

Notes

1. The Best-Laid Plans

1. Alfred Powers and Howard McKinley Corning, eds., *History of Education in Portland* (Portland, OR: WPA Adult Education Project, 1937); David B. Tyack, *The One Best System: A History of American Urban Education* (Cambridge: Harvard University Press, 1974).

2. Powers and Corning, *History of Education in Portland*, 47. Also cited in Tyack, *The One Best System*, 47.

3. Tyack, *The One Best System*, 48, citing Powers and Corning, *History of Education in Portland*, 327.

4. Powers and Corning, *History of Education in Portland*, 51.

5. Tyack, *The One Best System*, 48.

6. Linda Darling-Hammond, "From 'Separate but Equal' to 'No Child Left Behind': The Collision of New Standards and Old Inequalities," in Deborah Meier and George Wood, eds., *Many Children Left Behind* (Boston: Beacon Press, 2004); Gail L. Sunderman and Jimmy Kim, *Inspiring Vision, Disappointing Results: Four Studies on Implementing the No Child Left Behind Act* (Cambridge: The Civil Rights Project, Harvard University, 2004). Jack Jennings observes, "One could say, therefore, that the new law uses conservative means to achieve liberal ends" ("Stricter Federal Demands, Bigger State Role: What to Expect From the No Child Left Behind Act," *State Education Standard*, 2002), 26; The Education Commission of the States recommends that policymakers "embrace NCLB as a civil rights issue" ("ECS Report to the Nation: State Implementation of the No Child Left Behind Act"), vii.

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.

8. 20 U.S.C. § 6301 (Pub. L. 107-110). For a good overview of the law, see Peter W. D. Wright, Pamela Darr Wright, and Suzanne Whitney Heath, eds., *Wrightslaw No Child Left Behind* (Hartfield, VA: Harbor House Law Press, 2003).

9. Douglas N. Harris and Carolyn D. Herington, “Accountability, Standards, and the Growing Achievement Gap: Lessons from the Past Half-Century,” *American Journal of Education* 111, no. 2 (2006): 210.

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]).

11. 20 U.S.C. § 6301.

12. *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1 (1973).

13. Center on Education Policy, *From the Capital to the Classroom: Year 3 of the No Child Left Behind Act* (Washington, DC: Center on Education Policy, 2005). As of 2002, roughly 58 percent of U.S. public schools in the United States received Title I funds, for an average of \$472 per low-income student (U.S. Department of Education, Office of the Undersecretary, Elementary and Secondary Education, *No Child Left Behind: A Desktop Reference* [Washington, DC: U.S. Department of Education, Office of the Undersecretary, Elementary and Secondary Education, 2002]).

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).

17. John R. Novak and Bruce Fuller, *Penalizing Diverse Schools? Similar Test Scores, but Different Students, Bring Federal Sanctions* (Stanford: Policy Analysis for California Education Brief, 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).

19. Minnesota Office of the Legislative Auditor, “Evaluation Report: No Child Left Behind” (St. Paul: Program Evaluation Division, 2004), 30; see also National Association of Elementary School Principals and National Association of Secondary School Principals, *K–12 Principals Guide to No Child Left Behind*

(Alexandria, VA: National Association of Elementary School Principals and National Association of Secondary School Principals, 2003).

20. 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).

22. 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.

24. 20 U.S.C. § 6311.

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).

26. 20 U.S.C. § 6316.

27. U.S. Department of Education, *No Child Left Behind: A Desktop Reference*.

28. 20 U.S.C. § 6316.

29. U.S. Department of Education, *No Child Left Behind: A Desktop Reference*,

17.

30. 20 U.S.C. § 6316.

31. 20 U.S.C. § 6316.

32. 20 U.S.C. § 6316.

33. Jennifer L. Hochschild and Nathan Scovronick, *The American Dream and the Public Schools* (New York: Oxford University Press, 2003).

34. Andrew Rudalevige, “No Child Left Behind: Forging a Congressional Compromise,” 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); Paul Manna, “Leaving No Child Behind,” in Christopher T. Cross, ed., *Political Education: National Policy Comes of Age* (New York: Teachers College Press, 2004).

