

The Opportunity to Learn Agenda: Building Strong and Fair Public Schools Across America

Introduction

The welfare of our nation rests upon our system of public education. As Thomas Jefferson once said, “If Americans desire to be both ignorant and free, they want what never has been and what will never be.” Indeed, it is our democratic system of governing, based upon the twin pillars of equal rights and responsibilities, which requires we have a system of public education.

We continue to fall short of this most basic democratic commitment. We do not provide every child in this nation with equal access to a high-quality education. In fact, education is funded more unequally in the U.S. than in any industrialized country, and many students — especially those who are low-income and minority — go to school in crumbling facilities that lack an adequate supply of books and computers, have no libraries, science labs, or arts programs, and are staffed by a revolving door of inexperienced and underprepared teachers.

U.S. schools are also hampered by the factory model design adopted a century ago, and by measures of learning that are more suited to the industrial age than to the demands of a knowledge-based society. The results are low, inequitable, and declining performance on international assessments like PISA (the Programme of International Student Assessments), where the U.S. ranks 35th out of the top 40 countries in math and 29th in science. High school graduation rates are stagnating and are linked to growing incarceration rates. And there is a relative decline in U.S. students’ participation in higher education as compared to those in other countries, coupled with growing disparities in students’ access to college and high-quality careers.

Clearly, there is a pressing need to redesign our schools to meet the demands of a global 21st century society in which knowledge and technology are changing at a breath-taking pace and new forms of education are essential for individual and societal survival. However, our current policy strategies are constraining rather than enabling the educational innovation our school system needs.

We can do better.

With the impending reauthorization of the Elementary and Secondary Education Act (ESEA), the time is ripe to alter the current path of education. To do so, we must restore the focus of education reform to its rightful bull’s-

eye — on learning, and the core conditions that best support it. We must invest in the creation of a long-term teaching profession, not a short-term teaching force. And we must ensure a fair and equitable distribution of resources for education in all communities.

An Educational System for the 21st Century: Equalizing Resources

Tremendous unevenness and inequality characterize education in America. With a three to one ratio between high- and low-spending schools in most states, multiplied further by large inequalities across states, international studies repeatedly find that the U.S. has one of the most inequitable education systems in the industrialized world.¹ Moreover, the gaps along racial and class lines have been growing rather than shrinking, as inequality in funding has also grown since the 1980s. As University of Wisconsin-Madison professor — and Forum Convener — Gloria Ladson-Billings has noted, what we have is not an achievement gap but **an educational debt** that has accumulated over centuries of denied access to education and employment, reinforced by deepening poverty and resource inequalities in schools which continue to leave children of color and the poor behind.²

Current federal policy tackles the equity issue by demanding equal outcomes from schools without equalizing the resources they provide. School funding lawsuits brought in more than 25 states have described highly segregated, apartheid schools serving low-income students of color with crumbling facilities, overcrowded classrooms, out-of-date textbooks, no science labs, art, or music courses, and a revolving door of untrained, inexperienced teachers. Meanwhile, their suburban counterparts go to schools where twice the money is spent on students with fewer needs in settings that offer expansive libraries, up-to-date labs and technology, small class sizes, well-qualified teachers, expert specialists, and luxurious facilities. Researchers have shown that schools serving large concentrations of “minority” students struggle with lower budgets, larger class sizes, lower-quality curriculum, and less-qualified teachers across the country.³ It is the shame of this nation that it continues to take individual state-by-state lawsuits to try and force us into recognizing our obligation to provide for educational equity.

We can do better.

Paying off the Educational Debt

The federal government plays a unique role in ensuring the civil rights of all our people, and that role has rightfully been extended to the area of education through both legislation and jurisprudence. The last decade has seen some erosion of this role, through both legislative indifference and judicial action, to the detriment of educational equity. Our schools are more segregated today than they were three decades ago, and the tools to pursue integration within schools and universities have been weakened. Furthermore, one of the major roles of public education in our democracy, that of incorporating new immigrants, is weakened as the schools that serve these children are too often vastly under-resourced as well as segregated.

Our current federal education policy—the No Child Left Behind (NCLB) law—reinforces this education debt by holding children and schools accountable for satisfactory test results without holding governments at all levels accountable for providing adequate educational resources. Research has shown that across the country schools serving large concentrations of low-income and racial and ethnic minority students struggle with lower budgets, larger class sizes, lower-quality curricula, and less-qualified teachers.⁴ Given these inequities, it is no surprise that schools with these same characteristics tend to score lower on standardized tests, experience higher drop-out rates, and have fewer students advancing to college. In effect, we have demanded equal outcomes without guaranteeing equal opportunities to learn.

