

# Jay P. Green's Blog

## [Strawman Alert!](#)



(Guest Post by Matthew Ladner)

I went to read the Fordham Report on ESEA reauthorization. I didn't even make it past the preface without finding a gigantic strawman argument:

### *The local controllers.*

*These folks, led by conservative and libertarian think tanks such as the Heritage Foundation and the Cato Institute, want Uncle Sam, for the most part, to butt out of education policy—but to keep sending money. They see NCLB as an aberrant overreach, an unprecedented (and perhaps unconstitutional) foray into the states' domain. Many within this faction also favor reform, particularly greater parental choice of schools, but at day's end their federal policy position resembles that of the system defenders. They want to keep federal dollars flowing, albeit at a much more modest rate than those on the left; but they want to remove the accountability that currently accompanies these monies. They have given up on Uncle Sam as an agent for positive change, period. And they have enormous confidence that communities, states, and parents, unfettered from and unpestered by Washington, will do right by children.*

I'll let the Cato Institute speak for itself, but as the coauthor of a piece [on NCLB with Gene Hickok for the Heritage Foundation](#), I must say that this characterization of

Heritage is sloppy. Gene and I noted some very real problems with the formulation of NCLB, and recommended a process by which states could negotiate with the federal Department of Education to have a single unified system of school accountability. No burning down the Federal Department of Education, no abandonment of accountability and transparency, nor any fever dreams of federally driven vouchers for all.

NCLB led to a net increase in transparency, and put a bright spotlight on achievement gaps- both very admirable outcomes. NCLB's formula however contains dozens of ways for districts and schools to fail AYP and back loaded proficiency requirements will be changed, or else AYP with either lose all credibility, or else will lead states to dummy down their tests to absurd levels. The only reasonable assumption to make is that those that crafted the original law intended to reboot the provisions well before 2014. [The Safe Harbor provision is not going to save the day](#), lawmakers must change the law.

Gene and I suggested a reboot that would allow states to have a single system of school accountability (many have a state system and AYP, which often contradict each other). States proposing a reasonable system- something AYP will no longer be in 2014 absent changes-could have a single system for ranking schools. I'm fine with the Federal Department of Education being tough-minded about approving alternatives. No federalist bone in my body would ever compel me to approve a cruel joke of a testing system ([I'm looking straight at you Mississippi](#)) and I'm not certain that the Obama administration has a federalist bone in any case. They did however win the election, and they may win the next one as well.

Call me crazy (it's been too long since anyone has) but I think the federal government allowing parents the clarity of a single system of accountability is good thing if the state is proposing something that provides transparency and will nudge improvement out of the system. Not "perfection" by some arbitrary deadline, but sustained improvement. This strikes me as an especially good idea when the federal system is set to implode.