

The American No Child Left Behind Act: Implications for the Nigerian School System.

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Abstract

This paper discussed the facts about the No Child Left Behind Act of 2001 (NCLB) in America and compares that with the Nigerian equivalent of No Child Left Behind. The standards and goals set forth by both the American and Nigerian legislations were addressed. The paper touched the positive and negative aspects of NCLB on our school systems in both America and Nigeria. Several research articles that discuss the impact of NCLB on our school systems were also discussed. Finally, recommendations on ways and means to help the Nigerian students with disabilities forge ahead in the 21st century were made.

Keywords: Special education, Litigation, Social issues, parental involvement, Education reform

1. Introduction

The American No Child Left Behind Act

The Elementary and Secondary Education Act of 1965 was revised and reauthorized by President George W. Bush. This new education reform is known as the No Child Left Behind Act of 2001, which was signed into law on January 8, 2002. This legislation enhanced the responsibility of the federal government in assuring the quality of public education for all children in the United States (Testing Our Schools, 2002).

The NCLB Act focuses heavily on increasing funding for poor school districts, higher achievement for poor and minority students, and new measures to hold schools accountable for their students' progress. With this legislation, the role of standardized testing was expanded. It required that students in the third through the eighth grades be tested each year in reading and math (Testing Our Schools, 2002).

Some important components of the bill is the obligation that all states develop and execute challenging academic standards in reading and math and set annual statewide progress objectives to make certain that all groups of students reach proficiency within twelve years. The states have the responsibility to select or design their tests making sure that the tests are supported by the state curriculum standards and test children annually in the third through the eighth grades in reading and math to assess their progress (Testing Our Schools, 2002). In the 2007-2008 school year, students will also be required to be tested in science at least once in elementary, middle, and high school (No Child Left Behind, 2004). Federal funding will be provided to all states to help develop their tests (Testing Our Schools, 2002). The results of the test will be made public in yearly report cards on how well schools are performing and how states are progressing overall toward their proficiency goals. The test results of each state will also be compared to an independent benchmark known as the National Assessment of Educational Progress (NAEP). This assessment will be given to a small sample of 4th and 8th grade students in each state every other year in reading and math. This benchmark makes certain that all states are not setting the bar too low on their standards and tests. If a state shows progress on their statewide results, but does not show the same type of progress on the NAEP, it would imply that the states standards and tests are not challenging enough (Testing Our Schools, 2002).

1.1 Measures to ensure academic standard in the new Act

To help make sure that all groups of students are improving at a satisfactory rate, the test results must be classified and reported according to poverty, race, ethnicity, disability, and limited English proficiency. This classification of data is intended to prevent schools from grouping test results together in an overall average for the school, which would hide the achievement gaps between groups of students (Testing Our Schools, 2002).

With the implementation of this legislation each state was given until the 2005-2006 school year to develop and apply their tests. Once these tests were in place, schools and districts were required to show adequate yearly progress toward their statewide objectives. This progress must be demonstrated through their test scores that they are on the correct path to reach 100 percent proficiency in the next twelve years (Testing Our Schools, 2002). Each state is individually responsible for deciding what is proficient and what an adequate rate of progress for each group is. Schools that fall behind may be subject to a variety of school improvements, corrective action, or restructuring measures enforced by the state (Testing Our Schools, 2002).

Funding for the implementation of this legislation is provided by the Federal Government and any school that receives federal Title I funding and fails to meet the target for two years in a row must provide technical assistance and its students must be offered a choice of other public schools to attend. Those students enrolled in schools that fail to meet progress goals for three years in a row must also be offered a choice of other supplemental educational services, such as private tutoring. Schools that continue to fail to meet standards would

be subject to outside corrective measures which include possible governance changes (No Child Left Behind, 2004).

This legislation mandated that by the end of the 2005-2006 school year, every teacher in core content areas working in a public school must be highly qualified in each subject area he or she teaches. A highly qualified teacher is defined as a teacher who is certified and demonstrably proficient in his or her subject matter. In addition to teachers, all school paraprofessionals that are hired with Title I funding must have completed at least two years of college, obtained an associate's or higher degree, or passed an evaluation to demonstrate knowledge and teaching ability (No Child Left Behind, 2004).