It is time for our government to be as concerned with the civil rights of its own people as it is with those of other nations. Securing the right to an equitable education is as fundamental as securing the right to the vote. To secure this right, we need to prioritize paying off the “educational debt” we owe our most underserved children and preventing such disparities from affecting the education of any child.

Ensuring that every child has access to adequate school resources and the supports that make learning possible will require the following steps:

1 Link Federal support to Progress in Opportunities to Learn.

Currently, the allocation of education spending does not reflect the urgency of repaying the educational debt. With a three-to-one spending disparity between high- and low-spending schools in most states, multiplied further by large inequalities across states, the United States has one of the most inequitably funded education systems amongst the industrialized nations. The funding allocated in current federal policy — less than 10 percent of most schools’ budgets — does not meet the needs of the under-resourced schools where many students currently struggle to learn. It is also allocated in ways that reinforce rather than compensate for unequal funding across states.⁵ Nor does current federal policy require that states demonstrate progress toward equitable and

adequate funding or greater opportunities to learn. Federal mandates that simply require equity in such things as “highly qualified teachers,” without a national agenda to provide such resources, offer a hollow promise.

Such inequality is fundamentally incompatible with the democratic mission of our schools to create an engaged and capable citizenry. This new direction must not only offer access to basic education, but also equip all citizens with the higher-order thinking skills made necessary by new economic and social realities.

Investment in a “thinking curriculum” for all students is needed to reverse the destructive trend toward a society deeply divided between the “haves” whose education prepares them to participate in the new society and the “have nots” who can’t participate — and who are increasingly part of a growing school-to-prison pipeline. The federal role must ensure that every child has equal opportunity to learn, which research has demonstrated includes access to high-quality teachers and school leaders, challenging curricula, and schools and classes organized so that all students are well-known and well-supported.

One central tool for this task is linking state eligibility for federal funds to state progress toward equitable school funding. The goal is to establish reciprocal or two-way accountability where it does not currently exist. While recent approaches to accountability have emphasized holding the child and the school accountable to the state or federal government for test performance, government has not been held accountable to the child or his school for providing adequate educational resources.

A new ESEA should start by asking (and helping) states to develop systems of accountability that use multiple measures of student learning which are performance-based and pegged to world-class standards of learning, and that assess gains based on how students improve over time. The current confusing statistical gauntlet of dozens of annual targets for making “adequate yearly progress,” some of which place NCLB at odds with other federal laws and parent and student rights, should be replaced by state plans that propose **a continuous progress index of performance** which evaluates how schools and individual groups of students are advancing. Such an index should include a range of important measures, including continuation and progress toward graduation, as well as measures of school learning that assess higher-order thinking and understanding, provide useful diagnostic information, and ensure appropriate assessment for special education students and English language learners, guided by professional testing standards.

In addition, as a condition of receiving federal funds, states should create an **accompanying opportunity index** that reflects the availability of well-qualified teachers; strong curriculum opportunities; books, materials, and equipment (including science labs and computers); and adequate facilities. A report describing the state’s demonstrated movement toward adequacy and equitable access to education resources — and a plan for further

progress — should be part of each state's application for federal funds.

This notion was proposed at the start of the standards movement, when the National Council on Education Standards and Testing's Assessment Task Force proposed that states collect evidence on the extent to which schools and districts provide "opportunity to learn" the curricula implied by standards as a prerequisite to using tests for school graduation or other decisions. The report argued that student performance standards would actually result in greater inequalities if they were not accompanied by policies ensuring access to resources, including appropriate instructional materials and well-prepared teachers, for all children.

Finally, as we describe further below, the federal government should help to distribute well-trained teachers to all students through incentives that attract and keep educators in harder-to-staff locations, just as it currently does in medicine. In these ways, our national resources would be used strategically to ensure an adequate opportunity to learn for every child.

The federal government can help ensure equity by:

1. Better equalizing its own allocation of funds to states, accounting for concentrations of need and differences in costs of living;
2. Creating benchmarks for the pursuit of equity in the form of opportunity-to-learn standards;
3. Closing the comparability loophole in Title I by requiring districts to equalize per-pupil expenditures across schools prior to awarding Title I funds;⁶ and
4. Incentivizing states to implement equitable funding models across districts and schools.

