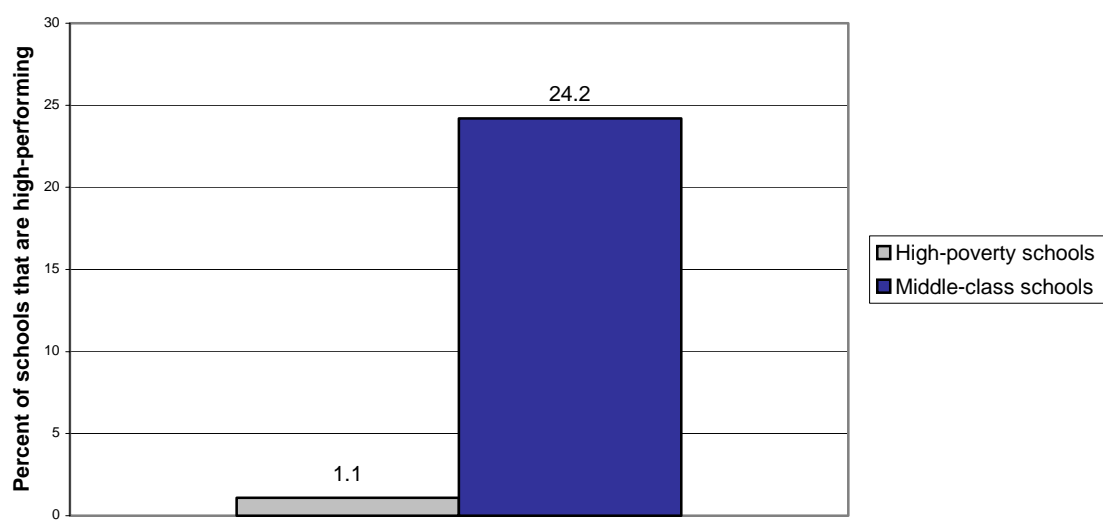


HELPING CHILDREN MOVE FROM BAD SCHOOLS TO GOOD ONES
BY RICHARD D. KAHLENBERG

THE IDEA: *The federal No Child Left Behind Act should be revised to enable more low-income students to attend good middle-class, public schools—a strategy that has been successful in raising achievement in a number of local school districts.*

Education is supposed to be the prime engine for social mobility in America, yet in an era when doing well academically matters more than ever, the gap in reading between low-income and middle-class students is on the order of four grade levels by the time students graduate from high school. Part of the gap can be explained by differences in home environment, but low-income students also generally are assigned to inferior, high-poverty schools marked by inadequate funding, under-qualified teachers, negative peer influences, discipline problems, low levels of parental involvement, low expectations, and the like.

Figure 1: Percentage of Schools that Are Consistently High-Performing, by Socioeconomic Status



Note: “High-poverty” is defined as having at least 50 percent of students eligible for free or reduced-price lunch; “middle-class” is defined as having fewer than 50 percent eligible. “High-performing” is defined as being in the top third in the state in two subjects, in two grades, and over a two-year period.

Source: Douglas N. Harris, “Ending the Blame Game on Educational Inequality: A Study of ‘High Flying’ Schools and NCLB,” Educational Policy Research Unit, Arizona State University, March 2006, Table 2, p. 20.

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In theory, the federal No Child Left Behind Act of 2001 (NCLB) should ameliorate this inequality in schooling because a key provision in the act is targeted at making it easier for children in failing schools to transfer to better public schools. But four years of experience with the law makes clear that the transfer provisions are flawed and inadequate. Many school districts have a very limited number of good schools into which students might transfer. Moreover, the act contains certain features that discourage good schools from making room for low-income students attempting to transfer.

NCLB is slated to be reauthorized in 2007. It should be amended so that low-income students stuck in failing schools are able to transfer to high-quality, solidly middle-class public schools, sometimes in other districts, and so that these schools actually are encouraged to accept the transferring students. Helping children to move from bad schools to good ones will do far more than existing strategies to improve achievement in economically segregated schools. Efforts to “fix” high-poverty schools run into the stubborn reality that separate schools for rich and poor have never been equal. And conservative proposals to give children in failing schools vouchers to attend unregulated private and religious schools pose enormous social and educational risks. Providing more choice to children trapped in failing schools is the right approach, but choice should focus on high-quality, accountable public schools, which have served students well and helped sustain American democracy for generations. Although measures encouraging poor children to attend middle-class schools face substantial political obstacles, experience shows they can be overcome by marrying existing support for public school choice with incentives that make choice, in this case, nonthreatening—indeed, beneficial—to middle-class parents and schools.

THE CHALLENGES OF CONCENTRATED POVERTY

NCLB sets out the lofty goal of making all public school children—poor and wealthy, black and white—“proficient” in reading and math by 2014. Given that in recent years, the average low-income twelfth-grade student has been reading at the same level as the average eighth-grade middle-class student,¹ many teachers and administrators are at a loss as to how to reach the act’s laudable aim. How can the achievement gap be narrowed, much less eliminated?

Bold action is required, action that is dramatically different from what we have been trying in education for many years. For forty years, researchers have found that schools with high concentrations of poverty present a very difficult environment for student learning. While a small portion of high-poverty schools that have charismatic principals and especially dedicated teachers have proven to be successful, the overwhelming majority of high-poverty schools struggle. According to a study conducted by Florida State University’s Douglas N. Harris, middle-class schools are twenty-two times more likely to be consistently high-performing than are high-poverty schools. (See Figure 1.)

