Notes

1. The Best-Laid Plans


7. National Conference of State Legislatures, *Task Force on No Child Left Behind: Final Report* (Washington, DC: National Conference of State Legislatures, 2005), 5. Richard Murnane argues that higher standards are “critical to reducing educational inequalities that have left many American families with
insufficient earnings to support their children” (The Impact of School Resources on the Learning of Inner City Children [Cambridge, MA: Ballinger, 1975], 57). Gary Orfield states that in “many ways, [NCLB] is the most startling departure in federal educational policy in American history” (Sunderman and Kim, Inspiring Vision, Disappointing Results), 1.


10. 20 U.S.C. § 6301. Frederick M. Hess comments on the likely weakening of these teeth over time, as political forces coalesce to oppose and water-down the law (“Refining or Retreating? High-Stakes Accountability in the States,” in Paul E. Peterson and Martin R. West, eds., No Child Left Behind? The Politics and Practice of School Accountability [Washington, DC: Brookings Institution Press, 2003]).


14. 20 U.S.C. § 6311. States are not required to apply the sanctions under No Child Left Behind to public schools with fewer than 35 percent of their students eligible for Title I funds.

15. No Child Left Behind uses these census categories for students of non-majority ethnicity.

16. Center on Education Policy, From the Capital to the Classroom; Jason Pierce, “Minimum Size of Subgroups for Adequate Yearly Progress (AYP)” (Education Commission of the States, 2003).


18. Ninety-five percent of all students and students within each subgroup must take the test, allowing for accommodations on test-day for students with special needs (20 U.S.C. § 6311).


21. The students with disabilities or with limited English proficiency can be offered reasonable accommodations when they take the tests (20 U.S.C. § 6311).


23. Schools and districts are allowed to apply alternate measures of proficiency for the 1 percent of their most disabled student populations, though this is the subject of current and constant negotiations between states and the federal government.


25. States are allowed one-year waivers in the event of “a natural disaster or a precipitous and unforeseen decline in the financial resources of the State” (20 U.S.C. § 6311).


35. Center on Education Policy, *From the Capital to the Classroom*.

36. Ibid., vii.

37. John G. Cronin, Gage Kingsbury, Martha S. McCall, and Branin Bowe, “The Impact of the No Child Left Behind Act on Student Achievement and Growth: 2005 Edition” (Lake Oswego, OR: Northwest Evaluation Association, 2005). The authors caution that students for whom scores can be obtained over time tend to have more stable enrollment patterns and therefore may be more likely to have higher academic achievement.

38. Ibid.

the Center on Education Policy Forum on Ideas to Improve the Accountability Provisions under the No Child Left Behind Act, Washington, DC, 2004; George Wood, “A View From the Field: NCLB’s Effects on Classrooms and Schools,” in Meier and Wood, Many Children Left Behind. Deborah Meier writes that the current push for accountability “decreases the chances that young people will grow up in the midst of adults who are making hard decisions and exercising mature judgment in the face of disagreements” (“Educating a Democracy,” in Joshua Cohen and Joel Rogers, eds., Will Standards Save Public Education? [Boston: Beacon, 2000]), 5. Lorraine McDonnell explores the political struggles that standardized testing often produces in Politics, Persuasion, and Educational Testing (Cambridge, MA: Harvard University Press, 2004).

40. Hess, “Reframing or Retreating?”
42. Ibid., 7–9.

45. Drury and Doran, “The Value of Value-Added Analysis.”


49. Alfie Kohn asserts that the “whole [accountability] movement is rooted
in a top-down, ideologically driven contempt for public institutions” (The Case Against Standardized Testing: Raising the Scores, Ruining the Schools [Portsmouth, NH: Heinemann, 2004]), 91.


51. Center on Education Policy, From the Capital to the Classroom; National Conference of State Legislatures, Task Force on No Child Left Behind: Final Report.


59. Center on Education Policy, From the Capital to the Classroom; See also Gary Orfield’s Introduction in Sunderman and Kim, Inspiring Vision, Disappointing Results.


65. Ibid., vii.
68. 20 U.S.C. § 7905.
69. Center on Education Policy, *From the Capital to the Classroom*.
71. Lynn, “Utah Bucks Feds on Schools.”
75. Linn, “Rethinking the No Child Left Behind Accountability System,” 4.
76. Center on Education Policy, *From the Capital to the Classroom*; Packer, “No Child Left Behind and Academic Yearly Progress—Fundamental Flaws.”
77. Linn, “Rethinking the No Child Left Behind Accountability System.”
78. Center on Education Policy, *From the Capital to the Classroom*; Linn, “Rethinking the No Child Left Behind Accountability System.”
81. For exceptions, see Frederick M. Hess and Chester E. Finn Jr., eds., *Leaving No Child Behind? Options for Kids in Failing Schools* (New York: Palgrave Macmillan, 2004); Deborah Meier and George Wood, eds., *Many Children Left Behind*
2. The Problem of Quality

1. Throughout this book, unless the gender of a specific individual is known and noted, I refer to a student as “she,” a teacher as “he,” a principal as “she,” and an administrative superior as “he.”


