The No Child Left Behind Act of 2001 transformed the federal government’s role in education, moving it, in a musical sense, from second chair status in the orchestra to the conductor’s podium. The government is now almost literally in the position of setting the stage for all the other players. The conductor can call in the string section (highly qualified teachers), cue the wind section (supplementary-service providers), maintain the drama through the percussionists (adequate yearly progress), and conclude with a stunning finish that brings everyone to their feet (accountability).

This imagery is basically correct. State superintendents of education, along with state boards, legislatures, and governors, must now follow the score. They may choose not to play, but doing so means the threat of a substantial loss in (federal) income and the risk of being tagged a “dropout” by the media, peers, and the voting public.

Having seen how the federal role evolved in the past half century, it is intriguing to consider what the coming half century may hold. My observations are based on the interviews and research done for this book, on my study of the literature, and on countless conversations over the years. Whereas I hold no credentials as a futurist, my own experiences, combined with my fascination with the subject, may, in small measure, compensate for that shortcoming.

Speculating what the future might hold is not merely an academic exercise. As a nation, we need to debate ideas and reach some approximation of a consensus before we can move ahead. Education is now clearly a prominent issue on the national agenda. Every future presidential candidate will be asked for his or her position, as gubernatorial candidates have for decades. Candidates for the Senate and House will be questioned about their views, because Congress will play an ever increasing role.

**Directions Already Established**

Some directions have emerged and seem destined to be enhanced, even strengthened. Although any of these may be

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derailed, each seems to have a strong political base and substantial momentum.

Redefining Civil Rights for the 21st Century — The Role of Education

In May 2004, the Brown v. Board of Education of Topeka Supreme Court decision will celebrate its 50th anniversary. As discussed in earlier chapters, this decision was enormously influential in shaping educational policy at every level from the 1950s through the end of the century. However, with the dismantling of many court orders, the continued opposition to forced busing from parents of all racial and ethnic groups, and the relentless trend in city school districts toward enrollments almost entirely composed of ethnic and racial minorities, the concept of equal education remains a work in progress.

Many believe that by focusing on the achievement gap, the 2001 ESEA amendments have changed the argument from integration to measuring program quality by how well students in each racial and ethnic category perform. Secretary of Education Rod Paige said in a speech on November 13, 2002, at a meeting on English-language acquisition, “Learning is a civil right” (“Language Summit Raises Questions,” 2002, p. 10). Other prominent African American leaders, such as Hugh Price, president of the Urban League, and Robert Moses, a civil rights leader, have expressed similar thoughts.

Although the accountability provisions of the law are important, by the end of the decade we will almost certainly see successful malpractice lawsuits against schools for failing to provide an adequate education, based on federal law. Although such suits have already come to trial in state courts, none have yet succeeded. Lawsuits would likely be based on failure to close the achievement gap between racial and ethnic groups.

States will also be sued. Having defined what constitutes an adequate education through the establishment of standards and achievement levels, states will now be challenged if they do not provide adequate funding.

Some think that the Bush administration’s belief in the obligation to teach all children to read at grade level before the third grade also sets the stage for legal action. This may become part of a new definition of civil rights with respect to education. Federal reading programs are likely to receive substantial budget increases.

In a decade or so, math is likely to be added. The same NIH office that conducted the reading research has begun similar work in math. It will be years before results are available, but it seems likely that once there is a scientific basis for how best to teach math, math will follow the same trajectory we have seen in reading.

Critics of federal involvement in education usually cite the fact that the 10th Amendment to the Constitution reserves for the states all activities not enumerated as federal responsibilities. Although critics tend to ignore the “general welfare” clause in the constitution, it seems clear that the general welfare requires literate citizens. Thus, education and
the general welfare clause are linked in ways that federal courts are likely to embrace.

Research-/Evidence-Based Practice

In the 2001 ESEA law, a variation of the phrase research-/evidence-based practice appears more than 100 times. In late 2002, Congress passed, and the president signed, legislation transforming the research component of the Department of Education into the Institute of Education Sciences.

Although substantial uncertainty exists over exactly how to define research-based practice, it is clear that federal funds are to be used only to implement programs and policies that are based on “evidence of effectiveness” and, where possible, on research that uses the gold standard of randomized trials involving substantial numbers of participants.