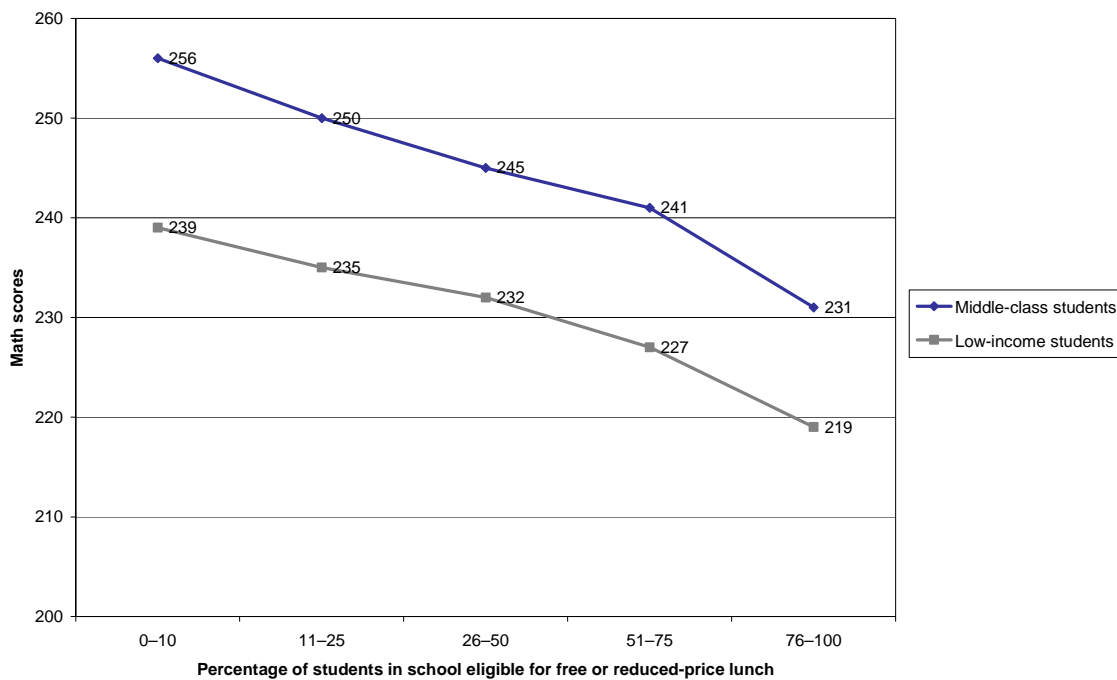
Of course, high-poverty schools are less likely to perform well in part because individual low-income students are, on average, less likely to come from family environments that model and support strong academic achievement. But there is a separate problem that

arises when low-income students are concentrated in schools separate from their middle-class peers.

The highly regarded Coleman Report of the 1960s found that, after the influence of the family, the socioeconomic status of a school is the single most important determinant of a student's academic success.² The basic findings of the report—that all children do better in middle-class schools—have been affirmed again and again in the research literature.³ In 2005, for example, University of California professor Russell Rumberger and his colleague Gregory J. Palardy found that a school's socioeconomic status had as much impact on the achievement growth of high school students as a student's individual economic status.⁴

Throughout history and throughout time, low-income students typically have performed less well academically than middle-class children, but there is a striking exception: low-income students attending middle-class schools perform better, on average, than middle-class students in high-poverty schools. Scores from the 2005 National Assessment of Educational Progress (NAEP) among fourth-grade students in math indicate that low-income students in more affluent schools score eight points higher (more than half a grade level) than middle-class students in high-poverty schools. (See Figure 2.)

Figure 2: NAEP Math Scores, by Type of School



Note: “Low-income student” is defined as eligible for free or reduced-price lunch, “middle-class student” as not eligible. Math scores are the average scores of public school students in fourth-grade mathematics on the National Assessment of Education Progress (NAEP) in 2005.

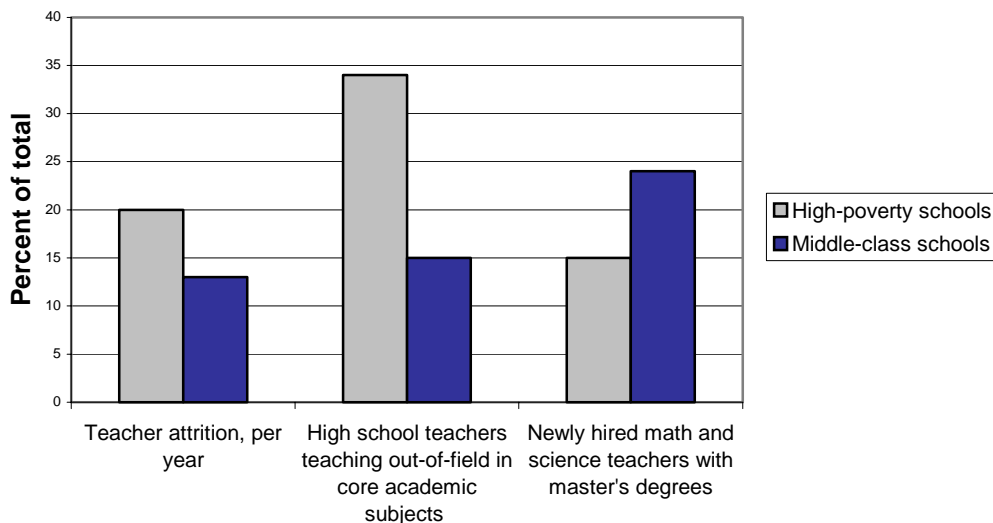
Source: U.S. Department of Education, *The Condition of Education 2006* (Washington, D.C.: Government Printing Office, 2006), p. 47.

