

The rhetoric and reality of NCLB

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Whether explicitly by name or not No Child Left Behind (NCLB) is a force for reckoning in the lives of US educators, students and people at large. What exactly is the nature of this ‘force’ and for whom? Why are its actions and effects often not compatible with its declared intentions? This policy is supposed to be a transformative approach by the federal government to closing the achievement gap by ensuring that *all* students from various ethnic, social, racial, cultural, economic and ability backgrounds receive the *same* high-quality education. But, how real is this rhetoric? Are the intended benefactors—as claimed in policy declarations—the ones in actuality? Is there a subtext to the mandates of NCLB that perpetuate educational inequities and achievement gaps instead of overcoming them? Is NCLB more rhetoric than reality, fiction than fact, reproduction than transformation, form than substance? These are the questions that underlie the subsequent discussion. While each one will not be answered separately they are all embedded in the analyses presented. Readers are challenged to think deeply and critically about NCLB with respect to what this educational policy and its related practices promise, what they actually deliver and to whom, and how they affect the most vulnerable student populations in US schools. Four claims are examined here to reveal some of the inherent contradictions in what NCLB purports to do, and what it actually does. These are educational significance, teacher quality, the choice for all students to attend a high-achieving school and dealing with diversity.

Claim of significance

Many people declare that No Child Left Behind (NCLB) is the most significant educational policy ever to be issued by the federal government. More often than not the criteria or indicators used to determine ‘significance’ are not specified. When they are, invariably they speak to the greater magnitude of the intrusive and non-negotiable educational mandates issued by the federal government. Here ‘intrusion’ is more appropriate than ‘participation.’ It conveys ‘external unilateral imposition’ of the powerful instead of the collaborative, shared and invitational engagement of different constituents suggested by ‘participation.’ The following comments by Patrick McGuinn (2006) and Jack Jennings and Diane Rentner (2006) are illustrative of this position. McGuinn says the passage of this law ‘signaled the beginning of a new era

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of federal policy and a significantly transformed and expanded national role in our country's schools.' Furthermore, he believes the 'unprecedented attention that has been devoted to the implementation of NCLB...testifies to the transformative nature of the new law—both in terms of the ambitious scope of its goals and the aggressive federal role in prodding states and school districts to meet them' (p. 196). Jennings and Rentner contend that 'NCLB is clearly having a major impact on American public education' (p. 113). This impact is evident in more testing accountability; higher academic standards for schools and students; improved student achievement in reading and mathematics; more attention to what is being taught and how; greater concentration on low-performing schools; and higher qualifications for teachers (Jennings & Renter, 2006; Odland, 2006).

Other more strident indicators of 'significance' are not present in NCLB. For example, it is not 'new' in the sense of something like it having never been done before. Many precedents of governmental mandates for educational reform and using financial incentives to leverage these expectations exist throughout the twentieth-century history of US education. Notable among them are special education regulations, funding for Native American education, the Ethnic Heritage Education Act, the National Defense Education Act and earlier generations of the Elementary and Secondary Education Act. So, NCLB is more a matter of degree or extent of difference and temporal contextuality than of uncontested originality. Many of its precedents also were very 'significant' in their own right and for the tenor of the times in which they occurred.

Nor is this educational policy significant because of its unequivocal positive consequences. Despite the hype being disseminated by its political endorsers, there are some major pedagogical problems with NCLB, and some very daunting negative fall-out effects, especially for urban and other poor schools, communities and student populations. Even after identifying 10 major effects of NCLB Jennings and Rentner (2006, p. 113) conceded that 'some provisions of the act and of its administration are causing persistent problems.' Among the ones they acknowledge are actualizing accountability (i.e. testing) for students with disabilities and those who are English language learners, and providing viable alternative choices to schools that need radical improvements. Others include persistent achievement gaps among different ethnic groups even as claims are made that test scores are improving across all groups; streamlining school curricula such that critical areas of learning required for students to have a well-rounded education are ignored; and neglecting students who will not attend academic colleges and universities after high school.

