

## **How to Fix and Fund the Elementary and Secondary Education Act The So-Called “No Child Left Behind” Act**

The **National Education Association (NEA)** and its 2.7 million member-educators support the goals of the Elementary and Secondary Education Act (ESEA), a/k/a “No Child Left Behind” (NCLB)—**improving overall student achievement, closing the achievement gap and ensuring that all students are taught by highly qualified teachers**—however, we disagree with the Bush Administration’s approach toward meeting these goals and have proposed several legislative changes to fix fundamental flaws in the law.

### ***NEA’s Great Public Schools for Every Child*** What Really Works

- Every teacher and parent knows that **all children can learn, but not necessarily in the same way or at the same rate**. NEA and its affiliates support school improvement plans that are grounded in what works and that emphasize the different strengths of different students.
- **NEA and its affiliates support teacher quality** (including strengthening teacher preparation, maintaining high and consistent standards for those entering the teaching profession, expanding induction and mentoring programs, improving evaluation and expanding access to professional development.)
- **NEA and its affiliates support reducing class size** to provide individualized attention to students and to enhance safety and order in schools.
- **NEA and its affiliates support holding all students to high expectations**—and providing the kind of help different learners need, including preschool programs, all-day kindergarten and after school and summer school programs.

### **The Bush Administration: Leaving Children Behind** *One-Size-Fits-All Approach and the Wrong Priorities*

- **NCLB is a one-size-fits-all approach** that focuses on labeling students, teachers and schools rather than providing substantive help to meet children’s individual needs. NCLB fails to recognize that while all children can learn, they learn at different rates and need individualized attention.



*Great Public Schools for Every Child*

[www.nea.org/greatschools](http://www.nea.org/greatschools)

---

- **NCLB's one-size-fits-all requirements measure all schools based on two test scores on one day.** The law doesn't fully take into account other measures of school and student achievement such as classroom participation, homework, classroom tests, attendance, participation in advanced classes and graduation rates.

## **“Accountability” or Negative Labeling and Punishment?** *NCLB Lacks True Solutions to Strengthen Schools*

- Another concern of NEA is that when a school does not meet “adequate yearly progress” (AYP), NCLB is too focused on punishments, as opposed to building success. **It is too focused on the wrong priorities of bureaucracy, paperwork and testing, rather than on proven methods such as smaller classes, quality teaching and providing students with up-to-date textbooks and technology.**
- Simply labeling schools as low-performing or needing improvement will not magically improve student achievement. **Unfortunately, President Bush has proposed to cut NCLB funding by \$1.2 billion.** And while NCLB created a \$500 million school improvement fund to help “turn around” low-performing schools, no funds have ever been provided for it.

## **States Struggle with NCLB's Unfunded Mandates**

### *Bush Breaks Funding Promises of NCLB—Further Draining State Budgets*

- **ESEA/NCLB focuses on the wrong priorities—forcing states and communities to spend money on more bureaucracy and paperwork** and taking away from efforts that will make a difference for children, including teacher quality, class size and up-to-date books and materials.
- **NEA and its 2.7 million member-teachers are concerned with the lack of federal funding to meet the mandates created under NCLB.** When Congress passed NCLB, it set funding levels that many believed were promises of resources over six years to match the six years of mandates.
- Unfortunately, President Bush and Congress have greatly shortchanged children and public education by falling billions of dollars short of the promise. **Just for the next school year, the education funding bill pending in Congress is \$7.5 billion short of the NCLB levels.**



*Great Public Schools for Every Child*

[www.nea.org/greatschools](http://www.nea.org/greatschools)

---

## **Bush's Education Cuts Leave Millions of Children Behind**

### *Title I Cuts Alone Shortchange 5.5 Million Low-income Children*

- **ESEA-NCLB is underfunded by at least \$7 billion. Specific state-by-state budget data and details on how many children will be left behind in each state are available at: [www.nea.org/lac](http://www.nea.org/lac).**
- **533,000 children would be left behind** because they would have lost after school services due to the president's proposed \$400 million cut to the after school program.
- **5.5 million low-income children would be left behind**, because they will not be provided reading and math help under Title I due to the president's budget shortchanging Title I by more than \$6 billion below the amount promised in No Child Left Behind.
- **163,000 children in early elementary grades would be left behind** because they will not benefit from reduced class sizes, because the president's budget shortchanges the teacher quality program by \$325 million below the amount promised in No Child Left Behind. These funds could be used to hire over 8,000 highly qualified teachers to provide smaller classes.