All students—low income and middle class—perform relatively poorly in high-poverty schools, but are middle-class students hurt by the presence of some low-income students in majority middle-class schools? The evidence suggests that they are not. Research finds that the numerical majority of students set the tone in a school; so long as concentrations of poverty do not reach above the 50 percent level, the academic achievement of middle-class students does not decline. Research also finds that middle-class students, on average, are less affected (for good or ill) by school environment than low-income students.⁵

Although Figure 2 indicates a decline in middle-class student achievement even when moving from very low poverty schools (0–10 percent of students receiving free or reduced-price meals) to economically mixed schools (26–50 percent of students receiving free or reduced-price meals) research suggests that this decline is more likely due to differences in family environments within the very broad category of students defined as “middle class” rather than to differences in school environments.⁶

Why is it advantageous for students to avoid concentrations of poverty? Most everything that educators talk about as desirable in a school—high standards, good teachers, active parents, adequate resources, a safe and orderly environment, a stable student and teacher population—are more likely to be found in middle-class schools than in schools with high concentrations of poverty. The student populations of high-poverty schools are more likely to act out; their parents are more likely to move from one school zone to another during the school year, and are less active in the PTA; and their teachers have lower test scores, less experience, and lower expectations than teachers in middle-class schools.⁷ Figure 3 details some of the differences in teacher quality.

Figure 3: Teaching Quality, by Socioeconomic Status



Source: Richard M. Ingersoll, cited in Jay Mathews, “Top Teachers Rare in Poor Schools,” *Washington Post*, September 10, 2002, p. A5; Richard M. Ingersoll, cited in “Parsing the Achievement Gap,” Educational Testing Service, 2003, p. 11; Linda Darling-Hammond, “Doing What Matters Most: Investing in Quality Teaching,” National Commission on Teaching and America’s Future, 1997, pp. 25–27.

LOCAL EFFORTS TO ADDRESS CONCENTRATIONS OF POVERTY

For years, policymakers consciously and consistently ignored the wide body of research that concluded that educating low-income and middle-class students in separate schools was inherently unequal. Many school officials have accepted economic school segregation as inevitable because efforts to provide greater economic balance in schooling challenges the deeply held notion that wealthy parents have a right to purchase homes in affluent neighborhoods and send their children to public schools that in effect exclude less well-off children.

But in recent years, as policymakers have grappled with the goal of reducing the achievement gap under NCLB, some have come to terms with the reality that no one really knows how to make high-poverty schools work system-wide. Some districts have concluded that rather than trying to achieve the nearly impossible, measures should be taken to ensure that more students have a chance to attend good, solidly middle-class public schools. In a nation in which nearly two-thirds of students are middle-class (that is, are ineligible for free or reduced-price lunch), some officials have sought to eliminate the existence of high-poverty schools.

Today, a small but growing number of school districts—from Wake County (Raleigh), North Carolina, to San Francisco, California; from Cambridge, Massachusetts, to LaCrosse, Wisconsin—are pushing a new experiment based on an old-fashioned value: integrating students by socioeconomic status. The notion of economically mixed schools goes back to nineteenth-century educator Horace Mann’s idea of the “common school,” where rich and poor students come together on equal footing and learn what it means to be an American. In the twenty-first century, given the increasing levels of economic residential segregation, new means—public school choice and magnet schools—are required to honor an enduring value. Although the politics of economic school integration are often heated, school districts have successfully overcome political resistance by creating strong incentives for middle-class families to embrace integration. (See discussion below.)

One of the leading districts to pursue socioeconomic school integration is Wake County, a dynamic and growing district of 120,000 students that includes the city of Raleigh and its surrounding suburbs. In 2000, the Wake County school board voted to replace a longstanding racial integration plan with a goal that no school in the district should have more than 40 percent of students eligible for free or reduced-price lunch, and no school should have more than 25 percent of students performing below grade level. Wake County’s plan is receiving considerable national attention because the early results suggest it is working to raise achievement of all students and narrow the gap between groups.⁸

In shifting from racial integration to socioeconomic integration, Wake County was reacting in part to court decisions that disfavor the use of race in student assignment. But the district also was following a long line of research that found that what drives student achievement is not so much the racial makeup of a school as its socioeconomic makeup. Researchers have found that the reason black achievement rose with racial desegregation

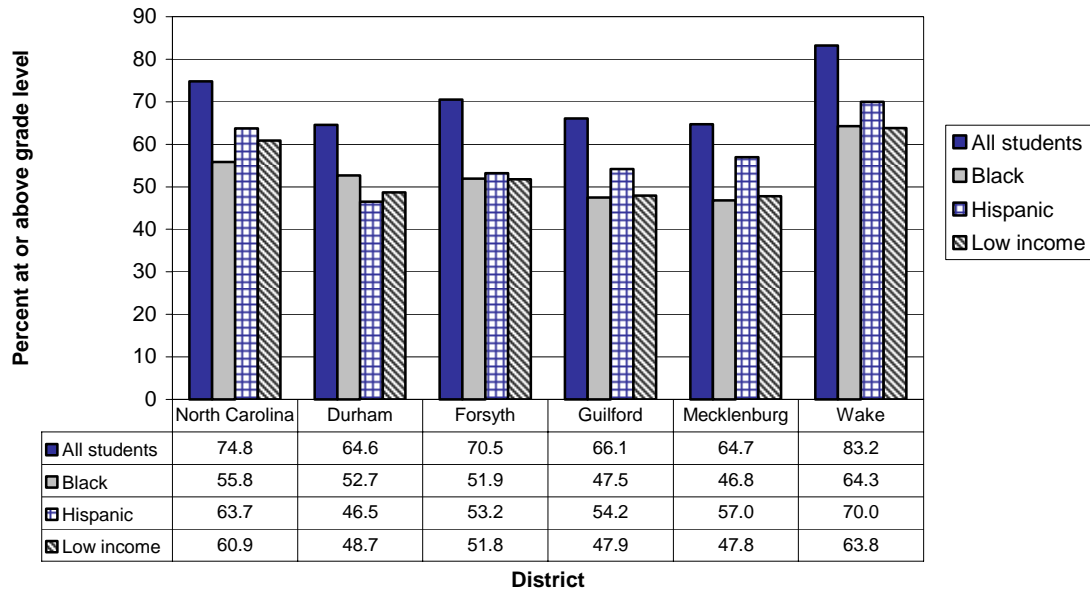
in certain communities (like Charlotte, North Carolina) was not that blacks benefited from sitting next to whites, but that low-income students benefited from a middle-class school environment. By contrast, in communities like Boston, which tried to integrate low-income whites and low-income blacks, no significant achievement gains were found.⁹

