

What It Takes to Fix Our Schools: Lessons Learned in Washington, D.C.

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In 2007, roughly 46,000 students were enrolled in the noncharter public schools in Washington, D.C., down from more than 140,000 four decades earlier.¹ Though per pupil spending in the D.C. Public Schools (DCPS) was among the highest in the nation,² a National Research Council report on the DCPS had ranked student test score averages in D.C. below those in almost every other major city from 2003 onward.³ Only eight percent of the district's eighth graders were proficient in math, and only twelve percent were proficient in reading according to the National Assessment for Educational Progress (NAEP).⁴

City leaders recognized that if enrollment continued on its downward trajectory, the school system in the nation's capital could soon be without any students to teach. In the face of similarly low achievement, some cities, such as New York, had shown promising results after changing the governance structure of their school systems, giving the mayor rather than a school board authority to manage the school system. The mayoral governance model more closely resembled the way decisions are generally made in other sectors where the system leader is free to make decisions he or she deems necessary and in return is held accountable for the outcomes. In 2007, with popular support, the D.C. Council approved Mayor Adrian Fenty's proposal to move to mayoral governance of the DCPS. Shortly thereafter, the mayor hired me as chancellor to run the schools.

On arriving in D.C., I found a dire situation. According to internal data on early childhood literacy,⁵ we learned that when students entered the

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¹ See *Downsizing DCPS: Has the Time Finally Come to Shrink DCPS's Outdated Infrastructure?*, Nat'l Ass'n to Restore Pride in America's Capital, <http://www.narpac.org/PEF-DOWN.HTM> (last visited December 4, 2011) (on file with the Harvard Law School Library).

² See NEA RESEARCH, NAT'L EDUC. ASS'N, RANKINGS & ESTIMATES: RANKINGS OF THE STATES 2009 AND ESTIMATES OF SCHOOL STATISTICS 2010 54 tbl.H-9 (2009), available at <http://www.nea.org/assets/docs/010rankings.pdf>.

³ See COMM. ON THE INDEP. EVALUATION OF DC PUB. SCH., NAT'L RESEARCH COUNCIL, A PLAN FOR EVALUATING THE DISTRICT OF COLUMBIA'S PUBLIC SCHOOLS: FROM IMPRESSIONS TO EVIDENCE 70-71 (2011), available at <http://www.nap.edu/catalog/13114.html>.

⁴ *State Profiles: District of Columbia*, NAT'L CTR. FOR EDUC. STATISTICS, <http://nces.ed.gov/nationsreportcard/states/> (last visited Dec. 1, 2011) (on file with the Harvard Law School Library).

⁵ DCPS uses the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) to assess early elementary students. Data is not generally public anywhere as DIBELS provides it di-

school system they were actually on par with other urban districts. But the longer they spent in the system, the more our students' scores decreased compared to other urban districts. In contrast, when we looked at the performance evaluations of the adults in the system, ninety-five percent of educators were being told they were meeting expectations in their evaluations. The disconnect was profound. How can you have a system in which only eight percent of kids are proficient in math, while the vast majority of adults are being told they are doing a good job? It was not that educators were to blame for the system's failure. Teachers wanted clear information and were not getting it. In one meeting a teacher implored, "Chancellor Rhee, I'm not a troublemaker. I just want to do my job. But one administrator says one thing, the central office says another, and the outside agencies doing professional development say another. Can you just tell me what you want me to do?"

It was clear that mayoral control would be no silver bullet. The problems in the system were complex, and part of the reason that mayoral control held promise was because it would speed up change, no longer requiring nine people with different political agendas to agree on most major decisions. Turning the ship would require strategies that had never been tried before in D.C. It was clear that those strategies would generate significant pushback, especially from those with a vested interest in the failed status quo, and in a system that had zero accountability in place.⁶

In fact, when Mayor Fenty first offered me the chance to reform the public schools in Washington, D.C., I declined, reminding him that politicians like to keep people happy. The mayor said he was willing to risk even his own political aspirations to improve public education in the city in which he was raised. "We'll see," I thought, and accepted one of the most significant challenges I had ever taken on. I would learn over the next four years that this man had meant every word. Without Mayor Fenty's unwavering commitment, we would never have seen the improvements the DCPS were able to achieve in such a short period of time.

Roughly two years after we started our program of reform, enrollment stabilized in the DCPS for the first time in forty years. The next two years, it increased, and though it dipped slightly this year, it finally appears to be holding steady after decades of steep declines.⁷ Fourth and eighth grade

rectly to school systems. *See generally* Robert H. Good III & Ruth A. Kaminski, *What are DIBELS?*, DYNAMIC MEASUREMENT GRP., <http://dibels.org/dibels.html> (last visited Dec. 3, 2011) (on file with the Harvard Law School Library).

