

# Consistency We Can Believe In: The Politics of K-12 Education in the Obama Presidency

**Jesse Rhodes**

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Jesse Rhodes, '03, is Assistant Professor of Political Science at the University of Massachusetts, Amherst.

I want to thank all of you for coming. It really is an honor to be able to come back to my alma mater to give a talk, and I am so glad that all of you are able to make it this evening. Now, I have heard that some of you received bribes or incentives to come, but I will put that aside for now.

So, I am going to talk a little bit about K-12 education policymaking during the Obama administration. What I want to do is tell you a story, a story that starts with a puzzle. The puzzle is: why have there been continuities between education policy-making during the Obama administration and education policy-making during the George W. Bush administration? One is a Democrat, the other is a Republican; one is ostensibly a liberal, the other is ostensibly a conservative. Why do we see these continuities across two very different presidents?

What I want to do is give you a blast from the past - something that you may have enjoyed from your high school experience. How many of you took the lovely Pennsylvania System of School Assessment (PSSA) exam and enjoyed every moment of it? I heard some sighing, so I am assuming you are reflecting on all the good memories you have of taking this exam. What was your experience with this system? Did you guys like it? One—excellent, a brave young man back there. So I am assuming most of you did not. Why? What is the problem with the PSSA?

Male student: *Well, the problem is that a lot of time allocated for studying provided a lot of us, including myself, with a deficiency in certain skills that are required for college, so that while you were getting trained for this short-term memory dump in mathematics and all that, we ended up being deficient in the science areas and a few other crucial ones that we need here for the [general education distribution].*

If I understand your comment, one potential problem is the tendency to distort the educational process, so that there is a lot of time and energy spent on test prep, which may have been more efficiently spent on other activities. Any other experiences, likes or dislikes?

Female student: *My eleventh grade year was when they first started the science PSSA, and it was like you were tested on things you had never taken, or taken in seventh grade, like astronomy, and since I*

*was on the higher level science track, I didn't take astronomy ever, so it didn't show accurately what our skills were.*

So the test was not actually aligned with your educational experience.

Another male student: *Well, I don't think the PSSA was too bad—being forced to take it. My dad's in education, and I've heard him talk about the other kids being standardized, the other kids that might not be at the same level as some of the kids in this room, who were forced to take the same tests. I've heard struggle stories and stuff like that, so that's where my problems with the PSSA are.*

Your father's perception as an educator is that the test is standardizing some students' education, making it more regimented, focused on certain sets of skills.

As you may know, the PSSA is linked to, and in some ways reflects, the federal education policy known as No Child Left Behind (NCLB). Basically, this act tells the states that if you want federal education dollars, you have to do certain things. You have to test your students annually in grades three through eight and once in high school (hence the PSSA). You have to make sure that all of your students are making academic progress each year. You have to report on how your students are doing—and not just your average student, but also demographic categories, racial categories, students in poverty, students with disabilities, and students who are English language learners as well. There is also the requirement that all teachers be “highly qualified”—and I put this in scare quotes, because what high qualification means under No Child Left Behind is not defined substantively; it is defined instead in terms of passing tests and so forth. And then, finally, No Child Left Behind requires that if your school's students do not make adequate progress, the state implements an escalating series of sanctions against the school. It is a very muscular federal policy that is linked to, and to some extent drives, what state and local governments are doing.

Now, an interesting question is: why do these policies exist?

Female student: *Because of the great disparity in the quality of education in public schools, like it really depends on where you're located if you're going to a public school as to what you're going to get.*

There does seem to be a relationship between location and academic outcomes, and so it could be that this is an effort to overcome some of these geographic and wealth disparities.

There are some conventional explanations, and they all share a common theme that I will get to in a second. The first explanation is that this is about a corporate takeover of schools, that business is concerned about American economic competitiveness; in particular, they are concerned about the human capital skills of workers, entry-level workers. They do not trust schools to provide them with an adequate education for entry-level employment, and so they want policies in schools that more or less foster a corporate emphasis in terms of creating standards, regularly assessing performance, and providing either

rewards or penalties based on performance. In other words, it is an application of a corporate model to education.