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.*

39. Alfie Kohn, *The Case Against Standardized Testing: Raising the Scores, Ruining the Schools* (Portsmouth, NH: Heinemann, 2000); Deborah Meier, “NCLB and Democracy,” 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); Joel Packer, “No Child Left Behind and Academic Yearly Progress—Fundamental Flaws: A Forecast for Failure,” paper presented at

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, “Refining or Retreating?”

41. Meier, “Educating a Democracy,” 4.

42. *Ibid.*, 7–9.

43. Darrel Drury and Harold Duran, “The Value of Value-Added Analysis,” *National School Boards Association Policy Brief* 3, no. 1 (2003); Eric A. Hanushek and Margaret E. Raymond, “Lessons about the Designs of State Accountability Systems,” 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); Gavin Payne, “The Implementation of the Accountability Provisions of the No Child Left Behind Act,” paper presented at the Center on Education Policy Forum on Ideas to Improve the Accountability Provisions under the No Child Left Behind Act, Washington, DC, 2004.

44. Paul A. Herdman, Nelson Smith, and Harold Doran, “Value-Added Analysis: A Critical Component of Determining Adequate Yearly Progress” (*Charter School Friends Network Policy Brief*, 2002); National Conference of State Legislatures, *Task Force on No Child Left Behind: Final Report*.

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

46. Novak and Fuller, *Penalizing Diverse Schools?* See also Darling-Hammond, “From ‘Separate but Equal’ to ‘No Child Left Behind’”; Thomas J. Kane and Douglas O. Staiger, “Unintended Consequences of Racial Subgroup Rules,” 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).

47. Robert L. Linn, “Rethinking the No Child Left Behind Accountability System,” paper presented at the Center on Education Policy Forum on Ideas to Improve the Accountability Provisions under the No Child Left Behind Act, Washington, DC, 2004, 3 (emphasis is the author’s). See also W. James Popham, *America’s “Failing” Schools: How Parents and Teachers Can Cope with No Child Left Behind* (New York: RoutledgeFalmer, 2004).

48. See Daniel Koretz, “Limitations in Use of Achievement Tests as Measures of Educators’ Productivity,” *Journal of Human Resources* 37, no. 4 (2002); Robert L. Linn, Eva L. Baker, and Damian W. Betebenner, “Accountability Systems: Implications of Requirements of the No Child Left Behind Act of 2001,” *Educational Researcher* 31, no. 6 (2002); Robert L. Linn, Eva L. Baker, and Stephen B. Dunbar, “Complex Performance-Based Assessment: Expectations and Validation Criteria,” *Educational Researcher* 20, no. 8 (1991).

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.

50. Jeffrey L. Pressman and Aaron Wildavsky, *Implementation: How Great Expectations in Washington Are Dashed in Oakland* (Berkeley: University of California Press, 1984).

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*.

52. Steven D. Levitt, *Freakonomics: A Rogue Economist Explores the Hidden Side of Everything* (New York: Morrow, 2005).

53. James E. Ryan, “The Perverse Incentives of the No Child Left Behind Act,” *NYU Law Review* 79, no. 3 (2004).

54. United States General Accounting Office, *No Child Left Behind Act: Improvements Needed in Education’s Process for Tracking States’ Implementation of Key Provisions*, (Washington, DC: United States General Accounting Office, 2004), 3.

55. Payne, “The Implementation of the Accountability Provisions of the No Child Left Behind Act”; Popham, *America’s “Failing” Schools*.

56. United States General Accounting Office, *No Child Left Behind Act: Improvements Needed in Education’s Process for Tracking States’ Implementation of Key Provisions*.

57. Minnesota Office of the Legislative Auditor, *Evaluation Report: No Child Left Behind*, 36.

58. Julian R. Betts and Anne Danenberg, *The Effects of Accountability in California*, 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); Michael Casserly, “Choice and Supplemental Services in America’s Great City Schools,” in Frederick M. Hess and Chester E. Finn Jr., eds., *Leaving No Child Behind? Options for Kids in Failing Schools* (New York: Palgrave Macmillan, 2004); Jane Hannaway and Kendra Bishoff, “Florida: Confusions, Constraints, and Cascading Scenarios,” in Hess and Finn, eds., *Leaving No Child Behind?*; William Howell, “Fumbling for an Exit Key: Parents, Choice, and the Future of NCLB,” in Hess and Finn, eds., *Leaving No Child Behind?*; Robert Maranto and April Gresham Maranto, “Options for Low-Income Students: Evidence from the States,” in Hess and Finn, eds., *Leaving No Child Behind?*

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*.

