Accountability and the No Child Left Behind Act:

Implications for Public Policy

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Introduction

Most people understand accountability at its most basic; holding individuals and organizations responsible for their actions and outcomes. However, accountability and especially its program monitoring and evaluation components are influential players in policy development and outcomes. When effectively utilized, accountability is an integral part of a program system with the ability to interact with and affect system components and their outcomes. This paper uses a case study to explore the relationship between organizational mechanisms and a large scale, nationally implemented policy initiative.

Role of Accountability in Public Policy

No program, public or private, that receives external funding can expect to avoid the issue of accountability (Rossi, Freeman, & Lipsey, 1999). Since 1993, the Government Performance and Results Act (GPRA) has required that federal departments, agencies and bureaus develop and implement annual performance plans (Gortner, Nichols, & Ball, 2007). Federal grants also have GPRA requirements, further extending the web of accountability and program oversight.

Democratic control is the mechanism through which agents are held to be accountable for outcomes and actions ((Bovens, 2005; Gortner et al., 2007). Public accountability increases democratic control and governmental integrity by providing "watch dogs" such as special interest groups, the media, members of legislative bodies or others who have the wherewithal to effectively monitor program performance (Bovens, 2005). Accountability also influences program performance through evaluation and feedback (Bovens, 2005; Gortner et al., 2007; Rossi et al., 1999) while offering opportunities for learning that contribute both to overall knowledge and to specific program management (Goldenberg, 1983). Public accountability helps provide legitimacy for government programs by showing an increasingly critical public that agencies and programs are functioning within established parameters (Bovens, 2005). Accountability also increases program transparency and public confidence (Gortner et al., 2007).

Criteria for Effective Accountability

Accountability, especially public accountability, begins with "What counts" and "Who is held accountable?" (Bovens, 2005; Linn, 2003). In order to be effective, accountability measures should be sensitive to a wide range of processes, contextual information and outcomes. Effective accountability utilizes appropriate data; longitudinal, cross sectional, or both (American Evaluation Association, 2002, 2006; Linn, 2003; Romzek & Dubnick, 1987; Sirotnik & Kimball, 1999).

Effective accountability provides transparency. This involves presentation of information in ways that are relevant, understandable and contribute to the ability to make judgments about program efficacy. Data and reports are published in ways that are readily accessible to all stakeholders and no attempt is made to obscure important differences with either excess jargon or useless statistics. Important stakeholder groups are identified and data provided in ways that encourage meaningful comparison.

Responsiveness is an element of accountability in that it is the result of either deliberate or non-deliberate decisions to be sensitive to and react to stakeholder issues and concerns. This element emphasizes "customer service" in that it focuses on the concerns of those the organization or policy impacts (Gortner et al., 2007).

Compliance is an important issue in both accountability and policy research. Especially in public programs, funding is often contingent on alignment with policy implementation and operating guidelines. Monitoring compliance can also provide program feedback for change and improvement.

In a democratic society, the electorate holds the ultimate responsibility for the delegation of power with most accountability through the avenues of hierarchical control. In practice, who is held accountable is often narrowly defined with responsibility limited to the agency bureaucrats and politicians who serve the government (Gortner et al., 2007; Linn, 2003).

Organizational Theory

Organizational theory can offer a new lens through which to view accountability and public policy. It can highlight the interactions between program performance and various aspects of program context including structure, communication networks, political and social environments, decision making, organizational culture and leadership. Modern organizational theory addresses a series of questions that are key to effective accountability: 1). What are the essential parts of the system? 2). How are they mutually dependent? 3). What processes connect system parts and make possible adjustments between them? and 4). What are the goals of the system? (Scott, 1961).

In these and other ways, organizational theory can help enhance the use of evaluation to inform public policy through a more comprehensive understanding of the relationships between agencies and their outcomes.

Organizational Mechanisms and Program Efficacy

Organizational mechanisms such as structure, decision-making, evaluation and performance monitoring, and resource allocation impact programs in ways that relate to program efficacy (See Table 1). Because of their potential influence on outcomes, these mechanisms are a logical choice when assessing program performance.