These are indeed 'significant' features but largely negative ones. They sound promising in theory, but in practice they are especially consequential for disproportionate numbers of students of color and poverty, English language learners and residents of rural and urban communities. Teachers are not faring well under NCLB's claims of significance either. The constraints imposed upon them by accountability for student learning as measured by standardized test scores are interfering with rather than facilitating their professional efficacy, motivation and imagination. Many feel too burdened down and consumed by the demands of NCLB to do anything but teach to the tests.

There is no time, desire or incentive to teach through their own ingenuity and initiative. For them teaching has become a burden to bear and a very unrewarding chore.

Recognizing the depth and magnitude of these feelings of helplessness, and the potential negative effects they can have on student achievement, is absent in advocacy discourse about NCLB. In other conversational areas about education reform it is understood that teacher buy-in or ownership of innovations is fundamental to their effective implementation. Hence, the profound ways in which so many teachers are being alienated place shadows of doubt on the positive significance and capability of NCLB to improve student achievement. At the least they may ignore it in their classroom practices, or disavow its validity to students; at worst they may aggressively sabotage it. And, while the bureaucracy of NCLB may suggest that major progress is being made in improving the structural dimensions of schooling for all students, in practice few if any *significant* changes are occurring in the substantive quality of their *actual* learning opportunities and experiences.

Claim of ensuring quality education for everyone

Herein lies one of the most troubling contradictions between the rhetoric and reality of NCLB. The idea that all students regardless of their personal identities, sociocultural backgrounds, ethnic affiliations, home languages and intellectual abilities deserve the best education imaginable is uncontestable. Any policy statement, whatever its source, that promotes this is laudable. The problem with the rhetoric of high-quality education for all students is how it is translated into practice under the guidance of NCLB, and the apparent inability of governmental agents to recognize the contradictions. The contradictions are embodied as high-stakes, standardized tests that all students are required to take, in the same way and at the same time. Thus, both the content and the administration of the tests are problematic as indicators of quality education for diverse students. Standards, or high levels of academic performance, are not the culprits; standardization of performance procedures and measures is. Everything we know from learning theories, not to mention experiential knowledge and common sense, tells us that students learn and demonstrate what they know in different ways, for different reasons and at different rates. These differences are complicated further by ethnic, racial and cultural experiences, identities and socialization (for details see, for example, Hollins *et al.*, 1994; Shade, 1997; Pai & Adler, 2001; Rogoff, 2003; Banks & Banks, 2004). As the Educational Research Service (2003, p. 7) explains:

It has long been recognized that cultural variables influence how children present themselves, understand the world, and interpret experiences.... Cultural traditions and values all heavily influence parenting styles, family structures, and rules for social interaction.... Culture also affects the experiences through which children's earliest literacy and mathematical knowledge are acquired.

Furthermore, 'the many different ways of learning found in a culturally diverse student population can be assets, not liabilities, when incorporated into a well-conceived educational process' (Educational Research Service, 2003, p. 82).

For NCLB advocates to ignore this knowledge and demand that all students demonstrate what they know on homogeneous tests, administered in an assembly-line fashion, is ludicrous. To demean and punish students who are not literate in academic English because they score low on these tests is criminal. So is the equally troublesome practice of excusing them from taking the tests while simultaneously claiming that testing is the tool to ensure that no children are denied high-quality education, and especially those who are most vulnerable for academic failure (one category of which is English language learners). If the tests mandated by NCLB were diagnostic tools used to identify areas of performance needs of students and the results were used to design and implement corrective curriculum and instruction, there might be some redeeming quality to them. Even then using a single achievement measure of educational quality for all students would still be pedagogically untenable. This suggests that standardized testing as now used throughout the USA is more about political and economic manipulation, preserving the advantages of some groups over others, and sorting out those who mainstream society historically has deemed the 'intellectually fittest' from the socially undeserving, than about providing genuine high-quality, egalitarian education for all students.

