

## NO CHILD LEFT UNTESTED

*Bush claims a successful record on education both as governor of Texas and as president, but a closer examination reveals it to be largely a public relations smokescreen. His policies, once the smoke has been blown aside, are revealed to be hostile to public education and to the democratic values on which it rests.*

The availability of a free public education in the United States has been essential in the development of our free and democratic society. Boston Latin School, the first publicly funded secondary school in America, was founded in 1635, and was attended by at least three founding fathers, Benjamin Franklin, Samuel Adams and John Hancock. Thomas Jefferson, the author of the Declaration of Independence, advocated universal basic education paid for by taxes.

In 1837, Massachusetts became the first state to provide state funds to establish free “common schools” throughout the state, and in 1852, its legislature passed the first compulsory education law covering all children. By the end of the Civil War, most states provided free public education; however, its benefits were not available for all children, most often for reasons of race. In 1905, the California Supreme Court ruled that the state could not exclude Chinese children from its public schools, and in 1954, the U.S. Supreme Court ruled that the segregated educational facilities in the South were inherently unequal and unconstitutional.<sup>140</sup>

Citing national security reasons, Congress passed the National Defense Education Act in 1958 to provide federal funds to improve the science and math curriculum of public schools. In 1965, Congress passed the Elementary and Secondary Education Act as part of the War on Poverty. Title I of the Act provided the first federal aid to schools with large numbers of students living in poverty, and the Act also established the Head Start program to provide health, nutrition, and education for

low-income preschoolers. President Carter created a cabinet-level Department of Education in 1979.<sup>141</sup>

According to statistics gathered by the National Association of State Boards of Education, in the 1998-1999 school year 14,883 public school districts employed 2,637,846 teachers in 87,125 schools to educate 45,228,526 students through high school. Nineteen percent of these students lived in poverty, but overall, 85.8 percent of them graduated from high school. We spent a total of \$265,839,427,000 per year, or approximately \$6,000 per student, to educate them. The local districts raised 43.8 percent of their budgets, the states contributed 46.8 percent, and the federal government chipped in less than seven percent.<sup>142</sup>

Teachers, 56 percent of whom have advanced degrees, are paid, on average, \$38,509 before taxes. For this, the average teacher works 50 hours a week, including an average of 12 hours of uncompensated school-related activities such as grading papers, performing bus duty, and advising student clubs. Each year, our teachers spend over \$1 billion out of their own pocketbooks for essential classroom supplies not provided by their districts. This direct subsidy compares favorably to the pittance provided by the federal government, and it comes with no strings attached.<sup>143</sup>

America's public schools and its teachers have served as the catalyst for melding its immigrant population into a cohesive society. They have provided our children with a sense of pride in America and its role in world affairs; they have prepared our children to become thoughtful adults in casting the responsible votes essential for the preservation of a free and democratic society; and they have empowered our children to defend their freedoms.

### **Educating Docile Workers for the Corporate State**

Horace Mann, the first secretary of education in Massachusetts, encouraged business owners to contribute to the state's public education system by promising them better workers distinguished by their "docility and quickness in applying themselves to work, personal cleanliness and fidelity in the performance of duties." Today, businesses want useful

workers who can read, write and do basic mathematics, but they continue to want them to be competitive, obedient and to show respect for authority.<sup>144</sup>

Professionally trained business leaders obsessed with global competition believe that educational theory should be primarily economic. A former chairman of IBM once described children as human capital, teachers as sellers in a marketplace, and the public school system as a monopoly. According to the business model, educators should become bean counters, weighing inputs and outputs, such as the school budgets and test scores. To encourage the maximum production, teaching failures must be punished by the loss of bonuses and the imposition of sanctions.<sup>145</sup>

Since many of these business leaders believe that schools already have adequate resources, they are convinced that the only way to achieve success is to establish standards and to impose accountability through testing, with sanctions for failure. The Business Roundtable, a meeting of corporate leaders, believes that testing is a “bedrock principle” and that the “leadership and credibility of the business community is needed” to ensure the adoption of universal standardized testing. However, the Roundtable worries about the “voices of opposition” that will “emanate from parents and teachers.”<sup>146</sup>