The challenge, of course, is how to overcome economic segregation in schools resulting from residential segregation. Wake County decided to implement economic school integration in part by redrawing school district boundaries and in part through extensive use of magnet schools, with special arts and music programs, foreign language options, and the like. Almost all of the special-theme magnets, established during the district's efforts to promote racial integration, are located in high-poverty areas in Raleigh. In general, 30 percent of the magnet students are assigned from the local neighborhoods and the rest are drawn in from other areas. Although many of the magnet programs are located in tough neighborhoods, several are oversubscribed, particularly those programs which allow students to take electives in elementary school.¹⁰ In the 2004–05 school year, there were more than twice as many applicants as available spots in the Wake County magnet schools.¹¹

Other communities pursuing socioeconomic integration have gone even further in the use of magnet schools. Cambridge, Massachusetts, which has a plan that requires all schools to measure within a small range of the district-wide free and reduced lunch percentage, makes every school a magnet school. Using a system known as “controlled choice,” devised by Charles Willie of Harvard and Michael Alves of Brown, all families choose among several elementary schools, each of which offers a distinctive program. Parents rank their preferences and students are assigned with an eye to achieving economic school integration. The vast majority—more than 90 percent—receive one of their first three choices.¹²

These socioeconomic integration programs are fairly new but are beginning to show signs of success. In Wake County, for example, low-income students are doing substantially better than low-income students in other large urban North Carolina districts with concentrated poverty. On the 2005 High School End of Course exams, 63.8 percent of Wake County's low-income students passed, compared with low-income student passage rates of 47.8 percent in Mecklenburg County, 47.9 percent in Guilford, 51.8 percent in Forsyth, and 48.7 percent in Durham. Likewise, 64.3 percent of Wake's African-American students passed, compared with black passage rates of 46.8 percent in Mecklenburg County, 47.5 percent in Guilford, 51.9 percent in Forsyth, and 52.7 percent in Durham. (See Figure 4.)¹³

Figure 4: North Carolina High School End of Course Exams Composite, 2004–05 School Year



Note: The End of Course Composite consists of all end of course subjects. “Low income” is defined as eligible for free or reduced-price lunch.

Source: The Public Schools of North Carolina, State Board of Education, Department of Public Instruction, Accountability Services Division, results available at <http://disag.ncpublicschools.org/2005>.

Meanwhile, Wake County’s middle-class students are achieving at very high levels—86.8 percent pass the End of Course exams—and there is no evidence that they are being harmed academically by economic mixing.

Of course, Wake County is fortunate to have a school district that encompasses the city and its suburb within a single jurisdiction. But in areas where entire urban districts have concentrated poverty, inter-district public school choice programs can ameliorate economic school segregation. Such programs exist in metropolitan areas surrounding Minneapolis, Hartford, Boston, Rochester, and Milwaukee.¹⁴ The nation’s largest inter-district choice program is in the St. Louis area, where some 12,000 city students are given the opportunity to attend suburban schools in sixteen districts. The program, originally begun as part of a court-supervised racial desegregation plan, was continued on a voluntary basis beginning in 1999, when business community leaders and others sought to preserve a program that had proven successful in raising the graduation rates and achievement of urban students who were educated in middle-class suburban schools.¹⁵ Studies of Hartford’s program, likewise, found that, compared with control groups, students who attended suburban schools had higher career aspirations, were much more likely to attend college, had fewer incidents with the police, and were less likely to become teenage parents.¹⁶

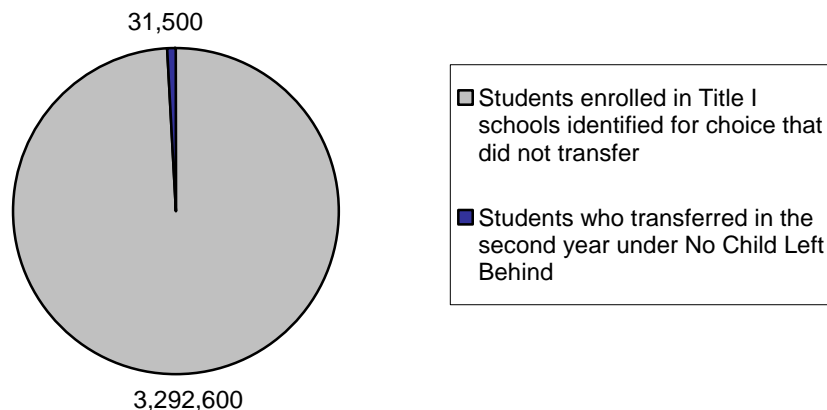
TAKING SOCIOECONOMIC INTEGRATION NATIONAL THROUGH NO CHILD LEFT BEHIND

In theory, the No Child Left Behind Act dovetails nicely with the efforts in Wake County, Cambridge, and elsewhere to promote economic school integration through public school choice. One of the key provisions in the act provides that if a Title I school fails to make adequate yearly progress (AYP) for two consecutive years, students have the right to transfer to a better performing public school and the district must pay for transportation costs. By limiting this transfer remedy to Title I schools—roughly speaking, the bottom economic half of public schools—the law recognizes that students stuck in higher poverty schools have a greater need to seek better opportunities.¹⁷ Moreover, within the universe of Title I schools, those with the highest concentrations of poverty are the most likely to be subject to the transfer provision.¹⁸