⁶ *See generally* HARRY S. JAFFE & TOM SHERWOOD, *DREAM CITY: RACE, POWER, AND THE DECLINE OF WASHINGTON, D.C.* (1994) (detailing the history of cronyism in the school system, how the lack of accountability developed, and how many viewed the system more as a jobs program than one responsible for educating children).

⁷ *See* Bill Turque, *Charter Enrollment Up, DCPS Down in Raw Count*, D.C. SCH. INSIDER (Nov. 4, 2011, 6:53 PM), http://www.washingtonpost.com/blogs/dc-schools-insider/post/charter-enrollment-up-dcps-down-in-raw-count/2011/11/04/gIQAavvbSnM_blog.html (on file with the Harvard Law School Library); *Press Release Slides*, OFFICE OF THE STATE SUPERINTENDENT OF EDUC., http://osse.dc.gov/sites/default/files/dc/sites/osse/release_content/attachments/21185/Press_Release_Slides.pdf (on file with the Harvard Law School Library); Press Release,

reading and math scores for both D.C. Comprehensive Assessment System (DC-CAS) and the NAEP showed up to fourteen percent growth in the number of students earning “proficient” or higher.⁸ As Harvard University Professor of Government Paul Peterson wrote, “[h]ad students gained as much every year between 2000 and 2009 as they did during the Rhee era, that gap” [between D.C. and the nation in fourth grade math] “would in 2009 have been just 7 points. Three more years of Rhee-like progress and the gap is closed.”⁹ On the NAEP’s Trial Urban District Assessment (TUDA), in which the DCPS were compared in 2010 to other similar urban districts, the DCPS shed their “last place” stigma to rank number one in student growth among TUDA districts for the first time.¹⁰ Both low-income and Hispanic fourth grade students led the nation in gains as well, and black fourth graders achieved the second highest gains among all TUDA districts.¹¹ While fourth graders were number one in growth nationwide, DCPS eighth graders nearly matched their pace, coming in second only to San Diego.¹² Surveys showed that parents were satisfied with their schools for the first time in decades.¹³ These were only some of the gains that have been made under mayoral governance in the district.

While the gains were impressive, there is no doubt that they challenged the interests of those who benefitted from the status quo. As a result, these interests would pour massive resources into ending the mayor’s tenure and creating a competing, revisionist narrative of Washington, D.C.¹⁴

One positive result of competing stories about D.C. is that they have helped give public education the prominent position it deserves in the national policymaking debate. While D.C. in 2007 faced unusual challenges, many states and districts today face similar stubborn obstacles in their public education systems, making the District a useful case study for reform. Based on what I learned from my experiences in Washington, D.C., I have identified six key questions that are particularly relevant and hotly debated, and which I believe stand to drive education law and policy in the coming years. Although the evidence from 2007 to 2010 in D.C. is necessarily in-

Office of the State Superintendent of Educ., 2010 Fall Enrollment Audit Data (Mar. 1, 2011), <http://osse.dc.gov/release/osse-releases-enrollment-audit-data-increases-both-dcps-and-public-charter-school-attendance> (on file with the Harvard Law School Library).

⁸ NAT’L CTR. FOR EDUC. STATISTICS, *supra* note 4.

⁹ Paul E. Peterson, *The Case Against Michelle Rhee: How Persuasive Is It?*, EDUC. NEXT, Summer 2011, at 68, 70.

¹⁰ See COMM. ON THE INDEP. EVALUATION OF DC PUB. SCH., NAT’L RESEARCH COUNCIL, *supra* note 3, at 73.

¹¹ See *id.* at 72, 75.

¹² See *id.* at 73.

¹³ See Bill Turque & Scott Clement, *Ratings Up for District Schools*, WASH. POST, June 22, 2011, at A01.

¹⁴ See Ben Smith, *Teachers Union Helped Unseat Fenty*, POLITICO (Sep. 15, 2010), http://www.politico.com/blogs/bensmith/0910/Teachers_union_helped_unseat_Fenty.html (on file with the Harvard Law School Library); *Michelle Rhee Profiled: Bloomberg Risk Takers*, BLOOMBERG (Jul. 27, 2011), <http://www.bloomberg.com/video/73139920/> (Geoffrey Canada: “I think the message to the country the union was trying to send was, if you take us on, we are going to get rid of you.”).

complete, many observers are already studying the data for clues about what works and what is relevant for reforms elsewhere. This paper offers perspectives on these six critical questions for reform in light of the current debate:

- I. Is public school reform urgent and relevant to everyone in this country?
- II. Is it possible to substantially improve America's public schools?
- III. How can system-wide reform be achieved?
- IV. How can we effectively assess student growth?
- V. Should charter schools and school choice play a role in improving public education?
- VI. Is mayoral authority critical to public school reform?

