

# Ten Moral Concerns in the *No Child Left Behind Act*

## A Statement of the National Council of Churches Committee on Public Education and Literacy

Christian faith speaks to public morality and the ways our nation should bring justice and compassion into its civic life. This call to justice is central to needed reform in public education, America's largest civic institution, where enormous achievement gaps alert us that some children have access to excellent education while other children are left behind. The *No Child Left Behind Act* is the most recent, 2002 version of the federal education law. It purports to address educational inequity. Now, however, after we have watched *No Child Left Behind's* hundreds of cascading regulations for six years and as the law faces reauthorization, it has become clear that the law is leaving behind more children than it is saving. The children being abandoned are our nation's most vulnerable children—children of color and poor children in America's big cities and remote rural areas—the very children the law claims it will rescue. We examine ten moral concerns in the *No Child Left Behind Act*.

1. While it is a civic responsibility to insist that schools do a better job of educating every child, we must also recognize that undermining support for public schooling threatens our democracy. The *No Child Left Behind Act* sets an impossibly high bar—that every single student will be proficient in reading and math by 2014. We fear that this law will discredit public education when it becomes clear that schools cannot possibly realize this utopian ideal.

2. Till now the *No Child Left Behind Act* has neither acknowledged where children start the school year nor celebrated their individual accomplishments. A school where the mean eighth grade math score for any one subgroup grows from a third to a sixth grade level has been labeled a “in need of improvement” (a label of failure) even though the students have made significant progress. The law has not acknowledged that every child is unique and that Adequate Yearly Progress (AYP) thresholds are merely benchmarks set by human beings. Although the Department of Education now permits states to measure student growth, because the technology for tracking individual learning over time is far more complicated than the law's authors anticipated, too many children will continue to be labeled failures even though they are making strides, and their schools will continue to be labeled failures unless all sub-groups of children are on track to reach reading and math proficiency by 2014.

3. Because the *No Child Left Behind Act* ranks schools according to test score thresholds of children in every demographic subgroup, a “failing group of children” will know when they are the ones who made their school a “failing” school. They risk being shamed among their peers, by their teachers and by their community. The *No Child Left Behind Act* has renamed this group of children the school's “problem group.” In some schools educators have felt pressured to counsel students who lag far behind into alternative programs so they won't be tested and their scores won't count. This has increased the dropout rate.

4. We believe that all students, including students with disabilities, should be challenged to meet high academic standards and assessed on that material. We also know, however, that the *No Child Left Behind Act* has placed some children with disabilities in situations where they are expected to pass regular state grade-level assessments, despite the fact that they may be working considerably below and/or have not been taught grade level material. We strongly believe that students' Individualized Education Program (IEP) teams, in accordance with the Individuals with Disabilities Education Act (IDEA), are best positioned to determine which assessments are most appropriate for students identified as needing special education and related services.

5. The *No Child Left Behind Act* requires English language learners to take tests in English before they learn English. It ranks public schools that serve many English learners as “failing schools” simply because these schools serve children who are in the process of learning English.

6. The *No Child Left Behind Act* blames schools and teachers for many challenges that are neither of their making nor within their capacity to change. The test score focus obscures the importance of the quality of the

**“Too often, criticism of the public schools fails to reflect our present societal complexity. At a moment when childhood poverty is shamefully widespread, when many families are under constant stress, when schools are often limited by lack of funds or resources, criticism of the public schools often ignores an essential truth: we cannot believe that we can improve public schools by concentrating on the schools alone. They alone can neither cause nor cure the problems we face. In this context, we must address with prayerful determination the issues of race and class, which threaten both public education and democracy in America.”**

*—The Churches and the Public Schools at the Close of the Twentieth Century, National Council of Churches Policy Statement, November 11, 1999*

relationship between the child and teacher. Sincere, often heroic efforts of teachers are made invisible. While the goals of the law are important—to proclaim that every child can learn, to challenge every child to dream of a bright future, and to prepare all children to contribute to society—educators also need financial and community support to accomplish these goals.

7. The relentless focus on testing basic skills in the *No Child Left Behind Act* diminishes attention to the humanities, the social studies, the arts, and child and adolescent development. While education should cover basic skills in reading and math, the educational process should aspire to far more. We believe education should help all children develop their gifts and realize their promise—intellectually physically, socially, and ethically. The *No Child Left Behind Act* treats children as products to be tested, measured and made more uniform.

8. Because the *No Child Left Behind Act* operates through sanctions, it takes federal Title I funding away from educational programming in already overstressed schools and uses these funds to bus students to other schools or to pay for private tutoring firms. A “failing” school district may not be permitted to create its own public tutoring program, but it is expected to create the capacity to approve private firms that provide tutoring for its students. One of the sanctions provided is to close or reconstitute the “failing” school or to make it into a charter school, but in many places charter schools are unregulated.

**“Our nation’s teachers are asked to change lives and solve problems with resources nowhere near commensurate with the task while facing constant criticism by politicians, the public and the press for their alleged failures and inadequacies...”**

— *National Council of Churches Resolution: The Churches and Public Schools, adopted November 5, 2003*

9. The *No Child Left Behind Act* exacerbates racial and economic segregation in metropolitan areas by rating homogeneous, wealthier school districts as excellent, while labeling urban districts with far more subgroups and more complex demands made by the law as “in need of improvement.” Such labeling of schools and districts encourages families with means to move to wealthy, homogeneous school districts.

**“Most tellingly, the schools that offer the least to their students are often schools serving poor children, among whom children of color figure disproportionately, as they do in all the shortfalls of our common life. Indeed, the coexistence of neglect of schools and neglect of other aspects of the life of people who are poor makes it clear that no effort to improve education in the United States can ignore the realities of racial and class discrimination in our society as a whole.”**

— *The Churches and the Public Schools at the Close of the Twentieth Century, National Council of Churches Policy Statement, November 11, 1999*

10. The late Senator Paul Wellstone wrote, “It is simply negligent to force children to pass a test and expect that the poorest children, who face every disadvantage, will be able to do as well as those who have every advantage. When we do this, we hold children responsible for our own inaction and unwillingness to live up to our own promises and our own obligations.” The *No Child Left Behind Act* makes demands on states and school districts without fully funding reforms that would build capacity to close achievement gaps. To enable schools to comply with the law’s regulations and to create conditions that will raise achievement, society will need to increase federal funding for the schools that serve our nation’s most vulnerable children and to keep Title I funds focused on instruction rather than on transportation and school choice. While Title I is small relative to state and local funding, it is the federal government’s primary tool for equalizing educational opportunity. Fully funding Title I would begin to shift the focus of the *No Child Left Behind Act* from punishing struggling schools to improving them, especially in districts with diminishing tax bases and exploding needs that serve populations segregated by race and extreme poverty.

Christian faith demands, as a matter of justice and compassion, that we be concerned about public schools. The *No Child Left Behind Act* approaches the education of America’s children through an inside-the-school management strategy of increased productivity rather than providing resources and support for the individuals who will shape children’s lives. As people of faith we do not view our children as products to be tested and managed but instead as unique human beings, created in the image of God, to be nurtured and educated. We call on our political leaders to invest in developing the capacity of the public schools. As Congress reauthorizes the

federal education law, we ask our elected representatives to uphold high expectations for all children but honor every child’s accomplishments; shift the focus from punishing public schools to strengthening them; reduce high stakes testing; and fully fund the law. Our nation should be judged by the way we care for our children.



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