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**FairTest: National Center for Fair & Open Testing, Cambridge, MA**

**“No Child Left Behind” After Two Years: A Track Record of Failure**

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**Fact Sheet**

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The increasingly visible flaws of the "No Child Left Behind" law and the growing, bi-partisan criticisms of its provisions demonstrate that the law will do more harm than good. NCLB's test-and-punish approach to school reform relies on extremely limited, one-size-fits-all tools that reduce education to little more than test prep programs. It produces unfair decisions and requires unproven, often irrational approaches to complex educational problems. NCLB is clearly underfunded. But fully funding a bad law is not the solution. If the nation's goal really is to leave no child behind, the federal government must overhaul NCLB to ensure that assessment and accountability genuinely improve learning for all students.

- NCLB is based on false assumptions and therefore offers false remedies. The façade that was created to portray Houston and "the Texas Miracle" as national models is crumbling. Independent researchers have shown Houston failed to close the race-based achievement gap, inflated test results by pushing out low-scoring students, and failed to adequately prepare the few who actually graduate for college-level work. Similar high-stakes approaches in other states, such as Alabama and Mississippi, have left students mired at the bottom of national rankings. The U.S. cannot test its way to better schools.
- Nearly all schools will eventually be rated "In Need of Improvement" because of the way Adequate Yearly Progress statistics are calculated. A recent California study confirms the findings of other researchers that the more diverse a student body, the more likely schools or districts will fail to make sufficient progress in test results to avoid NCLB sanctions. While diverse, high-poverty schools will fail and be punished sooner, the consensus among researchers is that almost every school will eventually fall short of the arbitrary improvement requirements.

- NCLB's obsessive focus on raising test scores will mean an increasing emphasis on test preparation, undermining the higher order thinking skills all students need to succeed in work and life. Overwhelming pressure to meet test score targets makes schools focus on drilling students for the exams. "Teaching to the test" narrows the curriculum, forcing teachers and students to concentrate on memorizing isolated facts. As a result, rising test scores will not mean academic improvement. Fewer students will be prepared to be successful citizens in our society.
- Demanding that disabled and limited English proficient students reach "proficiency" on standardized tests sets those students and their teachers up for failure. Rather than provide resources so schools can offer individualized approaches these students need to succeed, NCLB offers the pretense that if we hold them to the "same standards," they will magically rise to the occasion. NCLB is already causing many students to be scapegoated for dragging down average test scores, tempting some schools to drive them out. The failure to provide high quality comprehensive assessments for all these students endangers both the students and their schools.
- Tutoring provisions take money from schools that most need it and turn public funds over to private entrepreneurs. Based on the simplistic, faulty premise that low test scores are caused primarily by inadequate or lazy public school teachers, NCLB paves the way for private firms to reap huge profits. Meanwhile, strapped districts will see their budgets pinched further and be forced to lay off staff and cut back on services to students who most need extra help.
- Transfer provisions make matters worse at both the home and receiving school, while diverting money from education to "busing." This provision has been a giant bust, with some receiving schools overwhelmed by transfers and ill-equipped to handle them, but most parents saying, "No thanks." Parents increasingly view this so-called choice provision as a hoax, recognizing that better performing schools are tantalizingly out of reach, either in neighboring districts that say no to their kids, or exam schools within their districts that are also off limits.
- Many of the best teachers will flee schools where they are most needed. As experienced and excellent teachers recognize that schools with society's most vulnerable students are destined for failure and punishment, those who can will transfer to higher performing schools. The abandoned schools will be hard-pressed to recruit replacement teachers of any quality.
- NCLB funds fall far short of what would be needed to make every student in every public school proficient. The failure to fully fund NCLB is the clearest example of how it leaves many children behind. However, even with more adequate funding, the law's assumptions and methods are so deeply flawed that it cannot work without fundamental change.

- NCLB ignores the real reasons many children are left behind. The failure to address factors outside of school that influence academic achievement guarantees NCLB will not succeed. The best school, the best teachers and the best curriculum can make a huge difference in the lives of disadvantaged children, but basic needs like housing, health care and nutrition must also be addressed to truly close the achievement gap between poor and rich children.
- The law's remedies for "failing" schools do not work. A series of studies demonstrates that most attempts to "reconstitute" troubled schools fail to improve student performance. Moreover, few if any states will have the capacity to intervene in the large numbers of public schools that will eventually be identified for NCLB's ultimate sanctions.
- Last, but not least, better alternatives exist to improve troubled schools. Educators, researchers, and engaged parents have worked to create and use far better assessments that meet the primary purposes of assessment - improving teaching and learning while informing the public about school quality. This requires rich assessments, from tests and quizzes to projects and portfolios, rooted in ongoing classroom work by students and teachers; professional development for educators and time for them to plan improvements in curriculum and instruction; involvement by parents as real partners not just consumers of test scores; annual reports on student learning and other vital data that the community needs to help improve their schools; monitoring by the state to ensure schools are equitably serving all students; and targeted assistance for those schools which really need it.