I. IS PUBLIC SCHOOL REFORM URGENT AND RELEVANT
TO EVERYONE IN THIS COUNTRY?

Until recently, education had not topped newscasts or driven the vast majority of elections or policymaking in this country. While we may connect personally to our children's schools and remember the role our own educational backgrounds have played in our lives, rarely have we given more than lip service to the impact public education has on our society and economy at large. If we truly believe excellent public schools are an urgent need in this country, and achieving that goal impacts everyone, shouldn't it be driving every discussion about the 2012 elections? Shouldn't education be front and center in all of the punditry about the economy on television, driving the ratings because we are all so invested in how this issue is going to play out? Unfortunately, this is not happening, and so we begin by asking whether education reform is relevant and urgent to all of us.

To America's credit, as a country we have vastly increased our commitment to public education in the last century. We've made public education compulsory, steadily increased per-pupil expenditures,¹⁵ added more credentialed teachers, and expanded early childhood education and afterschool programs in our effort to build great school systems.¹⁶ We direct significant resources to public education and now, when compared with other industrialized nations, rank second in per-student expenditures for primary through tertiary education.¹⁷

¹⁵ See NAT'L CTR. FOR EDUC. STATISTICS, U.S. DEP'T OF EDUC., DIGEST OF EDUCATION STATISTICS 2010 241 tbl.188, available at <http://nces.ed.gov/pubs2011/2011015.pdf> (showing that, adjusted for inflation, per pupil expenditures have increased thirty-two percent since the 1994-95 school year).

¹⁶ See ROB HOLLISTER, THE GROWTH IN AFTER-SCHOOL PROGRAMS AND THEIR IMPACT 3 (2003).

¹⁷ See ORG. FOR ECON. CO-OPERATION & DEV., EDUCATION AT A GLANCE 2011: OECD INDICATORS 218 tbl.B1.1a, 229 tbl.B2.1 (2011), available at <http://www.oecd.org/dataoecd/61/>

But if we look at the results these resources have produced, the picture is grim. Fifteen-year-old American students ranked twenty-fifth in math scores and fourteenth in reading scores out of thirty-four countries on the 2009 Programme for International Student Assessment (PISA) tests.¹⁸ We underperform countries that use more standardized tests than we do, such as Korea;¹⁹ we underperform countries that use school choice, such as New Zealand;²⁰ and we even underperform countries such as Estonia and Poland, which spend roughly a third of what we do per student.²¹ These failures of American schools to close the achievement gap may have cost our economy over \$2 trillion per year in economic output.²² We are not producing the graduates we need for a competitive economy. “Education is critical in generating opportunity for Americans of all ages and backgrounds; it is also a major contributor to long-term economic growth.”²³

On average, when a young American turns eighteen, after twelve years of compulsory schooling, success is still determined by the circumstances of her birth. Despite all the progress we have made as a country, the ZIP code and color of a child’s skin still largely determine the quality of education she receives.²⁴ For obtainment of *regular* diplomas, a significant black-white achievement gap remains.²⁵ Put bluntly, some reports indicate that “more

2/48631582.pdf (indicating that although the United States falls in the middle of the pack based on percentage of GDP expended on education, the United States is outspent only by Switzerland in total per-student expenditures, based on comparisons using U.S. dollars).

¹⁸ See NAT’L CTR. FOR EDUC. STATISTICS, U.S. DEP’T OF EDUC., HIGHLIGHTS FROM PISA 2009 8, 18 (2009), available at <http://nces.ed.gov/pubs2011/2011004.pdf>.

¹⁹ See ORG. FOR ECON. CO-OPERATION & DEV., 1 PISA 2009 RESULTS: WHAT STUDENTS KNOW AND CAN DO 15 tbl.IA (2009), available at <http://www.oecd.org/dataoecd/10/61/48852548.pdf> [hereinafter PISA Vol. 1]; ORG. FOR ECON. CO-OPERATION & DEV., 4 PISA 2009 RESULTS: WHAT MAKES A SCHOOL SUCCESSFUL? 227 tbl.IV.3.10 (2009), available at <http://www.oecd.org/dataoecd/11/16/48852721.pdf> (indicating that almost ninety-seven percent of Korean students attend schools that administer standardized tests one to five times per year).

²⁰ See PISA Vol. 1, *supra* note 19; Helen F. Ladd & Edward B. Fiske, *Does Competition Improve Teaching and Learning? Evidence From New Zealand*, 25 EDUC. EVALUATION & POL’Y ANALYSIS 97, 100–01 (2003).

²¹ See PISA Vol. 1, *supra* note 19; SUSAN AUD ET AL., NAT’L CTR. FOR EDUC. STATISTICS, THE CONDITION OF EDUCATION 2011 107 fig.38-1 (2011), available at <http://nces.ed.gov/pubs2011/2011033.pdf>.

