EDUDREAM
Champions of Educational Equity

UNINTENDED CONSEQUENCES OF SBR PARTICULARLY ON STUDENTS OF COLOR?

RQ²

STANDARDS-BASED REFORM EVIDENCE SYNTHESIS

CONTENTS

ABOUT EDUDREAM

Established in 2016 and based in Chicago, EduDream is a Latina-owned education consulting firm that partners with foundations, education agencies, and nonprofits working to ensure educational equity for racially and economically diverse students. We advance our mission by providing research and program evaluation, data analytics and insights, and strategic planning. EduDream is committed to empowering communities and making research and data accessible.

OVERVIEW

The Standards-Based Reform (SBR) movement has shaped current debates in the United States about public education, educators' practices, and student outcomes. This evidence synthesis is the second in a three-part series that examines the successes and challenges of SBR. The **first synthesis** includes a snapshot of the history and evolution of SBR, and presents eight key findings that address the first of three research questions (RQ). This second synthesis addresses RQ2 and provides additional relevant evidence-based insights on the equity challenges highlighted in the first synthesis.

RESEARCH QUESTIONS (RQs)

RQ¹ DID SBR ADDRESS STRUCTURAL INEQUITIES IN EDUCATION?
How did standards-based assessment and accountability reform address structural inequities in the education system? What were the successes and challenges?

RQ² WHAT WERE UNINTENDED CONSEQUENCES OF SBR, PARTICULARLY ON STUDENTS OF COLOR?
What were some of the unintended consequences (i.e., negative impact) of standards-based assessment and accountability on schools and districts serving primarily Black, Latinx, and low-income students? What pushback, if any, did standards-based assessment and accountability receive, and from whom?

RQ³ WHAT EQUITABLE APPROACHES, IF ANY, HAVE BEEN TAKEN TO ADDRESS THE UNINTENDED CONSEQUENCES OF SBR?
Of districts previously identified as low-performing or turnaround but are now demonstrating positive academic shifts for target students (Black, Latinx, and low-income), what actions were taken to address the unintended consequences of SBR? Were equitable strategies and approaches used to address unintended consequences of SBR? If so, what are the emerging results?

APPROACH

In the Fall of 2020, The Bill and Melinda Gates Foundation partnered with EduDream to better understand the Standards-Based Reform movement and its impact on United States education. Together, we established search criteria and parameters to guide the literature search.

EduDream conducted four rounds of evidence gathering for this synthesis. After the first and third round of literature sourcing, we conducted a review to identify emerging findings and assess how well the sources addressed the research question. For more information regarding the methodology, data sources and database codebook, please **contact** EduDream.

KEY DEFINITIONS

Numerous terms consistently emerge in the literature. To guide our search, we developed working definitions for the most critical words and phrases.

Academic Standards. Academic standards (also called "content standards") define the knowledge and skills that students are expected to master at specified grade levels in their education.

Accountability Pressure. The pressure to raise student test scores in order to remove the label of "failing" and avoid NCLB sanctions (i.e., school restructuring, turnaround or closing.

Accountability System. "An accountability system is the set of policies and practices used to measure and hold schools and districts responsible for raising student achievement for all students, and to prompt and support improvement where necessary (**EdTrust, 2019**)." Traditional accountability systems tend to include two key measures: student performance on statewide standardized assessments and high school graduation rates. Under ESSA, accountability systems also include 9th grade on-track (for high school graduation), chronic absenteeism, SEL or college and career readiness measures.

Adequate Yearly Progress (AYP). Although mentioned in the Improving America's Schools Act (IASA), Adequate Yearly Progress (AYP) became synonymous with No Child Left Behind (NCLB). AYP measures states, districts and schools' yearly improvement and progress toward teaching all students what they need to know (i.e., 100 percent proficiency).[1] In order to make AYP, all subgroups must demonstrate progress and meet state benchmarks.

Closing the Achievement Gaps. According to the National Center for Education Statistics (NCES), "achievement gaps occur when one group of students (e.g., students grouped by race/ethnicity, gender) outperforms another group and the difference in average scores for the two groups is statistically significant (i.e., larger than the margin of error)." References to the achievement gaps tend to imply the difference in standardized test performance of one racial or ethnic group of students to that of White students. It is common to see references to the Black-White or Hispanic-White achievement gap. NCLB's use of disaggregated data illuminated the achievement gaps within and across schools for low-income and students of color.[2]

Drivers. District factors or efforts that affect students' learning experiences, opportunities and outcomes such as interpersonal relationships, course offerings and rigor, teacher diversity, and non-exclusionary disciplinary practices. Drivers can include policies, practices, programs or systems to address and support students' social emotional needs, basic needs and ensure equitable policies and practices.

Educational Equity. The moral and civil rights obligation to ensure that students receive the support and resources they need to succeed, regardless of background, race, color, ethnicity, gender identity, sexual orientation, disability, religion, place of origin, native language, socioeconomic status, or any other discriminating factor. Success hinges on access to a school environment equipped for safe and stimulating learning opportunities. Resources for social and emotional growth and excellent educators who can keep students on track to graduate from high school ready for college or careers are also necessary.

Equitable Accountability Approaches. Equitable accountability approaches take into consideration processes and systems created to ensure access to educational opportunities, responsiveness to student and community needs, data transparency, climate and culture, and student success. Equitable accountability approaches could include quantitative as well as qualitative measures, and seek to get at the root cause of inequities by asking how much are we doing (e.g., equitable funding), how well are we doing it, and who is better off as a result? Potential approaches include: disaggregated data reporting; expansive use of measures (college readiness, SEL, early childhood, etc.); equity indicators or measures, if any; and systems of support for school improvement

Intentional Equity Work. Evidence of district's awareness or acknowledgement of racial disparities, plan to address disparities, and/or actively working to address disparities by changing practices, policies and access to opportunities and supports. Equity work is publicly available and evident in the last five years from 2015-2020 (Oliva and Martinez, 2021).

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[1] **U.S. Departement of Education, Guidance on Standards, Assessments, and Accountability**

[2] **National Center for Education Statistics (NCES); and EduDream**

No Child Left Behind (NLCB) Subgroups. A subgroup is a subset of students within a school, district or state education system that can be grouped together based on social markers such as socioeconomic status (economically disadvantaged determined by free and reduced-price lunch status), race/ethnicity, and distinct learning needs (e.g., Students with Disabilities, English Language Learners). Under NCLB, AYP must be reported for all students and disaggregated by subgroups.

Performance Standards. Performance standards (or "achievement standards," as they are called in NCLB) indicate the level of attainment expected with respect to the academic standards. Performance standards are usually established through a process that identifies one or more cut scores on a standardized test that indicates whether a student has attained a specific level of performance, such as "basic" or "proficient." (Rothstein, Jacobsen, & Wilder, 2006).

Positive Shifts, also referred to as *positive outliers*, or *beating the odds*. Districts exhibiting positive shifts are those that "excel at supporting the learning of students of color and students from low-income families. In these districts, students of color, as well as White students, consistently achieve at higher than expected levels, outperforming students of similar racial/ethnic backgrounds from families of similar income and education levels in most other districts in the state."[3] This does not necessarily mean the achievement gap has been closed.

Standards-Based Accountability. Standards-based accountability (SBA) is an approach to measuring and incentivizing school performance by attaching consequences to student achievement test scores. Educators and policymakers have used other terms, including "systemic reform," "standards-based reform," and "curriculum alignment," to describe similar ideas that differ somewhat in emphasis or evolution. SBA typically includes standards that indicate what students are expected to know and be able to do, measures of student attainment of the standards, targets for performance on those measures, and a set of consequences for schools or educations based on performance (Hamilton et al., 2012).

Standards-Based Assessment. Large-scale tests developed and aligned to standards that measure student academic outcomes or achievement.

Standards-Based Reform. Although there is no universally accepted definition of standards-based reform (SBR), most discussions include some or all of the following features: **(1)** academic expectations for students (the standards are often described as indicating "what students should know and be able to do"); **(2)** alignment of critical elements of the educational system to promote attainment of these expectations; **(3)** use of student achievement assessments to monitor performance; **(4)** decentralization of responsibility for decisions relating to curriculum and instruction to schools; **(5)** support and technical assistance to foster the improvement of educational services; and **(6)** accountability provisions that reward or sanction schools or students based on measured performance (Hamilton et al., 2008).