60. W. James Antle III, “The Bull That Never Ends,” *American Conservative*, 1 August 2005.

61. *Pontiac v. Spellings*, 05-CV-71535-DT (2005).

62. 20 U.S.C. § 7907.

63. United States General Accounting Office, *Unfunded Mandates: Analysis of Reform Act Coverage* (Washington, DC: United States General Accounting Office, 2004), 22. See also “First National Suit over Education Law,” *AP Newswire*, 20 April 2005. A Michigan U.S. District Court has since dismissed the suit; the dismissal is being appealed (Toni Locy, “Judge Tosses Out NCLB Lawsuit,” *Minneapolis Star Tribune*, 23 November 2005).

64. National Conference of State Legislatures, *Task Force on No Child Left Behind*, vi.
65. *Ibid.*, vii.
66. National Conference of State Legislatures, *Task Force on No Child Left Behind*; see 20 U.S.C. § 7861.
67. 20 U.S.C. § 7904.
68. 20 U.S.C. § 7905.
69. Center on Education Policy, *From the Capital to the Classroom*.
70. George Archibald, “Utah Set to Reject No Child Left Behind,” *Washington Times*, 23 February 2005; Ronnie Lynn, “Utah Bucks Feds on Schools,” *Salt Lake Tribune*, 20 April 2005.
71. Lynn, “Utah Bucks Feds on Schools.”
72. National School Boards Association, “Education Vital Signs,” *American School Board Journal*, February 2006, 1.
73. Hanushek and Raymond, “Lessons about the Designs of State Accountability Systems.”
74. Education Commission of the States, “ECS Report to the Nation”; Hanushek and Raymond, “Lessons about the Designs of State Accountability Systems”; Linn, “Rethinking the No Child Left Behind Accountability System”; Herdman, Smith, and Doran, “Value-Added Analysis”; National School Boards Association, “NSBA’s Bill to Improve No Child Left Behind,” *Priority Issue*, January 2005.
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.” The National School Boards Association has recommended that the *N* size for a group within a school be increased to a percentage of that school’s total enrollment to better measure achievement in schools with large enrollments and that the safe harbor requirements be reduced from 10 to 5 percent growth (“NSBA’s Bill to Improve No Child Left Behind”).
78. Center on Education Policy, *From the Capital to the Classroom*; Linn, “Rethinking the No Child Left Behind Accountability System.”
79. Darling-Hammond, “From ‘Separate but Equal’ to ‘No Child Left Behind’”; Jennifer Hochschild, “Rethinking Accountability Politics,” 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).
80. Terry M. Moe, “Politics, Control, and the Future of School 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).
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*

(Boston: Beacon, 2004); 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).

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.”

2. National Association of Elementary School Principals and National Association of Secondary School Principals, *K–12 Principals Guide to No Child Left Behind*, 2–3.

3. James S. Coleman et al., *Equality of Educational Opportunity* (Washington, DC: U.S. Government Printing Office, 1966), 21–22.

4. Hochschild, “Rethinking Accountability Politics.”

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

6. Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (Cambridge, MA: Harvard University Press, 1971).

7. Edward P. Lazear, “Educational Production,” *Quarterly Journal of Economics* 116, no. 3 (2001).

8. Caroline Minter Hoxby, “How Teachers’ Unions Affect Educational Production,” *Quarterly Journal of Economics* 111, no. 3 (1996).

9. Dennis Epple and Richard E. Romano, “Competition between Private and Public Schools, Vouchers and Peer Group Effects,” *American Economic Review* 88, no. 1 (1998).

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.

12. Ronald Edmonds, “Effective Schools for the Urban Poor,” *Educational Leadership* 37, no. 1 (1979): 21.

13. *Ibid.*, 22.

