As States Race to the Top, Are Children being Left Behind?

By: Eleana Lindsey

I. Introduction

Urban Prep Academy is an all-boys charter school in Chicago’s Englewood community that recently sent its entire graduating class of 107 African American students to four-year schools, many with partial or full-ride scholarships. This school focuses on small class sizes, longer school days, and offers a wide variety of after school activities and sports programs. Yet, under U.S. Secretary of Education Arne Duncan’s new Race to the Top (RTTT) program, which encourages the closure of failing schools, this school likely would be considered failing. Why? Because its standardized test scores are abysmal. In spite of dedicated teachers, close counselor-student relationships, and an administration that cares for and supports each student, Urban Prep’s students achieved an average ACT score of 16.5, which is below the average of 17.6 achieved by Chicago Public School students in 2008. Further, only 12 percent of Urban Prep students met the college readiness benchmark in reading and 36 percent met it in English. When looking at test scores alone, Urban Prep is a failing school. Yet when the entire picture is taken into account, the school’s accomplishments are astounding. This is one of many

4. Urban Prep supra [FN2].
6. Urban Prep supra [FN2].
problems associated with RTTT, a program designed to encourage states to revamp their education systems.

The RTTT program is based on the Chicago model of school reform. It offers millions of dollars to states that make changes in their public school systems to reflect the charter school movement that Arne Duncan fostered in Chicago. It also encourages schools to use data-driven systems for evaluating student learning and teacher and principal effectiveness. RTTT is a problematic program because it necessarily leaves many states without the financial incentives offered to those willing to adopt unproven models. Not only are the states left without funding “losers,” but, in this case, even those that receive the funding are losing because they are implementing programs that are detrimental to public education. RTTT is based almost entirely on a data-driven and charter school model that has not been proven to work. Indeed, in many ways it has been shown to be failing. The Federal government should focus, rather, on creating incentives for change (such as the $350 million in funding allocated to the creation of a better system of testing) without requiring certain programs to be implemented. RTTT, therefore, should be repealed and replaced with an incentive program that encourages innovative state reforms in public education.

II. Background on Race to the Top Program

Race to the Top is a part of the American Recovery and Reinvestment Act of 2009 (ARRA). The ARRA requires states to prove they will (1) adopt standards and assessments that prepare students to succeed in college and the workplace and to compete

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7 Stovall, David. Presentation to Mary Bird’s Street Law class on 4/20/2010
in the global economy; (2) build data systems that measure student growth and success; and inform teachers and principals how they can improve instruction; (3) recruit, develop, reward and retain effective teachers and principals, especially where they are needed most; and (4) turn around the lowest-achieving schools. The RTTT program provides four billion federal dollars as incentive for state reform in five key areas: (1) Designing and implementing rigorous standards and high-quality assessments; (2) Attracting and keeping great teachers and leaders in America’s classrooms; (3) Supporting data systems that inform decisions and improve instruction; (4) Using innovation and effective approaches to turn around struggling schools; and (5) Demonstrating and sustaining education reform. In order to be eligible for Race to the Top funding, states must allow release of “data on student achievement to teachers and principals for the purpose of teacher and principal evaluation.” There is also $350 million available to support states cooperating to improve the quality of their assessments.

Applicants are judged based on written submissions that detail how the state will reform its public education system. Each application is then scored based on various categories, each of which have been given a point value. One of the categories for RTTT funding is state removal of caps on the number of charter schools allowed to operate in the state. This will allow for the proliferation of charter schools, which the administration believes will give parents more choices and create more accountability for

13 Available at: http://www2.ed.gov/programs/racetothetop/faq.pdf
the public school system. Another category is data-driven school reforms, or reliance on standardized testing to reward teachers and administrators who can increase student scores and punish those whose students do not do well. The goal behind implementing data-driven reforms is to measure teacher and principal success so that individuals and schools that are working well can be rewarded, while those that are not performing up to standards can be “reformed” or closed.