There is a long legacy and a large body of convincing evidence in the United States that standardized testing is not an effective mechanism for improving the academic performance of students. The little blips of improvement we see on the testing radar (and many political leaders point to with exaggerated and undeserving pride) may be more a result of test-taking training offered by classroom teachers and school principals, or a statistical artifact than genuine improved academic mastery for students. Certainly, most students know more than they are able (or willing) to show on standardized tests. Some of the lack of performance may be attributable to not having learned how to take tests, not lack of mastery of the content and skills being tested. Other students may be deliberately sabotaging the tests as a form of resistance to what they perceive as educational irrelevance, mindless manipulation and human indignity. Yet, NCLB proponents do not factor these possibilities into their equations for quality education and the high academic performance of all students.

The threat of negative consequences for not passing tests may compromise the high-quality education promised by NCLB by increasing, not decreasing, the failure rates of students already struggling in school. Steven Strauss (2005, p. 68) notes that, 'Preliminary assessments of children's reactions to high stakes testing have not shown that it motivates them to learn. Rather it leads to all sorts of emotional and psychological distress.' Linda Darling-Hammond (2006) provides some other compelling examples of how low performance extends far beyond test scores and sometimes actually cultivates failure for many students of color. These include:

- The lowest-performing schools are required to make the greatest adequate yearly progress, but the fact that they are the most under-funded and serve the neediest students is ignored.
- Some states are lowering their performance standards to keep more of their schools from being designated 'failing.'

- Tests used as graduation requirements are increasing dropout rates, and causing school leaving to occur earlier, when students fail to pass them.
- More and more students who perform low on standardized tests are being placed in special education so that their scores will not be counted in the schools' achievement profiles.

Strauss (2005) adds another disturbing item to the list of negative side-effects of high-stakes testing that threatens the high-quality education NCLB promises. This is the fear of grade retention among elementary students, which, in turn, is a powerful predictor of high school dropout. Strauss summarizes research conducted by child and adolescent psychologists and psychiatrists that shows strong interactions between levels of stress and psycho-emotional problems, such as anger, hostility, boredom, sadness and alienation. These findings led him to the chilling conclusions that: (1) 'If this were the documented outcome in a specific case of parenting, we would have no problem calling it child abuse and emotional maltreatment,' and (2) even students 'who make it through [testing] may be emotionally damaged in the process' (Strauss, 2005, p. 68). Where is the quality education in these scenarios!

Nor are threat, intimidation and punishment very good motivators for the professional growth and sense of ownership that school reform requires. One is hard pressed to find many teachers who are excited about and positively motivated by NCLB. Instead, they resent being insulted professionally and told repeatedly that they are *universal* failures because their students do not perform well on standardized tests. They see the layers of bureaucracy associated with NCLB as more intrusive and constraining than stimulants to creativity, enjoyment and imagination in their teaching. A common lament is, 'With so much testing I don't have time to teach anything else.' Added to this sense of 'being under siege' by NCLB is growing uncertainty among teachers about their job security. What happens to them if their schools do not meet the adequate yearly progress stipulations, many of their students transfer out or their schools are closed entirely? Will the stigma of having been at a failing school haunt them through the remainder of their careers? Given these circumstances there is little wonder that many teachers consider NCLB more a problem than a possibility, and that they are changing their classroom instruction to minimize the threat and punishment embedded within it. Because of NCLB there is no longer any fun, freedom and intellectual challenge in teaching for them. They are being made into mere test monitors and readers of scripts produced by someone else.

The content knowledge priorities of NCLB are so unbalanced as to defy even the most narrowly conceived notions of what constitutes quality curriculum. The importance of students learning math, science and reading is unquestionable, but not to the exclusion of everything else. Students need more well-rounded knowledge and skills to be considered genuinely educated and competent to take their rightful place in the present-day society, and to craft a more desirable one in the future. Svi Shapiro (2006) provides an insightful analysis of what is wrong with US education, and why NCLB is missing the mark. He says the problem is a culture in crisis that has abandoned the human heart and soul in the education it offers children for the sake of

economic and political expediency. To define education quality narrowly and primarily in utilitarian terms, as NCLB does, is to 'trivialize not just education but our sense of human possibility. To see education as an end in itself is a kind of idolatry, or a fetish, robbed of its wonderful potential to transform the way we live together. A transformative vision is always impelled by a deep set of convictions about the real meaning and purpose of human life' (Shapiro, 2006, pp. xviii–xix).