Philosophically, NCLB directly challenges the idea that through choice of housing, parents may “purchase” the right to send their children to a public school where all the children come from privileged backgrounds. In addition, by mandating that districts pay transportation costs for students, NCLB rejects the argument that spending dollars on busing is a wasteful diversion of money from the classroom. In theory, NCLB should be a strong vehicle for economic school integration, a feature of the law that some liberal backers of NCLB highlight.¹⁹

Four years of experience under NCLB so far have tested this theory, however, and problems have emerged that undercut the promise of new opportunities under NCLB. A December 2004 study by the Government Accountability Office (GAO) found that, of the roughly 3.3 million students in Title I schools who were eligible to transfer in the 2003–04 school year, only 31,500 (less than one percent) transferred.²⁰ (See Figure 5.)

Figure 5: Number of Title I Students Eligible for Choice and Number that Transferred in Forty-two States, the District of Columbia, and Puerto Rico in School Year 2003–04



Source: U.S. Government Accountability Office, *No Child Left Behind Act: Education Needs to Provide Additional Technical Assistance and Conduct Implementation Studies for School Choice Provision* (Washington, D.C.: GAO, December 2004) p. 15.

The low levels of student transfers under NCLB have been linked primarily to two key limitations in the act.²¹ First, there are strong incentives for middle-class, high-performing schools to refuse to take in low-income transfer students. As the University of Virginia's James Ryan notes, a receiving school that takes in low-income students faces a double risk. Because low-income students, on average, score lower than middle-class children, an influx of low-income transfer students initially is likely to depress aggregate school scores, increasing the chances that the receiving school will itself fail to make AYP. The other risk stems from a laudable feature of the legislation: the requirement that schools do a good job of raising proficiency in general, but also of raising the scores of groups of students, disaggregated by race and income. Homogenous schools with few poor or minority students are exempt from this requirement, because a critical mass of students is required to make disaggregation valid statistically. But an influx of poor and/or minority students might push a school over the threshold number triggering disaggregation, thus increasing the number of targets the school has to hit to make AYP and thereby increasing the risk of failing. This proves, says Ryan, "an incentive to minimize the number of African-American or poor students in a school or district."²²

The second major problem that has emerged with the student transfer provision is the small number of good receiving schools available in certain high-poverty districts. In Chicago, for example, the Government Accountability Office found that 19,000 students applied for transfers in 2003–04 school year, but the vast majority (almost 18,000) were unable to transfer because of lack of space in higher-performing schools.²³ In Baltimore, only 301 seats in high performing schools were available to some 27,000 students who were eligible for transfer.²⁴ In a study of ten states and fifty-three additional districts, the Citizens' Commission on Civil Rights found that, in the 2003–04 school year, less than half of those who requested a transfer received one.²⁵

With a few critical changes to the law, however, NCLB could translate its theoretical potential into actual support for socioeconomic school integration of the type taking place in communities such as Wake County and Cambridge. As amended, NCLB could move what a small number of communities are doing on their own to a national program of giving poor children a chance to attend middle-class schools. The basic framework and philosophical assumption is already written into the legislation: poor children stuck in bad schools should have the right to transfer to better public school schools. Four key changes are needed, however, to move from theory to practice.

1. Change the Incentive Structure so that High-Performing Schools Are Encouraged to Recruit, Rather than Shun, Low-Income Transfer Students.

Steps should be taken to change the incentives so that it is easier for students to transfer out of failing schools and into succeeding ones. To reduce the current disincentive for receiving schools, there is a growing consensus across the political spectrum, in favor of providing a grace period so that schools are not judged on the basis of performance by transfer students who have just entered a receiving school.²⁶ Given the strong evidence suggesting that socioeconomic integration will reduce the achievement gap and raise overall levels of achievement, NCLB further should bestow affirmative financial bonuses

to receiving middle-class schools to provide an incentive to spur such schools to recruit transfer students actively.²⁷ A weighted funding formula, in which low-income students receive extra funding, will encourage more advantaged schools to receive low-income students if the weighting is sufficiently pronounced.²⁸ One of the central insights of NCLB is that a system of standards and accountability can meld the important benefits of public education with the incentive structure of the private sector. The system of testing, accountability, and sanctions is built around the concept that incentives matter—and that insight must be extended to the student transfer process as well.

2. Require Interdistrict Public School Choice Where Individual Districts Lack Capacity.

Where individual school districts lack the capacity to offer room at better-performing public schools, NCLB should provide a requirement that interdistrict public school choice options be made available. No Child Left Behind took the important step of amending the Elementary and Secondary Education Act, which had previously *encouraged* districts to give students stuck in failing high-poverty schools the chance to transfer to a better public school within the district, to *require* districts to do so if they wished to receive federal funds. The change was based on experience with the previous law that encouragement of public school choice was not enough. The same lesson now applies to interdistrict public school choice. NCLB *encourages* districts to allow public school choice across school district lines in cases where there is not enough room in good schools within the district, but virtually no group of school districts has done so voluntarily.²⁹

Such a requirement faces severe political obstacles. When the issue was debated during deliberations of NCLB in 2001, Democratic lawmakers fought against an interdistrict school choice requirement, fearing a loss of funds for city schools.³⁰ But interdistrict school choice programs have long existed outside of NCLB, and it is possible to learn from the political lessons of these programs to construct workable transfer provisions for NCLB.

