George W. Bush entered the White House determined to change federal education policy.

“Bipartisan education reform will be the cornerstone of my administration,” he wrote in the foreword to a 29-page document outlining his K-12 agenda, released five days after his 2001 inauguration.

By the end of that year, President Bush had forged a bipartisan consensus around the No Child Left Behind Act, which he signed into law on Jan. 8, 2002. For the first time, states receiving federal K-12 education funding would be required to hold districts and schools accountable for the achievement of students, regardless of their income levels, special education status, or ethnic, racial, or native-language backgrounds.

As Mr. Bush prepares to leave office Jan. 20, he is calling the NCLB law one of his most important domestic accomplishments.

“It focused the country’s attention on the fact that we had an achievement gap that—you know, white kids were reading better in the 4th grade than Latinos or African-American kids. And that’s unacceptable for America,” the president said in a Nov. 28 interview conducted by his sister Doro
An aide prepares for a speech by President Bush at J.E.B. Stuart High School in Falls Church, Va., in 2005. —J. Scott Applewhite/AP

Bush Koch for an oral-history project.

“And the No Child Left Behind Act started holding people to account, and the achievement gap is narrowing,” Mr. Bush said, according to a transcript released by the White House.

While many educators disagree with Mr. Bush about the success of the law, most observers say that his administration has had a greater impact on local schools than any since President Lyndon B. Johnson won passage of the Elementary and Secondary Education Act of 1965, the original version of what is now the NCLB law.

President Bush “was the first one to set specific targets for the achievement of poor and minority kids in the basic subjects,” said Charles Barone, who helped draft the law as an aide to House Democrats. “People pay more attention to the education that poor and minority children are getting.”

Focus Too Narrow?

Yet the nearly 7-year-old law is unpopular, particularly among educators, who say that its accountability rules focus too narrowly on test scores, and that it doesn’t provide schools with enough money and other support needed to improve student achievement.

“Right now, the only accountability is for standardized-test scores,” said George Wood, the principal of Federal Hocking High School in Stewart, Ohio, and the executive director of the Forum for Education and Democracy. That coalition of researchers and educators is trying to eliminate use of standardized tests in accountability decisions.

The NCLB law’s accountability system is so focused on improving test scores in reading and mathematics, Mr. Wood said, that schools have responded by narrowing what they teach to what’s measured on those tests, which often are low-level skills in those subjects.

Despite the flaws in such tests, the test-score data have alerted the public that not all schools are successfully educating students, said Michael J. Petrilli, the vice president of national programs and policy for the Thomas B. Fordham Institute, a Washington think tank dedicated to education policy.

“What No Child Left Behind has done is, it has created a sense of urgency at the local level,” said Mr. Petrilli, who served as a political appointee in the U.S. Department of Education from 2001 to 2005.

Because the law’s accountability system has identified struggling schools, it has encouraged local officials to add

The Bush Record On Education

President George W. Bush’s administration has been notable not only for one of the most significant shifts in federal oversight of education, under the No Child Left Behind Act, but also for new laws, programs, and developments in other areas affecting schools.

No Child Left Behind Act

President Bush made the reauthorization of the Elementary and Secondary Education Act a top priority upon entering office. The resulting NCLB law, which he signed Jan. 8, 2002, expanded student testing and introduced new accountability rules for schools that receive federal aid. It requires schools to assess students in reading and mathematics in grades 3-8 and once in high school. If schools fail to keep their students on pace toward proficiency in those subjects, they are identified as needing improvement and face a series of interventions, such as offering public school choice and free tutoring, and eventually being restructured. The law also added a requirement that all teachers be highly qualified according to federal and state rules.

Reading First

The NCLB law also created the Reading First
charte schools, attempt new ways of recruiting and rewarding teachers, and other efforts that they believe will improve achievement, Mr. Petrilli said.

But the law has overreached, he added, because it assumed that the federal government could be instrumental in turning around low-performing schools.

Domestic Priority

The most pressing issues of President Bush’s tenure have been the post-Sept. 11, 2001, fight against terrorism, the wars in Afghanistan and Iraq, and the financial-sector crisis and current economic recession. But one of his first priorities in 2001 was to improve schools.

Five days after taking office, he invited four leaders of the congressional education committees to the White House to discuss the topic and release an outline of his plan to reauthorize the ESEA and rename it the No Child Left Behind Act.

"It was remarkable that [early on] he was putting his attention on education," said Christopher T. Cross, a educational consultant based in Danville, Calif., who was an assistant U.S. secretary of education under President George H.W. Bush. "That gave him leverage from that day on."

The younger President Bush’s desire to address schools was no surprise. Throughout the 2000 campaign, he had emphasized his education plan, which was modeled after the testing-and-accountability measures crafted on his watch as governor of Texas in 1995.

In his proposal, Mr. Bush embraced the notion that the federal government should require states to set academic standards, create assessments to measure students’ knowledge and abilities, and hold schools accountable for improving student achievement based on those test scores.