²² See MCKINSEY & CO., DETAILED FINDINGS ON THE ECONOMIC IMPACT OF THE ACHIEVEMENT GAP IN AMERICA’S SCHOOLS 83 (2009), available at http://mckinseysociety.com/downloads/reports/Education/detailed_achievement_gap_findings.pdf.

²³ JASON BORDOFF ET AL., BROOKINGS COMPETITIVENESS INITIATIVE, STRENGTHENING AMERICAN COMPETITIVENESS: REGAINING OUR COMPETITIVE EDGE 12 (2009), available at http://www.brookings.edu/~media/Files/rc/reports/2009/02_american_competitiveness_brainard/02_american_competitiveness_brainard.pdf.

²⁴ For the correlation between consumer spending, family income, poverty, and income, see generally the reports available at *Income, Expenditures, Poverty, and Wealth*, U.S. CENSUS BUREAU, http://www.census.gov/compendia/statab/cats/income_expenditures_poverty_wealth.html; ANNETTE BERNHARDT ET AL., DIVERGENT PATHS: ECONOMIC MOBILITY IN THE NEW AMERICAN LABOR MARKET (2001); *Education: The New Coleman Report*, TIME MAG., June 23, 1975, at 60.

²⁵ See LAWRENCE MISHEL & JOYDEEP ROY, ECON. POLICY INST., RETHINKING HIGH SCHOOL GRADUATION RATES AND TRENDS 4 (2006), available at <http://epi.3cdn.net/861259>

black men earn their high school equivalency diplomas in prison each year than graduate from college.”²⁶ This fact, in turn, may have inflated some measures of black high school graduation rates over the past ten years.²⁷ The consequences of this achievement gap are severe: “On any given day, about one in every 10 young male high school dropouts is in jail or juvenile detention.”²⁸ This combination of high spending and poor results led McKinsey & Company to conclude that the “United States’ poor performance is striking considering the United States’ high income per capita and high levels of educational spending.”²⁹ Given the failure of this system, it is obvious that broad-based reform is not only urgently but also desperately needed. And given the impact that these failures have on our broader economy and society, this issue is deeply relevant to all of us.

But in the face of these challenges, some would throw up their hands, claiming that our schools are doing well considering what they are up against.³⁰ The central argument is that the United States has unusual factors, such as the legacy of slavery and racism, high levels of gun violence, and persistent poverty, which prevent U.S. schools from doing better. According to this line of reasoning, America’s schools are doing the best that they possibly can.³¹

be5536440dd3_wvm6bgv02.pdf (predicting that the black-white achievement gap for regular (i.e., non-GED) diplomas is about fifteen percent as of the 2000 Census. However, this statistic does not adjust this percentage for timely versus delayed graduation).

²⁶ Michael A. Fletcher, *At the Corner of Progress and Peril*, WASH. POST, June 2, 2006, at A01. See SCHOTT FOUND. FOR PUB. EDUC., YES WE CAN: THE SCHOTT 50 STATE REPORT ON PUBLIC EDUCATION AND BLACK MALES 2010 (2011), available at <http://blackboysreport.org/bbreport.pdf>.

²⁷ See MISHEL & ROY, *supra* note 25, at 5.

²⁸ Sam Dillon, *Study Finds That About 10 Percent of Young Male Dropouts Are in Jail or Detention*, N.Y. TIMES, Oct. 9, 2009, at A12; see generally Dan Usher, *Education as a Deterrent to Crime*, 30 CAN. J. ECON. 367 (1997).

²⁹ See MCKINSEY, *supra* note 22, at 3.

³⁰ See, e.g., MYRA POLLACK SADKER & DAVID MILLER SADKER, TEACHERS, SCHOOLS, AND SOCIETY 581 (5th ed. 2000) (asserting that the “lower performance of American students on international tests may be attributed to curricular and cultural differences, not necessarily to educational deficiencies. . . . The bottom line is that despite the press and current perceptions American schools may be doing far better than we realize.”); Mavis G. Sanders, *Overcoming Obstacles: Academic Achievement as a Response to Racism and Discrimination*, 66 J. NEGRO EDUC. 83, 83 (1997) (“Using the terms ‘caste-like’ and ‘involuntary’ to describe the minority status of African Americans, [Ogbu, an influential researcher on racial inequality and educational attainment] contends that the historical legacies of racism and discrimination, especially as they relate to educational and employment opportunities, have had a decidedly negative influence on the school performance of African Americans. . . . African Americans have adapted to discriminat[ion] . . . by disengaging from the schooling process.”).