In many ways, this brings research and evaluation full circle back to 1965 when Senator Robert Kennedy expressed doubt that schools would know what programs worked and use them. Kennedy then said that the federal government needed to make a substantial investment in evaluating programs to determine what works (McLaughlin, 1975). Senator Robert Kennedy’s early concerns may have been a major factor influencing Senator Edward Kennedy’s support for dramatic reforms in 2001, according to one of the key participants in crafting that law.

As each set of federal programs — vocational education, special education, and higher education — come up for reauthorization, it is almost certain that each new bill will contain similar language on research- and evidence-based practice. Although this change in direction seems to have strong political support, many practitioners are less convinced of its value, largely because it seems to limit the ability of educators to make ad hoc decisions. The movement has also become entangled with the “reading wars” — a battle that divides those who favor the whole-language approach to teaching reading from those who believe that reading must be based on phonemic awareness. Despite these disagreements, the move to research-based practice is here to stay.

Second-Chance Options Will Remain

The American system is unique in the way it offers the young and the old a second chance. Plunk out of high school? You can get a GED, but even without it, almost any community college will accept you. Decide you want to learn a new skill and change jobs? You can enroll in a variety of programs, most state-supported, and use state or federal grants or loans to help you pay the cost. You can do this if you are 25 or 60, want to advance in your chosen profession, or need additional education and training. These actions on your part may also be both supported and rewarded by your employer.

In conversations with education officials of other countries, I have found this is usually the part of the U.S. system that they find most remarkable. Many countries send students off into specific “tracks” at various points in their educational careers, some on the university track, some bound for entry into the trades, others to a second-tier academic strata that will assure they do not enter the best universities.

In many of these countries, where you go to high school determines university admission, which largely determines what company will hire you. Things get set at a relatively young (12–20) age and rarely change. The concept of a second or third career — or, indeed, being a “late bloomer” — is unfathomable.

Regardless of changes made in the U.S. system, the American concept of a second chance will remain because we are a nation of immigrants: people who came here because they wanted a second chance.

Conflicts will arise as we see the consequences of accountability Systems (federal and state), which, though focused on the school or school district, often affect students by denying them a high school diploma or advancement to the next grade. As long as there are second-chance options, such as a GED or community college entry without a diploma, these systems can coexist. If attempts are made to couple new accountability Systems, federal or state, with the removal of second-chance options, we will have a debate well worth having.
Potential New Federal Policies

Some federal policy leaders and observers have shown interest in significantly expanding the federal presence in several new directions, or of substantially expanding aspects of federal presence already established.

Technology

Technology is seen as an unfulfilled reality when it comes to education. Although recognized for its contribution to fields as diverse as medicine and communications, technology in education has been marginal, and it has not been seen as a tool that educators can use to increase their own productivity. Gordon Ambach, retired executive director of the Council of Chief State School Officers, noted that the Federal Communications Commission through its E-Rate fund has made Internet access affordable for almost all schools. This step has opened schools’ access to technology more than any other program funded by any federal agency. Unfortunately, however, access is not enough. Teachers and principals must be trained and learn to overcome opposition to using private-sector products and services. Educators must overcome the fear that teachers will be displaced by technology. The careful use of technology will expand student options, leave teachers free to work with those most in need, and inspire students with new ideas.

Although the federal government has had technology programs for decades, a renewed and focused effort in this area is quite likely.

Early Learning

Federal early learning programs began with Head Start, under the Economic Opportunity Act of 1964, the cornerstone of Lyndon Johnson’s program for the Great Society. Today, Head Start incorporates many elements that are not focused on learning, a source of some disagreement between program advocates and Head Start teachers on one side, and reformers and some federal policymakers on the other.

Since 1964, we have learned a great deal about how people learn, especially very young children, however, much of this knowledge has not been incorporated into programs like Head Start. Research has clearly shown that if children have a learning deficit when they begin the first grade, they are unlikely to ever close that gap; moreover, that the gap is likely to widen as the child gets older. A growing body of evidence shows that many children placed in special education were never taught to read properly at an early age, thereby strengthening the importance of early education.

Much has also been written about the need for universal preschools for 3- and 4-year-olds, contrasting the absence of such programs with their presence in most other industrialized nations. Research on this issue has been compelling to many state policymakers and has finally got the attention of a substantial number of federal policymakers. It is likely that whatever form the new initiatives take, they will include a proposal to transfer Head Start from HHS to the Department of Education. In addition, it is quite likely that we will see some new federal initiatives to expand early learning opportunities, especially for children from low-income families.