14. See Harvey Averch et al., *How Effective is Schooling?* (Santa Monica, CA: Rand Corporation, 1972); Samuel Bowles and Henry Levin, “The Determinants of Scholastic Achievement—An Appraisal of Some Recent Evidence,” *Journal of Human Resources* 3, no. 1 (1968); Wilber. B. Brookover and L. W. Lezotte, *Changes in School Characteristics Coincident with Changes in Student Achievement* (East Lansing: Michigan State University, College of Urban Development, 1977); Murnane, *The Impact of School Resources on the Learning of Inner City Children*; G. Weber, *Inner-City Children Can Be Taught to Read: Four Successful Schools* (Washington, DC: Council for Basic Education, 1971).

15. See also U.S. General Accounting Office, *Effective Schools Programs: Their Extent and Characteristics* (Washington, DC: U.S. General Accounting Office, 1989). For analyses of the effects of school principals on student achievement, see Dominic J. Brewer, “Principals and Student Outcomes: Evidence from U.S.

High Schools,” *Economics of Education Review* 12, no. 4 (1993); Randall W. Eberts and Joe A. Stone, “Student Achievement in Public Schools: Do Principals Make a Difference?” *Economics of Education Review* 7, no. 3 (1988).

16. See Wilbur B. Brookover et al., *Elementary Social Environment and School Achievement* (East Lansing: Michigan State University, College of Urban Development, 1973); Wilbur B. Brookover, et al., *School Social Systems and Student Achievement* (New York: Praeger 1979); Anthony S. Bryk and Barbara Schneider, *Trust in Schools: A Core Resource for Development* (New York: Russell Sage Foundation, 2002).

17. Jonathan D. Jansen, “Effective Schools?” *Comparative Education* 31, no. 2 (1995); Brian Rowan, Steven T. Bossert, and David C. Dwyer, “Research on Effective Schools: A Cautionary Note,” *Educational Researcher* 12, no. 4 (1983); John F. Witte and Daniel J. Walsh, “A Systematic Test of the Effective Schools Model,” *Educational Evaluation and Policy Analysis* 12, no. 2 (1990).

18. This table is based on the analyses of Eric A. Hanushek, *Education and Race* (Lexington, MA: D.C. Heath, 1972); idem, “Conceptual and Empirical Issues in the Estimation of Educational Production Functions,” *Journal of Human Resources* 14 no. 3 (1979); and Anita A. Summers and Barbara L. Wolfe, “Do Schools Make a Difference?” *American Economic Review* 67, no. 4 (1977).

19. Hanushek, “Conceptual and Empirical Issues in the Estimation of Educational Production Functions”; see also David H. Monk, “The Educational Production Function: Its Evolving Role in Policy Analysis,” *Educational Evaluation and Policy Analysis* 11, no. 1 (1989).

20. See Hanushek and Raymond, “Lessons about the Designs of State Accountability Systems.”

21. See David Card and Alan B. Krueger, “School Resources and Student Outcomes: An Overview of the Literature and New Evidence from North and South Carolina,” *Journal of Economic Perspectives* 10, no. 4 (1996); Eric A. Hanushek, “Throwing Money at Schools,” *Journal of Policy Analysis and Management* 1, no. 19 (1986); idem, “The Failure of Input-Based Schooling Policies,” *Economic Journal* 113, no. 485 (2003); Hoxby, “How Teachers’ Unions Affect Educational Production.”

22. For a discussion of agency in relation to NCLB, see Terry M. Moe, “Politics, Control, and the Future of School 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).

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.

24. Moe, “Politics, Control, and the Future of School Accountability.”

25. See Armen A. Alchian and Harold Demsetz, “Production, Information Costs, and Economic Organization,” *American Economic Review* 62, no. 5 (1972); John Brehm and Scott Gates, *Working, Shirking, and Sabotage: Bureaucratic Response to a Democratic Public* (Ann Arbor: University of Michigan Press, 1997).

26. Of course, monitoring brings up the challenge of “who will monitor the monitor?” (Alchian and Demsetz, “Production, Information Costs, and Eco-

conomic 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”).

29. James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989).

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.

33. John E. Chubb and Terry M. Moe, *Politics, Markets, and America’s Schools* (Washington, DC: Brookings Institution Press, 1990); Wilson, *Bureaucracy*.