A second possibility is that this is a conservative plot to destroy public education. From this perspective, conservatives just do not like public education because they really do not like public anything. And so, you use standards and testing, knowing that a lot of schools are going to fail; when schools fail, that creates political opportunities to privatize public education. In this interpretation, NCLB is a kind of Trojan horse for privatization.

A third possibility is that this is about big government conservatism. George W. Bush is a Republican, also a conservative, and what he is really about is not reducing the government, but using the government in new ways, and that is to boss around the states to do things that conservatives want them to do, like hold public bureaucracies – schools – accountable for performance.

So if we look at these possibilities, there is a trend or a common narrative – that federal standards, testing, and accountability policies represent conservative politics of one flavor or another. But, I want to suggest to you that there are problems with this narrative, which I will use as the basis for the rest of my talk.

The biggest problem is that Barack Obama, during the first three-plus years of his administration, has very much followed in the footsteps of George W. Bush. The first big ticket thing that Barack Obama did was promote a policy called Race to the Top, and this policy, in essence, said, “If you want federal education money under the economic stimulus [the American Recovery and Reinvestment Act of 2009] you have to do certain things.” As it turns out, these certain things are pretty much the same as what George W. Bush wanted to do. You have to raise your standards; you have to hold schools accountable for results; you have to make sure that your teachers are not just highly qualified but can actually demonstrate measurable improvements in student learning by test scores, and if they cannot, you can ultimately get rid of them.

Second, and more recently, there has been a lot of hullabaloo about Obama allegedly letting states off the hook. No Child Left Behind told state and local governments, “You have to do all these different things.” Recently, Barack Obama said, “Well, I am going to give you a waiver from some of these regulations.” Which, to avoid bureaucratic jargon, means, “I am going to let you not follow some of these rules.”

But as it turns out, there is a big catch: if you want a waiver, you have to agree to do even more things. In other words, what Barack Obama giveth with one hand, he taketh away with the other. This raises really interesting questions about what is going on, and I want to suggest to you that, opposed to Obama doing something quite different, we see continuity when it comes to federal education policy-making.

What I want to focus on for the next few minutes is why we might see these kinds of patterns. Why do we see this consistency? I want to suggest that there is an interesting story that has not been told. It is not that Obama is the Manchurian candidate of the Right; he is not a secret conservative, a conservative wolf in liberal sheep's clothing, but rather there is a new kind of civil rights politics that we need to take account of. If we understand this new civil rights politics, we can understand these reforms not as an effort to corporatize schools, privatize schools, or turn schools over to big government conservatives, but as an effort to pursue traditional civil rights goals in new ways.

Let me tell you first, that there has been a very durable feature of American educational politics, and that is a very large gap in achievement between white students and most students of color. Contrary to popular belief, over the last twenty-five years, we actually have not made any progress in terms of reducing the achievement gap. Since about 1990, we have been stuck in neutral, and so this new civil rights politics is, in part, a reaction to frustration with the old ways of doing things, which were basically giving schools more money but not taking any actions if they did not improve student achievement.

Second, and this goes back to the beginnings of the civil rights movement in education, there is profound skepticism among civil rights groups that state and local governments will care about students of color in the absence of federal coercion. Civil rights groups are profoundly skeptical that state and local governments have any incentive to care about minority and disadvantaged students. The federal government's historic role has been to hold state and local governments' feet to the fire over civil rights issues; standards testing and accountability, from their perspective, is a new way of doing this.

And then finally, there is a genuine belief that these policies are efficacious in forcing schools and local governments to pay attention to historically disadvantaged students, particularly students of color. In fact, what they have fought for more than anything is to require schools to measure the performance of not just the average student, but subgroups of students: African-Americans, Latinos, students with disabilities, students who are English-language learners, migrant students, and others. If those groups do not make adequate progress, then the state and local governments have to do something.

So, believe it or not—and this is actually one of the things that came up in my research—civil rights groups supported No Child Left Behind; in truth, they actually wrote a lot of it. It did not come from George W. Bush; he basically cribbed from civil rights groups. And many have supported Obama's agenda as well.