High School Reform

Another area in which new federal policy may emerge is in reforming high schools. To date, almost all efforts have dealt, intentionally or not, with elementary schools; the 2001 version of ESEA reform barely touches high school issues. Most of the comprehensive school reform models have little to do with secondary schools (High Schools That Work and Talent Development High Schools are notable exceptions), and most Title I money ends up in the earlier grades. In recent years, a number of private sector initiatives have emerged, most notably the efforts of the Bill and Melinda Gates Foundation, to fund small high schools. Others, including the Carnegie Corporation of New York, have funded similar efforts, but adoption has been far from widespread and few have focused on precise outcomes.

U.S. demographics are a major factor in high school reform efforts. The country is becoming increasingly Hispanic (e.g., California and Texas), and drop-out rates in this population, especially in cities,
A major battle is raging in Washington … about what type of education is needed for being an effective teacher.

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... it seems unlikely that we will see in the coming 20 years an educational system like those in Australia and the Netherlands, where the national or state governments support nearly all schools.

two states, Ohio and Wisconsin, enacted programs to provide voucher options for children attending schools in their largest cities (Cleveland and Milwaukee, respectively). In 2002, the U.S. Supreme Court ruled that the Cleveland program was constitutional, even though almost all the participants attend Catholic schools. The Supreme Court’s decision removed one of the last major legal obstacles to widespread adoption of voucher programs, and placed the issue squarely in the political arena of every state. The implications for federal policy are less clear, but the idea of voucherizing Title 1, vocational education, and special education has become legally possible.

In the 2001 ESEA amendments, states are required to certify supplemental service providers, and school districts are required to make those services (in the form of tutoring and related assistance) available to children in schools that do not make adequate yearly progress. In addition, the federal law now requires that children attending schools that fail to improve be given the right to attend other public schools, either in that district or even across district lines if the receiving school or district will accept them. Available space in the “home” district is not an acceptable reason for denial of parental rights to exercise this option, according to the program regulations.

The failure of most districts to offer parents and students options to exercise this right to change schools has become a major issue, with advocates on both the left and right arguing that the only solution is to open all schools, public and private, to students who wish to exercise this right. In mid-2002, the President’s Commission on Special Education proposed that services for children requiring special education be converted entirely to vouchers. There are already many special education students who attend nonpublic schools on what are essentially vouchers, because the sending district is incapable of meeting student needs.

Despite these small steps it seems unlikely that we will see in the coming 20 years an educational system like those in Australia and the Netherlands, where the national or state governments support nearly all schools, public and private, while holding them accountable for what is taught and for student performance. Almost every major education association, particularly the teacher unions — as well as some organizations representing private schools that fear federal intrusion — are in solid opposition to the idea, and campaign money talks. In the 2002 congressional elections, the NEA was among the largest contributors to House and Senate races; though smaller, the AFT was equally as active in its geographic areas of influence.

Unions have been shortsighted in allowing themselves to become almost totally partisan. At the national level, it is a rare Republican who has been endorsed by a teachers union. As a result, these unions have little influence with a Republican White House and the Republican leadership in both houses of Congress. Although union strength is greatest in mustering enough votes to block proposals they oppose, the Reagan effort in 1981 provides a road map for overcoming that advantage.
It is likely that we will see successful efforts to further open the system in small ways, such as in special education. If those efforts are successful, we may see further opening of the system over the following decades. The further opening of the education system will not be risk-free for nonpublic schools. To gain financial support, nonpublic schools will almost assuredly be required to offer a curriculum that resembles that taught in public schools, and agree to the testing and accountability systems imposed by the states and the federal government. Many of these schools will consider these concessions too great and will choose to remain independent, although it is likely that Catholic schools will concede, just as they have in other countries. Whatever the specific details, market forces will continue to nibble away at the current system.

Centralization Versus Flexibility

The movement to academic content and performance standards, which began with the Charlottesville summit in 1989, has forced us to decide which is more important in our society: local flexibility or a coherent system that aligns standards, assessments, teacher training, and accountability. As it has been historically practiced in this country in education, local control is simply inconsistent with having a coherent system.

