

During the campaign for the 2000 presidential election, the candidates focused the nation's attention on their plans for educational reform. While they didn't agree on the strategy, both agreed on the need for reform. At issue was the inequality of the education received by minority (predominately African American and Hispanic) students. While the achievement gap between white students and African American and Hispanic students diminished in the 70's and early 80's, it began to grow again in '88 (Kober, 2001, p.2). The legislation in place at the time, Elementary and Secondary Education Act (ESEA) of 1965, was no longer sufficient to meet these student's needs. In the words of then Governor George Bush "Seven of 10 fourth-graders in our highest-poverty schools cannot read a simple children's book. This is a national tragedy, and we cannot rest until we have confronted it." (Bush, 2000, p. 3). The increase in the minority population made it more critical to decrease the achievement gap.

On January 8, 2002, President George Bush signed into law the *No Child Left Behind Act of 2001* (NCLB), as a reauthorization of ESEA. It was hailed by both Republicans and Democrats who believed it would provide much needed reform for our schools. At the time it was passed, NCLB was by and large a bipartisan plan. The goal of the legislation was to ensure that all students, including minority and disabled students received the same high-quality education. The purpose of this paper is to examine the history of NCLB through its policy cycles, identify the stakeholders involved in its creation, and compare policy process models associated with it then, with this information, to provide a prognosis for its future.

### **The Policy Cycle: the predecision phase**

### *No Child Left Behind* Timeline

- Problem Identification
- 1965 - ESEA passed, new money for schools
  
- 1968-Bilingual students added to eligibility list
  
- 1970 - Limits placed on spending Title I funds
  
- 1970's- Disabled students added to eligibility list
  
- Agenda Setting
- 1983 - *A Nation at Risk* released
  
- 1988 - Achievement added to ESEA
  
- 1994 - National standards fail to get written
  
- Policy formulation
- 2000- Campaign focuses on education reform
  
- Policy Adoption
- 2001-Bush proposes NCLB, Congress negotiates
  
- January 8, 2002-NCLB signed into law
  
- Policy Implementation, Evaluation, Change
- Present

When describing the stages-heuristic approach, Theodoulou and Kofinis (2004) asserted that the policy stages can be divided into three groups. They stated “Such a division allows one to focus on the predecision dynamics of problem identification, agenda setting and policy formulation, the decision dynamics of adoption or the factors that shape the postdecision stages of implementation, evaluation and termination or change.” (p.82). It is with this approach that the policy cycle will be examined.

When ESEA was passed in 1965, it funneled \$1 billion through the states into the schools to provide better programs for the poorest students. Subsequent reauthorizations added bilingual

and disabled students to the eligibility list. The Title I program was designed to be flexible, giving local control over spending with few strings attached. However, the money was often used for non-academic purchases, to acquire audiovisual equipment and other supplies.

Beginning in 1970, Congress limited how Title I money could be spent and added provisions for state oversight (Cook, 2005). Still, there was no requirement for achievement and schools often created classrooms for Title I students with a different curriculum and lower standards (Ravitch, 2000).

*A Nation at Risk* (1983) proclaimed a decline in the level of education provided to all students in public schools and declared the decline “threatens our very future as a Nation and a people” (as cited by Ravitch, 2000, p. 412). The release of this report drew national attention in the press. It shifted educational philosophy to utilize the same academic measures for all students. The reauthorization of ESEA in 1988 added achievement as a key component. Under President Clinton, funds were given to the states to develop academic standards, which many of them did. Due to the turnover in Congress from the 1994 election, however, no national board was created to develop national standards or an oversight board (Ravitch, 2000).

Reformation of the education system played a large role in the 2000 election. By this time, Title I money comprised about 7% of most state’s school funding (Woellert, 2001). The candidates differed about how to best improve the system. Vice-President Al Gore stated three goals: state-funded universal preschool, smaller class sizes and higher quality teachers (Gore, 2000). Key aspects of the program focused on Title I funding, withholding funds from schools using uncertified teachers by 2004 and on student achievement, enforcing consequences in those schools failing to perform (Gore, 2000).

Then Governor George Bush's plan included a school voucher program, state adopted accountability systems with testing in grades three through eight, teacher accountability system measuring teachers by student improvement and subject matter testing. One aspect of the program included both Title I and accountability. This program required that schools receiving Title I funds examine all students with a state administered test every year. States were then to provide rewards for schools making progress and punishments for those that aren't making progress after three years.

