



Time to Rethink How We Govern Education in the United States

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The seeds of the demise of No Child Left Behind were sown into its original design, its premise that all states would bring all students up to a high standard of performance by the date specified in the original legislation.

The lawmakers who wrote it knew that was not going to happen, knew that their successors would have to pick up the pieces. And the state policymakers responsible for putting implementation plans in place responded to this little flaw in the legislation by lowering the standards they would have to meet as much as possible and extending the date by which serious progress toward the state goals would have to be shown to a time when it would be someone else's problem.

But politics is the art of the possible and both Democrats and Republicans saw George W. Bush's plan as a rare opportunity to get out of a deep hole. No Child Left Behind is a set of amendments to the Elementary and Secondary Education Act (ESEA) of 1965. ESEA was framed under the umbrella of the civil rights movement, made possible by a national consensus on the need to "compensate" for the deficiencies that minority and low-income students brought to school. The purpose of the legislation was to provide the resources that would enable educators to remediate those problems. The performance problem was understood to be caused by the characteristics of the students, not their schools or their teachers. And it would be solved by giving schools and teachers the money to deal with it. The federal government had to do it, because the states had demonstrated that they could not or would not do it.

Three decades later, the Congress realized that it had provided billions to the schools, but student performance had hardly budged, and Congress was angry by consensus. It appeared to many in both parties that the professional educators had taken the money and run, with considerable benefit to them, but little to the students. President Bush proposed to change that, to hold the educators responsible for their work, for the first time to hold out the possibility that educators who did not produce for their students might lose their jobs. Democrats were willing to include the market solutions favored by the Republicans under the tent and Republicans were willing to put more money on the table (quite a lot, though not as much as Democrats had expected), as long as both got the accountability for the use of the funds they both sought. Thus was the deal made.

That consensus has now evaporated, for the same reason the earlier consensus evaporated: More money was spent and little student progress has been made. The

Republicans say that is because the Democrats are trying to dictate educational strategy to the states and the Democrats say it is because the states, left to their own devices, once again took the easy way out and defeated the purpose of the law and need to have their feet held to the fire to adopt strategies that will work. So, once again, we have a fundamental disagreement about not only what the solution is, but what the problem is that the legislation should be solving.

If we look at the countries with the best student achievement as measured by PISA, we see at first no guidance on the question of which level of governance should be calling the shots. Some have highly centralized education governance at the national level. Some have federal systems with even less involvement of the national government than we have. Some have mixed models. All have successful systems.

But look closer and there is a lesson to be learned here. In all the countries with the best education performance, all the parts and pieces fit together. All the elements of the education system—finance; standards for entering teachers college, for graduating teachers college, for getting a license; student performance standards; the design of the curriculum; the approach to instruction; and so on all fit together into a reasonably harmonious whole. That's because these countries have sorted out their systems so that either one level of government is responsible for the performance of the system as a whole or no more than two levels of government share that responsibility and there is a strong consensus on what their respective roles will be.

We have no such consensus in the United States. We are not agreed on who should be setting the standards for student performance, who should be deciding what the curriculum will be, who should decide what teachers colleges will teach and what the standards should be for deciding who gets to go to a teachers college, who will decide what teachers will be paid, who will decide on the content of our textbooks, who will decide what the character of our tests and examinations for students will be and how the information produced by those tests and examinations will be used. Responsibility for these decisions is diffused through the whole system. More of those decisions are made at the local level than in any of the top-performing countries. The inevitable result is that we do not have a system the parts and pieces of which fit together.

Some years ago, when the first PISA results came out, the Germans were shocked to find that the performance of their students relative to that of students in other advanced industrial countries was far below what they expected. Under the German constitution, elementary and secondary education is a function of the German states exclusively. But when the PISA results came out, the German states, with the encouragement of the federal government, took the initiative to create national examinations and curriculum frameworks, and to arrange for the publication of the results of the examinations comparing student performance across the states on common measures. It was the beginning of a process in which the Germans sorted out in a logical way what functions needed to be performed nationally and which were best performed at the state level. There is nothing comparable in the German system or any of the top performing systems

to our local level of governance. These changes to the German system led to major improvement in the relative position of Germany on subsequent PISA league tables.

Our states have all the constitutional authority they need to create systems of education as effective as those of any country with which we compete. But their state departments of education do not have either the legitimacy or the legal authority they need to play a role comparable to that played by the ministries of education in the top performing countries at the national or state level. Until they do, we will not get comparable results. The United States Department of Education does not have such authority or legitimacy either. Few wish it did, but, as the German experience shows, it may be necessary to provide for certain national functions, whether performed by the federal government or federations of state governments, if the United States is going to compete effectively.

We have to sort out this governance problem, but we are not even talking about it yet in terms that could lead to a solution. It is time for that conversation to begin.