34. John Dewey, *Experience and Education* (New York: Collier Books, 1938), 17.

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)

1. Tim Pugmire, “School Report Cards Out; Available Online,” Minnesota Public Radio, 21 August 2003.

2. National Association of Elementary School Principals and National Association of Secondary School Principals, *K–12 Principals Guide to No Child Left Behind*, 16.

3. Education Minnesota, “Most Schools Get Three Stars” (press release), 2 September 2003.

4. The chapter subhead refers to V. O. Key Jr.’s foundational work, *Southern Politics in State and Nation* (New York: Vintage Books, 1949).

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?

10. Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon and Schuster, 2000). My thanks to R. Douglas Arnold for clarification of this point.

11. Minnesota Office of Educational Accountability and the University of Minnesota College of Education and Human Development, “The Minnesota Basic Skills Test: Performance Gaps on the Reading and Mathematics Tests from 1996 to 2001, by Gender, Ethnicity, Limited English Proficiency, Individual Education Plans, and Socio-Economic Status.”

12. Minnesota Department of Education, “No Questions Left Behind: A Comprehensive Guide to Minnesota’s Accountability Plan under the No Child Left Behind Act” (2004), 1.

13. Minnesota Department of Education, *NCLB Adequate Yearly Progress (AYP) System Requirements/Business Rules* (2003). Test days in Minnesota fall between January and March, depending on the grade and subject.

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.”

16. Norman Draper, “Lofty Goals May Leave Schools Far Behind,” *Minneapolis Star Tribune*, 15 December 2002.

17. Minnesota Office of the Legislative Auditor, *Evaluation Report: No Child Left Behind*, xi.

18. *Ibid.*, 26.

19. Herbert A. Simon, *Administrative Behavior* (New York: Free Press, 1945).

20. Tim Pugmire, “List of Underachieving Schools Shrinks to 144,” Minnesota Public Radio, 14 August 2003.

21. Steve Brandt, “Homework for the Holidays,” *Minneapolis Star Tribune*, 18 December 2004.

22. Dan Wascoe, “Take Your Children to Work . . . Later,” *Minneapolis Star Tribune*, 16 April 2005.

23. Minnesota Office of the Legislative Auditor, *Evaluation Report: No Child Left Behind* (summary letter).

24. *Ibid.*, 29.

25. Draper, “Lofty Goals May Leave Schools Far Behind.”

26. Novak and Fuller, *Penalizing Diverse Schools?* 5.

27. *Ibid.*, 1.

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

29. Minnesota Department of Education, “Governor Pawlenty: Minnesota’s Schools Get Even Better” (press release), 29 August 2005.

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.

36. Gary King, Michael Tomz, and Jason Wittenberg, “Making the Most of Statistical Analysis: Improving Interpretation and Presentation,” *American Journal of Political Science* 44, no. 2 (2000). Full results of the probit regression model are presented in the appendix.

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.

38. Eberts and Stone, “Student Achievement in Public Schools”; Jane Hannaway, “The Organization and Management of Public and Catholic Schools: Looking Inside the ‘Black Box,’” *International Journal of Educational Research* 15, no. 5 (1991).

39. For a discussion on the relationship between political activism and resource inequalities, see Sidney Verba, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Volunteerism in American Politics* (Cambridge, MA: Harvard University Press, 1995).

40. Walter Murphy, *Elements of Judicial Strategy* (Chicago: University of Chicago Press, 1964), 208. Murphy is discussing the work of Stanley Kelley (“The Presidential Campaign,” in Paul T. David, ed., *The Presidential Election and Transition 1960–61* [Washington, DC: Brookings Institution Press, 1961]).

4. Top-Down and Bottom Up

1. Scott Franklin Abernathy, *School Choice and the Future of American Democracy* (Ann Arbor: University of Michigan Press, 2005).