Table 1
Organizational Mechanisms and Program Efficacy

Organizational Mechanism	Accountability Function	Control Mechanism	Primary Impact Area
Structure	Exercise Democratic Control	Bureaucratic Structure Network structure	Responsibility
Decision Making	Exercise Democratic Control Promote Legitimacy	Centralized or Decentralized Decision-making	Responsiveness
Evaluation and Performance Monitoring	Enhance Integrity Improve Performance Promote Legitimacy	Monitoring and Reporting Requirements	Transparency
Resource Allocation	Exercise Democratic Control Improve Performance	Funding	Compliance

The No Child Left Behind Act of 2001

No Child Left Behind (NCLB) is the latest incarnation of the Elementary and Secondary Education Act (ESEA) of 1965 which began as part of President Lyndon B. Johnson's "Great Society" initiative. While funding for and control of education lies primarily at the state and local level, the federal government secures additional control of education through the funding of specific programs such as Title I of the ESEA (informally known simply as "Title I"). The primary focus of ESEA and especially that of Title I, was to improve education for America's poor and disadvantaged students through supplemental programs (Fuhrman, Goertz, & Weinbaum, 2007). Since its inception, ESEA has contributed as much as ten percent of the education revenue in some districts; however, it has shown little in the way of educational improvement. As a result, each reauthorization of this bill has added new regulations meant to improve educational outcomes. The 1994 reauthorization under President Clinton, the Improving America's School Act, incorporated some of the stronger measures now found in NCLB (Chubb, 2005; McDonnell, 2005).

While earlier ESEA accountability focused on how funds were spent (Page, 2006), NCLB incorporates tough new methods that hold schools strictly accountable for the success of their students. This includes identifying schools that are failing, using negative sanctions and incentives for improvement, reorganizing or closing schools that are unable to turn themselves around and even providing an exit plan utilizing school choice (Chubb, 2005). Federal law now requires that states identify learning outcomes, set and monitor annual performance objectives and sanction schools that fail to meet their objectives within the context of the mandate (Page, 2006).

The NCLB Act focuses its primary accountability efforts on performance measures. The goal of NCLB is that all students in public schools will be proficient in reading and math by 2014 as measured by state tests. During this time, schools and districts must show that students are making adequate progress toward this goal or face sanctions, some of them serious (Chubb, 2005; Darling-Hammond, 2007).

Although there are numerous issues with NCLB accountability practices, the most important implications focus on the use of a single measure to determine performance outcomes. This use of "high stakes" testing can have unintended consequences that negatively impact certain segments of the school population. This method has been strongly challenged on both ethical and methodological grounds by a range of scholars and organizations (American Evaluation Association, 2002; Darling-Hammond, 2004; Gay, 2007; Hawley, N.D.; National Education Association, n.d.).

Expanding accountability measures to include organizational mechanisms and systems would serve to provide not only essential information on student outcomes but on the various organizational and institutional factors that impact these outcomes (See Table 2). This additional information would provide a rich base for program assessment and improvement.

Table 2
Organizational Mechanisms and NCLB

Organizational Mechanism	Accountability Function	Mechanism	Impact
Structure	Democratic Control	US Dept. of Education, State education departments, and local education agencies	Lines of reporting and responsibility facilitate or inhibit program functioning
Decision Making	Democratic Control Promote Legitimacy	US Department of Education, state, local districts and school boards	Control of educational program enhances "buy in" or encourages resistance
Evaluation and Performance Monitoring	Enhance Integrity Improve Performance Promote Legitimacy	Annual achievement tests Publication of test results	"High stakes" testing provides performance measures but alienates stakeholders Transparency leads to informed choices
Resource Allocation	Democratic Control Improve Performance	Title I and other federal funding	Compliance or face loss of federal funds which negatively impacts those schools with high populations of students at-risk for academic failure

Organizational Structure and NCLB

Any system that requires coordination and cooperation between multiple layers of agents or agencies must develop a way to secure compliance from others. A principal/agent model is useful to illustrate hierarchical relationships between federal agencies, state and local governments. These arrangements provide a credible structure for understanding intricate administrative and political factors that interact with policy and programs. This model can provide insight into the behavior of subordinates through the attitudes and behaviors of their superiors or principals. Principal/agent models can also supply a framework for monitoring and rewarding performance (Chubb, 1985).