This depth of conviction, respect for and trust in the human potential for social, intellectual, moral, ethical and cultural transcendence is absent in NCLB discourse. Its foundation for achieving quality education is anchored in distrust, threat, intimidation, sanctions, punishment and brute fiscal force. According to Shapiro (2006) the high educational standards NCLB claims to be stimulating are not evident in the behaviors of most teachers and students; they are not critical, analytical and creative thinkers, or transformative sociopolitical activists. Rather, it 'seems to produce mainly intellectual timidity, the capacity for rote learning, a shallowness of thought, and an absence of imagination' (p. 14). What quality is this!

Shapiro adds that the selfish, materialistic consumer culture of the United States and the educational enterprise it produces do not value living and learning predicated on an ethic of care and responsibility for others. Quality education is equated with passing standardized tests. Children and youth need to develop other, more enduring abilities, such as how to:

cope with, and address, the moral, cultural, and spiritual challenges of the world they inhabit; ...discern meaning and purpose in their lives; ...question and challenge the dehumanizing dimensions of our culture; and the sense of wonder and appreciation at the richness and beauty of life. (p. xvii)

Theodore Sizer (2006) offers similar standards of quality education for current and future students. They, too, go far beyond the mechanistic, technical and conformist conceptions of NCLB. They can be summarized as self-sufficiency, social justice, critical consciousness, social agency, political empowerment, happiness and constructive engagement. Sizer concludes that 'for us to nurture our children's diverse talents and interests and to provide them with the greatest chance of future success and fulfillment, *individualized and personalized treatment must itself be a standard in educational practice and the concept of fairness in education must reflect the reality of idiosyncrasy*' (p. 209, emphasis added).

The absence of comparable inputs into the educational processes for racially, ethnically and economically diverse students and schools will certainly guarantee disparities in achievement outcomes, and make declarations of commitment to quality education for all students doubtful. NCLB policy makers must know this but they have not pursued an aggressive course of action to eliminate inequities in educational resources. The schools that poor children and children of color attend in urban and rural communities are woefully under-resourced. There is compelling evidence of a strong correlation among race, class, residence and academic achievement. This evidence is neither new, difficult to locate nor limited to idiosyncratically isolated settings. It is historically persistent and widespread across places, populations and

levels of education. Schools populated with students who are most unlike the idealized mainstream norm of middle-class, European American, academic achievers (that is, poor under-achievers of color) operate at a significant resource disadvantage. They have fewer and lower-quality instructional materials; less qualified, experienced and stable teaching staffs; larger class sizes; and fewer high-level, high-status academic courses (Kozol, 1991; Cochran-Smith, 2004; Darling-Hammond, 2006). The evidence of these disparities is so obvious that it is baffling how proponents of NCLB can be blind to it in their funding regulations. A first-class education and high-quality teachers in every classroom are expensive endeavors in general, and even more so in communities with limited resources of their own such as large urban centers and isolated rural areas where large percentages of students of color and poverty live. If state and local education agencies cannot meet these costs, there is no other recourse except the federal government. It is nonsensical for the federal government to issue a presumably transformative policy to ensure high-quality education for all students and then say that money is not a primary concern in implementing it. Money does matter, and in profound ways, relative to the teaching and learning materials, experiences, facilities and personnel available to different groups of students. Failure to adequately finance its mandates makes NCLB merely a political ploy to veil the resurgence of social reproduction practices and perpetuate inequities in educational opportunities and outcomes.