Parents continue to express their belief, through focus groups and public opinion polls, that they want assurances that their children’s education will allow them to compete for jobs on a world stage. Parents know, as Paul O’Neill said at the 1996 education summit, “Nine times nine is the same in any state,” and that jobs can be exported with the click of a computer mouse.

Despite these facts, politicians try to use “local control” as a rallying cry against the federal government and the states. On the other hand, parents often believe that local control is the right to hire and fire the football coach, vote in local bond elections, and keep objectionable materials out of their schools. I have never heard a parent, taxpayer, or politician say they do not want the very best education for their children — today this means a competitive, truly world-class education.

Yet flexibility will be maintained through, for example, permitting the transfer of funds across programs, as long as this improves the education of children through the use of proven practices. Centralization need not mean a common curriculum, if schools can assure parents that children are being taught content and if this can be verified through tests and accountability systems. We must also ensure that schools and districts that need comprehensive help receive it and are not left without support, especially in the area of teaching and learning.

In recent years, the federal government has supported the adoption of various models for school improvement through the Comprehensive School Reform Program, using models developed, in part, through the efforts of New American Schools. This represents a pluralistic approach. The choice of models is always made at the school level, usually by a vote of the staff. All models have the common objective of improving student learning, though the methods vary widely.

What does this mean for the future? We will probably continue to see the focus on systems that align teaching, curricula, and testing through accountability systems. Other requirements, such as teacher training and professional development, will only receive federal funding for programs that support this alignment.

We also need a new vocabulary that will permit us to talk about issues like local control without the baggage that now accompanies these and other terms.

What Will Not Happen

Some things are quite unlikely to happen within the coming decade, and perhaps in the coming half century.
General Aid Is Unlikely; the Federal Share Will Not Exceed 10 Percent

Although some of the earliest attempts for federal support were for general aid (aid that school districts and states could use for any purpose in public schools), it is quite unlikely that the Congress will enact general aid legislation.

The lessons of the past 40 years, as highlighted in numerous evaluation and research studies, have given Congress and the executive branch no reason to believe that money that was “put on the stump” would be wisely used to meet federal objectives.

Policymakers are concerned that most of any general support aid would be soaked up by increased teacher salaries, with no assurance that the expenditure would be accompanied by an increase in student learning. The movement to accountability that began in 1988, was advanced in 1994, and cemented in 2001 is unlikely to be eliminated. Whereas the accountability requirements now refer to all students and affect all teachers and schools, the federal investment remains targeted on areas such as the education of disadvantaged students and the closing of the achievement gap. The 2001 bill came about largely because federal policymakers grew weary of watching states take federal money and then not wanting to be held accountable for its use. A strong accountability mechanism is seen as the best answer to that problem.

Although the federal share of total public school spending has ranged from about 5% to 9%, it is unlikely we will see the share rise much above 10%. At just over 8%, the federal education budget — including higher education — is more than $50 billion in the Department of Education, with other funding coming from NSF, the Department of Agriculture, and smaller agencies. Given the demands on federal spending, federal deficits, and the primacy of the state role, substantial growth in new areas is unlikely.

No Longer Will Federal Education Policy Be Dominated by Washington-Based Education Organizations

Since the 1989 Charlottesville Education Summit, new players — especially the business community — have been energized and have become major players. Prior to the summit, only an occasional business leader would be visible nationally on an education issue, and then most likely as chair of a study group for the Committee on Economic Development.

Today, a half-dozen business organizations operate at the national level and almost every state has at least one active organization. Although initially timid in their participation, leaders such as Lou Gerstner (IBM), Ed Rust (State Farm Insurance), and Phil Condit (Boeing) have become forces to reckoned with, as have organizations such as the Business Roundtable and Achieve. Individually and collectively, these organizations and people played a major role in 2001. They and their successors will continue in that tradition.

What Remains That Requires Attention

Despite all that has been done, there are areas that are appropriate for federal intervention but where no action is likely in the near future.

The first area relates to equalizing the financing of schools — a subject often considered a primary reason for federal support — the rationale being that only the federal government can equalize the resources available for school support that result in some states spending half of what others do on a per pupil basis. Advocates point to the fact that when one examines the property wealth available to be taxed to educate a student, one finds that many states are property-wealth poor. Since most schools are primarily financed by property taxes, there will always be schools with fewer resources, or where property will have to be taxed at prohibitive rates. Advocates believe that with its broad and progressive tax base, the federal government should play an equalizing role.
The lessons of the past 40 years have given Congress and the executive branch no reason to believe that money that was “put on the stump” would be wisely used to meet federal objectives.