On the other hand, it can be argued that various agencies and organizations contribute to policy implementation such that the control structure resembles a network rather than a pure hierarchy (Manna, 2006). In this case, the degree to which these structures integrate and cooperate will have significant impact on policy implementation and outcomes.

Currently, educational organizations rely primarily on a series of principal/agent relationships that utilize the bureaucratic governance structure already in place. Starting with schools (including administrators, teachers and students), accountability moves up through the districts or local education agencies (LEAs), to the states and to Congress through the Department of Education (DOE). The responsiveness of this structure depends on both the stick of bureaucratic authority (Weber, 1946) and the carrot of federal funding. As constitutional authority for education is vested in the states, the federal Department of Education must resort to the promise of funding as a means of controlling education at that level. States, in turn, delegate authority and responsibility to LEAs, along with funding for education. Even in the face of increasing control by both state and federal authorities, local districts hold primary responsibility for education basics; school funding, curriculum and instruction, teacher and principal recruitment and assignment, and facilities maintenance and operations. (Fuhrman et al., 2007).

While providing a clear system of accountability, principal/agent relationships are often plagued by a variety of problems. For example, incompatibility of goals, uncertain communication, and asymmetry of information (Moe, 1984; Page, 2006) introduce an element of uncertainty into the structure that must be accounted for in program implementation and operation.

In democratic societies, all levels of authority are impacted to varying extents by the electorate. In addition to voters, Congress is subject to both judicial and executive pressures. At the state level, governors, legislators, state education boards, and state education departments are all involved in the education process in different ways, wielding various amounts of power and influence. Teachers' unions and other professional organizations, special interest groups and parents all influence education in diverse ways. These webs or networks of influence and shared authority can hamper those trying to enforce federal requirements at the state level or below (Manna, 2006).

In spite of this, those in charge of NCLB have not taken any measures to encourage the development and implementation of new organizational structures that would facilitate the change required to meet the goals of the program (Galloway, 2004). The possibility exists that without formal accountability mechanisms in this area, there is little motive for change and improvement. Future studies might investigate the changing relationships between federal, state, and local governments and how these impact education (Fuhrman et al., 2007).

Decision-Making and NCLB

Centralization represents the extent to which decision-making is limited to the upper levels of a hierarchy or whether it is deployed further down the organizational chain. While centralized decision making encourages homogeneity and standardization, decentralized decision-making encourages organizational flexibility and responsiveness as well as increasing the visibility of local decision makers. More visible decision making contributes both to the legitimacy of the process and to those who conduct it (Gortner et al., 2007).

Contrary to practices in many other technologically advanced nations, decision making with regard to educational policy in the US is largely a decentralized function. Responsibility for and control of education has long been the purview of local authorities; however, since the landmark *Brown v. Board of Education of Topeka, Kansas* in 1954, control has shifted to state and to a lesser extent, the federal government. Even so, local control of education remains a significant political reality in the US (Fuhrman et al., 2007). By deferring to local authorities in critical areas such as establishing standards and setting goals, NCLB encourages responsiveness to local educational demands and increases "buy in" from program stakeholders. On the other hand, standards vary from location to location with some schools facing a higher bar than others. Decentralization also precludes a consistent curriculum across the country.

The movement toward increased centralization in some areas of educational policy development has created tension between the federal authorities and the desire of the American public for local control of its schools (Fuhrman et al., 2007; Loveless, 2006). For example, NCLB concentrates control in the executive branch of state governments irrespective of the desires of state legislatures. For some states[1] this is not problematic as their governing structures are already configured to work in this or a similar manner. However, those states with educational organization structures that are less centralized experience this as an intrusion on local control (Loveless, 2006), negatively impacting the legitimacy of the NCLB program and hampering implementation.