The belief that nothing of value is free or cheap is deeply entrenched in the cultural ethos and fabric of US society. So, why does the federal government try to make an exception when it comes to its educational policy statements? Might the stipulation that states and local districts use their own fiscal means to pay for most of the costs of NCLB reforms be undercutting its own policy claims? The lack of federal monies will perpetuate the educational quality gaps for different ethnic, racial and cultural groups. Many states and school districts with very large urban and rural populations do not have the tax base to generate the amounts of money they need to provide high-quality education for their students. Moreover, the actual cost of education for children in these settings is higher because the educational resources they have to work with (such as buildings, personnel, materials) are older and in need of greater replenishing. More schools in these communities are likely to be judged 'failing' by NCLB guidelines, and penalized further by losing federal funds. If NCLB were to genuinely ensure that all children have access to high-quality education, then it would provide supplemental funding to local communities based on need, which means that urban and rural schools with high percentages of poor and culturally, racially, ethnically and linguistically diverse student populations would receive more federal dollars than middle-class, mono-racial, mono-linguistic European American school communities.

Reversing these trends through high teacher quality is expensive and time-consuming. More, not fewer, funds are needed for in-service professional development and pre-service teacher education even using current models. And, some significant changes are required to prepare teachers and students to work better with increasingly diverse student populations. More and more college students need

financial aid to complete their degrees, and substantial in-service professional development is prohibitive on current teacher salaries. Funding sources to support these endeavors are fewer and harder to acquire. Yet, many teachers need additional training to enhance their skills for teaching ethnically, racially and culturally diverse students. More money also is needed for the recruitment and retention of more diversified teachers and principals. Thus, teacher quality, student achievement and educational funding are closely interrelated, but NCLB overlooks these inseparable interconnections.

These ideas suggest that equitable resource allocations and opportunity-to-learn standards should be mandated and facilitated along with achievement accountability (Darling-Hammond, 2006; Sobol, 2006). As Oakes and Lipton (2006, p. 185) explain:

poor and minority students have fewer opportunities to learn in American schools than the other students with whom they must compete in the marketplace of higher education and better jobs. That's the way it has always been...that's the way it is today, and that's what has to change.

Glenn Loury, an economics professor at Brown University, calls the achievement gaps 'a legacy of history...rooted in...the deeply entrenched segregation of our lives' (Baard, 2006, p. 20). Closing them requires more than mere academic reforms instituted by local schools and national policy mandates. A much more comprehensive approach to correcting educational inequities is needed in which the efforts of schools are complemented by political, economic and legal institutions.

Claim of school choice

Associating increased educational quality with opportunities for students in under-achieving schools to attend more successful schools if they choose makes a lot of conceptual sense. It also is an idea worthy of pursuit, particularly pertaining to how it can be implemented in practice, and documenting the extent to which it produces actual improvements in the academic achievement of students from diverse backgrounds. As with the other rhetorical claims of NCLB few, if any, educators would deny that too many students of color attend substandard schools, and that, undoubtedly, this has some constraining effects on their academic performance. The problem is NCLB does not follow this potentially positive proposal to its ultimate conclusion. Instead, it tends to limit the discourse to fiscal compensation for attending failing schools in the form of funding that follows those students who opt to attend alternative schools. No consideration is given to investing the funds needed to bring their community school facilities, instructional and leadership personnel, and curricular materials up to acceptable codes. Nor is there any discussion of students of color using the choice option in situations where the schools they currently attend are not failing.

These oversights imply two subtly racist possibilities. The first is that schools in poor and racially diverse communities are not worth redeeming. The second is that there is something inherently better and beneficial about students of color and

poverty attending schools in middle-class, European American communities where most of the achieving ones are likely to be located. These implicit messages resurrect unpleasant memories of the failed attempts at desegregation that were based on similar premises. They raise the questions, why is quality education for students of color and living in poverty contingent upon them leaving their neighborhoods, and learning next to middle-class European Americans in outer-city and suburban residential locations? Why must the victimized continue to have to make all of the concessions, and suffer the dislocation that social and educational reform in the United States mandates? Isn't it within the realm of possibility that the disruptions in community affiliation and cultural grounding that these new school relocations cause will interfere with, rather than facilitate, higher academic achievement for Native, Asian, African and Latino American students?