The administration claims that states do not need to lift charter school caps or implement data-driven reform in order to receive funding from RTTT. It claims that states could opt out of certain reforms and still have strong enough changes in other areas to warrant RTTT grants. However, Secretary of Education, Arne Duncan warned that states with laws “prohibiting the use of test data in teacher evaluations would be ineligible for awards.” He also indicated that “states that do not have public charter laws or put artificial caps on the growth of charter schools will jeopardize their applications under the Race to the Top Fund.” Further, in a competition, states are likely to need every point they can muster in order to “win” the awards, particularly in a time of economic crisis when most states do not have the luxury of turning down any available federal dollars. Therefore, in creating a points system that grants points for

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14 U.S. Department of Education. “Detail chart of the Phase 1 scores for each State,” Available at: [http://www2.ed.gov/programs/racetothetop/phase1-applications/index.html](http://www2.ed.gov/programs/racetothetop/phase1-applications/index.html)
15 Id.
17 Id.
20 Id.
very specific reforms that have not been proven to work, RTTT is preventing states from experimenting with other types of reforms that may produce real results.

III. Tennessee and Delaware were the only two states to “win” the first round of grants

In the first phase of RTTT funding, 38 states and the District of Columbia lost and two won\(^21\). This does not include the 10 states that chose not to compete for federal dollars at all. This falls right in line with Secretary Duncan’s prediction when RTTT was just being announced that there were going to be “a lot more losers than winners\(^22\).” Out of 16 finalists chosen, Tennessee and Delaware received the first phase of funding, winning $500 million and $100 million respectively\(^23\). These two states were chosen because of “the commitment to reform from key stakeholders, including elected officials, teacher’s union leaders, and business leaders\(^24\).”

Both Delaware and Tennessee’s approved proposals have a strong emphasis on data-driven school governance\(^25\). The proposals also focus on removing barriers to allow a proliferation of charter schools\(^26\). Without the points gained from these two reforms, neither state would have had the highest score and therefore, presumably would not have been given RTTT grants\(^27\). In comparison, New York did not lift its cap on charter


\(^{24}\) Id.


\(^{26}\) Id.

schools nor did it agree to link student performance data with teacher tenure and it found itself 40 points behind the two front-runners\textsuperscript{28}. The governor of New York opined that making these two key changes would have likely made New York the third winner in Phase One of the RTTT funding\textsuperscript{29}.

IV. Charter Schools are not the answer to education problems in the United States

Charter schools are the popular buzz-word in education reform in America. They have been hailed as an answer to the perpetually low performing public schools, particularly in urban school zones. Yet charter schools have not been proven to be effective means of educational reform because the majority are performing worse than traditional public schools and charters do not create the accountability in public schools that many claimed they would.

A. Charter schools are performing worse nationally than public schools

A 2009 study out of Stanford University’s Center for Research on Education Outcomes “found that only 17 percent of charter schools reported academic gains that were significantly better than traditional public schools,” while 37 percent were performing worse and 46 percent demonstrated no significant difference\textsuperscript{30}. This study shows that charter schools are not improving student test scores. This criticism is difficult because it is based on the flawed system of standardized testing. However, with no current superior means of comparison, the data available must inform decisions to (or not to) proliferate charter schools. With no evidence that charter schools are solving

\textsuperscript{28} U.S. Department of Education. “Race to the Top: Phase 1 Final Results,” Available at: \url{http://www2.ed.gov/programs/racetothetop/phase1-applications/score-summary.pdf}

\textsuperscript{29} Velte, Marcy L. “Charter school cap remains obstacle to winning Race to the Top funding,” (April 5, 2010) Available at: \url{http://www.legislativegazette.com/Articles-c-2010-04-05-66521.113122_Charter_school_cap_remains_an_obstacle_to_winning_Race_to_the_Top_funding.html}

\textsuperscript{30} Wolf see \textit{supra} note 8.

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America’s public school problems, they should not make up such a significant portion of the points allotted to RTTT funding determinations.