Structural Inequity. Sociologists have defined structural inequity (or "structural inequality") as "an inequality in the distribution of a valued resource, such as wealth, information or education, that brings social power." Structural inequality delivers cumulative advantage to some groups of people, and cumulative disadvantage to others, by disparately allocating access to education, employment, housing, food, healthcare, and political power. (Royce 2019).

Systemic Reform. A broad-based approach that embodies three components: **(1)** standards for what students are expected to learn; **(2)** the alignment of other components of the education system, such as assessment and teacher training, to these standards; and **(3)** a restructured governance approach to support improved student achievement (Smith and O'Day, 1991).

Unintended Consequences. In the social sciences, unintended consequences (sometimes referred to as "unanticipated consequences" or "unforeseen consequences") are outcomes of a purposeful action that are not intended or foreseen. The term was popularized in the twentieth century by American sociologist Robert K. Merton.

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[3] **California Positive Outliers: Districts Beating the Odds, REL Beating the Odds Reports Mississippi, REL Beating the Odds: Finding Schools that Exceed Achievement Expectation with High-Risk Students**

BACKGROUND

FEDERAL POLICY & STANDARDS BASED REFORM

While Standards-Based Reform efforts trace back to the 1960s and 1970s, the 1983 publication of *A Nation at Risk* (National Commission on Excellence in Education) is viewed as a seminal report that spurred policy debates on raising student academic expectations, teacher performance, and systematic monitoring of student achievement (Wixson, Dutro, and Athan, 2003).

> **Today, almost 40 years later, there are mixed perspectives on the intent of *A Nation at Risk*.**

Federal policies continue to move towards greater adoption of standards and accountability for student learning. Research suggests SBR positively influences student attendance, teacher and administrator responsiveness, and student learning.[4] Yet, there are challenges with implementing SBR federal policies. Some states and districts circumvent requirements, and others, particularly those serving low-income students and students of color, face ongoing challenges and even sanctions. As the education field considers the role and leverage of federal policy in spurring states, districts, and schools to fully adopt standards-based reform, it will also have to grapple with the unintended consequences of high-stakes accountability and unaddressed structural inequities.

[4] **Oliva, M. and Martinez, M. (2021). How, and In What Ways Did Standards-Based Reform Address Structural Inequities in Education? Standards-Based Reform Evidence Synthesis Series, RQ1. EduDream. Chicago, IL.**

	+ STRENGTHS	**- CHALLENGES**
1994-2000 IMPROVING AMERICA'S SCHOOL ACT (IASA) **NOTE** While IASA shifted the focus to the instructional materials needed for teaching and learning, there were no changes to funding for capacity building.	▶ Encouraged states to develop and adopt standards and school improvement plans in exchange for grants ▶ Introduced grade-level assessments aligned to standards ▶ Tied grants (Title 1 funds) to the development of standards and administration of assessments ▶ Required states to use Title 1 for school improvement ▶ Added "opportunity to learn (OTL)" standards as optional. OTL focuses on school capacity (materials, instructional practices, and school conditions) to deliver high-quality instruction	▶ Standards were not always rigorous ▶ Curriculum and instruction were not always aligned to standards ▶ Assessments were not always aligned to standards ▶ Assessments were administered "at some time" between grades 3 and 5, again between grades 6 and 9, and again between grades 10 and 12.
2001-2015 NO CHILD LEFT BEHIND (NCLB) **NOTE** One report cites that at least 19 states changed how they defined AYP. In 2004-05 and 2005-06, as more middle-class districts were being identified for improvement (i.e., not meeting AYP), there was great pushback and changes to the AYP definition.	▶ Accelerated adoption of standards ▶ Increased rigor of standards ▶ Required assessments aligned to standards, administered annually in grades 3-8 and grade 10 ▶ Required annual reporting of disaggregated student achievement as measured on assessments (AYP) ▶ Disaggregated student data revealed racial and SES achievement gaps ▶ More districts and schools aligned curriculum to standards ▶ Progress towards national, rigorous standards (CCSS) ▶ As more states embraced CCSS, a consortia of states began using common assessments (PARCC and SMART)	▶ States were given autonomy to define AYP, and states were frequently changing how they defined AYP. ▶ States and districts began to redefine AYP to avoid being identified as failing or in need of improvement. For example, a district could base AYP on one school level (elementary, middle or high school) instead of all three levels. ▶ States were given autonomy to determine the number of subgroups. The range of subgroups ranged from four to 10 across states. ▶ Districts serving mainly low-income students and students of color have more performance targets (subgroups) compared to more homogeneous districts. As a result, these schools are more likely to remain under sanction while other districts are able to mask their achievement gaps. ▶ Even when high-poverty schools improve, they continue to not meet AYP

+ STRENGTHS

- CHALLENGES

2015-2020 EVERY CHILD SUCCEEDS ACT (ESSA)

STRENGTHS

▶ Asks states to equitably distribute effective teachers

▶ Increased flexibility

▶ Invited states to expand their measure of student achievement and school quality beyond assessments (e.g., English language proficiency; graduation rate; and school quality)

CHALLENGES

▶ Guardrails to promote equity

▶ Removed highly qualified teacher provision

▶ States set their own subgroup size, which can reduce the level of available disaggregated data

▶ Most states are masking subgroup performance by using summative averages across all students or only including some subgroups

▶ Some states have set up two separate accountability systems: one for ESSA reporting purposes and one for the state

NOTE

Lowest performing schools are still not receiving the support and resources they need.

RQ² EVIDENCE BASE

WHAT WERE THE

UNINTENDED CONSEQUENCES OF SBR PARTICULARLY ON STUDENTS OF COLOR?

For decades, the Standards-Based Reform (SBR) movement informed education policy in the United States. But the hyper focus on assessments and accountability had negative and unintended consequences on schools and districts, particularly those serving primarily Black, Latinx, and low-income students. As a result, SBR faced pushback from families, communities, teachers, and policymakers.

This section presents the evidence-base for each finding on the *unintended consequences* and *pushbacks* of SBR (RQ2).

SUMMARY OF THE
UNINTENDED CONSEQUENCES OF SBR

CURRICULUM, INSTRUCTION AND EDUCATOR PRACTICES

01 Increasing accountability policies intensified opposition to common core aligned assessments. Many states left the Common Core States Standards Consortia (CCSS) and created more "home grown" assessments. Although states left the CCSS Consortia, the vast majority continue to implement CCSS or similar standards.

02 Pressure to meet accountability requirements influenced teachers and schools to, at times, narrow curriculum to *"what's on the test."*

03 Circumventing the consequences of accountability led to deceptive and unethical practices, such as manipulating data, excluding tests, and even cheating.

EQUITABLE DISTRIBUTION OF HIGHLY QUALIFIED TEACHERS AND THE TEACHING PROFESSION

04 To address teacher shortages and meet the Highly Qualified Teacher (HQT) provision in NCLB, schools serving majority low-income students and students of color tended to rely on long-term substitutes and short-term teachers, which further perpetuated teacher burnout and turnover.

05 NCLB accountability pressures negatively impacted teacher morale, satisfaction, and retention, creating a rise in teacher strikes.

SCHOOL CHOICE AND TURNAROUND EFFORTS

06 SBR policy, specifically, NCLB sought to expand school choice for students and families in failing schools. However, students attending schools labeled as *failing* generally stayed in those schools for a variety of reasons.

UNINTENDED CONSEQUENCES OF SBR ON CURRICULUM, INSTRUCTION AND EDUCATOR PRACTICES

1990s

In many ways, the 1990s standards-based reform efforts laid the groundwork for future progress and unintended consequences of SBR.

During this era, many states, including Colorado, Delaware, Kentucky, and California, were establishing standards for what students should know and be able to do. The 1994 reauthorization of ESEA, known as Improving America's Schools Act (IASA), encouraged states to establish challenging academic standards, coordinate and align primary and secondary programs, and improve teacher training and professional development (National Research Council. 1996). Most notably, the IASA attempted to raise the instructional standards and academic expectations for students. The IASA provided states with financial incentives (i.e., grants) to develop state performance standards, introduced school improvement plans, and encouraged measuring academic progress through standards-aligned assessments.