## **NCLB Labels Nation's Best Schools as "Inadequate"**

### *"Adequate Yearly Progress" Absurdities*

- NCLB's one-size-fits-all focus results in an all or nothing measure of school accountability. **There are up to 37 different requirements a school must meet to pass the so-called Adequate Yearly Progress (AYP) requirements.** Even if a school falls short in *only one* of these, the consequences are the same—with the ultimate result of shutting down the school.
- NCLB's rigid requirements will likely result in the vast majority of public schools being labeled as not meeting federal standards. **Already, in the first full year of implementation, almost 26,000 schools (in 44 states that have reported so far) have not met AYP.** Many of them did not meet the NCLB standard due to seemingly irrelevant requirements that have serious consequences, such as two or three children not taking the test.
- The requirement that all students meet testing standards by 2014 is unfair to certain children. For instance, **some students with disabilities and students with limited English proficiency, despite the best efforts of their teachers and schools, will not be proficient on the same test as their peers.**



*Great Public Schools for Every Child*

[www.nea.org/greatschools](http://www.nea.org/greatschools)

---

- **The goal of having “highly qualified” teachers in every classroom in every school by 2006 is also commendable** and indeed something NEA has been actively working for for many years. But this provision again raises serious concerns about how the one-size-fits-all approach fails to recognize realities in schools and classrooms. **NCLB fails to recognize several factors—such as teacher salaries, teacher training and professional development and smaller class sizes—proven to strengthen quality teaching.**
- For example, some **special education teachers who teach children many subjects will not be able to meet the standard of having either an academic degree in every subject or passing a test in every subject.** We propose, and a key Senate committee has agreed on a bipartisan basis, that there must be additional flexibility so that a fully licensed and certified special education teacher should be considered highly qualified.
- Also, **small rural middle schools** need additional flexibility, because they are simply not able to have separate teachers for biology, chemistry and physics, each with a degree in that particular subject.

## **NEA Supports Accountability That Really Works** *NCLB Labels and Punishes Without Remedies*

- **NEA is not opposed to testing or holding schools accountable.** What we propose is to include multiple measures of student achievement, give states and schools flexibility in how test scores are utilized and ensure that students with special needs are assessed using measures that accurately and fairly measure their abilities.
- We also fully support publicly releasing information about test scores, other measures of student achievement and other indicators of school quality—broken down by various student subgroups—so that **the public is fully informed about schools’ progress on student achievement and closing the achievement gap.**

## **”School Choice” or Segregation?**

### *NCLB Leaves Troubled Schools Behind; Overcrowds “Good” Schools*

- Some sanctions, such as **allowing all children in a school that doesn’t make AYP to transfer to another school** (which occurs after two years of not meeting AYP) are having unintended and unfortunate consequences.
- **The school choice provisions of the law have reportedly resulted in increased segregation in some areas** (Escambia County, Florida), while in other places (New York City) the receiving



*Great Public Schools for Every Child*

[www.nea.org/greatschools](http://www.nea.org/greatschools)

---

***Making Great Public Schools for Every Child vs. Too Many Children Left Behind***  
***NEA's Position on the Elementary and Secondary Education Act Reauthorization***

---

schools are becoming overcrowded with extremely large class sizes. Resources taken from one school to allow students to transfer to another should only be available for those particular groups not meeting target achievement levels.

**In addition to NEA, many other education advocates, policy makers and local school organizations have raised similar concerns. They include:**

- New Jersey Governor McGreevey (Democrat)
- Montana Governor Martz (Republican)
- New Mexico Governor Richardson (Democrat)
- Chicago Mayor Daley (Democrat)
- National Conference of State Legislatures
- American Association of School Administrators
- Council of Chief State School Officers
- Many states' chief school officers
- Scores of local school board members, school superintendents and principals
- Members of Congress of both parties—many, such as Representative Ted Strickland from Ohio or Senator Durbin from Illinois, have introduced or co-sponsored bills to fix these problems with NCLB.

**For more information on how to fix ESEA-NCLB, visit: [www.nea.org/greatschools.org](http://www.nea.org/greatschools.org)  
or contact Dan Kaufman or Joel Packer at NEA  
[dkaufman@nea.org](mailto:dkaufman@nea.org) or 202-822-7268  
[jpacker@nea.org](mailto:jpacker@nea.org) or 202-822-7329**

**January 2004**