In her editorial, *Four Little Words*, Richardson (2009) agrees with the mandates of NCLB. She states that No Child Left Behind signaled an enormous shift in what adults owe children, not just children who are easy to teach and who come from "good" homes, but all children (Richardson, 2009).

2. Implications of NCLB Act

Richardson (2009) also states that No Child Left Behind shows the confidence reposed on the teachers' ability to make a difference and that schools are not just warehouses where children spend time so their parents can work. This message has touched many teachers, principals and superintendents. Many teachers voice that they are thinking and working differently as a result of the NCLB expectations. Many say they are embarrassed that a federal mandate was required to make them change. Richardson (2009) goes on to say that although many teachers may argue with the strategies of NCLB, they do not argue with the message (Richardson, 2009).

The NCLB Act has been the target of significant controversy in education in America. Many educators question the viability and the fairness of its goals. It was researched that nearly half of school principals and superintendents view this legislation as either politically motivated or aimed at undermining public schools (No Child Left Behind, 2004).

Another controversy deals with funding for the legislation. Many officials state that this law is an unfunded mandate. Educational professionals argue that compliance with the laws will place undue financial burdens on states and schools (No Child Left Behind, 2004).

A study was conducted on the law's impact on how high-stakes accountability affects teachers' roles. This study was carried out over a four-year period during the implementation of NCLB. Data was compiled using interviews and focus groups of teachers and principals. Researchers watched the changes in a district from 2001-2002 through 2004-2005 (Bracey, 2008).

The study showed that the changes in the lives of the teachers can be summarized as more and faster, with less autonomy. Before NCLB, teachers had much more control over the pacing of the curriculum. With implementation of the new curriculum, pacing was controlled because district unit tests had to be given within a certain period (Bracey, 2008).

Since these standardized tests became increasingly important, teachers started aligning their instruction with what was likely to be on the state test. They also worried about how well the district's curricula were aligned with those tests (Bracey, 2008).

At the end of the 2003-2004 school year, many teachers struggled to manage multiple data sets for each student while district expectations for teachers as data producers and users became more formalized. Many teachers denied the ever-increasing reliance on test scores as guides to instruction because the time spent in analyzing tests reduced the time for interacting with students. Teachers argued that this was at least as good as test scores (Bracey, 2008).

Many students in this particular district were not proficient in English. Before NCLB was put into action, English-language learners were the focus of teachers of English to speakers of other languages (ESOL). However, ensuring proficiency in English for all students became an urgent aspect of teachers' work. This required teachers to develop new knowledge and skills. As a result, classroom teachers did not leave the teaching of English primarily to the designated ESOL teachers (Bracey, 2008).

This district had always utilized informal tutoring, but they became more institutionalized, targeted to bring students up to the proficiency level on the state tests. One teacher who was interviewed stated that she does whatever it takes, whether that means tutoring before and after school or at lunchtime (Bracey, 2008).

Another aspect researched in this school district that differentiates instruction is the fact that the teachers felt that children got pulled out of classes too often for them to experience continuity. This was especially an issue for those who spoke very little English (Bracey, 2008). The schools in districts that had the highest poverty levels had the greatest difficulty reaching the adequate yearly progress goals. One principal told interviewers that she had not hired a tenure teacher in five years and that she had lost her teachers to lower-poverty schools once they reached tenure (Bracey, 2008).

Rural schools can be characterized as both advantageous and disadvantageous. These schools have fewer students and smaller classes which increases the potential for more interaction between staff and students.

Small school sizes, however, can affect school funding in negative ways. These smaller communities often have a limited local tax base to fund their school system. In 2003-2004, public rural schools relied mostly on state funding and less on local sources. They also received a lower percentage of their revenue from federal sources than city schools and spent more per student than public schools in other locations (Hodge & Krumm, 2009).

Rural schools frequently have small numbers of students per subgroup that may result in large fluctuations in subgroup scores from year to year. In addition, rural schools have unique difficulties providing supplemental services and choice options and identifying adequate resources (Hodge & Krumm, 2009).