> **However, the federal government was not very prescriptive in terms of when and how often assessments were to be administered.**

A 1994 Education Week summary of IASA describes it this way: **"Assessments aligned with the content standards must be administered 'at some time' between grades 3 and 5, again between grades 6 and 9, and again between grades 10 and 12."**[5] Further, Congress did not approve funding to support states' efforts to administer assessments.

[5] **Education Week, 1994** [A 1994](#)

2000s
The 2001 reauthorization of ESEA, known as No Child Left Behind (NCLB), increased accountability and assessment.

In terms of assessments, NCLB required annual testing of students in grades 3-8 and once in high school. With respect to accountability, states were required to establish performance targets and report student achievement data by subgroups (e.g., White, Black, Latinx, English Language Learners, Students with Disabilities).

The federal policy also set 2014 as the deadline for when all students should demonstrate 100 percent proficiency on assessments. Schools that failed to meet their performance targets (called Adequate Yearly Progress or AYP) faced severe sanctions, including possible reconstitution and takeover.

> **The increased accountability enforcement had both motivating and negative influences on teaching and testing.**

Under the Obama administration, the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO) developed the Common Core State Standards (CCSS) which outline what a student should know and be able to do at the end of each grade in Mathematics and English Language Arts.

Eventually launched in 2010, the CCSS were created to **"ensure that all students graduate from high school with the skills and knowledge necessary to succeed in college, career, and life, regardless of where they live."**[6]

NCLB waivers were provided in exchange for adoption of CCSS, and **Race to the Top (RTT) grants encouraged and rewarded states to advance four educational reforms, including adopting college ready standards (i.e., CCSS) and assessments.**[7]

RTT set aside $350 million for the development of CCSS aligned assessments, eventually awarded to Smarter Balanced Assessment Consortium (SBAC) and the Partnership for Assessment of Readiness for College and Careers (PARCC).[8] By 2011, 45 states and D.C. agreed to adopt CCSS and join an assessment consortium.[9]

STATE ADOPTION OF COMMON CORE STATE STANDARDS

2011 vs. 2016

2011 **45**

2016 **20**

SOURCE: The Politics of the Common Core Assessments, Education Next
https://www.educationnext.org/the-politics-of-common-core-assessments-parcc-smarter-balanced/

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[6] **Common Core State Standards Initiatives, About the Standards**

[7] **Race to the Top Fund**

[8] **Obama's Impact on America's Schools**

[9] **The Politics of the Common Core Assessments**

01

Increasing accountability policies intensified opposition to common core aligned assessments. Many states left the Common Core States Standards Consortia (CCSS) and created more "home grown" assessments.

Although states left the CCSS Consortia, the vast majority continue to implement CCSS or similar standards. From 2011 to 2016, there was growing state opposition to common core aligned assessments.

This was exacerbated by accountability policies like linking student test scores to teacher evaluations alongside perceptions of educational reforms. For example, argued that corporate education reformists may not have the best interest of students and teachers. There were also concerns about student data privacy and federal overreach in an issue (i.e., education) that is highly localized. By 2016, states began adopting home grown assessments, and the number of states in the CCSS Consortia had decreased from 45 to 20. Yet, the vast majority of states continue to implement CCSS or similar standards.

▶ CCSS were developed through state cooperation (e.g., NGA), yet it was widely perceived as a federal mandate. To illustrate, in a 2014 Education Next survey, almost two-thirds of respondents believed *"the federal government requires all states to use the common core standards."*[10] This drew criticism and opposition from politically conservative states.

▶ Politically left-leaning states, with strong teacher union presence, withdrew their support of CCSS and CCSS aligned assessments when NCLB waivers required states to design new teacher evaluation systems that link student test scores to teachers. Meanwhile, school administrators and teachers were still becoming acquainted with CCSS, working to align curriculum and instruction, and given little time to "fail up."

▶ ESSA provides states autonomy to design their own teacher evaluation system and state standards.

UNINTENDED CONSEQUENCES IN ACTION

In a 2015 article, Elaine Allensworth of the UChicago Consortium on School Research writes:

> **"When Chicago implemented a rigorous curriculum akin to what is prompted by the Common Core, classroom disruptions went up, and test scores actually went down."[11]**

The rapid introduction of new teacher evaluation systems did not account for this trend and prompted opposition from teachers.

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[10] IBID.

[11] The Myth Underlying Common Core – And How to Fix It | Knowledge Bank | US News

02 Pressure to meet accountability requirements influenced teachers and schools to, at times, narrow curriculum to "what's on the test."

Although ESSA eliminated various NCLB accountability pressures such as demonstrating AYP and achieving 100 percent proficiency goals, concerns about narrowing curriculum remain when standardized test scores are used for accountability (Mathis and Trujillo, 2016). For this reason, it is important to closely examine the unintended consequence of SBR on curriculum and instruction during the NCLB era. In particular, the immense pressure to make AYP resulted in administrators and teachers inadvertently and, sometimes, intentionally, narrowing curriculum by teaching to the test to improve test scores; using instructional time for test preparation; shifting time away from non-tested subjects to tested subjects; and focusing on students who scored right below the proficiency cut-off score (i.e., bubble students).

▶ **During NCLB, SBR became synonymous with "test-based reform,"** a system in which educators and others rely primarily on the test rather than the standards to communicate learning expectations and to inform teaching practice. Narrowing curriculum to tested content is cited as an unintended consequence of SBR in multiple sources (e.g., Hamilton, et al, 2008; Murnane and Papay, 2010; Figlio and Loeb, 2011; Hamilton, et al, 2012; and Guisbond, et al, 2012).

 ▸ In a study on teachers' views of NCLB, teachers expressed concern about pressures to focus instructional time on preparation for the state tests, and that the accountability outlined in NCLB had led to a shrinking curriculum (Murnane and Papay, 2010).

 ▸ In a mixed-methods study that included interviews with principals of failing schools, a consistent theme was the increasing use of assessments as instruction (Chiang, 2009). Principals reported purchasing computer-based programs to give students individualized test taking tutorials and practice test questions.

 ▸ Assessments, rather than standards, informed practice as teachers reported devoting more attention to topics and content covered in tests and skipping or de-prioritizing non-tested material (Hamilton, et al, 2008 and Neill, et al, 2004; Koretz & Hamilton, 2006).

▶ In the first six years of NCLB, instructional time on non-tested subjects decreased by one-third (Center for Education Policy, 2007). Dee, Jacob, and Schwartz (2013) also confirm that SBR, particularly during the NCLB era, increased Math and English Language Arts instructional time.

▶ ESSA is still in its early years of implementation, with state plans approved in 2017. Recent research finds that low-income students and students of color still do not have equitable access to high-performing schools or high-quality, rigorous instruction (TNTP, 2018).

UNINTENDED CONSEQUENCES IN ACTION

The emphasis on "bubble students," or students who perform close to the proficiency threshold on standardized assessments, is well documented (e.g., Booher-Jennings, 2005; Hamilton et al., 2007; Pedulla et al., 2003, Murnane and Papay, 2010). Many times, the focus on bubble students is at the expense of addressing the academic needs of high- and low-performing students.

▶ In a study of rural teachers in Maine, teachers reported focusing more on students near the proficiency cutoff score and expressed concerns about the accountability system's negative effects on the curriculum and instruction provided to high-achieving students (Powell, et al, 2009).

03
Circumventing the consequences of accountability led to deceptive and unethical practices, such as manipulating data, excluding tests, and even cheating.

These were most prominent during the NCLB era when accountability pressure motivated school and district leaders to remove the "failing" label at all costs. Under ESSA, states are required to use reported student subgroup performance data to identify consistently underperforming schools and implement evidence-based, targeted interventions (Cardichon, 2016). However, most states are using summative averages across all students or only including certain subgroups in school ratings, which masks subgroup performance (Alliance for Education, 2018).

▶ Teachers reported **pressure to raise test scores** (Smith and Kovac, 2011), and principal actions substantiated the pressure to improve test scores (Hannaway and Hamilton, 2006).

▶ **Research points to several examples of cheating,** such as providing the actual test items in advance, rephrasing test questions for students, leaving related materials in view during test administration, providing answers to students, allowing longer test time, or changing students' answers before scoring (Hannaway and Hamilton, 2008).

> ▸ The most blatant and systemic forms of cheating emerged as NCLB approached its 2014 deadline. Although the most familiar test improprieties include the Atlanta Public Schools, incidents of cheating were confirmed in 40 states and the District of Columbia from 2009-2014 (Guisbond, et al, 2012 and Fair Test, 2014).