³¹ See Diane Ravitch, *School ‘Reform’: A Failing Grade*, N.Y. REV. OF BOOKS, Sept. 29, 2011, available at www.nybooks.com/articles/archives/2011/sep/29/school-reform-failing-grade/ (arguing that on the latest PISA test, “American schools in which fewer than 10 percent of the students were poor outperformed the schools of Finland, Japan, and Korea. Even when as many as 25 percent of the students were poor, American schools performed as well as the top-scoring nations. As the proportion of poor students rises, the scores of US schools drops.”).

This argument means only that we are failing to provide a great education for those children who need it the most. A country that has pledged to provide a free education and equal opportunity to all certainly cannot afford to exclude the poor, especially considering the link between education and later earnings (which is stronger than the link between race and subsequent earnings, or gender and subsequent earnings).³² And lest this be seen as a regional issue, the same data shows that rising poverty is not exclusive to cities. From 2009 to 2010, the number of poor individuals in the suburbs grew fifty-three percent, compared to twenty-three percent in cities, and poverty rates in suburbia rose more quickly than in any other residential setting.³³ If we continue to maintain a system that accepts poverty as destiny, we will enter into a downward spiral with progressively worse effects for our entire country. Considering the link between a lack of education and later likelihood of unemployment, or poverty, or crime and incarceration, we clearly cannot afford to downplay the problems we face in education or their impact on all of us.³⁴

Another argument against urgency is that as the wealthiest, most powerful country in the world, America does not have much to worry about.³⁵ Test scores of American students have always been low, but the United States has nevertheless maintained its competitive edge.³⁶ This argument suggests, for example, that the United States defeated the Soviet Union even though the USSR delivered better math and science results for students—so what does the United States have to worry about?³⁷

This argument fails to acknowledge that schools of the past fueled a manufacturing economy in which far fewer occupations required a college degree to live a middle class life. If we want to maintain our global standing and our quality of life for our children and theirs, schools need to adapt to the changing needs of the economy to give graduates the skills they need to thrive today, not fifty years ago. Resting on economic success of the past just does not work as a strategy for moving into the future, and dismissing valid concerns about significant problems in our schools as alarmist is a sure

³² See Sarah D. Sparks, *Census: Education Has Greater Effect on Earnings Than Race, Gender*, EDUC. WK. (Sept. 9, 2011, 5:15 PM), http://blogs.edweek.org/edweek/inside-school-research/2011/09/census_education_has_greater_e.html (on file with the Harvard Law School Library).

³³ See Alan Berube, *Parsing U.S. Poverty at the Metropolitan Level*, BROOKINGS INST. (Sept. 22, 2011), http://www.brookings.edu/opinions/2011/0922_metro_poverty_berube_knee_bone.aspx (on file with the Harvard Law School Library).

³⁴ See Sparks, *supra* note 32.

³⁵ See Diane Ravitch, *American Schools in Crisis*, SATURDAY EVENING POST, Sept. 1, 2011, at 48 (“The critics today would have us believe that our future is in peril because other nations have higher test scores. They said the same thing in 1957 when the Soviet Union sent its Sputnik into orbit and ‘beat us’ by being first. At the time, the media were filled with dire predictions and blamed our public schools for losing the space race. But we’re still here, and the Soviet Union is gone.”).

³⁶ *Id.*

³⁷ *Id.*

way not to solve them. The United States is struggling to hold on to our edge where it still exists, and to regain it where we have lost it (e.g., the debt we owe to China).³⁸ Recently America's debt exceeded its GDP for the first time since World War II,³⁹ while, according to the 2009 PISA, out of thirty-four countries the United States was fourteenth in reading, seventeenth in science, and twenty-fifth in math.⁴⁰

In Washington, D.C., the interdependence of the quality of schools, the quality of the workforce, and the stability of the economy were a clear microcosm of what is true across the nation. As chancellor, I spoke with countless business owners who were (or were considering) doing business with the District. They wanted to (and, due to laws governing city contracts, often were required to) hire city residents for the job. The problem was that far too many applicants in D.C., many of whom had attended the local public schools, simply did not have the skills required. CEOs, acknowledging they could not remain competitive as a business with employees who could not do the job, hired as many graduates from outside the city as they could, or declined to serve the city and took their business elsewhere. In the past year, I have spoken to business leaders across the country who describe the same dynamic. To change this, leaders must recognize education as the lynchpin to prosperity and root their strategies for economic reform in education reform. Reforming our education system is not only critical to delivering on the promise we have made our children, but also vital to strengthening our economy and creating jobs. As such, reform is not only urgent, but also relevant to every American.