### **The Policy Cycle: the decision phase**

With the declaration of George Bush as the winner of the election, the proposal he titled No Child Left Behind moved toward adoption. Both sides recognized the need for reform; so, it was a matter of negotiation between Republicans and Democrats. As Republicans controlled both houses in addition to the administration, they had the upper hand. Time was of the essence, though, as the eyes of the press, state leaders, teachers and parents were upon the lawmakers. Since Title I funding reached schools in every congressional district in the country, much was at stake for the elected officials (Cook, 2005). A fast negotiation was required so compromise was necessary.

Within a year, NCLB had worked its way through Congress. In his signing comments, President Bush discussed the willingness of the leaders to set partisanship aside and work together to bring forth this legislation (Bush, 2002). Both sides had won and lost a few key battles. The Republicans were able to maintain accountability but lost on school vouchers. Democrats won on teacher certification requirements but lost on universal preschool. Democrats were able to increase funding for schools with disadvantaged students, though not as much as

they had hoped. The end result is that NCLB increased the role of the federal government in assuring student achievement through the terms dictated by Title I funding.

### **The Policy Cycle: the postdecision phase**

When discussing the stages-heuristic approach, Theodoulou and Kofinis (2004) stated “the main weakness of the theory is that the public policy process does not operate in the step-by-step manner as described,” (p. 82). This is certainly true of NCLB as different portions of the legislation have different target dates for compliance that range through 2014. At this point, the phases of policy implementation, policy evaluation and policy change are happening concurrently.

At the federal level, the Department of Education (DOE) proceeded with a course of negotiated rule making that consisted of five area meetings, each in a different part of the country. By August of 2002, the DOE began promulgating regulations associated with NCLB. Additionally, the DOE produced information to help them better understand the ins and outs of the complex legislation. Implementation at the state level has been inconsistent with different levels of compliance between states as well as between local educational agencies (LEAs) within the same state.

Some initial problems stem from accountability, for example. Accountability requires testing, which some states were not prepared to do on annual basis, new tests take time and manpower to produce. Collecting, collating and reporting the multitude of data requires time both at the state and local level. Interventions for failing schools include district funded tutoring and school choice programs and managing such programs requires local legwork. The hours spent performing these tasks is paid for by the state and LEAs and is costly. Many states have filed petitions with the DOE for waivers on the requirements until they can get their kinks ironed

out. In response to the difficulties that have arisen with accountability, the DOE has had to make adaptations. There is a mixed bag of stories that includes both set-backs and successes. The legislation is continually evolving.

### **Stakeholders**

By increasing federal resources spent on education the No Child Left Behind Act of 2001 put an increase in the number of federal mandates and requirements on state education programs (Peterson & West, 2003). Because NCLB is a federal policy that passes regulations onto state governments there are numerous stakeholders involved on a variety of levels of throughout government, including state and local municipalities. These stakeholders represent a wide range of individuals who have varying views on NCLB. An examination of the variety of agencies and groups that have influenced this legislation helps one to better understand the full effect of NCLB on the education system. It is also important to recognize those individuals who have played a significant role throughout the policy cycle including the current evaluation stage, which has led to very recent adaptations to NCLB regulations.

### **Agenda Setting**

During the time of agenda setting, George W. Bush was a key stakeholder who exercised his power and influence throughout his campaign. His presidential campaign was based on standards, assessment and standards for public education. Because assessment was one of Bush's successes as Governor, it was important for him to focus on this strength of his leadership. Though NCLB had not been designed yet, Bush was able to bring his education reform to a national level because of his role in the public eye. Because he was running for President, he had to design an education reform that would encompass the "middle" Americans that Gore was also trying to sway. His policy staff, including Alexander "Sandy" Kress who was a key player in

Bush's Texas Assessment and who helped develop the beginning foundations of NCLB (Young, 2005).

### **Formulation**

After being confirmed by the Supreme Court, George W. Bush invited 20 members of Congress to Texas for a forum on education policy (Rudalveige, 2003). This group of members included both Republican and newly elected Democratic members, which began the formulation of a new coalition on education. This was a very strategic move on Bush's part because he was able to organize a group of people who may not have worked as closely together once the legislation was introduced, but gave both groups power in the formulation process. Bush was able to do what Clinton often struggled in, which was creating policy that was bi-partisan. Certainly the press was helpful in this process by keeping the nation focused on the increasing achievement gap and other problems in our education system. The press instilled the need for reform in educators and parents who then put pressure on their congressional leaders.