> ▸ Investigative reporting also uncovered cheating at a north Philadelphia elementary school where the principal allegedly promoted a culture of cheating. By 2014, the principal and a handful of teachers were arrested and accused of tampering with public records, forgery, conspiracy, and other crimes. (Philadelphia Inquirer, 2014).

> ▸ Suspicions of cheating appeared to be far more systemic and statewide. In 2009, 225 schools in Pennsylvania, of which 88 are in Philadelphia, were flagged by the Pennsylvania System of School Assessment for suspicious wrong-to-right erasures (Sadler, 2013).[12]

UNINTENDED CONSEQUENCES IN ACTION

The Georgia Bureau of Investigation (GBI) confirmed 44 schools and 178 teachers and principals in Atlanta Public Schools to be cheating on standardized assessments (Vogell, 2011).

> **While GBI identified multiple causes leading to cheating, the main cause was "pressure to meet adequate yearly progress under the No Child Left Behind Act" (Vogell, 2011).**

This pressure reinforced a culture of "fear, intimidation and retaliation spread throughout the district" (Vogell, 2011). Of the teachers and principals implicated in the cheating incident, 34 educators and the superintendent were indicted and faced time in prison. By 2015, 21 educators and administrators reached plea agreements, and 11 of the 12 who went to trial were convicted (**NYT, 2015**)

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[12] **Erasing an incorrect answer and replacing it with a correct one.**

► **During NCLB, other questionable and deceptive practices emerged** such as altering subgroups by assigning low-performing students to special education, allowing more student absences on test days, granting test exemptions to students, and pushing students to drop out (Hannaway and Hamilton, 2008, and Hamilton, et al, 2008).

► **During NCLB, the use of AYP subgroups became a double-edged sword for schools serving low-income students and students of color.** On the one hand, Black and Latinx students have historically scored lower on standardized achievement tests than White and Asian students. So, the goal is to increase Black and Latinx test scores in order to make AYP. On the other hand, because Black and Latinx students are often reported in multiple NCLB subgroups, which reduces the odds that schools serving majority low-income students and students of color will make AYP (Kane and Staiger, 2003; Kim and Sunderman, 2005). Consequently, NCLB subgroups tended to over-identify schools serving low-income students and students of color (Kim and Sunderman, 2005).

► **States' autonomy to define subgroups allowed district data to be framed in a way that told a more favorable outcome story.** Under NCLB and ESSA, states determine their subgroups and the minimum number of students required to create a subgroup (i.e., subgroup n-size). The minimum subgroup size needs to ensure student privacy; therefore, it cannot be so small that students could potentially be identified.

However, the n-size cannot be so large that schools, districts, and states avoid reporting on specific subgroups. There is ongoing debate about the appropriate minimum subgroup size as some states use an n-size of 10 while others use an n-size of 30 and even 40 to 50 students. Education advocacy organizations (e.g., The Education Trust, All for Education) and civil rights groups (e.g., NAACP) are advocating for an n-size of 10 in the ESSA accountability regulations (Gordon, 2017).

► **ESSA gives states greater autonomy in determining their school rating scale (e.g., 1-5, A-F, etc.), and how they calculate those ratings (Alliance for Education, 2018).** For example, 17 states' school ratings continue to reflect all student subgroups whereas 12 states do not include student subgroups in school ratings.

The shift towards excluding some subgroups or using the average of multiple subgroups for school ratings is likely a method of reprieve from negative perceptions. Yet, the required annual reporting of disaggregated student performance data provided transparency and evidence to advocate for instructional support and resources during NCLB.

EQUITABLE DISTRIBUTION OF HIGHLY QUALIFIED TEACHERS AND THE TEACHING PROFESSION

Standards-based reform identified the need to improve teacher preparation, training, and quality. By the end of the 1990s, schools were experiencing teacher shortages, which policymakers and researchers attributed to the increasing number of teachers reaching retirement age and increasing K12 student enrollment (Ingersoll, 1999; and Ingersoll and Smith, 2003). High teacher turnover, particularly among new teachers, was also contributing to teacher shortages. One third of new teachers reported dissatisfaction, particularly with salaries (Ingersoll, 1999).

The relative wage gap between teachers and other comparable professionals was -1.8% in 1994, and reportedly widened to -17% by 2015 (Allegretto and Mishel, 2016).At the same time, in response to concerns over the lack of academic rigor in teacher training programs, states began applying standards, assessments and accountability to their teacher certification processes. Further, to address teacher shortages, innovative and rapid-response approaches to teacher training emerged, such as teacher residencies, alternative routes to certification, and Teach for America (Hurst, et al, 2003).

The 2001 NCLB Act included the Highly Qualified Teacher (HQT) provision, which required teachers to meet three criteria:

1. Possess at least a bachelor's degree;
2. Obtain full state certification; and
3. Demonstrate competence in each core academic subject taught.

> **However, because of the teacher shortages and state amendments to certification requirements that preceded NCLB, rural and urban schools encountered challenges meeting the HQT provision.**

To provide a pipeline of new teachers to high poverty, urban and rural areas, states and districts began relying more on alternative teacher certification programs, such as Teach for America (TFA), The New Teacher Project Teaching Fellows (1997-2002), and Teacher Residency Programs (TRP).

These programs recruited college graduates with a degree in subject areas with shortages, such as Math and Science, and career changers who completed additional teaching courses and certification requirements while they taught. In exchange for receiving teacher training while in the classroom, these new teachers committed to teach for two years (in the case of TFA) or three to five years (in the case of TRP).

TEACHER WAGE GAP | 1994 vs. 2015

1994 **1.8** %

2015 **17** %

● TEACHER PAY ● GAP IN PAY TO COMPARABLE WORKERS

SOURCE: Allegretto, S., & Mishel, L. (2016, August 9). *The teacher pay gap is wider than ever, Teachers' pay continues to fall further behind pay of comparable workers.*

https://www.epi.org/publication/the-teacher-pay-gap-is-wider-than-ever-teachers-pay-continues-to-fall-further-behind-pay-of-comparable-workers/#epi-toc-1.

04

To address teacher shortages and meet the Highly Qualified Teacher (HQT) provision in NCLB, schools serving majority low-income students and students of color tended to rely on long-term substitutes and short-term teachers, which further perpetuated teacher burnout and turnover.

Given the correlation between teacher quality and student achievement, teacher burnout and turnover had negative effects on student learning. Nationwide teacher shortages persist and are far more severe in schools serving majority low-income students and students of color (Lee and Reeves, 2012; and Sutcher, Darling-Hammond, and Carver-Thomas 2016). Further, schools serving majority low-income students and students of color generally have fewer highly qualified teachers, especially at the secondary level.

- ▶ During NCLB, schools were reportedly hiring long-term substitutes to circumvent the HQT criteria (Murnane and Papay, 2010).

- ▶ Schools classified as *high needs*[13] under NCLB relied on alternative certification programs to fill teacher vacancies. While alternative certification programs report high retention rates (e.g., 90% of TFA teachers return to teach for their second year; and TRP teachers are more likely to stay teaching their first year than non-TRP teachers), NCLB "accelerated teacher burnout, and, consequently, teacher turnover" (Gerson, 2007).

- ▶ Instability in a school's teacher workforce (i.e., high turnover and/or high attrition) negatively affects student achievement and diminishes teacher effectiveness and quality (Garcia and Weiss, 2019; Ronfeldt, Loeb, and Wyckoff 2013; Jackson and Bruegmann 2009; Kraft and Papay 2014; Sorensen and Ladd 2018).

- ▶ Furthermore, high teacher turnover consumes economic resources through costs of recruiting and training new teachers. Instead, these resources could be better deployed elsewhere.

NCLB 'accelerated teacher burnout, and, consequently, teacher turnover'

- ▶ By 2014-15, 97.3 percent of elementary core classes and 95.2 percent of secondary core classes were taught by highly qualified teachers.[14] However, equitable distribution and retention of highly qualified teachers had not been and has yet to be achieved.

- ▶ As of 2016, an analysis by Learning Policy Institute found high rates of teacher shortages in special education, mathematics, science, and bilingual/English learner education. o Further, shortages were found in schools that provided lower wages and poor working conditions (Sutcher, et al, 2016). Yet, the demand for teachers continues to grow due to increasing K12 student enrollment and decreasing enrollment in teacher preparations programs.