Tensions and dissention notwithstanding, the federal government has managed to secure greater control over school operations and funding with the NCLB Act (Galloway, 2004). This increased centralization of decision-making impacts the flexibility that state have to respond to local conditions and to the requirements of federal mandates such as NCLB (Fuhrman et al., 2007). There is little doubt that this shift in control will affect schools and programs. It is this type of influence that NCLB is designed to leverage with its accountability provisions – in this case, for better academic performance.

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[1] Mostly Southern states who have traditionally had more centralized control of education (Loveless, 2006)

While there are reasons for and against more centralized control of educational governance, without systematic assessment there is no indication of how the changing role of decision-making at the various levels might impact school outcomes. On the other hand, moving important elements of control up the hierarchy will likely result in schools that are more heterogeneous but less responsive to their main constituents, students and their families.

Evaluation, Performance Monitoring and NCLB

Prior to the late 1980s, federal program accountability centered on measures such as student access, how funds were spent, program inputs and processes rather than program outcomes. In a major change of direction, the first Bush administration's America 2000 and later Clinton's Improving America's Schools Act (IASA) utilized standards-based accountability to gauge educational progress (Smith & O'Day cited in Furhman, Goertz and Weinbaum, 2007; Page, 2006). These programs, however, met with little success (Chubb, 2005) and resulted in the passage of NCLB with its more rigorous demands for program accountability (Fuhrman et al., 2007).

With the advent of NCLB, key accountability requirements included demonstrating constant improvement in student achievement and closing the academic achievement gap for low-income students, minorities, English as a second language students (ESL), and students with disabilities (Darling-Hammond, 2007). Also included in the NCLB legislation but not addressed in this paper are provisions for improving teacher quality (Chubb, 2005; Hawley, N.D.).

To determine student progress, NCLB requires that individual states develop and measure content standards for reading, math, and science. Testing is required on an annual basis for grades 3 through 8 and once in high school (Linn, Baker, & Betebenner, 2002; Page, 2006). Results of these tests are published on an annual basis with scores disaggregated for each subgroup (Chubb, 2005).

States are also required to develop adequate yearly progress (AYP) objectives that apply to all students and for target groups such as low-income, ESL and students with disabilities. The AYP must rely primarily on state assessments but must also include one additional academic indicator.

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Performance measures are assessed at the school level and reported individually for each target group as well as for the total population. At least 95% of those enrolled in each group must be included in the assessment (Chubb, 2005; Linn et al., 2002).

States are free to decide what constitutes AYP as long as they remain within federal guidelines. NCLB simply requires that students within each ethnic subgroup from each school meet the state definition for adequate yearly progress. States also must gather and publish data on the number of low-income and minority children who have beginning or uncertified teachers. States also must take measures to assure that these children are not disproportionately taught by poorly qualified teachers (Page, 2006)**.**

The American public favors the basic premise of NCLB; testing and accountability for educational outcomes. However, many are opposed to imposing negative sanctions such as withholding federal funds and shutting down schools that fail to improve (Americans for Better Education, 2004 and Kappan Poll, 2005 cited in Loveless, 2006). While program accountability is an effective way to increase student academic performance (Hanushek & Raymond, 2004), in the case of NCLB, "high stakes" testing and negative sanctions alienate stakeholders and reduce program legitimacy and support.

Prior accountability measures using program inputs and processes failed to address the goals of educational improvement as did previous standards-based measures. Separating program measures into either "inputs and processes" OR "standards-based outcomes" artificially separates program components that are logically and conceptually linked, seriously impairing the ability to make informed judgments about program results.

Resource Allocation

Before NCLB, ESEA functioned much as any other federal redistributive program; additional resources were allocated to low-income schools to purchase services and materials that local communities were unable to afford. NCLB represents a major change in program orientation with

resources seen as incentives not necessary program components. The federal government provides

funds to support programs that will increase academic achievement; if schools do not comply by

producing the projected outcomes, funds are eliminated and other sanctions imposed (Chubb, 2005;

Loveless, 2006).