The “new politics” of civil rights groups implies an “old politics,” and I want to lay this out. There are really two factions in the civil rights movement, the first being what you might call traditional civil rights groups. These are pretty familiar to us: the NAACP, the National Urban League, Jesse Jackson's Rainbow Push Coalition, and others. The conventional liberal attitude about education and the problems that disadvantaged students face is that the problem with schools is that they do not have

enough money. So, the role of the federal government is to make sure that schools serving concentrations of disadvantaged students get money to compensate for their disadvantage.

What is interesting about the politics of the last twenty years or so is that we have seen the rise of new civil rights groups, although some of these are not actually new, but rather are taking new positions on issues. Some of these include: the Education Trust, a citizens' commission on civil rights that was very influential until its founder recently passed away; the National Council of La Raza, a Latino and Hispanic-American organization; and probably most importantly, the Leadership Conference on Civil Rights, which is a big umbrella organization, a coalition of civil rights groups. They argue that the problem is not that schools serving disadvantaged students do not have enough money, but that once they get the money, nothing happens if they do not teach disadvantaged students. In fact, they want to argue that there are no incentives under this regime for them to teach disadvantaged students. So they want to see measurable accountability for performance, and they want action if you do not see improvement.

There is persistent frustration among civil rights groups because the performance of young students of color lags behind that of white students, and it has continued to do so for decades. The National Assessment of Educational Progress is the best test we have that is nationally representative of how seventeen-year-olds are doing. It also measures nine-year-olds and thirteen-year-olds. And what you see here is that since 1988, more than two decades ago, we have not seen anything change regarding the black/white achievement gap. If you look at the white/Hispanic achievement gap, it is basically the same story. These groups claim that from the 1970s to 1990 or so, these students started at such a low level of achievement due to discrimination, and money made a difference. But then we got to the point where the continued effect of money declined. So, if money is not going to get us any further, they claim, we have to try something different. Per pupil spending for the highest poverty schools is competitive with per pupil spending for the lowest poverty schools, and yet we have not seen, in their view, sufficient achievement gains. We know that districts vary a lot in the amount of money that they spend on education, but state governments have been kicking in a lot more money per pupil for the highest poverty districts. So over the last twenty years, we have seen a lot more spending in high poverty districts, but not concomitant or adequate achievement gains.

The civil rights groups also explicitly doubt the ability and willingness of state and local governments to do the right things for disadvantaged students. Kati Haycock is an extremely influential civil rights activist on education issues and a strong proponent of testing and accountability for performance. I want to read you a quote from about twenty years ago, and she says that "special federal education programs for disadvantaged students cannot work when the regular school program, that is, what state and local governments are doing, is deficient. No matter how wonderful the staff in the special federal programs or how terrific their materials and equipment, they cannot compensate in twenty-five

minutes a day for the effects of watered-down instruction the rest of the school day and school year, and that is precisely what most disadvantaged students get.” Interpretation: state and local governments cannot be trusted to do right by students of color and other disadvantaged students.

Fast-forward twenty years, and Haycock says basically the same thing. I will just read you the important part here: “African-American and Latino students get less of these key elements of academic success than the other students. They have less access to rigorous school courses and they are also more likely than other students to be taught by novice teachers who are still learning their craft.” In other words, she says, the main problem is not access to funds anymore, but instead it is access to quality. This lack of trust in the states and localities has induced in these groups a much greater willingness to use federal power to promote standards testing accountability. In effect, they say if state governments cannot do it or will not do it, it is a lot more efficient to have the federal government make them do it.

Finally, civil rights groups genuinely believe that these current policies work for disadvantaged students. In 2000 the Leadership Conference on Civil Rights basically said that we support measures to strengthen accountability so that all students, including poor or minority students, benefit from standards-based reforms, and they also seek to provide parents the means to make their children’s schools more responsive. So basically, two years before No Child Left Behind, the Leadership Conference on Civil Rights is saying we support these mechanisms, and it becomes much more emphatic after the enactment of No Child Left Behind.