On his first day in office, President Bush gathered a group of “education leaders” to meet with him in the White House. However, the guest list was dominated by Big Business, and the chairman of McGraw-Hill said, “It’s a great day for education, because we now have substantial alignment among all the key constituents—the public, the education community, business and political leaders—that results matter.” Would it surprise anyone to learn that McGraw-Hill wrote the statement of principles for Bush’s Texas Education Agency and designed the state’s reading curriculum? Or that McGraw-Hill then got the biggest market share of the state’s textbook market?<sup>147</sup> You’re not stupid! Get the truth.

## **Dropouts Don't Count**

In 1994, when George W. Bush first campaigned for governor in Texas, he stole the Democrats' playbook in the area of educational reform. Education had always been a Democratic issue, and his opponent, Governor Ann Richards, had already pushed through a reform bill during her tenure. First, Bush called for the abolition of the regulatory power of the Texas Education Agency, saying, "We must fund centrally, and we must govern locally." At the same time, he called for accountability and periodic standardized testing.<sup>148</sup>

In 1995, the Texas legislature passed Senate Bill 1, which rewrote the Texas education code to redirect education efforts from providing students with a broad-based liberal arts education to preparing them for employment. The State Board of Education was required to revise curriculum requirements with the "aid and advice" of Texas employers, and all school districts were urged to adopt a school-to-work program that would integrate vocational competencies commencing in kindergarten, and to require all students to select a career pathway no later than the eighth grade.<sup>149</sup> Next, students were to be tested each year, and every school had to be rated in the areas of dropout rate, attendance rate, and the percentage of students who passed the Texas Assessment of Academic Skills (TAAS) test. The net effect of the law was to move control over the schools from the local school districts to the state, where most curriculum decisions were to be made, a reversal of Bush's campaign promises.

There was little objection to adoption or implementation of the new law, even from the state's teaching professionals. One reason may have been the relative weakness of the state's teachers' unions, which have no rights to collective bargaining or tenure. Teachers either cooperated and became true believers, or else they hit the highway.<sup>150</sup>

The same year Bush was elected governor, the board of the Houston Independent School District (HISD) appointed one of its members, Dr. Roderick Paige, as the superintendent of its

schools. HISD is the seventh largest public school district in America, with over 210,000 students.

Dr. Paige wasted no time in eliminating tenure for principals, instituting performance contracts modeled on those in the private sector, in which senior staff members' performance determined their continued employment, and introducing teacher incentive pay. He also formed a political alliance with Governor Bush that was to pay dividends for both of them in the future.<sup>151</sup>

Operating under the shadow of the big stick in Austin, powerless teachers gave up trying to teach students how to think and began to teach to the test. Worried administrators began to pore over their schools' statistics. Principals were pressured to use "any means necessary" to raise test scores, and successful curricula were replaced with practice test drills. Teachers were encouraged to concentrate on the "bubble kids," those just below the passing line, and to ignore those at the bottom who would never pass.<sup>152</sup> And, lo and behold, student scores on the TAAS tests began to increase. By 1996, the number of high school graduates who passed the exit-level TAAS increased to 84.7 percent from 82.8 percent the year before. By then, Bush and Paige were set to be nominated for sainthood for having pulled off the "Texas Miracle." However, some dark clouds were gathering on the horizon, but more about that later. First the parade.

By 1999, after being re-elected governor, Bush decided he was ready to run for the White House as the "education candidate." He promised to do for the rest of the United States what he had done in Texas, and he misled a lot of voters into believing that would be a good thing. Once elected, and because Dr. Paige had done such a "good" job in Houston, Bush nominated him as his Secretary of Education. In January 2001, the two set up shop in Washington, D.C.

One of the rules imposed by bank security is to require all managers to take at least two weeks of uninterrupted vacation a year. Banks do this to discover embezzlements during the enforced absences, when managers are not around to cover their

tracks. Well, after Dr. Paige and Bush left Texas, some interesting information began to come to light.