During this stage, Bush exhibited his new influence as President by organizing a group that would be interested in changing education policy on a federal level in ways that he and his staff found appropriate. The formulation process was a key place for Bush to make sure that new education policy was as closely related to his ideas as possible. Bush was very interested in seeing more accountability on a statewide level as well as changes in Title I funding. When Congress began in January 2001, No Child Left Behind was introduced as a "legislative blue print" that borrowed from a variety of previous proposals (Rudalveige, 2003).

### **Adoption**

During the adoption stage more people began to get involved in the plans for No Child Left Behind. Throughout this time not only did stakeholders redesign the blue print to fit their

specific preferences but also other stakeholders such as states began to take greater interest in this federal policy. The coalition, which formed during the adoption stage, evolved into a coalition of three groups, adding on Democrats, including Senator Ted Kennedy (MA) . (Sunderman & Kan, 2004). This then allowed for a very bi-partisan group of congress members to each have voice throughout this stage. Other key stakeholders, included Kregg who had become Bush's key go to person on NCLB. Through Kregg, Bush began to execute his power and negotiate the design of the legislation with Senator Gregg (NH).

### **Implementation and Evaluation**

The Department of Education has taken a large role in the implementation stage because of their responsibilities in making sure that states are remaining accountable. Rod Paige, the Secretary of Education at the time of initial implementation, was a key player throughout this stage. As an appointee of Bush, his preferences reflected those of the administration.

Because of the effect this federal education policy would have on their education funding in their states, many governors expressed their concerns over the plans for NCLB during the implementation stage. They were worried that too many of their schools would be deemed as failing which would lead to greater local responsibilities at the school districts expense (Sunderman & Kan, 2004). Governors also worried that this would adversely affect their state's image. This was the time that states really attempted to get involved in the process because many of them had a lot to lose.

LEAs began to voice their concerns over the difficulty in implementing NCLB and the changes required of them. Education leaders expressed concerns, too, over the costs involved in full implementation. On the federal level, their concerns went unheard (Kathy Shephard, Principal, personal contact). Teachers also began to organize. They attempted to have some

kind of influence throughout the process but were rather unsuccessful. For the most part, many teachers felt that there was a general lack of interest on their views (Sarah Spoczek, Teacher, personal contact). For the most part, these groups used their influence to prompt the state to bring their concerns to the federal level. Parents too have been stakeholders in this portion of the policy. They can exert political pressure on congressional leader, school boards, and teachers. In failing schools, they may have the option to select tutoring or to select a better school for their student, at the school district's expense.

In its current state, the list of stakeholders continues to grow. Supplemental service providers (SSP) who provide tutoring service to failing schools have been added to the list. SSPs are often private businesses hired by parents but paid by school districts under the provisions of NCLB. The SSPs have a business incentive to maintain the current system ("No", 2005). Universities have also been added to the list. With the "highly qualified" teacher requirement, teacher training programs had to alter their requirements for existing and future students. They also had to expand programs to accommodate non-certified teachers and teachers already in the field to meet the "highly qualified" requirement (Jan Grodeon, San Jose State University, personal contact).

### **Process Models**

No Child Left Behind has had a unique life throughout the policy cycle. This federal education policy has gone from being policy in one state to a federal mandate across the country. Throughout its existence NCLB has mostly followed what Theodoulou and Kofinis (2004) describe as the Stages-Heuristic approach, which we have closely examined throughout this course. This stage examines the policy cycle as being an "interrelated series of stages" (p.81), and No Child Left Behind has been an interrelated series of stages. NCLB has not come full

circle in the policy cycle, but is on its way to once again become the basis for new problem identification and agenda setting. On November 19, 2005 the U.S. Department of Education announced that some states would be able to design programs that fit the needs of varying schools and student populations (Asimov, 2005).

Throughout the policy cycle NCLB has been able to go from one stage to the other in a cyclical manner, each stage affecting the previous stage. At each of these stages the policy has undergone some kind of change. Each stakeholder has had to make some kind of compromise regarding specific details involved in the policy design. Currently with NCLB being evaluated by agencies such as the GAO it is expected that this policy will continue to cycle.