4. Hochschild, “Rethinking Accountability Politics.”

5. Sunderman and Kim, Inspiring Vision, Disappointing Results, 3.


10. Lazear, “Educational Production.”

11. Lazear, “Educational Production.” Though in practice class size is much more complicated: individual schools cannot set their own budgets, and principals might choose different class sizes if they could.


13. Ibid., 22.


23. School principals can be principals in this sense when teachers are the agents; school principals can also be agents when parents or school board members are the principals. I realize that this is more than a little confusing.


26. Of course, monitoring brings up the challenge of “who will monitor the monitor?” (Alchian and Demsetz, “Production, Information Costs, and Eco-
nomic Organization,” 782). There is also the related challenge of ‘adverse selection,’ whereby agents’ abilities are unknown, resulting in firms ending up with workers who are low-ability or unmotivated, given the offered wage or reward. Moe discusses this issue in relation to accountability and education (“Politics, Control, and the Future of School Accountability,” 84–85). The problem with these economic models is that they are based on the assumption that individuals always prefer slacking off to working, failing to consider the possibility that some individuals go into education for more altruistic reasons or why some individuals go ‘above and beyond’ the call of duty.

27. Alchian and Demsetz, “Production, Information Costs, and Economic Organization.”

28. Hanushek and Raymond discuss the implications of various test models for accountability and control. I will return to this topic in chapter 5 (“Lessons about the Designs of State Accountability Systems”); Moe identifies the problems of control and agency that will likely blunt the beneficial effects of any top-down accountability policy (“Politics, Control, and the Future of School Accountability”).


30. Wilson asserts that his conception of coping organizations does not constitute a theory (Bureaucracy, 364). I disagree.

31. Wilson, Bureaucracy, 171.

32. Ibid., 175.


35. Ibid., 25.

36. Wilson writes, “People matter, but organization matters also, and tasks matter most of all” (Bureaucracy, 173).

3. Making the Grade (or Not)


5. The Education Commission of the States maintains a comprehensive database on state policies and actions associated with No Child Left Behind (http://www.ecs.org).

6. The Education Commission of the States gave Minnesota a “Y” (its high-
est score, indicating that the state “appears on track”) in all eleven of its categories of compliance in developing and implementing standards-based assessments (“NCLB Standards and Assessments: Minnesota,” 2004).

7. This research was made possible through a Faculty Interactive Research Program grant from the Center for Urban and Regional Affairs at the University of Minnesota and took place in association with the University’s Minnesota Center for Survey Research. It was also supported through a McKnight Summer Fellowship made possible through the Office of the Dean of the Graduate School of the University and a semester of leave awarded by the College of Liberal Arts at the University of Minnesota. Portions of this chapter were previously published as Scott Franklin Abernathy, “Evaluating the Impact of No Child Left Behind in Minnesota,” *CURA Reporter* 36, no. 1 (2006).

8. When an individual principal was responsible for more than one school, a survey was sent to only one of the schools. The response rate was very high, at slightly less than 70 percent. Among charter school principals, the response rate dropped to 53 percent, probably at least partly because charter schools are more likely to have one principal overseeing separate “schools” within the same building, as well as the fact that many Minnesota charter schools are run by teams. I matched the survey results with extensive state data on student and school characteristics, achievement test scores, and status under No Child Left Behind in 2003 and 2004.

9. I e-mailed 126 regular and charter public school principals and received 28 replies. I asked nine questions:

1. What effect do you think No Child Left Behind is having on your leadership at this school?
2. How much time do you spend ensuring that your school makes adequate yearly progress?
3. Have these efforts changed how you allocate your time as principal in other areas? If so, how?
4. What effect is No Child Left Behind having on the performance of your teachers?
5. Is it affecting how your teachers choose to allocate their time? If so, how?
6. What aspects of your leadership are not captured in the testing associated with No Child Left Behind?
7. Is there a better way to measure these aspects of your leadership?
8. What effect do you think No Child Left Behind will have on the achievement of your students? How so?
9. Do you have any other thoughts about No Child Left Behind and your leadership?