One of the first things that someone noticed was that while student scores on the tests controlled by the Texas Education Agency were steadily increasing, student scores on the nationally administered Scholastic Aptitude Test (SAT) and the American College Testing Program (ACT) were not. While the Texas authorities were reportedly educating a new generation of future Einsteins, the students' SAT and ACT scores were not improving, and, in fact, they were near the bottom of the barrel. Nationally, Texas students ranked 47<sup>th</sup> on these entrance exams.<sup>153</sup>

Keep in mind that Texas school administrators receive bonuses of up to \$10,000 based upon attendance and dropout rates, as well as improvements in test scores. Well, during the school year 2000-2001, HISD's Sharpstown High School reported no dropouts. None! In November 2002, one of the assistant principals, apparently more concerned about integrity than money, wrote to his principal and informed her that the dropout statistics were being faked. He told her, "We go from 1,000 freshmen to less than 300 seniors with no dropouts? Amazing!"<sup>154</sup> Nothing changed. Sharpstown High continued to claim that it had no dropouts, at least until the state stepped in and conducted an audit of the entire school district. The state found that, while HISD had only reported a 2.5 percent dropout rate overall, in fact over 3,000 students seemed to have disappeared from the rolls; however, none of them were carried as dropouts. The true dropout rate was determined to be approximately 52 percent! **HISD was actually found to have one of the poorest graduation rates in the country, being ranked in the bottom ten school districts, an honor also accorded to Dallas and Fort Worth.**<sup>155</sup>

In some schools, low-performing students were encouraged to drop out to avoid having them perform poorly on the standardized tests and thereby reduce the average scores. Another gaming of the system kept low-performing students from taking the critical tenth grade exit examination. Students who failed only one class in the ninth grade were kept there for

up to three years if the state issued a waiver. Some were discouraged from taking the course they needed to advance toward graduation, and many simply dropped out (but not according to the school district). In one HISD high school with 3,000 students, only 296 took the tenth grade test, when statistically there should have been between 700 and 750 students in the tenth grade.<sup>156</sup>

In a different twist, HISD's Jack Yates High School reported that from 1998 to 2002, 100 percent of its graduates intended to attend college. However, in 2002, only one third took the SAT, and they only had a combined average score of 763 out of a possible 1,600. Nationally, the combined average for all students was 1,020.<sup>157</sup> In fact, less than 50 percent of the Yates graduates ever took any classes at state colleges or universities. One graduate commented on the false claims, "It doesn't mean anything, because who cares. But it could mean they lie about a lot more of other things."<sup>158</sup>

Before we re-join Bush's parade to the White House, let's take another look at his campaign promise to Texans, "We must fund centrally, and we must govern locally." We saw how he shifted education decision making from local school boards to the state, but what about school funding? Keep in mind that Texas does not have a state income tax, and that money to operate the state government primarily comes from statewide taxes on sales and real property. Because the regressive sales tax produces 58 percent of the state's income, the poor pay a far higher percentage of their incomes as taxes. People earning less than \$14,750 pay 16 percent, and those earning over \$74,250 only pay 3.8 percent.<sup>159</sup>

In 1997, Bush called for a \$3 billion cut in property taxes, which would substantially benefit businesses, and the legislature approved \$1 billion. Two years later, in 1999, the economic picture was looking good and, depending on who was cooking the books, the state was expecting a budget surplus of between \$2.6 billion and \$5.6 billion. Relying on the unrealistic higher projection to pay for it, Bush proposed a \$2.6 billion tax cut. The Texas Legislature was leaning toward a \$2 billion cut and was trying to figure out how to balance the books.<sup>160</sup> Even though

Texas ranked near the bottom nationally on spending for education (41<sup>st</sup>), the Legislature cut proposed increases in teacher pay by half, refused to fund mandatory kindergarten for all students, and refused to reduce the class size of kindergarten to fourth grade classes. These last two proposals would have primarily benefited poor students (of whom Texas had more of than any other state) and were estimated to cost approximately \$1.2 billion. When Bush was asked about his position on mandatory kindergarten, he said Texas couldn't afford it and that he would "be happy with the bill if it doesn't have mandatory kindergarten."<sup>161</sup> Bush got his tax cut, and the poor children of Texas largely paid for it.