Building on the previous version of the ESEA, passed in 1994 and signed by President Bill Clinton, the new Bush administration proposed to expand the amount of testing—in reading and mathematics—from three times in a student’s career to every year in grades 3-8 and once during high school.

Going further than the 1994 law, the administration wanted to require schools to report test scores broken down by students’ income levels, race, ethnicity, and program, which provided some $1 billion a year to pay for curricular materials and professional development focused on the primary grades. Although popular among educators, the Department of Education’s inspector general issued a series of reports questioning whether department officials overstepped their authority in pushing states to use specific curricula and assessments under the program. The department’s research office also released a report saying that the funding had been successful in improving students’ decoding and other basic skills, but not their reading comprehension.

School Choice

As part of his original plan for the NCLB law, President Bush had sought to allow students in low-performing public schools to use federal aid to attend private schools, as well as to transfer to higher-performing public schools. But facing staunch Democratic opposition, he agreed to drop the voucher element. The public-school-choice provision was enacted, but is widely viewed as ineffective, with very few parents transferring their children to other public schools.

In 2002, the Bush administration argued before the U.S. Supreme Court in support of the constitutionality of including religious schools in publicly funded voucher programs. The court agreed, ruling that the inclusion of religious schools in such programs does not violate the First Amendment’s prohibition against a government establishment of religion. In 2004, the president signed into law the nation’s first federally funded voucher program, which targets students from low-income families in the District of Columbia. It was narrowly enacted in 2004 when Republicans held majorities in Congress, with most Democrats strongly opposed. It provides vouchers worth up to $7,500 per year, and they can be used at religious schools.

Special Education

The Individuals with Disabilities Education Act was reauthorized during President Bush’s first term, with language that ties the special education law to NCLB on such issues as highly qualified teachers for students with disabilities, and the importance of including...
factors such as their disability status and whether they were English-language learners.

The administration also proposed requiring states and districts to offer public school choice or free tutoring to students in schools that did not meet achievement goals.

President Bush and his appointees have often referred to what he calls the "soft bigotry of low expectations" in advocating the need for disaggregated data that show the academic shortcomings of disadvantaged students.

"Before 'the soft bigotry of low expectations' became part of the political landscape, most citizens admitted [the achievement gap] was a problem, shrugged their shoulders, and walked away," said Eugene W. Hickok, who served as deputy secretary of education during President Bush’s first term.

While all of the president’s proposals built on pieces of the 1994 version of the ESEA, congressional Republicans never embraced the standards-and-accountability provisions in the Clinton-era legislation.

"Nobody would have thought” that a conservative Republican would lead the expansion of federal influence over K-12 schools, Mr. Cross said.

But Mr. Bush’s experience as Texas governor had convinced him that the standards-and-accountability model should be replicated throughout the country, and that schools should be held accountable for improving the achievement of children from all backgrounds.

"Democrats were willing to go along [with the Bush proposals], and it was Bush’s job to bring along the Republicans," said Jack Jennings, the president of the Center on Education Policy, a Washington-based research and advocacy group that has tracked the law’s implementation, and a former longtime aide to House Democrats.

Democratic Partners

As President Bush said in the January 2001 blueprint for the NCLB law, he wanted his education bill to be a bipartisan effort.

Starting with the event on his fifth day in office, he met several times with the Republican and Democratic leaders of the Senate and House education committees.

Shortly after the Sept. 11 terrorist attacks in New York students with disabilities in assessments. The administration introduced some testing flexibility for states by allowing different state assessments to be used for students with significant cognitive impairments, and students who could meet modified grade-level standards.

Educational Research
The 2002 passage of the Education Sciences Reform Act gave the Bush administration a rare opportunity to abolish the Department of Education’s existing research operation and create a new research agency out of the ashes. The newly christened Institute of Education Sciences, under Grover J. "Russ" Whitehurst, spearheaded the department’s campaign to transform education into an evidence-based practice, much like medicine.

Under Mr. Whitehurst’s six-year tenure, the agency increased the number of randomized experiments the department finances, revamped the agency’s peer-review process, retooled the federal education research laboratory system, and created new grant programs to nurture research talent for the field. The office’s best-known accomplishment, though, may be the What Works Clearinghouse, a sometimes-controversial project set up to vet the evidence base that undergirds many of the programs, policies, and practices used in the nation’s schools.

Gender Issues
First-term Secretary of Education Rod Paige in 2002 established a commission to study Title IX of the Education Amendments of 1972, the federal law that bars sex discrimination in federally funded schools and colleges. Some civil rights and women’s advocacy groups feared the effort was a bid to soften enforcement of the law. After receiving a report full of mostly minor recommendations about athletic participation at the college level, the Education Department largely ignored them, issuing a document in 2003 clarifying previous Title IX guidance.

Meanwhile, citing research that educating boys and girls separately was proving effective in some circumstances, the department in 2006 issued regulations making it easier for public schools to experiment with
City and Washington, the president invited congressional education leaders to the White House to reinvigorate negotiations on the NCLB bill.