II. IS IT *POSSIBLE* TO SUBSTANTIALLY IMPROVE AMERICA'S PUBLIC SCHOOLS?

Simply put, the answer to this question is yes. Today, we are beyond the point of searching for pockets of success in individual schools in poor neighborhoods. Standouts of individual success exist all over the country, especially among public charter schools in urban neighborhoods (not to be mistaken for private or magnet schools, which can pre-select students based on performance or aptitude). Success in individual urban schools is no accident. They are in the same neighborhoods as failing public schools. The poverty level is the same. They do not get to bus in kids from affluent districts to boost their numbers, nor do their parents have a higher level of education. What is different are the strategies of the adults who lead and work there. The evidence of schools making marked progress in changing

³⁸ See THOMAS L. FRIEDMAN & MICHAEL MANDELBAUM, *THAT USED TO BE US* (2011).

³⁹ Alexander Abad-Santos, *Total U.S. Debt Is About to Surpass G.D.P. on Halloween*, ATLANTIC WIRE (Oct. 20, 2011), <http://www.theatlanticwire.com/business/2011/10/total-us-debt-about-surpass-total-gdp-halloween/43920/> (on file with the Harvard Law School Library).

⁴⁰ Christine Armario, "Wake-Up Call": *U.S. Students Trail Global Leaders*, MSNBC.COM (Dec. 7, 2010), http://www.msnbc.msn.com/id/40544897/ns/us_news-life/.

outcomes of these economic realities is a powerful indicator that indeed, significant reform is possible, if we commit to it.

Those who cite the deleterious effects of poverty on children's lives, teachers' classrooms, and whole educational system will find no argument from me. There is no doubt that principals and teachers working in schools and neighborhoods struck by poverty have much more difficult jobs than those who educate in a thriving community. These educators absolutely need our support and respect for the uphill climb they have chosen to take on every day.

There is also a significant need for economic reform in America, for social programs and policies that address economic gaps and inequities, and for programs that help ameliorate the devastating impacts of poverty. Strictly speaking, we need to do more as a society, broadly, to deal with poverty. In my experience, schools can be an important part of that—and not only by providing educational opportunities to break the cycle of generational poverty.

Schools systems can be improved by providing “wraparound” services to schools such as nurses, social workers, and counselors who work closely with schools and educators as a team. We implemented such reforms in D.C. in many ways, in large part due to mayoral governance, under which the DCPS could leverage the full force of the multiple city agencies to support D.C.'s teachers and children. We also vastly improved school nutrition programs, working with local partners to provide nutritious meals that kids enjoyed, and expanding our school meal offerings to free and reduced lunch students.

But it does not follow that the people who work in and run school districts should not be held accountable for the impact they do have on student achievement. When we talk about creating excellent schools, the superintendent of a school system must be able to see what is happening in academic growth within school walls, and the leadership of that school system must be responsible for the results as a whole.

In *Class and Schools*, economist Richard Rothstein claims that the emphasis on schools as an instrument for social reform is unfounded due to the social and economic gaps between classes that can be addressed through other policies.⁴¹ Others argue that reform should prioritize not advancing student achievement but “fight[ing] child poverty with health care, jobs, child care, and affordable housing.”⁴²

While such reforms are obviously very important, the truth is that they do not constitute *school* reform. If I am a superintendent or principal, I want to know what I can do now to improve education for the kids I serve. I am

⁴¹ See RICHARD ROTHSTEIN, *CLASS AND SCHOOLS: USING SOCIAL, ECONOMIC, AND EDUCATIONAL REFORM TO CLOSE THE BLACK-WHITE ACHIEVEMENT GAP* 9 (2003).

⁴² Dana Goldstein, *Diane Ravitch, the Anti-Rhee*, WASH. CITY PAPER (June 24, 2011), <http://www.washingtoncitypaper.com/articles/41083/diane-ravitch-the-anti-rhee/page1/> (on file with the Harvard Law School Library).

not willing to wait until America's social ills are fixed before I hold my staff and myself accountable for significant measurable academic growth among the children under my care. We should not accept the argument that poor children, or children from poor and high-minority neighborhoods, simply cannot be held to high standards for achievement, or succumb to the defeatist idea that our school systems are powerless in reversing generational poverty. If this is the paradigm we are going to accept, our kids are in more trouble than even the numbers say. Rather, Horace Mann⁴³ had it right the first time. You don't get rid of poverty so you can teach the child effectively. You teach the child effectively in order to fix poverty.

It may help to view this question in another light as well. If it is possible to create an excellent school in a low-income neighborhood—and examples show that it is—then America must attempt to create one for every child in every neighborhood.

So while we know that reform is indeed possible, the challenge now is to scale the results of successful schools to the district and state levels. Reforms in Washington, D.C., and New York are two examples showing promise.⁴⁴ While substantial work remains in D.C., the experience of the DCPS validates the growing weight of academic literature showing that student achievement can be improved despite the challenges of poverty. In 2007, despite the vast amount of energy and resources poured in by thousands of dedicated educators over the years, Washington, D.C., was a collection of the worst results possible for a public school system. As described earlier, that had changed significantly under mayoral governance by 2010.