Who suffered most from the failure of the Texas schools? Does Bush care? Do you think there really was a "Texas Miracle" in education? Do you think Bush was truthful about it? You're not stupid! Get the truth.

### **Big Brother Knows Best**

In the 2000 presidential campaign, George W. Bush ran as the education candidate. He stated, "Rarely is the question asked, is [*sic*] our children learning?" And he promised that, "My education message will resinate [*sic*] amongst all parents." (Could this man pass a basic English skills test?) Whatever that means, Rove and Bush hammered together an education platform and managed to stay "on message" throughout the campaign.

During a Republican debate in the primaries, another candidate, Steve Forbes, who accused him of lowering the Texas standards to the extent that "your SAT ranking has gone from 40th in the nation to 46th in the nation", criticized Bush about his record on education. Bush sarcastically replied, "objective analysis after objective analysis has ranked Texas as one of the best education states in the country. ... One reason—our SAT scores have improved since I've been the governor. You need to get your research to do a better job." Are you surprised by this blatant lie? In fact, during the Bush administration, the average verbal/math combined SAT score in Texas had dropped three points, while the national average had improved nine points.<sup>162</sup>

Once Bush won the nomination, he chose Richard B. Cheney as his vice president—who as a congressman voted against the creation of the U.S. Department of Education, opposed the Head Start program, and supported a measure to deny federal aid to any school that restricted prayer.<sup>163</sup> Bush quickly moved to establish his “compassionate conservative” credentials by reassuring folks that he wasn’t going to do away with the Department of Education or Head Start. At the same time, he hewed to the conservative line in proposing the expansion of charter schools, tax-exempt education savings accounts, and school vouchers.

In 1998, President Clinton proposed voluntary national testing of all fourth graders in reading and all eighth graders in basic math. Instead of covering specific, detailed curriculum, the tests would be basic, reflecting a common set of expectations. The reading test would include open-ended essay questions as well as multiple-choice questions, and the math test would provide partial credit for wrong answers as long as students demonstrated an understanding of how the problem should be solved. The short 90-minute tests were intended to provide reliable data on how American children were mastering the basics, rather than to punish students, teachers, or schools for failure.<sup>164</sup>

Clinton’s Secretary of Education, Richard Riley, stated, “If all of our efforts to raise standards get reduced to one test, we’ve gotten it wrong. If we force our teachers to teach only to the test, we will lose their creativity. ... If we are so consumed with making sure students pass a multiple-choice test that we throw out the arts and civics then we will be going backwards instead of forward.”<sup>165</sup> A quiet voice of reason, yet the Republican response was deafening.

Led by Missouri Senator Ashcroft (more about him later), the Republicans managed to insert language in an essential 1998 appropriations bill that shelved the Clinton voluntary testing plan for the balance of the fiscal year. Senator Ashcroft called it an “important victory for local control,” and he warned, “This fight is not over. I am confident that the President and his allies will be back in their effort to take power away from parents,

teachers and community school boards, seeking to place more power over our schools in the hands of bureaucrats in Washington.”<sup>166</sup>

What did presidential candidate Bush do? He continued to play the education game with the stolen Democratic playbook, but with a new referee and increased penalties. He called for *mandatory* testing of all third through eighth grade students and for a *cut* in federal funding of up to five percent in those states where student performance failed to meet specific standards.

What could Vice President Gore say? He was also determined to aggressively improve school accountability and performance; however, he wanted to provide greater resources to struggling schools, especially with respect to building and renovation needs. However, it just didn't have the resonance of “no child left behind.”

As we have seen, Bush, not Gore, “won” the election. So, what did the education candidate have to say after he was inaugurated? “You teach a child to read, and he or her will be able to pass a literacy test.” Yes, you her'd right! Thus, Bush set out to impose the “Texas Miracle” on the rest of the United States.