One lesson is that financial incentives work. In Michigan, school districts actually compete to attract interdistrict transfers because state funds travel with students to receiving districts. Between the 1996–97 and 2002–03 school years, the number of interdistrict transfers increased from 7,836 (0.5 percent of Michigan students) to 43,756 (2.3 percent) of students, and the percentage of districts electing to accept nonresident students increased from 36.8 percent to 69.4 percent.³¹ Likewise, St. Louis’s interdistrict transfer program was continued voluntarily in 1999 in part because under the court-monitored agreement, the state of Missouri provided strong financial incentives to suburban districts to participate. Over time, suburban districts became dependent on this funding, and suburban legislators supported continuing the plan voluntarily.

A second lesson is that placing caps on transfers can help assure nervous middle-class school districts that an influx of city students won’t result in poverty concentrations within suburban schools. In St. Louis, where the transfer program focused on race, suburban school district populations were never required to become more than 25 percent African American under the plan.³² Both concepts—financial incentives, and a cap on the number student transfers (say, at 50 percent free and reduced-price lunch)—should be

written into NCLB so that the success of students in St. Louis can be replicated throughout the nation.

There is a third reason to think interdistrict transfers can be made politically acceptable: the threat of private school vouchers. Today, there is widespread agreement across the political spectrum that limiting transfers to other schools within certain urban jurisdictions is unworkable: it is patently clear that there simply are not enough good schools into which students can transfer. The primary conservative answer to this dilemma is to open up choice to private schools. (Florida's voucher program—recently struck down by the courts—was based on the idea that students stuck in failing public schools should have a right to publicly funded private school vouchers.) While vouchers are a bad proposal on the merits, for several reasons,³³ the threat of vouchers may push advocates of public schools (including teacher unions) to endorse interdistrict public school choice as a superior alternative. Politically, if the battle comes down to interdistrict public school choice versus publicly funded private school vouchers, history suggests public school choice will prevail. An estimated 300,000–500,000 students cross school district lines every day to attend public school in another district—more than ten times the number who use publicly funded vouchers for private schools.³⁴

Interdistrict choice is already receiving support from some surprising quarters. Chester Finn supports strengthening NCLB's interdistrict transfer provisions.³⁵ And the Bush administration's 2007 budget request to Congress calls for funneling Voluntary Public School Choice funds into pilot programs specifically aimed at interdistrict school choice.³⁶

3. Increase Funding for Magnet Schools in Urban Areas.

To balance the flow of students and money under an interdistrict public school choice program, federal funding for magnet schools in urban areas should be substantially increased. Allowing students to move from bad schools to good schools will, in the short term, usually mean transferring from high-poverty city schools to middle-class suburban schools, but many districts (including Wake County) successfully have achieved socioeconomic integration by simultaneously attracting middle-class children into urban schools through magnet programs. Choice should allow movement in both directions, and in places such as Hartford, Connecticut, a roughly equal number of students travel from suburb to city as from city to suburb. Experience suggests that given the right program, magnet schools can attract middle-class suburban students to schools located in some of the toughest urban neighborhoods. In Hartford, for example, a Montessori magnet school, located near boarded-up buildings, has a long waiting list of white middle-class suburban children because the program offered at the end of the bus ride is excellent.³⁷ Nationally, an estimated 150,000 students are on waiting lists for magnet schools. Some 1.2 million students attend an estimated 2,400 magnet schools across the country.³⁸

The federal government currently appropriates roughly \$100 million for the Magnet Schools Assistance Program.³⁹ This compares to the more than \$12.7 billion spent on Title I⁴⁰—a ratio of 1:127. Given the powerful evidence that socioeconomic school

integration generally is much more promising than compensatory spending in low-income schools, this imbalance needs to be remedied.⁴¹

4. Track Student Academic Success through a Rigorous Research Program.

NCLB should include a targeted research component. The NCLB transfer program offers an important opportunity to study the effects of socioeconomic integration on student achievement. The achievement of students who remain in failing, high-poverty schools should be tracked compared to those who transfer to higher achieving middle-class schools. Because it is possible that transferring students come from more highly motivated families than those who stay behind in failing schools, ideally research should track the achievement of students who wish to transfer to better schools but are unable to because of space limitations compared to the achievement of those given the opportunity to move. (A similar study is being undertaken on the achievement effects of the federal private school voucher program in Washington, D.C.) It is also important to measure the effect of the changing economic composition on the achievement of all students in receiving middle-class schools.

COST

NCLB currently requires that districts set aside 20 percent of their federal Title I funds (which totaled \$12.7 billion in the 2006 fiscal year) for two purposes: transportation for student transfers and supplemental services costs. A minimum of 5 percent must be spent on each.⁴² In other words, districts must set aside roughly between \$600 million (5 percent) and \$1.8 billion (15 percent) for transportation. The Government Accountability Office found that in the 2003–04 school year, most districts spent less than 7 percent of funds set aside.⁴³ This suggests that there is ample room for a dramatic expansion in public school choice transfers—on the order of a fourteen-fold increase—before districts bump up against the federally prescribed allocation for transportation and supplemental services.

