The student achievement goals established by ESEA are impossible or unrealistic.

Reality: ESEA does not expect every student to perform at the proficient level this year. Or next year. Or the year after that. ESEA's target date isn't even in this decade. ESEA establishes a twelve-year period of what should be continuous education reform and refinement. The goal is to have all students achieving at the proficient level by 2014.

But the law accommodates those who say even that goal is too high: ESEA asks only that each school and school district reduce the number of students below proficient in each group by 10% from the previous year. That is a reasonable expectation. It will take hard work and a willingness to examine business as usual, but it is both realistic and fair to expect our schools to show some modest improvement in educating students and closing achievement gaps between groups.

What is unrealistic is to expect student achievement to rise while all other factors remain unchanged. No one is claiming that we can improve the performance of all groups of students by merely adding testing while leaving other education policies unchanged. To the contrary: ESEA is intended to cause a critical evaluation of education practices and a redistribution of educational resources. For example, research makes clear that quality teachers and access to a rigorous curriculum make a huge difference in student achievement, yet states have not developed systems to distribute these resources equitably.

Myth: *The teacher quality goals established by ESEA are impossible or unrealistic.*

Reality: ESEA requires teachers of all core academic courses to be “highly qualified” by 2005-06. While states set the specific definitions for highly qualified, such teachers must at least have graduated from college, demonstrated content knowledge in their subjects, and satisfied state requirements for certification or licensing. Far from being unreasonable to expect a qualified teacher in every classroom, who could argue for anything less?

ESEA also focuses on the unequal distribution of teacher talent. According to the latest figures, classes in high-poverty secondary schools are 77% more likely to be assigned an out-of-field teacher than in low-poverty schools.¹ An increasing body of research makes clear that effective teachers can help students make enormous gains while ineffective teachers can do great and lasting damage to students.² ESEA requires states and school districts to take immediate action so that poor and minority children will not be taught at higher rates than others by unqualified, inexperienced, or out-of-field teachers.

Certainly, meeting these goals by relying on outdated and inefficient methods of recruiting, hiring and compensating teachers won't work. There are, however, some vivid images of states, districts, university systems, and even private groups that are thinking and acting differently and making great strides in recruiting teachers at previously hard-to-staff schools.³ Many of these programs contradict the widespread misconception that higher standards for teachers will inevitably result in reducing the supply of qualified candidates. In fact, the opposite seems to be true: Talented and motivated professionals are attracted by selectivity and high standards, not repelled by them.⁴



Myth: *Many schools will be declared “failing schools” under ESEA.*

Reality: There is no such thing as a “failing school” under ESEA. ESEA does recognize that some schools are in need of improvement, some schools need corrective action, and that persistently under-performing schools need to be restructured.

Here's what ESEA says about school performance:

1. When state assessment data reveal—**for two years in a row**—that a school's students are not making progress in learning what the state has determined they need to know, ESEA requires the school district to identify the school as “needing improvement” . Once a school is designated as needing improvement, the school, school district, and the state collaborate on a two-year plan to improve student achievement. Improvement plans must include additional instructional time and increased professional development for the school's teachers. ESEA provides states with additional funds to implement improvement plans.
2. If the school improvement plan is implemented for two years but does not result in improved student achievement, ESEA requires the district to implement one of several “corrective actions” that are intended to accelerate and intensify improvement efforts. Before any corrective action is instituted, however, teachers and parents need to be consulted and given the opportunity to assist in developing and commenting on the corrective action plan.
3. If after implementation of the corrective action plan the school still does not increase student achievement, the school must be restructured. Only after a sustained focus on improving the school's performance—a **process that takes at least six years of not achieving adequate progress**—does ESEA call on the school to be restructured. By that time, it should be clear to all interested parties that a change is in order.