In these presumptions of providing better quality of education for students from failings schools NCLB is operating on (and perpetuating) what Eileen Kugler (2002) calls the 'middle-class achievement myth' that the best schools are those attended by middle-class students who score high on standardized tests. It fails to recognize, or value, other important kinds of achievement, and the fact that ethnically and racially diverse schools have much to offer in accomplishing them. Kugler elaborates on this point in noting that

a diverse school can provide a first-class academic education. Learning comes alive when wisdom is shared not only by competent teachers and textbooks, but also by fellow students with life experiences and cultures that illuminate whole new worlds. With a teacher who encourages all students to speak their minds and listen to others, classroom discussions with students from varying backgrounds are rich and challenging, fostering critical thinking skills. Students learn there is a range of perspectives on issues, motivating them to study and thoughtfully define their own views...to learn significant life skills...[and break down] dangerous stereotypes.... The seeds of tolerance and respect [for diversity] are planted and bred in schools with students from all over the world. (pp. xxii–xxiii)

Another major issue overlooked in the NCLB promise of school choice for under-achieving students is what may (or may not) happen to them once they arrive at their host locations with respect to the quality of instruction they receive. There may not be a critical mass of incoming students from similar backgrounds in the new schools, which could lead to feelings of isolation, being conspicuous and being unwelcome interlopers. Resident students at the host schools may be reluctant to welcome and genuinely accept these newcomers because of the stigma of failure associated with them. Teachers may be unprepared and unwilling to adapt their instructional techniques and curricular materials to accommodate the cultural heritages, ethnic identities and experiential backgrounds (that is, their 'funds of knowledge') of these new students. Consequently, the situation that they thought they left behind at their 'failing school' may be re-created in the 'achieving school.' That is, trying to learn from culturally incompetent teachers and irrelevant instructional materials. The situation could be aggravated by now attending school in unfamiliar environments. Ethnically, racially, socially and linguistically diverse students have a far better chance of receiving a high-quality education when they are taught by

teachers who know, respect and care about them, and are competent in and committed to delivering culturally responsive instruction, regardless of whether they attend school in poor communities of color, or in middle-class European American neighborhoods (Ladson-Billings, 1995; Gay, 2000; Villegas & Lucas, 2002; Cochran-Smith, 2004).

NCLB proponents seem to think that getting students from failing schools to achieving ones will be easily accomplished. Affected students will be eager to go and receiving schools will welcome them with open arms. Specific information about the fiscal and logistical details are not provided. For example, how will all of the ancillary costs (money, time, institutional identity and allegiance, etc.) beyond the official per-pupil expenditure be handled? When poor parents cannot provide them, who will? How will the inability to pay the ancillary costs incurred for attending school out of one's immediate neighborhood affect access to formal and informal educational opportunities? If there is a mass exodus of students from disadvantaged, un-achieving schools, will there be enough space and receptivity in achieving schools to accommodate everyone? At what point will the achieving schools begin to worry about their reputations and statuses being compromised by the presence of too many under-achieving students and retract their welcome mats? Will this kind of school choice create a 'brain drain' by enticing the most intellectually and economically capable students of color away from their local communities? If so, what are the long-range consequences of this?

Similar nagging questions arise about the NCLB threat to close non-achieving schools, or place them in state receivership. Where will all of the displaced students go then, and what makes us think that state officials are better qualified to manage these schools than professionally trained local educational leaders? Charter and other for-profit schools operated by corporate-minded individuals and organizations are more dubious options than state takeovers. Are they really viable alternatives to dysfunctional public schools? No clearly defined and rigorous criteria are consistently applied to determine the quality of the leadership, teaching and curriculum offered by these institutions. Some convincing research on teaching effectiveness indicates that student achievement (especially in math, science and reading) correlates positively with teachers' disciplinary knowledge and formal pedagogical preparation as signaled by college degree (bachelors or masters) held; certification; teaching within specialized (major or minor) knowledge field; in-service experience; and responsiveness to the cultural differences of diverse ethnic and racial groups (Gay, 2000; Stronge, 2002; Villegas & Lucas, 2002; Cochran-Smith, 2004). Yet, teachers in charter schools usually do not equal their public school counterparts on these credentials. A glaring contradiction exists here in NCLB mandates having 'a highly qualified teacher' in every classroom (often translated to mean degreed in the subjects taught, and passing teaching proficiency tests), while simultaneously endorsing a school choice that frequently does not meet this criterion as often as 'failing' public schools. These charter schools are proliferating in urban communities. In effect, many of the problems they are supposed to correct simply roll over into them thinly disguised, and, in some instances, even intensified.