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[13] **NCLB defined a high-needs school as "within the top quartile of elementary and secondary schools statewide, as ranked by the number of unfilled, available teacher positions; or is located in an area where at least 30 percent of students come from families with incomes below the poverty line; or an area with a high percentage of out-of-field-teachers, high teacher turnover rate, or a high percentage of teachers who are not certified or licensed."**

[14] **Summary of Highly Qualified Teacher Data for School Year 2014-2015 (August 2016)**

05 NCLB accountability pressures negatively impacted teacher morale, satisfaction, and retention, especially at schools identified as in *need of improvement* or *failing.*

▶ Accountability pressures, like the pressure to make AYP, were consistently and negatively related to teacher morale. This includes individual teachers' satisfaction, overall teacher satisfaction, and teachers' commitment to current school (Erichsen and Reynolds, 2019). Moreover, accountability pressures appeared to be part of the reason for lower teacher morale in schools serving majority low-income students and students of color.

▶ In a study of rural teachers in Maine, forty-four percent of the teachers described NCLB negatively. They also reported feeling discouraged and wanting to leave their schools because, "no one wants to work at a school that is rated poorly (Powell, et al, 2009)." Overwhelmingly, teachers attributed accountability pressure to reduced morale.

▶ To boost morale and attract more individuals to the teaching profession, teacher salaries have increased meaningfully nationwide, particularly in high-poverty school districts (Dee, Jacob, and Schwartz, 2013). However, these increases are not uniform across states.

CONSEQUENCES IN ACTION

The recent rise in teacher strikes reflects ongoing teacher dissatisfaction with working conditions.

▶ Other reasons for recent teacher strikes include demands for additional funding for support staff and smaller class sizes (e.g., Chicago 2019) as well as in response to allocation of funding to charter schools (e.g., West Virginia, 2018 and 2019)[15]

▶ To boost morale and attract more individuals to the teaching profession, teacher salaries have increased meaningfully nationwide, particularly in high-poverty school districts (Dee, Jacob, and Schwartz, 2013). However, these increases are not uniform across states.

▶ For example, teachers in Massachusetts and Wyoming earn one of the highest teacher salaries in the country compared to teachers in Oklahoma and Montana. Subsequently, teacher strikes have been on the rise in recent years. In 2018, teachers in Oklahoma and West Virginia went on strike seeking pay raises.

[15] Why Teacher Strikes are Touching Every Part of America

SCHOOL CHOICE AND TURNAROUND EFFORTS

The concept of turnaround efforts was evident in the 1990s when state and city takeovers of low-performing school districts became prevalent. This education reform became known as
mayoral control as districts were less receptive to state takeovers, and therefore, states began handing over control to city leaders.

Although a study of 14 state and city takeovers found mixed results of the reform's impact on student achievement (Wong and Shen, 2001), many mayors used education reform as a key political platform for election and re-election campaigns. More recent research suggests mayoral control is yielding positive outcomes, including strategic management of resources (Wong and Shen, 2013).

Given the introduction of school takeovers and school choice policies in the 1990s, it is not surprising to see similar educational reforms embedded in the 2001 NCLB Act. **o Under NCLB, schools that did not make AYP for two consecutive years were mandated to notify parents of the option to transfer their students to another school, including public charter schools.**

For parents choosing to exercise choice, schools identified as *in need of improvement* are required to pay for students' transportation to another school. Schools that do not make AYP for more than five consecutive years face restructuring, which can include state takeover, closure, reopening with a charter operator, or engaging in turnaround efforts.

A study of RTT school improvement grantees found the turnaround model in high schools was associated with larger student achievement gains in math compared to the transformation model (Dragoset, et al, 2018). T The turnaround model was also shown to be effective in Massachusetts where the state education agency has been conducting research and developing "turnaround practices" to guide assistance and support.

> **However, "studies of turnaround schools consistently show challenges in maintaining and building on the early successes (AIR, 2011)."**

Currently, under ESSA, states review and identify schools in need of improvement every three years. Schools then have four years to demonstrate improvement before states intervene with additional actions. Schools are offered more flexibility in how they approach school improvement so long as evidence-based interventions are selected and implemented.

SCHOOL IMPROVEMENT GRANTS (SIG) & SCHOOL MODELS
Through Race to the Top, states applied for School Improvement Grants (SIG) to implement one of four school models:

- ▶ **Turnaround:** broader concept of improving schools rapidly, but specifically includes replacing the principal and at least half of the staff; other changes include instruction, wraparound services, data, operational flexibility, and governance.
- ▶ **Restart:** school closes and reopens under charter or private operator.
- ▶ **Transformation:** Principal is replaced, but staff do not need to be replaced; other changes include operational flexibility, instruction, curriculum, and professional development.
- ▶ **School Closure:** School is permanently closed, and teachers and principals can be hired by other schools while students are transferred to other schools.

06

SBR policy, specifically, NCLB sought to expand school choice for students and families in failing schools. However, students attending schools labeled as "failing" generally stayed in those schools for a variety of reasons.

ESSA includes specific requirements to engage families and parents in the development of submitted state plans and school improvement plans. Yet, historically, families from marginalized communities have not been adequately engaged nor equitably represented in working groups and advisory committees, further exacerbating inequitable systems. There is much to learn about the unintended consequences of excluding the voices of communities served by low-performing schools.

For example, NCLB presumed that parents of students in failing schools would take advantage of school choice and therefore spur school improvement competition. However, students attending schools labeled as failing generally stayed in those schools for several reasons, including parents' positive perceptions of schools, concerns about their student's safety in another school, concerns about the impact of transferring schools, and relatively minimal information about school choice.

- Studies found an extremely low number of eligible students exercising school choice. Five years into NCLB implementation, researchers at RAND found only about 1 percent of students in schools identified *in need of improvement* switched schools (2009).

- The RAND study (2009) also found that parents were unaware of their children's school status and of the opportunity to choose a different school. About half of parents sampled in eight large urban districts were aware of the school choice option under NCLB. This study found district communication to parents tended to be delayed, incomplete, and inconsistent.

- Guisbond et al (2012) claim that NCLB did not invest in building new schools in failing districts, nor did it require wealthy, higher performing districts to accept transfer students. Even within districts, specialty schools (i.e., magnet schools, selective enrollment, or other special admissions requirements) are typically exempt from taking students seeking to exercise school choice.

> ### UNINTENDED CONSEQUENCES IN ACTION
>
> - According to Bridges et al (2012), Black parents encounter multiple challenges to exercise school choice. These include limited school options due to low-rated schools, school closings due to low-enrollment, and required transportation.
>
> - Black parents also report concerns about the extent to which schools taking transfer students will create a welcoming environment for their children, and the impact of their decision on local school enrollment and funding (Bridges, et al, 2012).

- Parents in eight urban districts reported satisfaction with their teachers, even though their schools were identified as *in need of improvement* (Vernez, 2009). This finding aligns with a growing body of research that confirms parents' perceptions about their own children's schools generally skew positively despite having negative views about the quality of education overall.

- Furthermore, students are reluctant to transfer to a new school simply because of academic performance (Vernez, 2009). Parents want to ensure their children feel safe being in school and traveling to and from school.

- In their review of Race to the Top, Kirschner and Jefferson (2015) suggest that in some ways, the market-based approach to education has eroded substantive opportunities for parents and students to participate in decisions about their schools.

SUMMARY OF SBR PUSHBACKS

01   During NCLB, schools serving predominantly low-income students of color were most likely to be labeled as "failing" and subsequently closed.Evidence shows that closing schools has additional negative consequences on neighborhood vitality. While school closures garner strong pushback from parents, community members, and teachers, this pushback leads to minimal or no policy change.

02   In the early years of NCLB, as the number of schools identified as in need of improvement or failing grew in White, middle class, and suburban districts, the communities, composed of parents with considerable power and influence, pushed back. In response to their advocacy, states negotiated policy changes with the U.S. Department of Education (ED), and an overwhelming majority of these districts were no longer labeled *in need of improvement or failing.*

03   Pushback on standardized testing intensified with the adoption of CCSS and aligned assessments (i.e., PARCC and SmarterBalanced), particularly from White, progressive parents. In response, states began to abandon the common assessments. This pushback led to policy changes as ESSA provides parents with the option to opt-out their children from standardized testing.