2 Incentivize the recruitment, development, and equitable distribution of highly qualified and highly effective teachers and school leaders.

Myriad studies have clearly demonstrated that highly effective teachers are an essential element for student academic achievement. However, students in low-resource schools do not have access to these teachers at the same rate as students in high-resource schools. Studies find that the quality of the school principal — especially the extent to which he or she engages in instructional leadership practices — is the second most important determinant of a healthy learning environment, right after teacher quality.⁷

The federal government should ensure that all students have the same opportunity to learn from a well-trained teacher and a high-quality principal by increasing the number of highly qualified and highly effective teachers and principals in the pipeline, helping to ensure high quality preparation for these teachers and principals, and creating incentives that attract and keep educators and school leaders in harder-to-staff locations, just as it currently does in medicine. This can be achieved by:

- Creating incentives, such as service scholarships, to recruit teachers and principals to high need areas;

- Strengthening teacher preparation by supporting professional development programs (akin to teaching hospitals) and high quality residency programs;
- Supporting the development of a national teacher performance assessment that can be used for licensing;
- Implementing a minimum ratio of experienced to inexperienced teachers for all schools;
- Supporting mentoring programs and ongoing, practice-based collaborative learning opportunities for teachers;
- Supporting the development of differentiated career pathways that help keep promising teachers in the profession, and
- Investing in strong school leadership recruitment and training programs.⁸

3 Ensure equal access to high-quality early education programs.

Access to a high-quality early education experience sets the foundation for academic success. Research conducted by Nobel Laureate James Heckman affirms that early education programs have clear educational development benefits that include higher graduation rates, higher incomes, and lower levels of criminal behavior compared to children who did not participate in early education.⁹ Heckman's findings were corroborated by the HighScope Perry Preschool Study which found that child participation in an early education program significantly reduced arrest rates, while increasing earned income, graduation rate, and IQ scores compared to those who did not participate in an early education program.¹⁰

As important as early education programs are to a child's development, access to such programs is far from equitable. A report by the National Institute for Early Childhood Research indicates that access to early education programs varies by ethnicity, income and the educational attainment level of a child's mother.¹¹ The federal government can help to close the gap in access to early education by:

- Establishing minimum requirements for early education programs (e.g., teachers with bachelor degrees and trained in early childhood education, small class sizes, etc.);
- Expanding current programs to include many more children from disadvantaged backgrounds, and
- Expanding funding for early education programs.

4 Meet the Federal Obligation for Funding Programs for High-Need Students.

A complement to requiring that states move toward more equitable spending formulas is ensuring the federal funds designated for the education of high-need children are both adequate and spent strategically. When ESEA and the Education for All Handicapped Children Act (originally PL 42-142) were first enacted, the federal government committed to funding 40 percent of the

extra costs of educating students with disabilities and those who are “educationally disadvantaged” by reason of poverty. This commitment has not been maintained, and by 2007, the federal share had dropped to only 17 percent of the total bill for educating these students. The cumulative shortfall in Title I resources appropriated since 2002 (in comparison to authorizations) is now estimated to be \$65.4 billion, which translates into nearly nine million students un-served or under-served due to funding shortages.¹²

If we are legitimately to expect all students to reach much higher standards, the federal government must meet its promises to support the investments needed to provide students the kind of intensive, high-quality teaching and support services they need. An estimated \$10 billion in additional funds would move us about half the distance toward meeting this obligation. More of these funds should also be spent to improve the actual quality of services, rather than merely to meet complex regulatory requirements and manage paperwork that takes up staff time and school resources without improving the quality of education. Rather than adding ever more procedural regulations, these programs should be streamlined to focus on the quality of teaching provided to students by expert teachers and to invest in growing that expertise by investing in top-flight professional education.

Federal funds should be targeted for purposes that can make a real difference in educational opportunity — recruiting, preparing, and retaining high-quality teachers with the skills needed to help students who experience challenges in learning; improving professional learning opportunities; supporting the development of strong curriculum and assessment strategies; and providing additional learning time for low-income students through enrichment opportunities after school and during the summer.