The Democrats’ involvement added key components to the law, particularly around accountability.

“There was a feeling in the room—and it was bipartisan, no doubt about it—that we needed to be tougher,” said Sandy Kress, an Austin, Texas-based lawyer and lobbyist who worked as an unpaid White House adviser helping to get the NCLB law through Congress.

Rep. George Miller of California, the senior House Democrat on education issues in 2001 and now the chairman of the Education and Labor Committee, was “as hawkish about this as anyone at the table,” Mr. Kress said. “Any sign of softness and he was on you.”

The final version of the NCLB law required schools to meet achievement targets in every designated subgroup of students. Under the law, a school fails to make adequate yearly progress—a central measure of performance—if any subgroup fails to reach the achievement goals set by its state.

Under President Bush’s original plan, test data for each subgroup would have been reported to the public, but only the results for low-income students would have been used for accountability purposes.

The legislation also added the goal that all students would be proficient in reading and math by the end of the 2013-14 school year—an element that wasn’t in the White House’s original plan.

The alliance with Democrats became strained, however, over the president’s proposals for funding the law. The dollar figures appropriated for the NCLB law’s Title I program for disadvantaged students grew quickly in the two fiscal years after President Bush signed the legislation.

On the law’s second anniversary, in January 2004, Rep. Miller, Sen. Edward M. Kennedy of Massachusetts, and eight other Democratic senators sent a letter to then-Secretary of Education Rod Paige saying the law had been underfunded by $7.5 billion in fiscal 2003.
Underfunding by such a drastic amount undermines not only successful implementation, but the very spirit of the law,” the letter said.

Making It Work

It took the first year of President Bush’s administration to get the NCLB law through Congress. Implementing the law over the next seven years was more difficult.

From Mr. Bush’s signing of the measure in 2002 through the 2004 election, the administration strictly enforced the law’s rules, denying states’ requests to reduce the number of grades in which they had to assess students and turning down requests to ease the potential accountability sanctions.

The idea was to send a message to states that they wouldn’t be able to avoid the law’s goal that the achievement of all students would increase on a pace necessary so that all would be proficient by the end of the 2013-14 school year, Mr. Hickok said. ("Commentary: Secretary Spellings' Unintended Legacy," this issue.)

Part of the reason for the inflexibility, Secretary of Education Margaret Spellings said, was that states didn’t have the data or the technical expertise to pursue accountability programs that differed from the law’s method of comparing one year’s cohort of students against the previous year’s.

“We couldn’t do growth models and graduate-level accountability,” said Ms. Spellings, who was President Bush’s domestic-policy adviser during his first term and played an oversight role in the law’s early implementation.

Shortly after Ms. Spellings became education secretary in 2005, she launched a series of efforts intended to reduce states’ burdens under the law. ("Spellings' Worldview: There's No Going Back on K-12 Accountability," this issue.)

Those efforts included creating a pilot project to let some states make accountability decisions based on the year-to-year growth of student achievement—so-called "growth models"—and to create alternative assessments for a wider population of students with disabilities.

But Ms. Spellings refused to approve proposals that would have delayed the target for achieving 100 percent proficiency, and she stood fast on requirements for disaggregating achievement data.

With those requirements in place, educators continue to feel pressure to reach goals that most consider unattainable. That pressure has led to the widespread unpopularity of the law itself, even though polls suggest the public supports the premise that schools be held accountable.

“There could’ve been more done to make it clear to educators that the law was not out to get them,” said Mr. Petrilli of the Fordham Institute.

What’s Next?

The Bush legacy on education won’t be complete until Congress decides on the NCLB law’s future.

The backlash against the law may lead to major changes when Congress finally revisits it. Lawmakers were scheduled to reauthorize the law in 2007 but were unable to do so before the presidential-election campaign revved up.

Rep. Miller, the California congressman who is one of the law’s architects, said last year that its accountability and other rules are too rigid and don’t always fairly assess schools.

President-elect Barack Obama has endorsed the law’s goals and its use of testing. But he also has said
he wants to improve the quality of testing and change the law’s focus to reward good schools rather than target low-performing ones.

The law could be in for major changes. The Democratic majorities in the incoming 111th Congress may back away from much of the NCLB law’s testing and accountability rules, mostly because they’re associated with an unpopular president, said Maris A. Vinovskis, a professor of history at the University of Michigan in Ann Arbor and the author of a new book on the history of national education policy since the 1983 report A Nation at Risk.

“The story isn’t going to be written until the new Congress meets,” Mr. Vinovskis said.

Although the law certainly will change, members of Congress are unlikely to abandon the federal government’s role in school accountability, Mr. Vinovskis and others said.

“The rhetorical emphasis on accountability will remain,” said Mr. Hickok, who is now a senior policy director for Dutko Worldwide, a Washington-based lobbying firm. “They would have a difficult time walking away from accountability.”