COULD THE PUBLIC SUPPORT SOCIOECONOMIC INTEGRATION THROUGH EXPANDED PUBLIC SCHOOL CHOICE?

There are good reasons to believe that the approach recommended here, while likely to encounter some political obstacles, is potentially salable to the public.

To begin with, the general idea of public school choice is remarkably popular with the public. A variety of question wordings on this issue have been used since 1987 and they all return strong evidence of public support—from a low of 60 percent (two-to-one ratio) to a high of 82 percent (four-to-one ratio) in favor of public school choice. And the provisions of NCLB that deal with public school choice have always had strong support (most recently, 87 percent in a January 2004 Pew/Kaiser poll).⁴⁴

Even so ardent a proponent of vouchers as Terry Moe, the Stanford professor who coauthored (with John Chubb) the seminal pro-voucher book, *Politics, Market and*

America's Schools, has to admit that evidence from his own survey (presented in his 2001 book, *Schools, Vouchers, and the American Public*) shows that the public is much more sympathetic to public school choice than to vouchers. Indeed, in his survey, 69 percent of the public supports public school choice within school districts and 75 percent supports choice outside of districts if space is available, compared to 60 percent support for vouchers (and that from a question well-crafted to produce a sympathetic response).⁴⁵

Of course, for many parents in relatively privileged middle-class areas where failing schools are uncommon, that support in principle may wither in the face of a reality where choice is most applicable to underprivileged and minority children in another area and brings such students into their schools. But that is exactly the issue that the provisions recommended here are designed to address: by controlling levels of such transfer students and linking additional resources to these students, these schools ultimately should benefit from their attendance, thereby damping negative reaction among parents.

Moreover, in the controlled context of NCLB, the kind of choice advocated can build on current public support for diversity in schools. For example, in the Kaiser/Pew poll cited above, 60 percent of whites say that racially integrated schools are better for kids, compared to only 7 percent who say they are worse. In a controlled context, where fears of a “tipping point” can be avoided, it is reasonable to expect these attitudes to promote tolerance of students using the choice program.

CONCLUSION

Separate but equal schools for rich and poor have never worked well. If the twin goals of NCLB are to be taken seriously—to raise overall achievement and narrow the achievement gap between groups—the law should be amended to encourage what research has long found to be the single most promising step for raising achievement of low-income students: allowing them to attend high-quality, middle-class, public schools. The theoretical and philosophical underpinning for this policy are already in place under NCLB. Now it is time to move from theory to practice.

¹ National Center for Education Statistics, *NAEP 1998 Reading Report Card for the Nation and the States* (Washington, D.C.: U.S. Department of Education, 1999), pp. 44, 59.

² James S. Coleman, et al., *Equality of Educational Opportunity* (Washington D.C.: U.S. Government Printing Office, 1966).

³ Richard D. Kahlenberg, *All Together Now: Creating Middle-Class Schools through Public School Choice* (Washington, D.C.: Brookings Institution Press, 2001), pp. 25–35 (summarizing the research).

⁴ R. W. Rumberger, and G. J. Palardy, “Does Segregation Still Matter? The Impact of Student Composition on Academic Achievement in High School” *Teachers College Record* 107, no. 9 (2005): 1999–2045.

⁵ Kahlenberg, *All Together Now*, pp. 37–42.

⁶ In his study of schools in Madison-Dane County, Wisconsin, researcher David Rusk found that “middle-class” students (those not eligible for free and reduced-price lunch) attending very low poverty schools tended to be far wealthier than “middle-class” students attending economically mixed schools, and were expected to do better, irrespective of the school they attended. By contrast, the economic range within the low-income group (those eligible for free and reduced-price lunch) is much smaller and does not account for the differences in achievement between low-income students in high-poverty schools as compared with

those in economically mixed schools. See David Rusk, "Classmates Count: A Study of the Interrelationship between Socioeconomic Background and Standardized Test Scores of 4th Grade Pupils in the Madison-Dane County Public Schools," July 5, 2002, available online at <http://www.schoolinfosystem.org/archives/Unifiedfinalreport.pdf>.

⁷ Kahlenberg, *All Together Now*, pp. 47–76.

⁸ Todd Silberman, "Wake County Schools: A Question of Balance," in *Divided We Fail: Coming Together through Public School Choice* (New York: Century Foundation Press, 2002), pp. 141–63; Alan Finder, "As Test Scores Jump, Raleigh Credits Integration by Income," *New York Times*, September 25, 2005, Sect. 1, p. 1; Jeffrey Robb, "School Busing Plan Is Based on Income," *Omaha World-Herald*, January 24, 2006, p. 1A.

⁹ Kahlenberg, *All Together Now*, pp. 35–37, 222.

¹⁰ Telephone Interview with Caroline Massengill, Wake County Magnet School coordinator, February 3, 2006.

¹¹ U.S. Department of Education, *Creating Successful Magnet Schools* (Washington D.C.: U.S. Department of Education, September 2004), p. 51.

¹² Edward B. Fiske, "Controlled Choice in Cambridge, Massachusetts," in *Divided We Fail: Coming Together through Public School Choice*, pp. 167–208.

¹³ Ideally, one would compare students in Wake County pre- and post-adoption of the economic integration plan in 2000, but Wake's longtime racial integration plan, which produced substantial economic integration, muddies the comparison.

¹⁴ *Divided We Fail*, p. 38.

¹⁵ William H. Freivogel, "St. Louis: Desegregation and School Choice in the Land of Dred Scott," in *Divided We Fail*, pp. 209–235.

¹⁶ Kahlenberg, *All Together Now*, p. 152.