A basic tenant of the organizational change management literature is that change requires

adequate resources, including adequate funding. Essentially, the federal government provides states

with billions of dollars to fund core programs. However, since the advent of NCLB, the cost to the

states is such that non-core programs are cut in order to fund testing programs that assess progress in

core areas (Galloway, 2004). As a result, some states argue that the federal government is not doing

enough in terms of funding educational progress. High accountability programs such as NCLB require

large amounts of support (Hawley, N.D.); but by fiscal 2004, NCLB had been under funded by 7.5

billion dollars (Hoyer cited in Galloway, 2004). While federal educational revenue is not as influential

as many may imagine, (7.9% of K-12 revenue in 2002), loss of funding is especially critical for those

schools with large numbers of low-income students (Loveless, 2006).

Because of the way school financing is structured, resources, especially federal funding, matter

in important ways.[2] The amount and number of resources influence the level of teaching available to

students, materials and supplies, personnel and facilities. Failure to adequately fund schools, especially

those with predominantly disadvantaged populations only serves to perpetuate inequalities in

educational opportunities and outcomes (Gay, 2007).

Impact of Accountability on Program Performance

Evaluation is the component of accountability that systematically collects information about

program context, activities, characteristics and outcomes. By integrating and analyzing this

information, evaluations can be used to reduce uncertainty about program outcomes, to improve
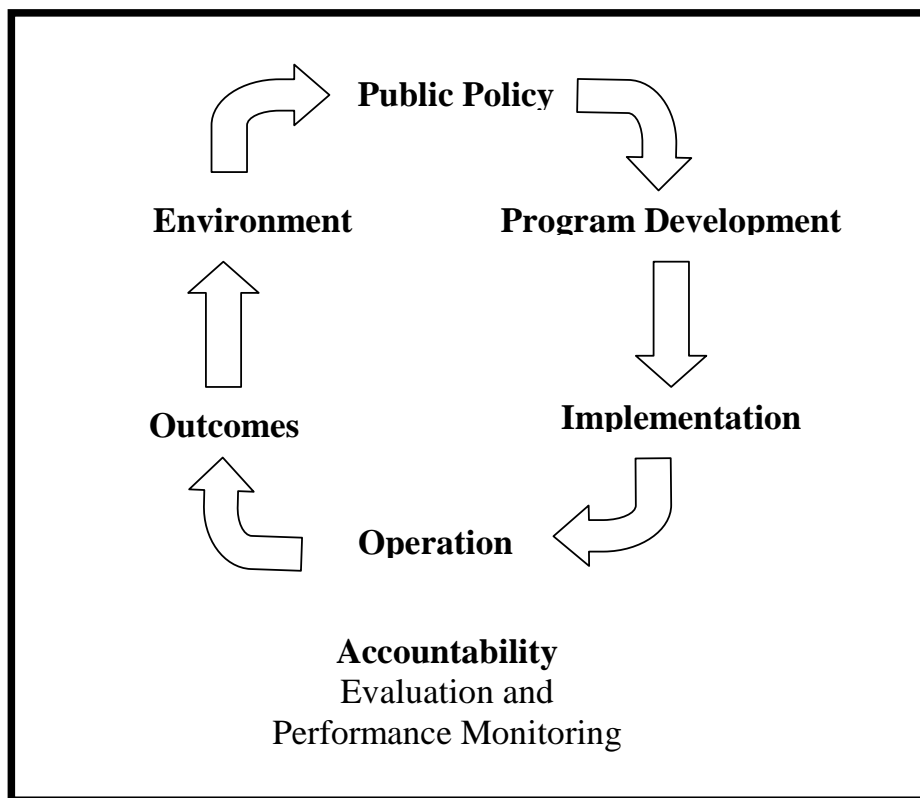
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[2] Schools are supported, in a large part, by local funding which varies according to the tax base. Low-income and minority students are more likely to attend schools that have fewer resources.

program efficacy, and to aid in making decisions (Patton, 1986). Evaluation and program monitoring, as components of accountability, not only measure program performance but also influence it by interacting with the program at different points in the program sequence.

Policy initiatives are largely cyclical in nature in that they usually begin with an environmental "need" that is addressed through a policy or policies. Policies, in turn, are implemented through programs and progress through general stages of 1) development, 2) implementation, 3) operation, and 4) generating outcomes. If the outcomes have the intended effect on the environment the program can remain operating with little or no change. However, if the outcomes do not have the desired effect, policies and/or programs may be altered leading to a new cycle of development, implementation, operation and evaluation (See Figure 2).