B. Charter Schools do not create accountability for surrounding public schools

Charter school supporters claim that successful charter schools hold the surrounding traditional public schools accountable to the public because parents will send their children to charter schools, which in turn will reduce the funding given to traditional public schools. Thus, if public schools do not improve, they will fail in the new competition market because parents will pull all students from those schools. However, the business model of accountability, upon which the idea that charter schools create accountability for traditional public schools is based, assumes that every player starts on an even playing field. It would be unfair to give one team all of the equipment, facilities, and coaches they need while allowing the other team to only use old facilities with the same meager funding that has been failing it for years. Even more importantly, it is exceedingly unfair if the two teams are not playing under the same rules. Yet, public schools are expected to “compete” with charter schools to convince parents to enroll their children. Many charter schools receive private funding, are housed in new facilities, and operate outside of the district rules, while public schools are left with the failed “equitable” funding system, schools that are literally falling apart, and rules that hinder

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32 Id.


innovative ideas\textsuperscript{35}. This unfair playing field prevents traditional public schools from offering the same draws with which charter schools entice parents to enroll their students. Therefore, charter school proliferation does not create a competitive market resulting in traditional public school accountability; it simply pulls funding from already under-funded public schools.

V. Data-driven changes negatively impact students

Offering incentives and punishments based on a flawed system is unfair to teachers and should not be a part of educational reform. First, there are factors that go into student standardized test scores that are beyond a teacher’s control. Second, standardized testing encourages teachers to teach to the test rather than engage in true student learning. Therefore, data-driven reforms should not be used as a criterion for obtaining federal education funding.

A. Standardized tests measure factors that a teacher cannot control

One of the largest criticisms of data-driven incentives and punishments is that it is unfair to punish or reward teachers for factors that are beyond their control, such as the skills with which a child enters a classroom and parental involvement in student learning. Another argument is that students are not randomly assigned to classrooms and therefore principals could favor certain teachers by assigning them the brightest students.

1. Students do not enter school with the same knowledge base

Each student enters a teacher’s classroom with a certain knowledge base. During a school year, even if that student gains knowledge, he or she may still be very far behind depending on where he or she was at the beginning of the school year. The issue of

differentials in student knowledge bases can be addressed by measuring student scores at the beginning of the school year and basing teacher performance on improvement or decline in scores over the year that the student is with that teacher. However, this does not adequately address the issue that standardized testing is simply a measure of how a student is able to perform on any given day\(^\text{36}\) (when factors such as problems at home, illness, or lack of concentration cannot be properly taken into account). Another problem with this system is that teachers and administrators may encourage students to do poorly at the beginning of the year in order to show improvement in test scores at the end. A student’s beginning knowledge base is an important factor for which current standardized testing does not account\(^\text{37}\). Teachers and administrators have no control over the capabilities of children who enter their classrooms and schools and therefore should not be held accountable when those who are already struggling do not perform well on standardized tests.

2. Parental involvement can drastically impact a student’s success

There is strong research that shows the most important factor in determining student success is family involvement in learning\(^\text{38}\). Teachers have only a limited amount of time with a large number of students. Therefore, they must rely on parents to reinforce knowledge and test skills learned in the classroom. Children who do not have involved parents may not get help with homework, may not be taught that school is valuable, or may not be encouraged to continue learning outside of the classroom. The worst case is

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\(^{37}\) Id.

parents who do not even speak with their young children on a regular basis to help develop vocabulary skills and increase learning capacity. This is also a difficulty faced with English Language Learners who do not speak English at home. Without the proper vocabulary and knowledge base, test scores, even with the requisite classroom learning, will perpetually remain low\textsuperscript{39}. Further, not all parents take school attendance very seriously, or are unable to monitor school attendance because of the hours they work\textsuperscript{40}. If students are not in the classroom, should teachers be blamed for failing to teach them the information that they will be expected to know for the standardized tests?