14. If, for example, a school had forty third-graders with limited English proficiency and thirty-seven, rather than thirty-eight, of these students took the test, then the school would fail to make AYP. One Minnesota elementary school failed to make AYP because only fifty-nine of sixty-three students eligible for free or reduced-price lunch took the 2002 test. Though an administrative error occurred (a sixtieth student showed up but was not counted), the school remained on the list of those schools failing to make AYP because it failed to file an appeal to the state within thirty days (Britt Robson, “Built to Fail,” City Pages, 10 March 2004). There are proposals to exempt specific students for medical and other reasons, on a case-by-case basis, or in the case of students with irregular attendance patterns (National School Boards Association, “NSBA’s Bill to Improve No Child Left Behind”).

15. Minnesota Department of Education, “No Questions Left Behind.”


18. Ibid., 26.


24. Ibid., 29.


27. Ibid., 1.

28. Center on Education Policy, From the Capital to the Classroom, 1.


30. George Wood finds a very similar pattern in Ohio’s “Blue ribbon”
schools (“A View From the Field: NCLB’s Effects on Classrooms and Schools,” in Deborah Meier and George Wood, eds., Many Children Left Behind: How the No Child Left Behind Act Is Damaging Our Children and Our Schools [Boston: Beacon, 2004]). Researchers have found similar patterns in the negative relationship between percentage of Latino students and classification as “exemplary” in Texas’s public schools (Kane and Staiger, “Unintended Consequences of Racial Subgroup Rules,” 162).

31. The correlation coefficient is 0.78.
32. Center on Education Policy, From the Capital to the Classroom.
33. Chubb and Moe, Politics, Markets, and America’s Schools.
34. Out of concern over potential problems of nondifferentiation and lack of a linear scale in the time-spent variable, I constructed the following alternative scorings of the variables: having spent a great deal of time on each area and the points awarded to one activity divided by the total number of points awarded on all seven questions (in separate regressions). In all cases, the substantive conclusions remain unchanged; in fact, standard errors were significantly smaller when relative variables were looked at individually. Nevertheless, I chose to present the more straightforward data. In any case, my results are quite robust.

35. One regret about these data is that I do not have a reliable measure of actual class size. Though I could simply divide number of students by number of teachers, it would produce a noisy statistic.
37. I also constructed a similar set of models using a school’s status as newly identified as having failed to make AYP as the dependent variable. The substantive conclusions remain unchanged; in fact, standard errors on the key time-allocation variables were somewhat smaller.

4. Top-Down and Bottom Up

2. Chubb and Moe, *Politics, Markets, and America’s Schools*.
4. Tom Loveless discusses the problem of measuring achievement in charter schools, and suggests that new charters receive a two-year grace period before being subject to NCLB’s sanctions. He does not, however, empirically explore NCLB’s impact on charter schools (“Charter School Achievement and Accountability,” in Paul E. Peterson and Martin R. West, eds., *No Child Left Behind? The Politics and Practice of School Accountability* [Washington, DC: Brookings Institution Press, 2003]).
8. Ibid., 7.
9. Ibid., 11.
15. Researchers have commented on the possibility that some people choose to go into education simply because they are lazy and know that, given the informational challenges to measuring their quality (combined with tenure), education is the place for them. Economists call this problem one of “adverse selection” (Moe, “Politics, Control, and the Future of School Accountability”). More evidence of its prevalence in education, or lack thereof, is probably needed. Moe’s framing of the challenges of No Child Left Behind in terms of agency, however, is in one of the most promising approaches for predicting the legislation’s outcomes.
19. The response rates that Farkas, Johnson, and Duffet obtained—34 percent for superintendents and 23 percent for principals—were quite a bit lower
than what I observed in the Minnesota Schools Survey but still remained in line with typical response rates for these surveys.


21. Ibid., 63.

22. Ibid., 64.

23. Ibid., 56.

24. I am grateful to Paul Manna for clarification of this point.

25. Emphases are the principal’s.

26. To examine the possibility that a principal’s patterns of leadership might be related to the fact that charter schools attract different kinds of leaders, I conducted Hausman tests of the results of two-stage least squares estimation for each of the models in this chapter, to see if the use of instrumented variables would be appropriate (I used ordinary least squares for the five-point scales for the comparison, as two-stage least squares estimation with ordered probit regression is extremely complicated and beyond my programming ability). I used principals’ demographic characteristics as my instruments. None of the differences between the instrumented and noninstrumented regressions for the results in figure 11 were significant. In the two-stage least squares estimation for the results in figure 12, the standard errors on the charter school dummy variables were considerably larger; however, I was again unable to reject the null hypothesis of no systematic differences between the coefficient estimates. The standard errors on the charter school variables associated with figure 13 were actually smaller; however, the differences were not statistically significant. Finally, the alternate models of figure 14 did not have enough predictive power to give me confidence in their estimates; however, the coefficient estimates on the charter school dummy variables were of the same direction and significance as in the base (ordinary least squares) models.