04   In 2002, civil rights advocates supported NCLB for its intentional focus on improving educational quality for low-income students and students of color. The civil rights groups agreed on the need for disaggregated data and federal oversight leading to some policy changes. However, they disagreed on whether imposing sanctions on districts and schools not making AYP would do more harm than good. The division among civil rights advocates continued throughout the NCLB era, and into the reauthorization of ESEA in 2015.

05   Principal associations and teacher unions began protesting NCLB requirements, aligning themselves with the opt-out movement and asserting their influence on the policy changes in the 2015 reauthorization of ESEA.

SBR PUSHBACK: POWER, RACE, AND POLICY INFLUENCE

O'Day and Smith (2016) suggest grassroots organizations and social movements can create pressure to maintain a focus on equal opportunities within and beyond education. *However, who creates pressure and the response to such pressure is highly racialized.*

Historically, affluent White parents have resisted SBR due to concerns about the unintended consequences to their children's education. These concerns include assessments taking time away from learning activities; funding and support shifting away from their schools to other (lower performing) schools; a single standardized measure reducing their children's competitive advantage; and their children attending a school labeled as *failing or in need of improvement.*

> **School systems and policymakers have missed an opportunity to do right by parents of low-income students and students of color who have long been supporters of standards-based reform.**

In a 2016 parent poll, Black and low-income parents (i.e., those making less than $25,000) were the strongest supporters of standardized assessments. They believed tests can be used to show progress and identify ways to improve teaching and learning for their children.

Yet, the historical roots and trauma of testing and of standardized assessments in education reform have led parents, civil rights groups, and antiracist activists to question SBR. One study found that standardized assessments evoke a stereotype threat to Black children.[16] As a result, Black children's perception of education has been narrowed to strictly test preparation, feelings of stress and anxiety related to testing, concerns with what "others" think, and stereotypes (Wasserberg, 2009).

In examining SBR pushbacks, the ability of various stakeholder groups to influence policy change is interconnected with power and race. For example, school closure decisions were unaffected by pushback from Black, Latinx and/or low-income parents and community members (pushback 1). In contrast, pushback by White parents resulted in policy changes (see pushback 2 and 3). Pushback 4 speaks to the role of civil rights advocates in affecting change, and Pushback 5 highlights how power can influence policy when multiple stakeholder groups coalesce.

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[16] Stereotype threat refers to the risk of confirming a negative stereotype about one's group in a particular performance domain.

01

Schools serving predominantly low-income students and students of color were most impacted by school closures, a consequence of being labeled as failing for five consecutive years under NCLB.

While school closures garner strong pushback from parents, community members, and teachers, this pushback leads to minimal or no policy change. Community members are excluded from the decision-making process despite the critical role schools play in the larger community ecosystem. School closures have great implications for student safety, community development, property values and community connectivity since schools function as a de facto community center.

▶ As of 2010, one third of the nation's schools had not made AYP. By 2014, 43 states and D.C. had been granted NCLB accountability waivers, which most were eligible to renew through 2018 (Center on Education Policy, 2010 and US News, 2014).[17] The overwhelming majority of these districts and schools serve predominantly students of color.

▶ In a study by Bridges, et al (2012), Black parents shared a disinterest in messages rooted in education reform, governance models or teacher tenure policies. Instead, parents desire conversations framed in ways that further the interests of their children and are aligned with their priorities.

PUSHBACKS IN ACTION

While evidence suggests that school closures are effective, they have garnered pushback from parents, community members, and teachers.

▶ From 2002 to 2008, the New York City Department of Education closed its 29 lowest performing high schools. Simultaneously, the city was developing a portfolio of 200 new small high schools using open enrollment and a citywide choice policy. A study of the school closures found that post-closure, student attendance and high school graduation rates improved (Kemple, 2015). However, the study did not examine the effects of closures on educators, parents, or other aspects of students' experiences. While closing the lowest performing schools diverted students to other schools where they fared better, the researcher cautions overinterpreting this finding as, on average, 56 percent of post-closure students graduated high school and less than half earned a Regents diploma. Kemple (2015) remarks that *"this highlights the deeply entrenched inequalities in the city's schools where poor students of color lag far behind their privileged peers on a wide range of measures."*

▶ In 2013, Chicago Public Schools closed 49 elementary schools impacting 12,000 students-the largest mass school closure to date. These schools were in predominantly disinvested and Black communities, and "critics feared the closings would destabilize communities and disrupt the lives of children and families, affecting their safety and security" (Gordon, et al, 2018). A UChicago Consortium study found that while students affected by school closures had no change in attendance and suspension rates, they experienced negative learning effects. According to the researchers, "When schools closed, it severed the longstanding social connections that families and staff had with their schools and with one another, resulting in a period of mourning (Gordon et al, 2018, p10)."

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[17] The Obama administration provided waivers to states that agreed to implement education reforms such as tying teacher evaluation to student achievement and adopting college and career-ready standards.

▶ Beyond the NCLB sanctioned specific closures, researchers have examined the broader impact of school closures on communities. An Urban Institute analysis of Common Core of Data from 2003-04 through 2013-14 found that two percent of schools closed annually, impacting 200,000 students. While the analysis revealed that far more schools were closing in suburban and rural areas than urban, "closures disproportionately affect poor or Black students."[18] For instance, in urban areas, Black students accounted for 61 percent of the student population in closed schools. And though Black students only make up 14 percent of the student population in suburban schools, they accounted for 29 percent of the student population affected by closures in suburban schools.[19]

▶ Furthermore, researchers Megan Gallagher and Amanda Gold found school closures to be "part of a cycle of disenfranchisement and disinvestment" in urban neighborhoods where school closures were situated in communities with higher shares of Black residents, lower earnings, higher poverty rates, lower college completion rates, lower home values and fewer resources than the neighborhoods surrounding open schools. **Financially strapped districts tend to use performance as the metric for determining which schools to close, but do not consider the historical roots of schools in communities.** A former superintendent of a large urban district reflected on the experience of closing schools and stated:

> **"Closing schools in parts of the city, I really came to understand this was not an educational issue, it was a community historical issue as well."[20]**

PUSHBACKS IN ACTION

▶ In rural areas, the rationale for closing schools is sometimes performance, but other times also due to financial constraints to maintain a school open as job opportunities push families to leave and thus lead to declining student enrollment.[21] Whereas closed schools in urban areas tend to be replaced with new ones, this is not the case for rural areas where students end up traveling long distances to attend the remaining open school(s).

[18] Subtracting Schools from Communities

[19] IBID.

[20] IBID.

[21] IBID.

02

In the early years of NCLB, as the number of schools identified as in need of improvement or failing grew in White, middle class, and suburban districts, these communities, composed of parents with considerable power and influence, pushed back.

In response to their advocacy, states negotiated policy changes with the ED, and an overwhelming majority of these districts were no longer labeled *in need of improvement* or *failing*.

▶ At the onset of NCLB, researchers predicted the policy would identify a wide range of schools as failing, including those improving, and thus inevitably lead to resistance from parents (Sunderman, 2006).

▶ Tracey, et al (2005) examined how NCLB accountability requirements were implemented in some states. The researchers confirm policy changes to significantly reduce the number of schools identified as in need of improvement or failing in predominantly White communities.

▶ Betts and Costrell (2000) cite vocal opposition to SBR from affluent parents and high-achieving districts in Wisconsin and Massachusetts. In Wisconsin, affluent parents protested state plans for a high school exit exam, and in Massachusetts, parents boycotted state-wide exams (MCAS) for various reasons, including concerns about the test length and the time it would divert from other learning activities. In addition to these concerns, parents did not want a measure that would negatively impact their children's academic standing or the school's reputation.

Importantly, this pushback led to a reclassification of the lowest-performing schools, with no meaningful difference in teaching and learning. The "goalpost" had effectively been moved, while student outcomes largely stayed the same.

PUSHBACKS IN ACTION
How California and Georgia reduced the number of schools classified as "in need of improvement" through policy changes

States such as California and Georgia requested an amendment to how AYP was calculated. Instead of calculating AYP by grade and content area, it would aggregate test scores within a grade band such as grades 3-5, grades 6-8, and grades 9-12 (Tracey, et al, 2005).