3. Principals could unfairly assign poor performing students to teachers they do not like

In most schools, students are not randomly assigned to teachers; rather the principal chooses which child will be placed with which teacher. There is no way to guarantee that any administrator will fairly assign students to teachers. Therefore, certain teachers may end up with lower performing students than other teachers, which is unfair. Nor should systems be put in place that require administrators to randomly assign students.

Principals may have a wide variety of reasons for choosing certain teachers for certain students, including a shared cultural identity, a teaching style that may work well with a student’s particular learning style, or a preference to have a teacher who has not taught that child’s siblings in the past. The positive reasons for allowing administrators freedom in assigning students should not be outweighed by the possibility that a principal may play favorites when assigning certain students to certain teachers. Thus, it would not be beneficial to remove the principal’s freedom in choosing. However, this leaves the

\textsuperscript{39} Chenoweth, Karin. “Turning Obstacles into Triumphs: From New York to Arkansas to California, some schools find ways to beat the odds,” \textit{U.S. News and World Report} (January 2010)

\textsuperscript{40} Ravitch, Diane. “Should Student Scores be Used to Evaluate Teachers?” (April 27, 2010) Available at: http://blogs.edweek.org/edweek/Bridging-Differences/2010/04/should_student_scores_be_used.html#
risk that a principal might favor a certain teacher and give him or her the more gifted
students to increase test scores. Therefore, student data from standardized testing should
not be tied to teacher and administrator performance reviews because there are too many
factors that influence test scores that are beyond a teacher’s control.

B. Standardized tests encourage teachers to teach to the test

A recent blog response asked, “If we assume the test measures what we want children
to know, then why wouldn’t we want to teach to the test41?“ Unfortunately, achievement
tests have been proven not to measure real learning, but rather the amount of information
a given student has memorized and can reiterate on a given day42. Thus, teaching to the
test does not actually result in children learning critical thinking or skills necessary in
college or the workforce. However, if teachers receive punishments for poor student
scores or rewards for positive student scores, it is likely (and in fact, has been occurring
since the promulgation of ‘No Child Left Behind’) that teachers will not engage students,
but rather will teach them exactly what will be on the test and nothing else43.

This problem not only affects teaching in traditional classrooms, but is likely to
negatively impact the programs that are taught at school. If school administrators are
also rewarded and punished based on student test scores, they are more likely to want
students in academic classes as often as possible. This means a reduction in the time
spent in art class, physical education, music and other classes that benefit children in
ways that are not measured on standardized tests. Increasing the weight given to
standardized testing is likely to harm student learning rather than measure and improve it.

41 Id.
42 Koretz see supra note 36.
43 FairTest. “How Standardized Testing Damages Education,” (August 20, 2007) Available at:
http://www.fairtest.org/facts/howharm.htm
VI. Conclusion

RTTT is fundamentally flawed because it is based on a points system that encourages states to adopt reforms that will not improve public education, and very well might make it worse. A focus on data-driven testing does not account for successes such as those found at Urban Prep, the all-male prep school that recently sent 100 percent of its graduating class to colleges and universities around the country. On the contrary, it actually punishes schools such as Urban Prep because they have failed to increase students’ standardized test scores. Urban Prep, like many other successful schools, takes a personal interest in each of its students.\(^{44}\) It teaches the core values of: “[personal] accountability, exceptionality, faith, integrity, relentlessness, resilience, selflessness and solidarity.”\(^ {45}\) Not one of these seven goals can be found in RTTT’s funding incentives. Rather, the data-driven focus would seek to reform or shut down schools based solely on poor standardized test performance. Data-driven reforms do not allow for a view of the whole picture.

The U.S. Department of Education must remove this small-sighted model and replace it with reforms that reward teachers and schools for successes measured in more realistic ways. The Federal Government should not create firm requirements, but should be open to well-researched proposals even if they do not include charter school proliferation and data-driven school changes. The points available in these sections discourage real innovations because states can receive the funding simply by implementing these changes. Therefore, Race to the Top should be repealed and replaced with an incentive program that results in real reforms through the use of open-model possibilities.

\(^{44}\) Urban Prep, see supra note 2.  
\(^{45}\) Id.