In truth, the reforms in D.C. were not new concepts. Stop spending money on things that do not work. Spend more money on things that are important, such as attracting, retaining, and celebrating the best educators. Pay attention to what they are doing with performance evaluations that make sense and include results in growth they achieve. Spend more on art and music programs. Cut wasteful programs. Streamline procurement. Help ineffective teachers to become effective, and identify teachers that are consistently ineffective at producing student learning and growth. In short, take a "students first" approach on each decision, and do what would be best for student learning.

Despite the fact that the socioeconomic cards were stacked against them, students in the school system are now proving naysayers wrong about what they can do once adults have their ducks in a row. In 2010, District schools received a \$75 million Race To The Top education grant, acknowledging the recent successes of the District's students, principals' and teach-

⁴³ Horace Mann is commonly credited with founding public education in the United States. He believed public schools could be the "great equalizer" as instruments of social mobility. *See generally* ROBERT B. DOWNS, HORACE MANN: CHAMPION OF PUBLIC SCHOOLS (1974).

⁴⁴ *See* SAMUEL CASEY CARTER, NO EXCUSES: LESSONS FROM 21 HIGH-PERFORMING, HIGH-POVERTY SCHOOLS (2000).

ers' hard work within new structures, and administrators' implementation of reforms.⁴⁵

The fact that a badly failing school system had come from the bottom of the heap to accomplish a 180-degree turnaround did not end the debate over whether it is possible to provide excellent schools to children living in poverty. With high stakes for reform nationally, vested interests continue to mount major efforts to discredit the record in D.C.⁴⁶ In particular, some have questioned the gains made in student performance on the basis of an ongoing investigation into potential cheating on some tests.⁴⁷ However, when we cut through the politics and rhetoric, it is clear that these narratives do not stand up against the data.

The truth is that the gains in D.C. were hardly limited to local tests administered by DCPS teachers. Progress occurred on multiple measures, including the gold standard national NAEP/TUDA test administered by a third party with no vested interest in the results. DCPS students have made substantial gains in proficiency rates on the NAEP/TUDA since reform efforts began in 2007, jumping nine points in fourth grade math, seven points in eighth grade math, five points in fourth grade reading, and four points in eighth grade reading.⁴⁸ This test was not tainted with allegations of cheating, allegations that do not diminish what the vast majority of DCPS educators achieved with children from 2007–2010. And overall scores have risen significantly.⁴⁹

Additionally, our gains in D.C. went far beyond test scores. DCPS created equity in access to art, music, and physical education (PE) teachers; brought in new food services vendors who provided more nutritious food that would fuel learning *and* passed student taste tests; leveraged mayoral governance with a newly created school modernization agency to provide much better facilities (which were green and designed to maximize light, space, temperature, and other factors to impact learning); provided and vetted after-school programs across the district for the first time; significantly reformed special education, eliminating a backlog of litigation in special education cases that were draining the system of millions every year, and accomplishing unprecedented academic growth among special education

⁴⁵ Press Release, U.S. Dep't of Educ., Nine States and the District of Columbia Win Second Round Race to the Top Grants (August 24, 2010), <http://www.ed.gov/news/press-releases/nine-states-and-district-columbia-win-second-round-race-top-grants> (on file with the Harvard Law School Library).

⁴⁶ See, e.g., *Michelle Rhee Profiled: Bloomberg Risk Takers*, *supra* note 14.

⁴⁷ See *CRCT Report: Answers Changed at "Erasure Parties"*, WSBTV.COM (July 5, 2011, 11:37 AM), <http://www.wsbtv.com/news/28449391/detail.html> (on file with the Harvard Law School Library).

⁴⁸ See Press Release, D.C. Pub. Sch., TUDA Report Shows Mixed Results for DCPS Students: Growth in Grade 8 Math in Top 4 Nationwide; Reading Remains Area of Concern (Dec. 7, 2011), *available at* <http://dcps.dc.gov/DCPS/About+DCPS/Press+Releases+and+Announcements/Press+Releases/TUDA+Report+Shows+Mixed+Results+for+DCPS+Students> (on file with the Harvard Law School Library).

⁴⁹ *Id.*

students; increased pre-kindergarten seats and reformed early childhood education programs to reflect current research on learning and achievement; launched Early Stages,⁵⁰ a service to parents to identify and address learning delays before school begins; forged partnerships with the private sector to fund teacher pay increases under a new pay-for-performance system; and more. Employees in the central office were evaluated for the first time in years, shifted to at-will employees with help from the D.C. Council, and held accountable for meeting high standards for serving families and schools.⁵¹

The data are clear. Even students who live in poverty and bring enormous challenges into the classroom can achieve at high levels. Now that we know it is possible in individual schools and across districts, we are responsible for ensuring that these improvements are scaled to all districts, states, and the nation at large. In light of this responsibility, the expectations for performance for our country's schools need to be much higher.