Other policy theories and models that also apply to NCLB include elite theory and insitutionalism and can be used to explain the progress of NCLB. The agenda setting, formulation and adoption stages involved those “elite” members of congress and the President of the United States. This white, male group made decisions for the larger group regarding education policy often without looking for opinion from those whom NCLB would most affect like teachers and school districts. Institutionlism also explains the progress during the formulation and adoption stages because it involves the formal players, the legislators and very few other key individuals in regards to formulation.

There are also process models that do not describe the process in which NCLB was made. These models include the systems model and Stream’s metaphor. The system’s model approach, though it does explain the entire life time of a policy, involves policy making that takes into account the external environment; meaning, that what is going on in the world surrounding the policy making body will affect the ideas that are put into action (Jung, 2005). No Child Left Behind began with Bush’s campaign and became one of the most important policy issues of his

campaign and his first years as President. This model does not explain what happens during the adoption stage which was one of the more complex stages of NCLB.

Stream's metaphor or the multiple streams model involves both the pre-decision and decision phase. This model describes the policy process as involving windows of opportunity that allow a policy to be made. Though Bush did have a small window of opportunity, being newly elected, this did not constitute a window of opportunity. This model views policies as not being rational (Theodalou & Koufinis, 2004) but NCLB was created out of rational reasoning and thought.

### **Prognosis**

Given the stakeholders involved in this policy, there is no doubt that NCLB will continue to provide high standards for our schools for years to come. The issue the policy addresses is a fundamental to the success of our nation. The education of our children is vital to creating a globally competitive workforce. Ensuring that disadvantaged children receive an education that is equal to that received by other children gives them an equal opportunity to succeed, despite their family background; thus, maintaining our ideal as America, the land of opportunity.

Certainly parents and educators are committed to the success of the policy. Although there are measurable difficulties in implementing some of the regulations required, states and LEAs will continue to work toward the standards set by the policy makers. Parents and educators will put pressure on Congressional leaders to provide more funding so they can continue to make strides toward full implementation. The press will play an important role, as they play the Devil's advocate. They will put pressure on LEAs printing stories on student achievement and isolated implementation problems while at the same time printing stories on issues regarding funding and inconsistencies in NCLB.

Over time, state agencies (like the California Department of Education) will find ways to help defray costs to LEAs from testing and data collection. New agencies will develop to coordinate, monitor, and evaluate SSPs to ensure that their programs are beneficial. As teachers currently in the field fulfill their “highly qualified” status, university programs will be able to accommodate more students, producing more “highly qualified” teachers in the field both at LEAs and with SSPs. With more teachers working with the SSPs, more of such businesses will open up, increasing competition and lowering the price of the service.

Republicans and Democrats will continue to negotiate over the finer points of NCLB. President Bush will continue to exert his influence over the policy, unsuccessfully working to get school vouchers in place. Democrats will continue to push for universal preschool and will eventually win (although it may be many years before that happens). Even as new leaders are elected, they will come in with an understanding of the importance of the program from having read it in the press and from speaking with potential constituents.

Change will be slow to take place at the federal level because all changes affect 50 states. However, change at the state level will take place much faster, creating a gap between the states and encourage people to move to that state. The surrounding states will then have to follow along and create more changes in an endless cycle of reform.

Eventually, the educational achievements of all classes of students will reach a reasonable level.

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**To: Professor Sheldon Gen**  
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**Date: December 5, 2005**  
**Subject: No Child Left Behind**

The *No Child Left Behind Act* of 2001 (NCLB) was a reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA). ESEA was designed to provide extra funding for schools serving disadvantaged students. The 1983 release of the report *A Nation at Risk* focused media attention on the low achievement of all students, ushering in a new in education: standards based education. Due to the increase in the achievement gap between disadvantaged students and other students in the 90's, education reform took center stage in the 2000 election campaign with both candidates offering a solution. Following the election, with an amazing bipartisan effort, Congressional leaders pulled together NCLB, which was signed on January 8, 2002. Implementation, evaluation and changes to the policy are happening concurrently.

The nation's leadership constitutes a large group of stakeholders in this policy. Due to the top-down approach of this policy and the leadership-led role in its passage, institutionalism and "elitism" seem to be the policy models that fit NCLB best. However, one can't discount the role of the press, states, educators and parents in the implementation and changes with regard to this policy. In the absence of describing an adoption phase, Stream's metaphor does not describe NCLB very well, as this policy spent a year with multiple stakeholders making compromises to ensure its passage.

The nation saw this as an important issue to address. It took many years to get the point where we are today, hopefully, with hard work and dedication, fulfilling the promises made in NCLB won't take long.