2. Chubb and Moe, *Politics, Markets, and America's Schools*.
3. Krista Kafer, "No Child Left Behind: Where Do We Go From Here?" *Heritage Foundation Backgrounder*, no. 1775 (2004).
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]).
5. Gary Miron and Christopher Nelson, *Student Academic Achievement in Charter Schools: What We Know and Why We Know So Little*, Occasional Paper 41 (New York: National Center for the Study of Privatization in Education, Teachers College, Columbia University, 2001)
6. Chester E. Finn Jr., Bruno V. Manno, and Greg Vanourek, *Charter Schools in Action: Renewing Public Education* (Princeton: Princeton University Press, 2000).
7. Gregg Vanourek, *State of the Charter Movement 2005* (Washington, DC: The Charter School Leadership Council, 2005), 5.
8. *Ibid.*, 7.
9. *Ibid.*, 11.
10. Minnesota Department of Education, "No Questions Left Behind."
11. Moe, "Politics, Control, and the Future of School Accountability," 102. For a thorough treatment of market-based and accountability-based incentives, see Harris and Herington, "Accountability, Standards, and the Growing Achievement Gap."
12. Chester E. Finn Jr., "Making School Reform Work," *Public Interest* 148 (summer 2002), 94.
13. Loveless, "Charter School Achievement and Accountability," 184.
14. Brehm and Gates, *Working, Shirking, and Sabotage*.
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.
16. Simon, *Administrative Behavior*.
17. Canice Prendergast, "The Provision of Incentives in Firms," *Journal of Economic Literature* 37, no. 1 (1999), 8.
18. Steve Farkas, Jean Johnson, and Ann Duffett, "Rolling Up Their Sleeves: Superintendents and Principals Talk about What's Needed to Fix Public Schools" (New York: Public Agenda, 2003).
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.

20. Farkas, Johnson, and Duffett, “Rolling Up Their Sleeves,” 53.

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

1. Hanushek and Raymond, “Lessons about the Designs of State Accountability Systems,” 130–31.

2. Robert H. Meyer, “Value-Added Indicators of School Performance: A Primer,” *Economics of Education Review* 16, no. 3 (1997).

3. Hanushek and Raymond refer to these as “status change” models (“Lessons about the Designs of State Accountability Systems,” 131).

4. Kane and Staiger, “Unintended Consequences of Racial Subgroup Rules,” 153.

5. Loveless, “Charter School Achievement and Accountability,” 191.

6. Hanushek and Raymond, “Lessons about the Designs of State Accountability Systems,” 133.

7. U.S. Department of Education, “Secretary Spellings Announces Growth Model Pilot, Addresses Chief State School Officers’ Annual Policy Forum in Richmond” (press release), 18 November 2005.

8. National Education Association, “U.S. Education Department Validates NEA’s Concerns, Proposes More Flexibility under ‘No Child Left Behind’” (press release), 18 November 2005.

9. Jane Hannaway and Kendra Bishoff, “Florida: Confusions, Constraints, and Cascading Scenarios,” in Frederick M. Hess and Chester E. Finn Jr., eds., *Leaving No Child Behind? Options for Kids in Failing Schools* (New York: Palgrave Macmillan, 2004), 98.

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.

11. Kane and Staiger, “Unintended Consequences of Racial Subgroup Rules,” 164.

12. Meyer, “Value-Added Indicators of School Performance.”

13. Herdman, Smith, and Doran, “Value-Added Analysis,” 2.

14. William L. Sanders and Sandra P. Horn, “Research Findings from the Tennessee Value-Added Assessment System (TVAAS) Database: Implications for Educational Evaluation and Research,” *Journal of Personnel Evaluation in Education* 12, no. 3 (1998), 1.

15. Robert H. Meyer, “Value-Added Indicators: Do They Make a Difference? Evidence From the Milwaukee Public Schools,” paper presented at the annual meeting of the American Educational Research Association, New Orleans, 2002.

16. Helen Ladd and Randall P. Walsh, “Implementing Value-Added Measures of School Effectiveness: Getting the Incentives Right,” *Economics of Education Review* 21, no. 1 (2001).