Figure 2
Impact Model

Public Policy

Environment   **Program Development**

Outcomes   **Implementation**

Operation

Accountability
Evaluation and
Performance Monitoring

In the process of assessing needs, evaluation findings can sensitize policy makers, program managers, and other stakeholders to important aspects of social problems by documenting their

incidence and prevalence. They can also influence policy in ways that are not readily apparent. For example, the landmark 1966 Coleman[3] report was largely unknown in policy circles until it was discovered by journalists. Under the spotlight of media attention, the study became an influential catalyst for policy development (Rossi et al., 1999).

Evaluation can affect program development by supplying "best practices" from earlier or similar programs. Evaluators can suggest theoretical approaches as a guide for both policy and program development. They can also supply important technical skills and tools for program development, implementation and assessment, i.e., check lists and logic models. Lastly, evaluation professionals can document developmental processes as measures of legitimacy and integrity.

Evaluation is especially relevant during the implementation and operation stages to insure fidelity to program guidelines while program monitoring is useful as a feedback mechanism to provide information on any part of the system that may not be operating effectively or efficiently. However, it is at the outcome level that evaluation is most visible as a component of accountability. It is at this point that all program and accountability activities converge. Here, analyses either confirm or fail to support the program's intended outcomes. It is at this stage that evaluation attempts to determine which components and/or activities contributed to particular outcomes and how.

At the end of the cycle, an impact assessment measures changes in the target environment to determine if the program actually produced the intended effects (Rossi et al., 1999). If changes did not occur as expected, alterations in the program or even new or revised policies may be necessary. Continued program monitoring and assessment will continue to interact with program components with the goal of increasing effectiveness.

Lastly, policy makers should be aware that it is much more difficult and less effective to evaluate policies after the fact. Incorporating evaluation early in the process brings valuable skills and expertise to not only evaluation development but program development as well. If evaluation is an

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[3] Assessed the impact of spending in schools on student achievement

integrated component of the program, data can be collected on an on-going basis; data collection after programs are implemented is often more difficult and less effective (Barrow & Rouse, 2007). Lastly, program monitoring provides valuable feedback, allowing for more timely and efficient program adjustment.

Evaluation and Program Monitoring: Implications for NCLB

Currently, NCLB utilizes an evaluation and program monitoring system with a primary focus on a single outcome, achievement test scores. This can be seen as a serious methodological weakness, ignoring the nature of program development, implementation, operation and outcomes as a unified system. This weakness has implications outside the research/evaluation design. Program stakeholders (for the most part parents, teachers and other education professionals) as well as other interested constituents question the legitimacy and integrity of decisions based on a single outcome measure, making future support for the program less certain.

As part of the accountability mandate, schools must publish annual test scores. Publishing test scores enhances program transparency and leads to more informed choices. However, because each state establishes it own standard for proficiency, it is problematic to compare outcomes nationally as well as being difficult for stakeholders to see these measures as relevant and legitimate.

These weaknesses in the accountability system for NCLB are substantial but more importantly, viewing outcomes as independent of program processes and activities provides no hint as to how different areas interact and influence each other. There is no systemic way to determine what might be contributing to the successes or challenges of the program and how these may be impacted by change.

Conclusion

Organizational mechanisms are essential parts of the accountability process. As part of a system, these components are mutually dependent on other program components. Accountability is an overarching process that provides for interactions and adjustments between system parts.

This case study illustrates several ways in which accountability functions relate to program control and impacts. It also demonstrates interactions between accountability and policy initiatives through attention to organizational mechanisms. Finally, it discusses the influence of evaluation and performance monitoring on program outcomes.

Measuring program performance efficiently and effectively is a relevant issue in policy research; policy issues are becoming both increasingly complex and highly visible. At the same time, program funding is scarcer and program efficacy more important than ever. By using an organizational approach that examines a range of program factors, the likelihood that significant activities, outcomes or components will be overlooked is decreased.

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