Claim of honoring diversity

NCLB makes several hopeful starts toward honoring diversity among student populations. These include disaggregating performance results by ethnic groups and the adequate yearly progress reports of failing schools, and requiring educational agencies to attend specifically to under-represented groups in their improvement plans. This is a step forward over the tendency of some school districts and states to cluster all students together, regardless of racial identities, cultural backgrounds, linguistic abilities and social class, and to hide specific achievement details in overly general averages. For example, presenting achievement data by gender, grades or subjects without specifying the performance levels of males and females by constituent groups within large ethnic clusters (i.e. Filipino Americans versus Asian Americans), and across particular knowledge and skill areas within broad categories (i.e. comprehension in scientific, literary or entertainment reading materials).

Unfortunately, NCLB does not follow through on its diversity potentials and even institutes other regulations that contradict them. Disaggregating achievement data does not go far enough. For example, there is too much linguistic variance among the English language learners to treat them as a single group. Minimally, it includes the type of first language spoken, and how long the speakers have been learning English. Different challenges are embedded in learning English for students whose first languages are Spanish, Arabic, Russian, Mandarin, Ibo and Swahili. These detailed linguistic diversities and how they should be accommodated are not specified by NCLB. Furthermore, students who are native English speakers but are not competent in academic English are not included in any English language learner categories. Yet, it is reasonable to assume that some students of poverty and ethnic groups do not have the social language skills and cultural capital to successfully negotiate school learning grounded in middle-classness and Standard Academic English.

Another limiting factor in how NCLB deals with diversity is in not even considering the possibility that students from different ethnic and cultural groups who attend achieving schools do not perform as well as their mainstream European American counterparts. They may be meeting standards but racial disparities in achievement still exist. The overwhelming (if not exclusive) focus on schools in predominately urban poor communities of color sends signals that students who attend schools in middle-class and affluent environments have no achievement problems. This is a dubious assumption to make. Even if they are doing well on standardized tests, other kinds of achievement may be lacking (such as moral, social justice and interpersonal relationship skills). These oversights speak strongly to the fact that NCLB is failure and minimum performance driven in very selective areas of achievement, despite declarations to the contrary. If this were not the case, it would require states and local school agencies to do more thorough analyses of different kinds of achievement by different student groups in different school settings to reveal and correct hidden discrepancies.

The most conspicuous inconsistency between the rhetoric and reality of NCLB on diversity is the use of only one measurement device—standardized tests—to

determine student achievement. Even though states have the right to design their own tests and administration schedules, the pressure to conform to federal protocols, and sanctions for not doing so, nullify the choice factor. It also makes a mockery of responding to diversity in facilitating the school achievement of students from different ethnic, social, cultural and racial backgrounds. Students throughout the country are taking the same kinds of test, in the same high-stakes subjects, at the same grade intervals, and at largely the same time of the school year. Some states and districts may opt to test more often than NCLB requires, but none decide not to test their students at all.

Truth be told

The most redeeming quality to NCLB is it sounds good. Who would argue with holding school leaders, classroom teachers and students accountable for high academic achievement? Isn't that what schools are supposed to do? The rhetoric of NCLB is enticing but its realities are frightening. It is fueling that which it claims to be destroying—that is, disparities in high-quality educational opportunities and achievement outcomes for diverse students. The contradictions begin with the federal government telling states and local school districts to provide high quality education for all students but abdicating its own responsibility for ensuring that the mandates are met. National policy makers are venturing in the education enterprise at an unprecedented magnitude, while taking a traditional posture on who is accountable for actualizing the reform stipulations. This will not do. If the federal government is going to take on new directions and powers in dictating what schools should do, then it is obligated to follow them through to conclusion by assuming a greater share of the responsibilities its mandates require. Simply put, this means paying the costs required of the reform mandates, giving more specific operational meaning to its general policy guidelines and exercising quality control oversight on whether and how they are met. In other words, it is as justifiable for the national government in a democratic society to be held accountable to the people for the allocation of adequate educational resources as it is for the government to hold schools, students and teachers accountable for high level achievement results (Sizer, 2006).