The following quotation is taken from the Leadership Conference on Civil Rights in 2007: “We believe that NCLB is a civil rights law, and that some of the requirements of NCLB constitute, in essence, the rights of children to obtain a quality education.” They are very straightforward in saying that this is not a corporate model, this is not about privatization, this is not about big government conservatism, but that this is about civil rights. These requirements, especially the ones to monitor the performance of groups of disadvantaged students and hold schools accountable for the performance of these groups, are about civil rights.

Then more recently, in response to Obama’s hints that he is going to ease up on No Child Left Behind, civil rights groups were mad. They thought that Obama basically was kowtowing to suburban, white, middle- and upper-middle income voters who did not like No Child Left Behind, and that Obama was going to basically chicken out in order to cater to their vote. So they said, if you are going to fiddle with No Child Left Behind, you must continue to require, in exchange for federal funding, state and local accountability for the academic achievement of all children, including and especially for racial and ethnic minorities, English language learners, children with disabilities, and children from low-income families. Clearly, they want to maintain if not extend these kinds of policies.

When Obama was elected in 2008, at first everyone was like, “Oh, thank God! Finally someone who will be totally different from Bush!” But then, what does he do but appoint Arne Duncan! Arne Duncan was the former chief of schools in Chicago, and he was pretty insistent about standards testing and accountability, and about shutting down schools that did not meet Chicago’s view of what schools should be doing. So in the teaching community, they thought this development was horrific. It was described as Obama’s betrayal of public education, and an effort to turn schools over to businesses, and reorganize them on a corporate model. Well, when we look at what the Leadership Conference on Civil Rights said about this appointment, they liked it! They thought that Duncan was great. In fact, they said that given Duncan’s focus on results and not ideology, no other approach would be as likely to succeed. And this actually reflects an interesting tension within the Democratic Party: between teachers and teachers unions (a major constituency of the Democratic Party) and some civil rights groups (another important constituency).

I can push this a little further. Obama in 2011 started to make noises that he was going to loosen up the enforcement of NCLB. Civil rights groups got mad, and the Leadership Conference on Civil Rights sent Obama a letter saying, well, we understand that NCLB has some technical flaws and we agree we need to make some changes, but not fundamental changes. In fact, if you are going to make some changes to No Child Left Behind, you basically have to keep the things that we care about: measuring subgroup performance, holding schools accountable for subgroup performance, acquiring college and career-ready standards –basically, forcing states to bump up their standards– and then finally, establishing a more equal distribution of teachers. In other words, the civil rights groups said, we have to find out who the best teachers are, and then states have to take steps to put them in schools serving disadvantaged students.

The civil rights groups argued, if you are an excellent teacher, you can call your own shots in the labor market. Where do you go? You go to suburban schools that pay you a lot of money and have great students that go to Harvard, Princeton, and Stanford. The civil rights groups did not want those teachers in those schools. Why? Because it is not efficient. Those students are already good. If the excellent teachers were not there, those students would still go to Harvard, Princeton, and Stanford. Where those teachers will make a difference is not out in Bucks County, but in the trenches in Philadelphia, where students will actually show measurable gains as a result of those teachers’ performance.

What does it all suggest? That there is an untold story about how civil rights relates to this education policy. NCLB is not just a conservative attack on public schools, for it has civil rights backing. There is a plausible civil rights logic, even though, and I will concede this, these policies have perverse consequences, especially in suburban and wealthy, well-to-do neighborhoods.

Given this, we have to think carefully about what we are trying to do when it comes to education policy. I want to suggest to you that there could be real, fundamental conflicts between what is good for suburban schools and suburban parents and what is good for disadvantaged students. There may be policies that draw attention to achievement difficulties in specific schools and force the government's hand into specific schools, but when applied to schools where students are already, on average, doing well, the policies may have perverse outcomes and reduced public support.

In consequence we, as relatively advantaged members of the community, face difficult challenges, do we not? What happens if a policy is not in our short-term interest, but historically disadvantaged groups perceive that it is in theirs? Who should win these types of conflicts? And what does resolving these conflicts suggest about the kind of democracy that we practice in this country today?