▶ This policy amendment reduced the number of California districts identified for improvement from 378 (36.4% of districts statewide) to 150 (14.4% of districts statewide) (Sunderman, 2006). Similarly, in Georgia, the policy amendment reduced the number of districts identified for improvement from 115 (representing 63.5% of total districts) to 12 (6.6% of total districts) (Sunderman, 2006).
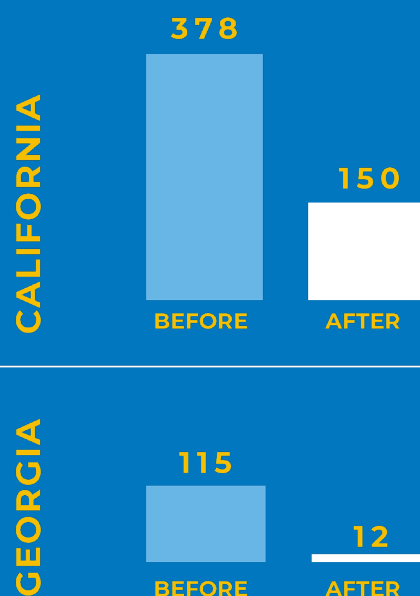
CALIFORNIA

378
BEFORE

150
AFTER

GEORGIA

115
BEFORE

12
AFTER

03

Pushback on standardized testing intensified with the adoption of CCSS and aligned assessments (i.e., PARCC and SmarterBalanced), particularly from White, progressive parents.

In response, states began to abandon the common assessments. ESSA provides parents with the option to opt-out their children from standardized testing.

▶ According to a 2015 EdNext poll, about two-thirds of K–12 parents support annual testing requirements, yet a vocal minority want the ability to have their children "opt-out" of such tests. Separate studies indicate that most of these parents were White, highly educated, and politically liberal parents with above median incomes (Bryant, 2016; Schweig, 2016, Pizmony-Levy and Saraisky, 2016). The actual number of students opting out of testing was marginal. To put this into perspective, there are about 50 million elementary and secondary students enrolled in public schools, and less than 2 percent (675,000 students) opted out of testing in 2016. Ultimately, the narrative was greater than the numbers opting out.

Overall, parents believe standardized tests are used to create school rankings instead of informing their children's creativity or individuality.

▶ A 2016 parent poll revealed a disconnect between how tests are used and how parents want them to be used.[22] Overall, parents believe standardized tests are used to create school rankings instead of informing their children's creativity or individuality.

▶ Policymakers have been responsive to opt-out demands by reducing the number of testing days (e.g., New York) and adding explicit language in ESSA regarding parents' rights to refuse testing. However, to opt-out, parents need to understand how to navigate district and state policy (Hairston, 2017).

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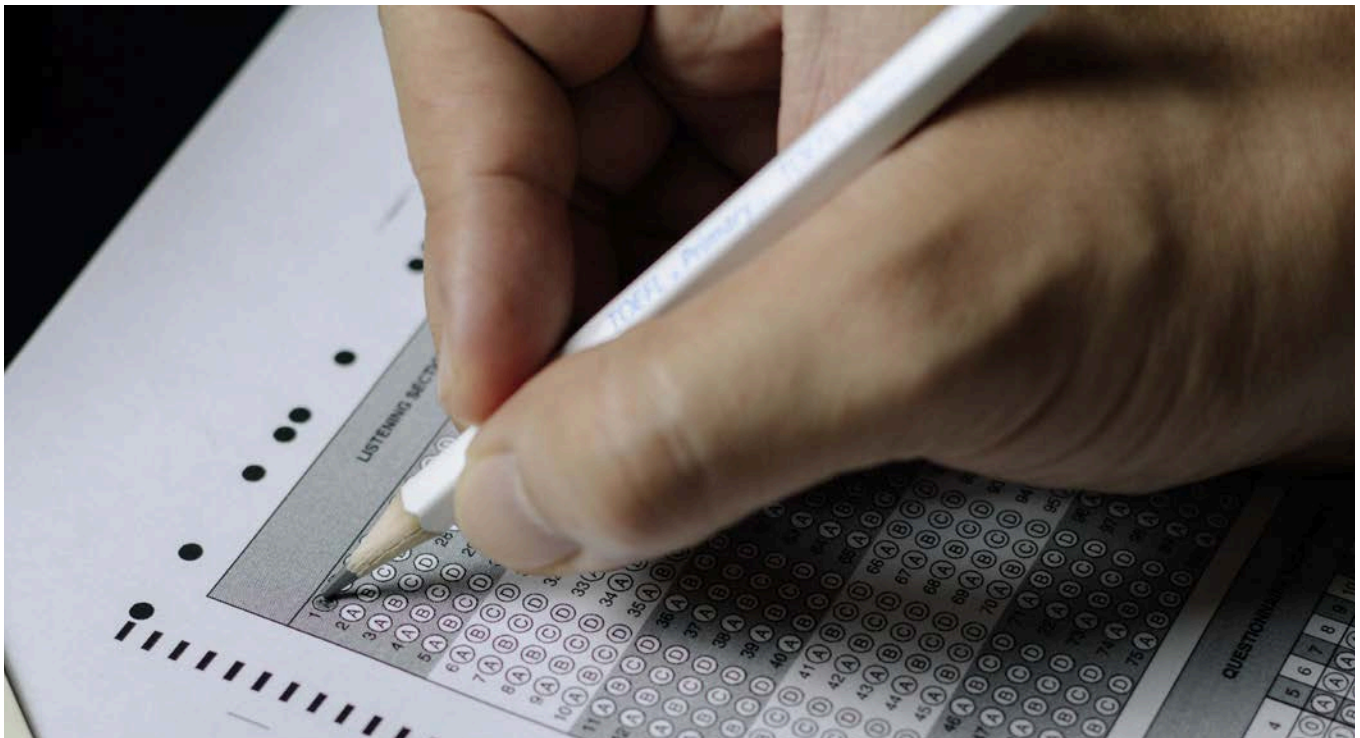
[22] **Black, Latino Parents Say Expectations for Poor Children Too Low in Public Schools**

04

In 2002, civil rights advocates supported NCLB for its intentional focus on improving educational quality for low-income students and students of color. The civil rights groups agreed on the need for disaggregated data and federal oversight.

However, they disagreed on whether imposing sanctions to districts and schools not making AYP would do more harm than good. The division among civil rights advocates continued throughout the NCLB era, and into the reauthorization of ESEA in 2015.

▶ The passing of NCLB was supported by multiple civil rights advocates such as the National Association for the Advancement of Colored People (NAACP), the National Council of La Raza (now UnidosUS), and the National Urban League. Yet, early in the federal policy's inception, divisions emerged among civil rights advocates. For example, an alliance of civil rights advocates was created to counter arguments from other civil rights advocates such as the Civil Rights Project, FairTest, and national teacher union associations. This alliance was composed of advocates such as the Citizens' Commission on Civil Rights, the National Council of La Raza, and the Education Trust along with the Business Roundtable, a prominent business organization.[23]

▶ Pushback to NCLB escalated as policy implementation progressed. Some civil rights advocates observed an over emphasis on testing and lack of resources for school improvement efforts. A few advocates, such as the NAACP, shifted their stance and signed a 2004 joint statement calling for substantial changes to NCLB. This letter was signed by more than 50 advocacy groups including the League of United Latin American Citizens, the Asian American Legal Defense and Educational Fund, the National Education Association, and the National School Boards Association.

▶ By 2011, more than 150 national education, civil rights, civic, and other groups signed a Joint Organizational Statement on NCLB, enumerating problems with the federal education policy and recommending reforms. In this statement, they called for a move away from the "overwhelming reliance on standardized tests to using multiple indicators of student achievement in addition to these tests" (Guisbond, et al, 2012).[24]

▶ To the dismay and concern of some civil rights advocates, the 2015 reauthorization of ESEA rolled back the federal role in education. ESSA kept annual testing from grades 3-8; however, states determine how to hold schools accountable, as well as when and how supports will be provided to them.

While civil rights advocates and national teacher union associations agreed on the need to maintain subgroup data, add measures of success beyond test scores, and to move from punishing failing schools to supporting them, many decried ESSA for weakening federal oversight.[25]

Unfortunately, common ground and collective agreement between civil rights groups and national teacher union associations was overshadowed by their opposing views on an amendment seeking to maintain some level of federal oversight, post-NCLB.[26]

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[23] **Civil Rights Groups Split Over NCLB**

[24] **Joint Organizational Statement on No Child Left Behind (NCLB) Act**

[25] **Why Republicans Changed Their Minds on School Accountability**

[26] **Teacher unions and civil rights groups battle over future of No Child Left Behind**

05 Principal associations and teacher unionsbegan protesting NCLB requirements, aligning themselves with the opt-out movement and asserting their influence on the 2015 reauthorization of ESEA.