17. Yeow Meng Thum, *No Child Left Behind: Methodological Challenges and Recommendations for Measuring Adequate Yearly Progress* (Los Angeles: Center for the Study of Evaluation, National Center for Research on Evaluation, Standards, and Student Testing, Graduate School of Education and Information Studies, University of California, Los Angeles, 2003).
18. Ladd and Walsh, "Implementing Value-Added Measures of School Effectiveness."
19. Darrel Drury and Harold Duran, "The Value of Value-Added Analysis," *National School Boards Association Policy Brief* 3, no. 1 (2003).
20. Ladd and Walsh, "Implementing Value-Added Measures of School Effectiveness."
21. Mark L. Davison and Leslie J. Davison, "Growth and Value-Added Issues in Minnesota," paper presented at the conference of the Council of Chief State School Officers (CCSSO) on the Use of Growth Models Based on Student-Level Data in School Accountability, Washington, DC, 2004.
22. Minnesota Office of the Legislative Auditor, *Evaluation Report: No Child Left Behind*, 51.
23. Minnesota Department of Education, "Governor Pawlenty Announces 'Value-Added' Growth Model to Measure Individual Student Progress" (press release), 13 October 2004.
24. Minnesota Statute 120B.30(c)(2).
25. John Brehm and Wendy Rahn, "Individual-Level Evidence for the Causes and Consequences of Social Capital," *American Journal of Political Science* 41, no. 3 (1997); Bryk and Schneider, *Trust in Schools*; James S. Coleman, "Social Capital in the Creation of Human Capital," *American Journal of Sociology* 94 (Supplement), (1988); Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993); idem, "Bowling Alone: America's Declining Social Capital," *Journal of Democracy* 6, no. 1 (1995).
26. Andrew C. Porter, "Creating a System of School Process Indicators," *Educational Evaluation and Policy Analysis* 13, no. 1 (1991), 13; Porter argues that process "indicators should not be used for accountability purposes" (24). I disagree, but note that the incorporation of parent and student satisfaction surveys is a different and broader approach than that which Porter discusses. Jeannie Oakes calls these "context indicators" ("What Educational Indicators? The Case for Assessing the School Context," *Educational Evaluation and Policy Analysis* 11, no. 2 [1989], 181).
27. John J. DiIulio Jr., "Rethinking the Criminal Justice System: Toward a New Paradigm," in *Performance Measures for the Criminal Justice System* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1993), 4.
28. George L. Kelling, *"Broken Windows" and Police Discretion* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, 1999).
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).

30. Charles H. Logan, “Criminal Justice Performance: Measures for Prisons,” in *Performance Measures for the Criminal Justice System* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1993).

31. DiIulio, “Rethinking the Criminal Justice System,” 5.

32. John J. DiIulio Jr., “Measuring Performance When There Is No Bottom Line,” in *Performance Measures for the Criminal Justice System* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1993), 154.

33. James Q. Wilson, “The Problem of Defining Agency Success,” in *Performance Measures for the Criminal Justice System* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1993), 163.

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”).

38. Abernathy, *School Choice and the Future of American Democracy*; Mark Schneider et al., “Networks to Nowhere: Segregation and Stratification in Networks of Information about Schools,” *American Journal of Political Science* 41, no. 4 (1997); Clarence N. Stone et al., *Building Civic Capacity: The Politics of Reforming Urban Schools* (Lawrence: University Press of Kansas, 2001); Verba, Scholzman, and Brady, *Voice and Equality*.

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

1. Sunderman and Kim, *Inspiring Vision, Disappointing Results*, 9.
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).
3. See Jeffrey Henig, *Rethinking School Choice: Limits of the Market Metaphor* (Princeton: Princeton University Press, 1994).
4. Stone et al., *Building Civic Capacity*.
5. Loveless, “Charter School Achievement and Accountability,” 191.
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).
7. David P. Ericson and Frederick S. Ellett Jr., “The Question of the Student in Educational Reform,” *Education Policy Analysis Archives* 10, no. 31 (2002).
8. Mary Ann Lachat, *Data-Driven High School Reform: The Breaking Ranks Model* (Providence, RI: Brown University, 2001), 11.
9. Lachat, *Data-Driven High School Reform*, 13; See also Linda Darling-Hammond, “Reframing the School Reform Agenda,” *Phi Delta Kappan* 74, no. 10 (1993).
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”).
12. Bob Chase, “Making a Difference,” in Joshua Cohen and Joel Rogers, eds., *Will Standards Save Public Education?* (Boston: Beacon, 2000), 41–42.
13. Minnesota Office of the Legislative Auditor, *Evaluation Report: No Child Left Behind*, 25.

14. Council of the Great City Schools, *Foundations for Success in the Minneapolis Public Schools* (Washington, DC: Council of the Great City Schools, 2004), 9.

15. McAdams et al., *Urban School District Accountability Systems*, 15.

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.