

What ‘No Child Left Behind’ Left Behind

By Alfie Kohn

The metamorphosis of the Elementary and Secondary Education Act (ESEA) from No Child Left Behind (NCLB) into the Every Student Succeeds Act (ESSA) is being hailed as a historic triumph of bipartisan compromise (HTBC). Why, we haven’t seen such lopsided approval votes in Congress since . . . well, since Democrats and Republicans put aside their petty differences and agreed by overwhelming margins to let Bush invade Iraq.

All right, fine. I’m not suggesting the new education law is analogous to that — or even that it merely trades one Orwellian legislative label for another. ESSA does represent a substantive shift: It returns a fair amount of control over education policy to the states. This has led to celebration in some quarters and worry in others. I believe both reactions are misconceived, or at least overstated.

Let’s start with those who are worried. Their argument is that NCLB put equity on the agenda, calling our attention to the inexcusable inadequacy of the schools attended by most poor kids of color and forcing states to do something about it. That federal oversight is now being dialed back.

To which I’d respond: While the inadequacy and inequity certainly were (and are) inexcusable, NCLB was never a reasonable response. Indeed, as many of us predicted at the start, it did far more harm than good — in general, and with respect to addressing disparities between black and white, rich and poor, in particular.

Standardized testing — especially when it’s done to every child every year, and when bribes and threats are employed to coerce better results — was never necessary to tell us which schools were failing. Heck, you could just drive by them and make a reasonable guess. (The eminent educator Nel Noddings once called that “the windshield test.”) For years, I’ve been challenging NCLB’s defenders to name a single school anywhere in the country whose inadequacy was a secret until students were subjected to yet another wave of standardized tests.

But testing isn’t just superfluous; it was, and remains, immensely damaging — to low-income students most of all. As [I argued](#) 15 years ago, standardized exams measure what matters least about learning and serve mostly to make dreadful forms of teaching appear successful. Pressure to raise scores has driven out many of our best teachers and many of our most vulnerable students. It has taken second-rate schools and turned them into third-rate test-prep factories.

What’s true of testing is, not surprisingly, true of the law that should have been called the [Many Children Left Behind Act](#). Tests constitute not only its enforcement apparatus but its very definition of success and failure. As no less a champion of marginalized children than Jonathan Kozol [concluded](#), “NCLB widens the gap between the races more than any piece of educational legislation I’ve seen in 40 years. . . . [Its] gains aren’t learning gains, they’re testing gains.”

At the same time, NCLB failed to provide struggling schools with what they needed to improve. In

fact, some of the same people pushing for this harsh exercise in top-down control simultaneously (a) oppose more funding for public schools, especially any plan that seems redistributive, (b) habitually blame schools and teachers for deeply rooted economic and racial injustices, and (c) in some cases have explicitly yoked an agenda of [privatizing our public schools](#) to a test-driven version of accountability that reached its apotheosis in NCLB. (Or, rather, it did until the Obama administration intensified the damage with Race to the Top.)

We can argue about whether NCLB was meant to improve public schooling and failed, or whether its intent was to undermine public schooling in favor of a market-based approach. What is inarguable is that it never diagnosed, let alone remedied, deficiencies in the quality of learning; it was focused only on the results of wholly inadequate and misleading tests. The most charitable thing we can say about the people who drafted, enforced, and defended NCLB is that they don't understand the difference between those two things. They fail to see that higher test scores are not merely meaningless (because they primarily reflect socioeconomic status); they're often a bad sign (because of what has to be sacrificed, educationally speaking, in order to achieve them).

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From those lamenting the demise of what was sold to us as federal support for "closing the achievement gap" (read: punishing low-scoring schools), we turn now to those who are celebrating the new law. If test scores are at the heart of ESSA just as they were at the heart of NCLB, it is curious to hear cheers from critics of the latter. The new law may be the best deal we can expect from this Congress, but that doesn't mean it's a meaningful step forward. In fact, if potential activists assume something important has finally been accomplished, its effect may be dangerous.

For the last few years, federal policy has consisted largely of issuing conditional waivers from NCLB, a tacit admission that having every student score at or above the proficient level by 2014 was a goal that few unmedicated observers ever took seriously. The abandonment of this goal makes that admission explicit — after the fact. And reducing the unprecedented degree of federal control of schooling — again, even more oppressive under Obama than under Bush — is also welcome.

But the outrageous and incalculably damaging reality of testing students every single year — extraordinary from a worldwide perspective, in fact virtually unheard of for students below high school age — continues in ESSA. Annual testing is something we've been conditioned to accept and even to view as tolerable compared to the reality of multiple tests a year, what with benchmark exams in between the other exams, districts piling on with their own assessments, new Common Core tests, and so on. Far from challenging this reality, the law that President Obama just signed cements it into place. And beyond the issue of how often they're administered, standardized tests — still yoked to overly prescriptive, top-down standards — remain the primary way by which kids, teachers, and schools are going to be assessed.

Conservatives, in effect, have been saying to the federal government, "We demand that you stop imposing your terrible standards and tests on our communities. It's the states' job to destroy critical thinking and curiosity, and we'll do that with our terrible standards and tests, thank you very much." If you're a teacher, it may not make much difference if oppressive dictates originate in Washington, D.C., the state capital, or even the district office. The point is still that your skills as a professional educator, and the unique interests and needs of a particular group of kids, don't count for much. ESSA remains the Eternal Standardization of Schooling Act.

The new law not only mandates annual testing — and tries to counter parental efforts to opt out their children (by demanding 95 percent participation in those tests) — but offers as a definition of failure the "lowest-performing 5 percent of all schools." A relative definition like that sets up

education as a contest, guaranteeing that, no matter how well everyone does, some schools will always be classified as inadequate. The menu of interventions threatened for “failing” schools, moreover, is depressingly familiar: taking them over, turning them into charters, and so on.

If you’re willing to wade through nearly 400 pages of [legislative language](#), you’ll find any number of other wince-worthy provisions. ESSA encourages the use of computer adaptive testing, which is welcome news mostly to companies that sell that technology. It opens the door to privately funded [“Pay for Success”](#) initiatives similar to [Goldman Sachs’ money-making preschool scheme](#) in Utah. And it endorses non-university [“school leader preparation academies.”](#)

But, again, the problem isn’t limited to particular stipulations. The point is that, even with more authority re-devolving to the states, the broader foundations of what has been the educational status quo in America for a generation are allowed to continue and in some cases are actively perpetuated: the creep toward privatization, the traditional approaches to pedagogy and curriculum, the bribe-and-threat manipulation of educators and children, and, above all, the reliance on standardized testing. For worse and for worse, the heart of NCLB lives on.

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