27. I was not inclined to include something like membership in a minority group in my models as I had no theoretical basis for arguing precisely why or how this information should matter. Out of a concern for the underlying methodological issues, however, I did so in this chapter.

28. See Abernathy, School Choice and the Future of American Democracy. These models also included the expected effect of NCLB on principals’ influence, to capture any inherent optimism or pessimism about the law’s effects.

29. The reference cells in all of the regressions are principals of regular public schools that made AYP.

30. Regrettably, these data do not include a separate question for district superintendents. This question was omitted because it would not have made much sense in the case of charter schools, it would have been useful to ask the question of regular public school principals only.

31. Chubb and Moe, Politics, Markets, and America’s Schools.

32. Only the coefficient estimate on the teacher variable was statistically significant for charter schools.

33. The underlying regressions used the same five-point time used in the survey. The simulations present the predicted probabilities that a principal would
respond that a “great deal of time” was spent on the activity (that is, a five on the scale).

34. My thanks to Andrew Rotherham and Jeffrey Henig for clarification of this point.

5. Rethinking Assessment

3. Hanushek and Raymond refer to these as “status change” models (“Lessons about the Designs of State Accountability Systems,” 131).
10. Only grade three and grade five tests were used in both 2003 and 2004 for NCLB compliance in Minnesota. The pattern of results of the grade five tests is the same.


24. Minnesota Statute 120B.30(c)(2).


29. I use the term production model rather than performance model or process model, which would be more consistent with the use of process indicators. In education, performance is such a heavily laden term that I avoid using it in this con-
text, and *production* seems to better capture the constructed nature of educational quality. For a discussion on the possibility of using measures such as school climate and parental satisfaction in schools, though in a secondary role to the use of student test outcome measures, see McAdams et al., *Urban School District Accountability Systems* (Denver: Education Commission of the States and the Center for Reform of School Systems, 2003).


34. Jeannie Oakes’s analysis appears to concur with the idea of experiential organizations: “Educators, parents, and policy makers also worry about the quality of experiences that children have in school. Consequently, indicator systems should also include measures of these experiences” (“What Educational Indicators?” [1989], 182). Italics are the author’s.

35. Minneapolis Public Schools, “School Information Report,” 2004. Response rates for the student portion of the surveys used in this analysis were 81 percent for K–8 schools and 90 percent for K–6 schools. Response rates for staff were 68 percent for K–8 schools and 76 percent for K–6 schools. Separate response rates for teachers were not available. In these analyses, I focus only on students and teachers, as teachers are included in overall staff results and are more central to my analysis. Though publicly available, these data are used with the verbal permission of the Minneapolis Public Schools.

36. As Wilson (*Bureaucracy*) has observed, however, and as I have shown, measuring outcomes in organizations like schools is a fundamentally difficult undertaking.

37. The first two indicators were framed in the affirmative, as in percentages of students and teachers who were being kept from their tasks. For the variable, I simply used one hundred minus the school score to align all of the variables along the same continuum (Minneapolis Public Schools, “School Information Report”).

39. The confidence intervals on these predicted probabilities were quite large, which is unsurprising given the small number of schools in the data. The coefficient estimates on these differences were significant in the underlying regressions, though I caution that these simulations illustrate the impact of differences in leadership rather than to prove specific point values.

6. Carrots, Sticks, and Unbroken Windows

2. The term *middle-out*, at least as it relates to educational reform, appears to have been first used by Kate Malloy in a study of New York City District 2: “Overall, the listening and communicating that occur throughout the district are meant to produce not only a balance between top-down and bottom-up influences, but a powerful ‘middle-out’ component, a sort of clearing house of substantive and strategic information processed through the role of the principal” (Building a Learning Community: The Story of New York City Community School District #2 [Pittsburgh: University of Pittsburgh, Learning Research and Development Center, 1998], 6); see also Lauren B. Resnick and Megan Williams Hall, “Learning Organizations for Sustainable Education Reform,” *Daedalus* 127, no. 4 (1998).
6. No Child Left Behind authorizes the National Center for Education Statistics to incorporate “anonymous student surveys and anonymous teacher surveys” in assessing the prevalence of “illegal drug use and violence” (20 U.S.C. § 7132).
10. See, for example, Packer, “No Child Left Behind and Academic Yearly Progress—Fundamental Flaws.”
11. Harris and Herrington discuss this issue broadly in the context of a comparative study of educational reform in the United States but not specifically related to No Child Left Behind (“Accountability, Standards, and the Growing Achievement Gap”).
16. This suggestion would necessitate the resolution of some important financial issues. If districts are forced to leave staff in some schools in place in the presence of budget cuts, then they would be saddled with an additional financial burden if not reimbursed for these extra costs by the federal government.