5 Strengthen supports for English Language Learner and Limited English Proficiency students.

English Language Learners (ELL) represent the fastest increasing segment of the public school population.¹³ According to the U.S. Department of Education, 10.5% of American public school students are ELLs.¹⁴ Under Title III of ESEA, schools and districts are accountable for the academic achievement of ELL students and for enabling these students to reach English-language proficiency. However, ELL students face a unique set of challenges compared to other students. For example, it is difficult to generate advanced conceptual understanding from English language learners (ELLs) and students with limited English-language proficiency (LEP) when they are being tested or taught in a language in which they are not proficient. The federal government can encourage teachers, schools, and districts to provide equal education opportunities for these students by:

- Investing in the development of fully-qualified bilingual teachers who are sensitive to language barriers and cultural differences among students and able to effectively teach ELL and LEP students;

- Encouraging states and localities to increase the pool of highly qualified bilingual teachers and personnel with expertise in working with ELLs;
- Supporting high-quality, research-based professional development opportunities for ELL/LEP teachers;
- Supporting early school intervention programs that help prevent ELL students from falling behind academically, and
- Prohibiting districts and schools from testing ELL student exclusively in English until they have become proficient in the English language.

Invest in Learning Supports.

The federal government also has a role to play in offering auxiliary supports that prepare students to learn, keep them engaged in school, and make their environment beyond school conducive to high levels of skill development. The obvious truth — that schools alone are not responsible for student achievement — should propel attention to programs that will provide adequate health care and nutrition, safe and secure housing, and healthy communities for children.

As New York University professor — and Forum Convener — Pedro Noguera notes:

If we want to ensure that all students have the opportunity to learn, we must ensure that their basic needs are met. This means that students who are hungry should be fed, that children who need coats in the winter should receive them, and that those who have been abused or neglected receive the counseling and care they deserve. If the commitment to raise achievement is genuine, there are a variety of measures that can be taken outside of school that will produce this result. For example, removing lead paint from old apartments and homes and providing students in need with eye exams and dental care are just some of the steps that could be taken. This may seem obvious, but although the new law is called No Child Left Behind, many of these needs have been ignored, and consequently many children are being left behind.¹⁵

The learning effects of providing safe housing, non-toxic environments, and necessary health care are substantial — by some estimates as great as improving instruction.¹⁶ One key to the success of other high-performing nations has been the provision of out-of-school learning supports. Nations that provide all children with health care, ensure that when students come to school they are not distracted by toothaches, vision problems, untreated asthma, and a range of illnesses.

The availability of high-quality pre-school is also a national priority in high-performing nations. When nations view learning as a priority for all children, they ensure that students come to school ready to learn. For every dollar invested in high-quality family support and early learning programs for young children, there is a \$7 to \$10 return to society in higher graduation rates and

employment leading to higher wages and greater tax payments, decreased need for costly special education services, lower rates of crime and incarceration, and better health. An additional \$10 billion investment annually would enable all low-income children to experience high-quality pre-schools and affordable day care, with additional supports to enable their parents to meet their children's educational and health needs as well.

7 Enforce civil rights laws that are essential for educational equity.

The Department of Education's Office for Civil Rights (OCR) should evaluate and enforce state compliance with the federal mandate (as stated under the Civil Rights Act, Elementary and Secondary Education Act, and NCLB) to provide an equal education opportunity for all students. Adherence to this goal would involve compliance with equitable access to equitable funding resources, early childhood education, quality teachers, and challenging curricula, along with equitable education opportunities for ELLs.

Conclusion

55 years ago, the United States Supreme Court's unanimous ruling in *Brown v. Board of Education* captured the most hopeful strains of the American narrative: working within a system of laws to extend the promise of freedom, more fairly and fully, to each succeeding generation. "In the field of public education," the unanimous Court wrote, "the doctrine of 'separate but equal' has no place," and the opportunity to learn "is a right which must be made available to all on equal terms."

In practice, however, integrated schools today remain as much of a dream now as they were fifty years ago, and the subject of segregation has all but disappeared from the national conversation about education reform. Worse still, many of the newest and most promising schools in our nation's cities are actually increasing the racial stratification of young people and communities — not lessening it.

Investments must be made to ensure the fair and equitable distribution of resources for education in all communities. Doing so will afford our children the opportunities to learn they deserve. While the federal government cannot eliminate the long-standing educational debt overnight, it can enact policies that encourage states to equalize resources.

Now is the time to act.

Endnotes

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- 16 Richard Rothstein, *Class and Schools: Using Social, Economic, and Educational Reform to Close the Black-White Achievement Gap* (Teachers College, Columbia University: Economic Policy Institute, 2004).