In the United States these people are increasingly ethnically, racially, culturally, socially and linguistically diverse. Therefore, no educational agendas for them are worthy, relevant, accountable and effective unless diversity is paramount. Certainly, the achievement gap will not be eliminated by continuing to ignore diversity in the opportunity-to-learn and demonstrating-mastery dimensions of the educational process.

Even as the hype over NCLB intensifies far too many children are still being denied high-quality, broad-based learning opportunities. However, the consequences are more devastating for students of poverty, color and special education, and English language learners. Whether these were intentional or not when NCLB was initially crafted, the effects are the same. The neediest children are benefiting the least and suffering the most from its promised reforms. Equating high-quality achievement

with test scores narrows the range of the knowledge taught to students. Important knowledge, attitudes, values and skills needed for learning how to be morally, ethically and emotionally healthy human beings, caring community members and worthy citizens in a culturally pluralistic society and world are being woefully neglected.

Educators should not merely comply with the prepackaged, highly condensed subject matter content, taken-for-granted ways of knowing and only test-based indicators of achievement imposed by outside forces far removed from the realities of actual classroom contexts. Instead, they should heed the advice of Maxine Greene (2006, pp. 223–224) to create learning situations for students that:

provoke questioning and that move students to go in search of meanings that they can achieve for themselves. In this search for meaning, a capacity must be developed that calls for students to look through a range of perspectives; those of the various disciplines, those of diverse human beings they are bound to meet in the course of their lives, and those derived from their own experiences...a mode of aliveness must be encouraged; democracy, or what has been called 'a community always in the making,' cannot be attained by the passive, the careless, or the thoughtless. What must connect us all are the values by which we choose to live together: fairness, equality, regard for others, and the sense of our being the initiators of our own lives.

These ways of teaching and learning are imperative but they will not be easy to embrace, not to mention accomplish, in the climate of threat, intimidation, intellectual constraint, control and ideological manipulation being cultivated by NCLB and its political progenitors.

Paul Houston (2006) suggests further that the 'test and tremble' model of school reform currently in vogue, which emphasizes reading, math and science to the virtual exclusion of other knowledge domains, is not likely to produce the kind of future society the USA needs. Sure, there will continue to be a need for mathematicians, scientists, engineers and technicians, but they alone cannot craft the unpredictable future. The contributions of the creative artists, schooled in the knowledge and skills generated from the social sciences, humanities and fine arts—areas of school curricula that are casualties of current NCLB priorities—also are imperative. Richard Florida (2002), Daniel Pink (2005) and Paul Houston (2006) contend that the future will belong to the creative; individuals who 'can dream bigger and more innovative dreams' (Houston, 2006, p. 66). If this is indeed true the outlook for the future of US society is not very optimistic under the tutelage of NCLB.

If we continue the dangerous precedents and directions set by NCLB we run the risk of exacerbating already dire conditions in US education. Achievement gaps will continue and even expand; more and more children will be victimized and then punished for being victims; and society will reap the benefits by becoming even more chaotic, violent, immoral, oppressive, exploitative and depressing than it currently is. Coercive, subterfuge and 'one size fits all' educational reform strategies simply are not reasonable or viable bases on which to build constructive educational futures for a nation in desperate need of new directions that are genuinely egalitarian across ethnic, racial, social, cultural, linguistic and ability differences. These new directions

must promote high performance and outcome standards from all stakeholders in the educational enterprise—teachers, students, governments, citizens, businesses—without imposing methodological homogeneity (or standardization) upon them.

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