▶ Pushback to NCLB from principals and teachers is well documented. For example, in the state of New York, principals from mainly affluent suburbs and progressive urban areas signed a protest statement objecting the proposal to link teacher evaluations and pay (i.e., merit pay) to student test scores (NYT, 2019).

▶ Also, in New York, where the opt-out movement was the largest,[27] local teacher unions urged parents to opt their children out of testing.[28]

▶ Leading up to the 2015 reauthorization of ESEA, the teacher unions (i.e., the American Federation of Teachers and the National Education Association) rolled out a two-week media campaign to make their priorities heard. These priorities included a reduction in the number of required annual tests, dedicated funding for wraparound services, and the inclusion of early-childhood education.

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[27] **240,000 of the 675,000 students who opted out in 2016 were from New York according to Pizmony-Levy and Saraisky, 2016**

[28] **Teachers' Unions Fight Standardized Testing, and Find Diverse Allies**

CLOSING REMARKS

In this evidence synthesis, we explore the unintended consequences of and pushbacks to standards-based assessment and accountability on schools and districts serving primarily Black, Latinx and low-income students.

In our analysis, we noticed that some pushbacks affected policy change while others did not. In addition to documenting the pushbacks and policy implications, we also sought to understand who was pushing back on SBR.

> **What we found is that who creates pressure and the response to such pressure is highly racialized.**

A year after the murder of George Floyd and the resurgence of a racial reckoning in America, the intersection of race and educational outcomes and opportunities remains constant. Federal education policy is rooted in the civil rights movement to desegregate schools and protect the education of disadvantaged children. SBR policy revealed racial academic disparities, and education leaders have been taking steps to address them.

Yet, in some cases, SBR led to misguided decisions like narrowing the curriculum and instruction to "teach to the test", which led to students being underprepared in other critical areas like social emotional skill development.

Similarly, SBR led to unexpected decisions from parents and educators alike. Parents exercised school choice much less than expected, and instances of cheating by adults administering exams rose significantly.

KEY TAKAWAYS

The six unintended consequences fall into three key categories:

- ▶ Curriculum, Instruction, and Educator Practices
- ▶ The Teaching Profession
- ▶ School Choice and Turnaround Efforts

Unintended consequences 1, 2 and 3 are responses to accountability policies at various levels. The first unintended consequence captures states' decision to retreat from CCSS in response to increasing accountability policies. The second describes how classroom instruction became more tailored to ensure test readiness, and the third is perhaps the most tragic response to accountability pressure by districts and schools seeking to remove the *failing* label. Unintended consequences 4 and 5 are about the ongoing patchwork to fill teacher shortages in the schools that need them the most, and the impact SBR had on teacher morale and satisfaction. In the last unintended consequence, we explore how school choice embedded into SBR policy became unrealized and far more complicated than switching internet or cable providers. Students attending schools labeled as *failing* generally stayed in those schools for several reasons, including parents' positive perceptions of schools, concerns about the impact of transferring schools, and relatively minimal information about school choice.

At other times, SBR policy placed critical stakeholders, like teachers, in difficult positions by linking teacher performance to student assessment outcomes, and forcing teachers to put test outcomes before individual student needs.

As policymakers and education leaders consider the future direction of federal accountability policy, they will need to closely examine the unintended consequences and pushbacks presented in this synthesis and think through policy implementation scenarios from multiple frameworks including systems change, human behavior, and anti-racism. Systems do not change unless incentives are sufficiently motivating and potential consequences do not disproportionately impact schools that serve majority low-income students and/or students of color.

Finally, it is important to recognize that race and politics have become far more conflated in this country. Recently, a backlash toward the role of race and equity in education surfaced in local school boards and state legislatures.[29] Underlying this backlash is a gripping fear of dreams taken, opportunities stolen, and what is perceived as blame placement.

If the United States is to move forward with education policy that ensures educational access and opportunities for *all* students, leaders must reach a level of understanding that unites efforts. We are living in a time where some recognize racial and economic inequities while others deny. Yet, the challenge of ensuring all students in America–particularly low-income (including White) students and students of color– an even start and a strong finish persists.
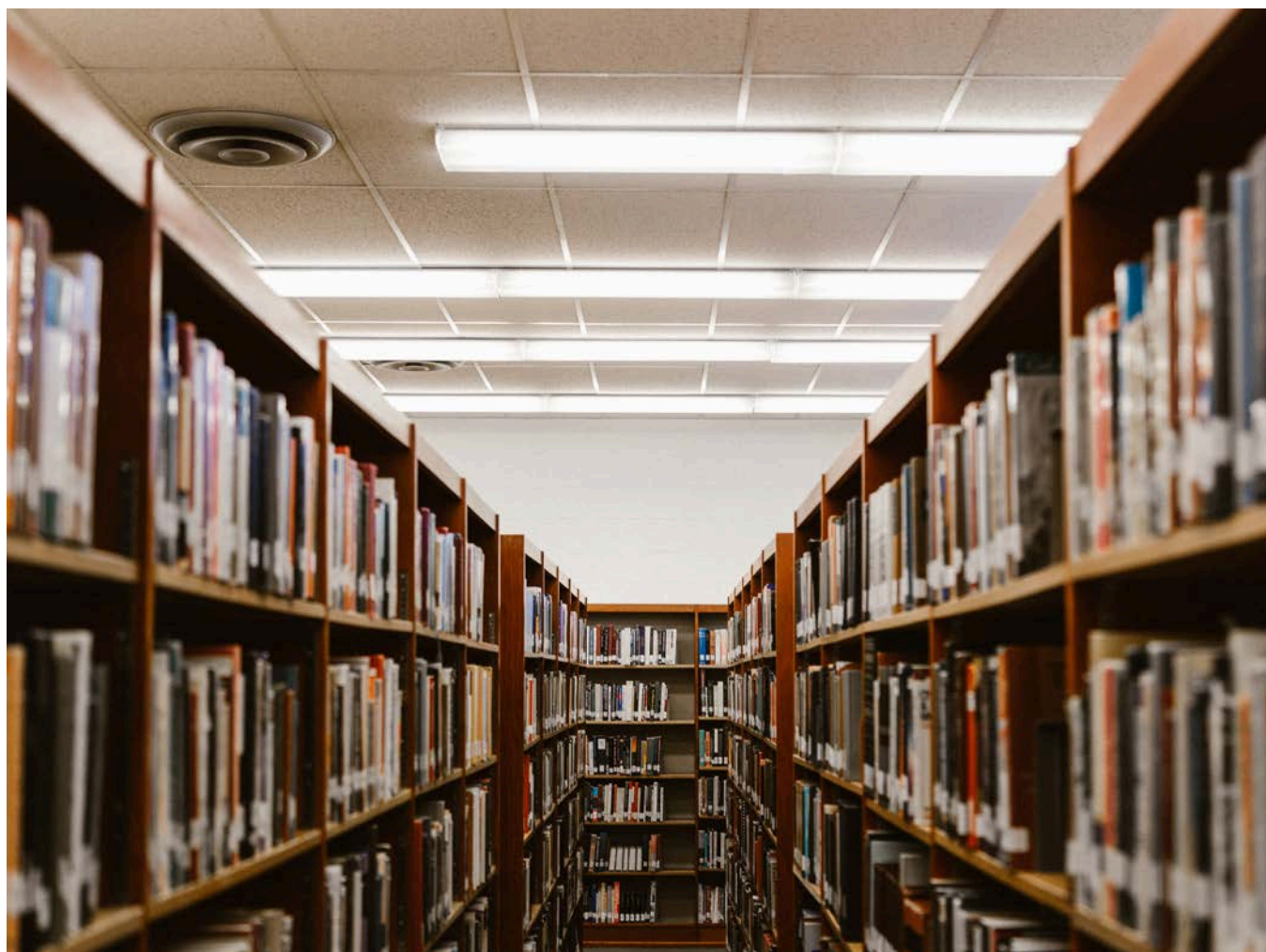
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