In fact, in Title I, there is some funding that does just that, but the amount is negligible and the funds are restricted in their use. Finance equalization would be a form of general aid, not to be confused with a general aid program that has little or no relationship to taxing ability. Some advocates believe that if a federal program of interstate equalization were achieved, the next step would be an effort for the federal government to assist with intrastate equalization. This seems like a very long stretch from where we are today and is unlikely to happen, especially given the likely price tag associated with this issue.

Another area that could benefit from federal intervention is the development of capacity to support reform at the state and local levels, as well as the expansion of the U.S. Department of Education’s capacity to provide technical assistance.

Few state education agencies have the breadth, and especially the depth, to provide the technical assistance and support that schools and school districts need if they are to meet the expectations of federal law. Title V of the original ESEA was directed at this purpose, and it did help. However, in the intervening 30-plus years, many more requirements have been levied on the overwhelmed states — and states have not spent very much on their own agencies. Key state staff is expected to cover multiple areas and funding does not exist to assure that there is adequate depth of coverage.

States have become the front-line players in implementing federal programs and enforcing provisions, such as the accountability sections of No Child Left Behind. Without adequate staff, the implementation of federal law is in jeopardy, and states believe the federal government should finance that effort.

At the same time, the regional offices of the Department of Education have become little more than places where a senior official can be stationed to represent the secretary in regional activities. Although the department’s Office for Civil Rights and various higher education programs do maintain staff in the regional offices, there is no capacity at that level to assist states. Various administrations over the years have stripped regional offices, largely in despair of their staffs’ capabilities and with the knowledge that states want to deal with program staff in headquarters where they can be assured that they are getting sound advice.

Whatever the solution, it is unlikely that we will see federal goals met unless both state agencies and the Department of Education have, or arrange through contracts, the human resources required to assist states, districts, and schools in meeting federal expectations. Currently, there is little evidence that such an investment has any political support.

A Final Note and a Proposal: Congressional Organization and How It Affects Schools

Congress is organized as a system of committees and subcommittees that ensures that elementary and secondary education is never looked at as a whole. In the House, one subcommittee handles ESEA and vocational education, but never in the same year or in the same bill. Another subcommittee handles special education. The jurisdiction for preschool is
Whatever course federal policy follows between now and the middle of the 21st century, the story of that evolution will likely be as interesting as the history of the past 50 years.

Split among committees and subcommittees and yet another committee handles science and NSF. A similar pattern exists in the Senate. An entirely separate set of committees and subcommittees decides how much will be spent to operate programs and agencies, and communication between committees on these matters is rare. In fact, in the House, caucus rules prohibit a member from serving on both the education committee and the appropriations committee.

The organization of the Department of Education is based on congressional mandates and the 1979 statute governing its creation; it has seven separate subparts dealing with K-12 education, ranging from the general, the Office of Elementary and Secondary Education, to the specific, the Institute of Education Sciences. In addition, NSF plays a major role in math and science education.

Such fragmented policy does a disservice to the needs of children, creates unnecessary bureaucracies at every level, and makes it very difficult to hold people accountable.

Although it is unlikely that these congressional structures will ever be dismantled, the situation cries out for the creation of a congressional task force charged with the specific mandate of studying these issues, including the organization of the U.S. Department of Education, and recommending changes back to the relevant committees and the president. Ideally, the task force would be composed of representatives of each of the responsible committees and subcommittees. The task force would have a limited time period, less than 2 years, and would study matters related to fragmentation, coordination, and communication.

In addition to hearing from bureaucrats and interest groups desiring to protect their turf, the task force should also listen to parents, students, principals, and teachers. Not those who represent, say, the PTA or the teacher unions, but those who represent no special interest. The results could prove to be extremely illuminating.

In support of this proposal, and in recognition of the overall value it has provided, OMB should reinstitute the special analysis of federal spending on education that was discontinued in the 1980s. That document was the only comprehensive picture of federal spending across agencies. Although improvements in the old reports are needed, the existence of this document provided invaluable insights into how the federal government supports education.

Whatever course federal policy follows between now and the middle of the 21st century, the story of that evolution will likely be as interesting as the history of the past 50 years.

References


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