Lower funding in addition to higher implementation costs puts a major strain on providing special education services in rural school districts. Insufficient local funding, chronic teacher shortages, and an emphasis on testing are worrisome to those most involved with the education of students with disabilities. Parents and professionals concerned about providing a free appropriate public education to students with disabilities continue to raise concerns that the mandates of NCLB will negatively affect special education services (Hodge & Krumm, 2009).

A descriptive survey study was conducted to investigate the effect of NCLB mandates on the special education service options in rural districts, as conveyed by rural school administrators. The results of the study imply that rural schools struggle with the “adequate yearly progress” and “highly qualified teacher” mandates. Most rural school districts have difficulties with recruitment, hiring, and retention of special education teachers (Hodge & Krumm, 2009).

The shortage of highly qualified special education teachers limits the service options available to students with disabilities in some rural schools. This affects the free appropriate public education of those students. Service options for students with disabilities are sometimes based on the “highly qualified teacher” status of the faculty and not necessarily the needs of the student. From the perspective of rural school administrators who participated in this study, the “highly qualified teacher” mandate of NCLB has had a negative impact on special education services (Hodge & Krumm, 2009).

In his article, *Who Is No Child Left Behind Leaving Behind*, Smyth (2008) discusses the flaws of the No Child Left Behind (NCLB) educational plan. For the tests, the author stated that they are criterion-referenced and do not compare how students are performing against one another rather, they focus on the competency level of the student. The expectations to do well on these tests have become so high that teachers have begun to teach to the test instead of towards the objectives (Smyth, 2008). Teachers are no longer allowed the freedom of creativity, innovative instruction, varied teaching strategies, and teacher and student motivation (Smyth, 2008).

With the development of NCLB, standardized testing is now used across the United States to measure the performance of both students and teachers. The author states that the results of these tests are used to determine student promotion and placement, teacher salary, school accreditation, district funding, and graduation opportunity (Smyth, 2008).

Testing anxiety has been found in students, teachers, administrators, and parents. Elementary students were especially found to experience high levels of stress and anxiety over testing performance because of the testing environment, the length of the test, and not being allowed to speak for long periods of time. Student anxiety was also proven to increase when they sensed that teachers were also concerned about the exams (Smyth, 2008).

Standardized testing has been shown to increasingly affect those students of low socioeconomic status and race, students with special needs, those in rural areas and students with limited English proficiency negatively. Most students who live in rural areas are likely to attend schools that lack the resources and technology to help them succeed and may not have access to schools that can provide them with remedial opportunity (Smyth, 2008).

NCLB demands highly qualified teachers and other professionals such as the guidance counselor in special education but does not properly fund for this high demand. Special needs students will continue to suffer because highly skilled training for these personnel teachers is not available in the public school setting (Smyth, 2008).

Students with limited English proficiency are greatly affected because exams pose a challenge to this group of students due to its linguistic complexity. As a result, many schools receive low marks and lose state and federal funding (Smyth, 2008).

The author concludes the article by proposing proper supervision to observe classroom instruction and interview teachers and students rather than standardized testing. The team would then evaluate their findings and provide the school with feedback of their performance, as well as suggest ways that the school may be able to improve (Smyth, 2008).

There is much debate on the effectiveness of NCLB on America’s school systems. Some agree that this legislation is the only way to prepare our children for a brighter future and compete with children of other countries. Others argue that this legislation is only holding America’s children back, especially those with special needs, disabilities, and low socioeconomic status. If there is one thing we can all agree on, it is that the

message of NCLB is substantial. However, the strategies in which NCLB has been implemented may need to be revisited and revised to further enhance the educational opportunities afforded to America's children today.

3. UNIVERSAL BASIC EDUCATION (UBE) : NIGERIAN EQUIVALENT OF NCLB

In Nigeria, the equivalent of the NCLB is the Universal Basic Education (UBE) which Okpanachi (2000) defined as "a free educational opportunity for all children of school ages and adults who missed such an opportunity at their own time. The aim of the UBE is to ensure that every citizen enjoys the fundamental human right to education. The UBE was legally backed with UBE 2004 act with the caption "the compulsory free, universal basic education act and other related matters". The Federal Government intervention under this act shall only be assistance to the states and local governments in Nigeria for the purpose of providing free, compulsory, uniform and qualitative basic education throughout Nigeria for every child of primary and junior secondary school age. parents are to send their children to school or be fined.