After Vermont Senator Jim Jeffords was driven out of the Republican Party by the arrogance of Bush and his evil brain, Karl Rove, Democrats took control of the Senate, and Senator Ted Kennedy became the Chairman of the Health, Education, Labor and Pensions Committee. Since education had always been a Democratic issue, and after Bush promised that the neediest children would get the benefit of the reforms, Kennedy agreed to work with the Bush administration on revisions of the Elementary and Secondary Education Act, which was up for renewal. Kennedy's goals were to maximize funding and to keep school vouchers out of the Act.

After the House and Senate produced different versions of the “No Child Left Behind Act,” it was discovered that under the formulas in both bills for measuring educational achievement, virtually *every* school in North Carolina and Texas would be deemed a failure and be subject to reorganization. Since these

two states were considered (at least at that time) as leaders in school improvement efforts, there was a good chance for massive national political embarrassment. To resolve the two bills, the congressional conferees did a major revision, redefined "adequate yearly progress," and finally produced a 1,200-page bill that was signed by President Bush on January 8, 2002.<sup>167</sup>

The Act dramatically increased the role of the federal government in public education by requiring all students in grades 3 through 8 to be tested every year in reading and math and by providing measures to hold schools accountable. The states were given until the 2005-2006 school year to develop and implement tests to show adequate yearly progress towards their statewide objectives. *And* the states had to demonstrate through test scores that they could reach 100 percent proficiency for all groups of students within 12 years.<sup>168</sup>

Although Kennedy had been promised that there would be adequate funding, Bush's budget for fiscal year 2004 eliminated one-third of what he had earlier promised. While Congress later restored some of the cuts, the final bill only pays for a small fraction (seven percent) of the cost of public education. The first-year increases to Title I funds amount to 0.4 percent of total education spending, and even the "flexibility" procedures of the Act only allow a local district to shift around approximately 4.3 percent of the Title I funds it had already been committed. Finally, while the bill did not explicitly include school vouchers, it did include a complicated after-school tutoring mechanism that will move as much as \$900 per student from schools "in improvement" into the hands of alternative profit, non-profit, and faith-based "supplemental-service providers."

Unfortunately, it is highly likely that the Act *will* do for the rest of the United States what Bush's "miracle" did in Texas. There is a grave risk that the big stick of being labeled as "low performing" will drive administrators to lose dropouts and for teachers to narrowly teach to the test. Students will still receive a good education in more affluent districts, supplemented through parent donations, but in those districts intended to be aided by the Act, in the absence of any real increase in resources, the poor children will be drilled like recruits in a military boot

camp. The emphasis on “accountability” will result in testing being used to sort children and to treat them differently, rather than to use testing to help all children receive a quality education. Finally, there is no way there can be continual annual increases in the percentage of students who score “proficient” or above in testing, when the goals are set higher each year, and states are required to list 20 percent of their schools as failures.<sup>169</sup>

The existing appropriation was \$11.3 billion and the Act called for \$18 billion for Title I spending; however, Bush only requested \$12.3 billion in his next budget, an increase of just \$1 billion. It is estimated, conservatively, that the \$1 billion increase in Title I funding proposed by Bush would not even pay for the added cost of testing and the other Title I mandates of the law, much less have anything left over to keep poor students from getting left behind. Fortunately, Congress rejected Bush’s miserly budget request and provided an additional \$5 billion for Title I programs.<sup>170</sup>

William J. Mathis, writing in the *Phi Delta Kappan*, identified several economic models that can be used to define the financial resources actually needed for each child to meet the standards set forth in the Act. To achieve the Act’s mandates, the most conservative estimate is that an additional 20 percent, or \$84.5 billion, would be required. A more realistic 35 percent increase would require \$148 billion.<sup>171</sup>

The states are faced with a dilemma. They can either come up with \$148 billion on their own to avoid losing the miserly federal contribution—a bad bargain—or they can reject the Title I money and the mandates. But if they accept the money and impose the standards on their school districts, they can be sued for the difference between the cost to implement the standards and what they receive from Washington—another bad bargain. Since the states are collectively facing a current deficit of \$58 billion, it is unlikely that they can balance their budgets without cutting basic educational funding, much less fund federal mandates.