Myth: *Demanding high achievement from low-income and minority students is unfair because they can't meet high expectations.*

Reality: **Low-income and minority students all over this country are meeting and exceeding their state's standards. Schools, districts, and even some whole states are demonstrating that low-income and minority children are capable of achieving at high levels.**

This year the Education Trust identified over 700 schools with poverty and/or minority enrollments in the top third of their states and whose students scored in the top third of their state's schools—at multiple grade levels, in multiple subject areas, over multiple years. Districts like Aldine, Texas, and Mount Vernon, New York, have shown that it's possible to dramatically raise the achievement of students in multiple schools while at the same time reducing racial achievement gaps. And when we compare whole states, there's tremendous variation in achievement among low-income and minority children, with these students performing at much higher levels in some states and making much larger gains than their peers in other states.⁵

For more information on the achievement of different groups in your state, click onto our website at www.edtrust.org and search our EdWatch Online and Dispelling the Myth databases.

Myth: *ESEA requires teachers to “teach to the test,” which undermines “real” instruction.*

Reality: **We acknowledge and share the concern that teaching a rich curriculum shouldn't give way to narrow preparation for state tests. That said, well-designed assessments are essential tools for teachers, parents and school leaders to understand whether students have learned what they need to learn.**

Research shows that when “teaching to the test” emphasizing short cuts, test-taking strategies, and incessant drilling it is a short-sighted strategy that shortchanges students and doesn't produce much in the way of gains. Recent research confirms that higher performing schools focus on teaching the content and use tests to assess their performance, while lower performing schools tend to focus on the tests themselves and set goals in terms of improving test scores instead of improving content mastery.⁶ If schools are going to reach the growth targets set forth in their states' standards, narrow teaching to the test won't work.

ESEA does increase the amount of testing required and we recognize that increased testing causes some anxiety. But again, assessments can be a powerful tool for more accurate and timely recognition of those schools, groups, and individual students who need additional assistance to meet high standards.

Myth: *The new ESEA expects more from schools, but doesn't provide any additional resources to help meet these expectations.*

Reality: **The new ESEA provides more than \$1.5 billion in additional funding for Title I in 2002, and targets that money more effectively than ever before on districts with high concentrations of poor children.**

This money can be used to develop better assessments, support teachers, and to assist schools identified as needing improvement.

But real improvement requires sustained support. The President and Congress must honor their commitment to public schools and increase funding in the coming years.



Myth: ESEA requires “high-stakes” tests.

Reality: ESEA does require tests, but not high-stakes tests.

The label “high-stakes test” usually refers to a test that has tangible consequences for the person taking the test, such as a test required for high school graduation. Under ESEA, no consequences flow to any individual student on the basis of their achievement scores. Acting under their own authority, some states have attached consequences to their tests. But these are state, not federal, policies.

Under the federal law, achievement reports are to be provided to schools and parents for each student, but these individual reports are to be used to ensure that students’ academic strengths and weaknesses are recognized and addressed. In addition, the law recognizes that some students have special needs and allows accommodations and alternative assessments for students with disabilities.

Assessments under ESEA are also intended to measure whether schools are teaching students what the state has determined they need to know. Where schools aren’t demonstrating adequate improvement, ESEA requires the school, school district, and state to focus extra energy and resources on improvement, and provides extra money for states to direct toward these schools.

The stakes couldn’t be much higher for the millions of American students who aren’t getting the education they need and deserve.

Myth: We don’t need the tougher accountability requirements in the new ESEA because public education is doing just fine.

Reality: Our schools are not keeping pace with other developed nations in responding to the escalating skill requirements of the knowledge economy. America used to lead the world in the percentage of students completing high school, but we now lag far behind.⁷ And while other countries—even much poorer countries—are rapidly expanding who is graduating, they are also outpacing us in learning gains as their students advance through the educational system. Our youngest students look fairly good when compared with their counterparts in other countries, but fare comparatively worse as they progress from elementary school through high school.⁸ Indeed, the United States is the only country in the latest International Adult Literacy Study where literacy is higher among older adults than the younger adult population.⁹

Meanwhile, no other developed country allows family wealth to be more predictive of educational achievement than America.¹⁰ Achievement gaps separating low-income and minority students from others were shrinking in the 1970s but have stopped shrinking or have grown wider since 1988. By the end of high school, African American and Latino students have the same reading and math skills as white students at the end of middle school.¹¹

But these achievement gaps are not inevitable. Many public schools and districts around the country are teaching low-income and minority students to high standards. What remains is to make that level of quality the rule for all students. As a starting point, we have to acknowledge that American public education generally needs to improve and that we need to do a better job educating low-income and minority students in particular.