¹⁷ U.S. Government Accountability Office, *No Child Left Behind Act: Education Needs to Provide Additional Technical Assistance and Conduct Implementation Studies for School Choice Provision* (Washington, D.C.: GAO, December 2004) pp. 5-6. Roughly 50,000 of America's 94,000 public schools receive Title I funding, based on their relatively high concentrations of poverty. About 25 million of America's 49 million public school students attend Title I-receiving schools.

¹⁸ *Ibid.*, pp. 10–11, figure 2.

¹⁹ See, e.g., Cynthia G. Brown, *Choosing Better Schools: A Report on Student Transfers under the No Child Left Behind Act* (Washington, D.C.: Citizens' Commission on Civil Rights, May 2004), p. 3.

²⁰ *No Child Left Behind Act*, p. 15, figure 5. Other studies come to a similar conclusion. In their study of ten states and fifty-three additional districts, the Citizens' Commission on Civil Rights put the estimate at 1.7 percent. Brown, *Choosing Better Schools*, p. 6. See also Lynn Olson, "NCLB Choice Option Going Untapped, but Tutoring Picking Up," *Education Week*, March 16, 2005, p. 1 (finding 1 percent of students transferred); and "National Assessment of Title I: Interim Report," volume 1, Institute for Education Studies, February 2006, p. xiii (finding that 1 percent of students transferred).

²¹ A third problem involves an administrative issue. Many districts do not notify parents that their children are eligible to transfer until after the school year has begun. See "National Assessment of Title I: Interim Report," p. xiv (49 percent of school districts notified parents after the school year had begun).

²² James E. Ryan, "The Perverse Incentives of the No Child Left Behind Act," *New York University Law Review* 79, no. 3 (June 2004): 962.

²³ *No Child Left Behind Act*, p. 26, table 7.

²⁴ Paul T. Hill, "Putting Learning First: A Portfolio Approach to Public Schools," *Progressive Policy Institute*, February 2006, p. 5.

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- ²⁵ Brown, *Choosing Better Schools*, p. 6.
- ²⁶ See e.g. Chester E. Finn, Jr., and Frederick M. Hess, “On Leaving No Child Behind,” *The Public Interest*, Fall 2004, p. 52; Brown, *Choosing Better Schools*, pp. 13–14.
- ²⁷ Hess and Finn suggest the possibility of a state per-pupil bonus for recruiting low-performing students. See *Leaving No Child Behind? Options for Kids in Failing Schools*, Frederick M. Hess and Chester E. Finn, Jr., eds. (New York: Palgrave MacMillan, 2004), p. 298.
- ²⁸ For a variation on this idea, see Julian R. Betts, “The Economic Theory of School Choice,” in *Getting Choice Right: Ensuring Equity and Efficiency in Education Policy*, Julian R. Betts and Tom Loveless, eds. (Washington, D.C.: Brookings Institution Press, 2005), pp. 33–35 (suggesting a tradable market in the right to enroll high achieving students.)
- ²⁹ See Brown, *Choosing Better Schools*, p. 67, finding in a study of several states and districts that only two had provided inter-district transfers under NCLB.
- ³⁰ Diana Jean Schemo, “Schools Face New Policy on Transfers,” *New York Times*, December 10, 2002, p. A26.
- ³¹ David N. Plank and Christopher Dunbar, Jr., “Michigan: False Start,” in *Leaving No Child Behind? Options for Kids in Failing Schools*, Hess and Finn, eds. (New York: Palgrave MacMillan, 2004) pp. 138–39.
- ³² *Divided We Fail*, pp. 42–43.
- ³³ See *Public School Choice vs. Private School Vouchers*, Richard D. Kahlenberg, ed. (New York: Century Foundation Press, 2003).
- ³⁴ Jeffrey R. Henig and Stephen D. Sugarman, “The Nature and Extent of School Choice,” in *School Choice and School Controversy*, Stephen D. Sugarman and Frank R. Kemerer, eds. (Washington D.C.: Brookings Institution Press, 1999), p. 29 (300,000); Brown, *Choosing Better Schools*, p. 67 (500,000); Colvin, “Public School Choice,” p. 16 (roughly 36,000 students receive publicly supported private school vouchers).
- ³⁵ *Gadfly* 4, no. 21, May 27, 2004.
- ³⁶ The fiscal year 2007 request to Congress states, “The Department would use 2007 funds [allocated to the Voluntary Public School Choice program] to launch a new competition specifically focused on inter-district choice.” Personal communication, Thomas Corwin, U.S. Department of Education, February 15, 2006.
- ³⁷ Richard D. Kahlenberg, “The New Brown: Integration by Class, Not Race, Can Fix Schools in Poor Cities,” *Legal Affairs*, May/June 2003, pp. 30–35.
- ³⁸ Colvin, “Public School Choice,” pp. 13, 25.
- ³⁹ Brown, *Choosing Better Schools*, p. 26.
- ⁴⁰ Fiscal Year 2006 spending, cited in Fiscal Year 2007 Budget Summary, U.S. Department of Education, February 2006, available online at <http://www.ed.gov/about/overview/budget/budget07/summary/edlite-section1.html>.
- ⁴¹ Kahlenberg, *All Together Now*, pp. 23–76.
- ⁴² Brown, *Choosing Better Schools*, p. 21.
- ⁴³ No Child Left Behind Act, p. 3.
- ⁴⁴ “National Survey of Latinos,” Pew Hispanic Center/Kaiser Family Foundation, January 2004, available online at <http://pewhispanic.org/files/reports/25.2.pdf>.
- ⁴⁵ Terry M. Moe, *Schools, Vouchers, and the American Public* (Washington, DC: Brookings Institution Press, 2002).

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