



FairTest

National Center for Fair & Open Testing

Open Letter to President-elect Obama On the 7th Anniversary of the “No Child Left Behind” Law “Keep Your Promises to Fix NCLB”

January 7, 2009

Dear President-elect Obama:

The National Center for Fair & Open Testing (FairTest) congratulates you on your historic victory and endorses your message of uniting all Americans to work for positive change.

During your campaign, you spoke with power and clarity about the serious challenges facing our schools due to the flaws of the federal No Child Left Behind (NCLB) Act. On the seventh anniversary of NCLB being signed into law by George W. Bush, we urge you and secretary of education nominee Arne Duncan to keep your promises to America’s children and work quickly to address NCLB’s flaws through the reauthorization process.

Today, a growing majority of Americans across the political spectrum recognize that NCLB has failed to live up to its promise to close learning gaps between racial groups and raise the performance of the nation’s schools. Most agree it has transformed too many schools into mind-numbing test-prep centers.

According to a recent Gallup/Phi Delta Kappa poll, eight in ten Americans believe that NCLB must be completely revamped in order to succeed. In addition, the federal government’s own National Assessment of Educational Progress (NAEP) shows that student academic performance rose more rapidly before NCLB was adopted than after it went into effect.

NCLB needs a fundamental overhaul to ensure that all students learn up to their potential. That’s why FairTest initiated an alliance of 150 national civil rights, education, religious, parent, labor, children’s, and civic organizations which have signed a statement calling for a new direction for federal education policy (see list at http://www.edaccountability.org/Joint_Statement.html). We were heartened by your statements on the campaign trail about NCLB’s shortcomings and want to support your efforts to create a new, beneficial law.

President-elect Obama, please heed your strong statements and promises concerning NCLB as you move to make positive change in the nation’s education policy. For example, you said:

- **“We should not be forced to spend the academic year preparing students to fill in bubbles on standardized tests.”** We agree and recommend that NCLB end its overreliance on simple-minded tests, which have dumbed down both teaching and learning in the quest for higher scores, and reduce the amount of mandated testing.



- **We need to use “a broader range of assessments that can evaluate higher-order skills, including students’ abilities to use technology, conduct research, engage in scientific investigation, solve problems, present and defend their ideas.”** We agree and recommend that a reauthorized NCLB incorporate multiple measures of student learning and school quality that promote educational excellence. These can include real-world performance tasks, collections of student work that can be independently reviewed, evaluations by inspection teams, and standardized tests. To make this work, there needs to be a proper balance of local and state assessments.
- **“Labeling a school and its students as failures one day and then throwing your hands up and walking away from them the next is wrong.”** We agree. Researchers have concluded that NCLB will label 70 to 100 percent of the schools in the nation as 'failures.' A new law should stop this massive over-labeling and start helping schools improve. That means providing adequate funding for a broad range of educational services and developing better assessment tools. It means giving teachers themselves ongoing opportunities to learn, as all professionals must, so they can do their jobs better. It means holding schools, districts and states accountable for meeting reasonable rates of progress and taking positive steps toward improved teaching and learning.
- **“Forcing our teachers, our principals, and our schools to accomplish all of this without the resources they need is wrong.”** We agree. Sadly, the law was not designed to provide the resources or the help to make schools better. Instead, it requires actions that do little to strengthen teaching and learning. Some of them, such as the tutoring provision, divert resources from schools serving low-income children and give those resources to private test preparation firms, with little evidence of benefit to the tutored students. The federal government needs to fully fund the overhauled law and meet its obligations to children and communities.

Educators, parents, and students across the country trust that you will keep these important promises and that your inauguration will be a step toward bringing desperately needed change to our schools. Red state and blue state, urban and rural, rich and poor Americans all want a federal education law that actually helps children learn, instead of just testing, labeling, and punishing them. FairTest and our allies in the Forum on Educational Accountability would be honored to be among the first to support your efforts to bring such a law into being.

Sincerely,

Jesse Mermell
Executive Director