Endnotes

¹All Talk, No Action: Putting an End to Out-of-Field Teaching. Craig D. Jerald, The Education Trust, with data analysis by Richard M. Ingersoll, University of Pennsylvania, 2002. Page 4.

For more SASS data on teacher characteristics and distribution:

Qualifications of the Public School Teacher Workforce: Prevalence of Out-of-Field Teaching 1987-88 to 1999-2000. US DOE, NCES 2002-603.

²*Good Teaching Matters: How Well-Qualified Teachers Can Close the Achievement Gap.* Kati Haycock, the Education Trust, Thinking K-16 Vol. 3, no. 2 (The Education Trust, Summer 1998).

³Some examples for sources for innovative teacher recruitment/retention strategies:

- Connecticut's commitment to Excellence in Teaching: The Beginning Educator Support and Training (BEST) Program (<http://www.ces.k12.ct.us/new/learningservices/beginningeducator/>)
- The New Teacher Project (<http://www.tntp.org/stf/>)
- Recruiting New Teachers (<http://www.rnt.org/>)
- Texas Regents' Initiative for Excellence in Education (<http://partnerships.tamu.edu/about.shtm>)
- University of Texas at Austin's UTeach Program (<http://www.uteach.utexas.edu>)

⁴*All Talk, No Action: Putting an End to Out-of-Field Teaching.* Craig D. Jerald, The Education Trust, with data analysis by Richard M. Ingersoll, University of Pennsylvania, 2002. Pages 10-12.

⁵*New Frontiers For a New Century: A National Overview.* The Education Trust, Thinking K-16 Vol. 5, Issue 2 (The Education Trust, Spring 2000).

⁶Judith Langer, "The Literate Mind". Distinguished Professor Speech, April 18, 2002.

Judith Langer, *Beating the Odds: Teaching Middle and High School Students to Read and Write Well.* Center on English Learning and Achievement (CELA), 1999. Page 20.

⁷*Education at a Glance: OECD Indicators.* Center for Educational Research and Innovation, Organization for Economic Cooperation and Development (OECD), 2000. Chapter C, Table C2.2 (<http://www1.oecd.org/els/education/ei/EAG2000/Tables/C2.xls>)

⁸The Third International Math and Science Study (TIMSS), in U.S. DOE, *Highlights From TIMSS: Overview and Key Findings Across Grade Levels.* (NCES 1999-081) Figures 1, 2, 3, 4, 6, and 7. (<http://nces.ed.gov/pubs99/1999081.pdf>)

⁹International Adult Literacy Survey (IALS), in *Education at a Glance: OECD Indicators.* Center for Educational Research and Innovation, Organization for Economic Cooperation and Development (OECD), 1998. Chart A3.4, page 52.

For more IALS data, see:

Andrew Sum, Irwin Kirsch, and Robert Taggart. *The Twin Challenges of Mediocrity and Inequality: Literacy in the U.S. from an International Perspective.* Policy Information Center, Educational Testing Service. (2002)

¹⁰Programme for International Student Assessment (PISA), in OECD, *Knowledge and Skills for Life: First Results From PISA 2000.* (2001) Annex B, Table 6.2.

¹¹National Assessment of Educational Progress (NAEP) 1999 Long Term Trends Summary Tables Online (<http://nces.ed.gov/nationsreportcard/tables/Ltt1999/>)

About The Education Trust

The Education Trust, Inc. was created to promote high academic achievement for all students, at all levels—kindergarten through college. While we know that all schools and colleges could better serve their students, our work focuses on the schools and colleges most often left behind in education improvement effort: those serving Latinos, African American and low-income students.

The Education Trust works side-by-side with policy makers, parents, education professionals, community and business leaders—in cities and towns across the country—who are trying to transform their schools and colleges into institutions that genuinely serve all students. We also share lessons learned in these schools, colleges and communities with policy makers.



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