Several districts in Vermont and Connecticut have refused funds to avoid having to comply with NCLB’s mandates, and at least seven states have passed resolutions criticizing the law or

asking for federal waivers. Maine is considering a bill to prevent state funding of reforms, and a bill to opt out of NCLB entirely has passed the house education committee in the Utah Legislature. Gary Orfield, a Harvard education professor, notes, "Wealthy districts don't have to do much at all under this law. Other districts face demands that are somewhere between difficult and absurd. It's putting maximum pressure on the most vulnerable districts."<sup>172</sup>

Fourteen states have asked the Bush administration for permission to use alternative methods for showing academic gains. The states wrote that "within a few years, the vast majority of all schools will be identified as in need of improvement. Many of those schools will be given that designation despite having shown steady and significant improvement for all groups of students."<sup>173</sup>

The most likely scenario is that the states will try, educational professionals will try, children will try, but no matter how hard they try, the number of drop-outs will increase, schools will narrow their academic curriculum, and poor students will be drilled 'til they drop. Many good schools will be wrongly labeled as failing, and they and their students will be punished for failing when they never had a fair chance. We will all think less of our educational system and ourselves; we will be less than we could have been.

Would you want your own child's performance to be evaluated on one test score? Would you want your own child to have limited opportunities as a result? You're not stupid! Get the truth.

### **The Test Revolt**

While the states have been busy preparing their plans to comply with the Act, and none has the courage required to reject the mandates and to go it alone, some groups are less reticent to demonstrate their disapproval of the new law. Writing in "High Stakes are for Tomatoes," Peter Schrag reported on some of these demonstrations in *The Atlantic*.<sup>174</sup>

After a majority of students failed the Massachusetts Comprehensive Assessment System tests, the state board of

education lowered the passing level. Nonetheless, a group of 300 students, backed by their parents, teachers and community leaders, boycotted the test and demanded to be graduated if they had good records and could demonstrate evidence of achievement. Their slogan: "Be a hero, take a zero."

Middle-class parents in Wisconsin influenced the legislature to refuse to fund the state's exit examination until an agreement was reached to allow the achievement of failing students to be assessed using other criteria and to avoid automatic denial of a diploma.

In Virginia, a legislative bill was introduced to require new members of the state's board of education to "take the eighth grade Standards of Learning assessments in English, mathematics, science, and social sciences" and that the results be reported to the public.

Complaints range from the length of the test, which in Massachusetts can take up to a total of 17 hours, to the fact that they are unfair to poor or English-deficient students, or those who simply cannot do well on tests. There is evidence that the emphasis on testing, beginning as early as kindergarten, reduces the teaching of academics and how to think, and that it destroys the creativity and innovation of teachers.

Rather than, or at least as a supplement to standardized testing, these revolutionists want authentic assessments, such as portfolios of art, science and essay projects, and open-ended exercises. One education official of the Bush administration has labeled these test revolutionists as "crickets," few in number and making a lot of noise. Well, crickets may not bite, but they can sure keep you awake at night.<sup>175</sup>

Maybe the answer is to go back to the voluntary national testing proposed by President Clinton, where the emphasis is on the positive and there are no sanctions. Or, as proposed by Albert Shanker, former president of the American Federation of Teachers, a basic level of competency could be established for all students, low enough to ensure that most graduate from high school, and provide honors diplomas for those students who earn and deserve the recognition.<sup>176</sup>

Do you think that mandatory testing and the withdrawal of funding from schools that need it the most is the best way to ensure academic excellence in America? What's going to happen in a couple of years when two thirds or as many as 85 percent of our schools are declared to be failing? Do you want Bush and his Dr. Paige to take over and run your local school? You're not stupid! Get the truth.

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