In order to achieve these laudable objectives therefore, strategies have been put in place by the Nigerian Educational Research and Development Council (NERDC) to restructure and re-align the school curricular for the 9 years basic education. There has been curriculum change to reflect both the emerging issues and national values. Unfortunately, Uche (2008) noted that since the inception of the UBE scheme, there have been no massive recruitment of qualified teachers to handle the great challenge of quality of instruction, instead old and low qualified teachers from public schools were retained for the UBE. This situation according to Okpe (2008) is a major setback to the achievement of the objectives of the UBE. Besides, there is no standard for comparing performance of various schools as was the case in America's NCLB

Realizing the inadequacy of the UBE to cater for "All" children of school age, the inclusive education was introduced. As currently implemented in the industrialized world, inclusion or inclusive education can be interpreted as the philosophy and practice for educating students with disabilities in general education settings (Bryant, Smith, & Bryant, 2008; Salend, 2001). The practice anchors on the notion that every child should be an equally valued member of the school culture. In other words, children with disabilities benefit from learning in a regular classroom, while their peers without disabilities gain from being exposed to children with diverse characteristics, talents and temperaments. Section 7 of the revised National Policy on Education (2008) explicitly recognizes that children and youth with special needs shall be provided with inclusive education services thereby making a commitment to equalize educational opportunities for all children, irrespective of their physical, sensory, mental, psychological or emotional disabilities.

Supporters of inclusion use the term to refer to the commitment to educate each child, to the maximum extent appropriate, in the school and classroom he/she would otherwise attend. It involves bringing the ancillary services to the child, and requires only that the child will benefit from being in the class (rather than having to keep up with the other students). This is a salient aspect of inclusion, and requires a commitment to move essential resources to the child with a disability rather than placing the child in an isolated setting where services are located (Smith, 2007). For the child with a disability to benefit optimally from inclusion, it is imperative for general education teachers to be able to teach a wider array of children, including those with varying disabilities, and to collaborate and plan effectively with special educators.

3.1. Challenges of UBE

There is shortage of funds, qualified teachers, personnel and dismal performance of the UBE. Besides, Adepoju and Fabiyi (2007), citing three demographic studies, highlighted serious shortcomings of past educational policies in the primary education sector in Nigeria which revealed, among other things, that 12 percent of primary school pupils sit on the floor, 87 percent of classrooms are overcrowded, while 77 percent of pupils lack textbooks. They also noted problems associated with poorly motivated teachers as well as lack of community interests and participation in management of schools. One wonders the workability of the inclusive education with its high demand on the teachers' pedagogy and dearth of facilities.

4. The Way Forward

There should be a standard and adequate supervision to ensure that these lofty but well intentioned introductions into the educational system will achieve its desired goals. The first important step is to change the discriminatory attitudes towards youth and adults who have disabilities which are as a result of superstitions about causation of disabilities (Ajuwon & Sykes, 1988). This underscores the need for guidance counselors whose work incorporates attending to the personal and social problems of individuals to enhance attitudinal change and personal adjustment.

In addition to providing adequate funds, there is need to document the number, characteristics and specific geographic location of students required to be in inclusive programs, the number of specialists who will support their instruction, the necessary amount of in-class and out-of-class collaboration between special and general education teachers and guidance counselors, and the optimal type and extent of support from ancillary staff. As

new buildings are constructed under the UBE scheme, designers should create maximum accessibility for all students, not only those with special needs. (Center for Universal Design, 1997). To maximize the lofty objectives of UBE, both the states and local governments, all stakeholders should facilitate their rural developmental efforts in roads, building of school blocks and electricity; hence education for all necessitates the involvement of all stakeholders for meaningful goal attainment. To ensure efficiency and continuity, government change should not in any way alter any existing education policy. So many sound education policies have been floored by lack of practice and lack of political will. There is therefore need to have policy statement on strict continuity of viable education program for a period of years as this will help effect national development.

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