III. HOW CAN SYSTEM-WIDE REFORM BE ACHIEVED?

Most systems already do have performance evaluations for teachers, and many have mentoring programs in which experienced teachers support new teachers. Even D.C., which effectively had zero accountability in 2007, had a “ninety-day plan” on the books in which a struggling teacher could be given added support. In principle, if a teacher could not improve his or her practice with support over ninety days, that teacher could be subject to termination. It sounds reasonable, but in practice it was a bureaucratic nightmare for principals, as it is in many districts across the country. In D.C., the paperwork and process was so laborious that most principals gave up after their efforts resulted in costly lawsuits from the union, even in cases of gross unprofessionalism. At one point we even had to obtain \$365,000 in private funding to hire central office staff to help principals implement the ninety-day plan in their schools. In short, while we technically had a system in place, it was almost entirely ineffectual. Moreover, the quality of the

⁵⁰ See Newsletter, D.C. Pub. Sch., Chancellor's Notes: Working With Parents to Ensure a Strong Start to School (Jan. 20, 2010), available at <http://dcps.dc.gov/DCPS/Files/downloads/ABOUT%20DCPS/Chancellors%20Notes/DCPS-Chancellors-Notes-January-20-2010.pdf> (describing Early Stages). Chancellor Kaya Henderson and Mayor Vincent C. Gray opened a second Early Stages center in the fall of 2011. See Press Release, D.C. Pub. Sch., Mayor Gray to Announce Grand Opening of New Early States Center (Nov. 3, 2011), available at <http://www.dc.gov/DCPS/About+DCPS/Press+Releases+and+Announcements/General+Announcements/Mayor+Gray+to+Announce+Grand+Opening+of+New+Early+Stages+Center> (on file with the Harvard Law School Library).

⁵¹ See LEIGH HAFREY & CATE REAVIS, MIT SLOAN MGMT., MANAGEMENT PRINCIPLES AND THE WASHINGTON, DC PUBLIC SCHOOLS (B): RACE TO THE TOP 4 (2011), available at <https://mitsloan.mit.edu/MSTIR/Leadership/DCPublicSchoolsB/Documents/10-101.Management%20Principles%20and%20DCPS%20B.Hafrey.pdf> (describing legislative changes and rationale for evaluating central office employees).

feedback that teachers received was extremely limited, making it hard for them to improve their teaching.

In fact, right now there are few accountability systems that can be used to increase teacher effectiveness. Most do not even assess whether teachers are effective at contributing to student achievement growth, the reason the teachers are there in the first place. If we say we value our teachers, if we really believe that teachers have a powerful influence in their students' lives and on their future success, why are we not even looking at where that is happening and at what levels? If we actually valued teachers and their professional capabilities, accountability systems reflecting high expectations for what they can accomplish would be a matter of course in every school district. According to a report on the successful education policies of high-performing nations, "above all, the top performing systems demonstrate that the quality of an education system depends ultimately on the quality of its teachers."⁵²

In other countries with successful education systems, teaching is valued as a high-status profession.⁵³ Within the United States, unions and reformers alike agree that great teachers are the key to great schools and great education.⁵⁴ Countries that value their teachers, such as Finland and South Korea, also rank higher in student proficiency scores.⁵⁵ Hence a key goal must be to elevate the status of teaching. Multiple reforms will be necessary to elevate the status of teaching through accountability systems that do increase teacher effectiveness.

A. *Stop Treating Teachers as Easily Interchangeable Widgets.*

A 2009 report from The New Teacher Project—an organization I helped found fifteen years ago—highlighted what it called the "widget effect," the presumption that teachers are interchangeable parts with the same level of effectiveness in each classroom.⁵⁶ This is in stark contrast to most other professions, where individuals work at different levels of competence

⁵² MCKINSEY & CO., HOW THE WORLD'S BEST-PERFORMING SCHOOL SYSTEMS COME OUT ON TOP 23 (2007), available at http://mckinseysociety.com/downloads/reports/Education/Worlds_School_Systems_Final.pdf.

⁵³ See Sam Dillon, *Study: U.S. Must Raise Status of Its Teachers*, N.Y. TIMES, Mar. 16, 2011, at A22.

⁵⁴ See, e.g., Randi Weingarten, *Markets Aren't the Education Solution*, WALL ST. J., Apr. 25, 2011, at A15 ("These countries [referring to those leading globally in education] emphasize teacher preparation, mentoring and collaboration. They revere and respect their teachers; they don't demonize them."); Michelle Rhee, *The Toughest Job*, WASH. POST, Feb. 9, 2009, at A17 ("I have talked with too many teachers to believe this is their fault. . . . I know they are working furiously in a system that for many years has not appreciated them—sometimes not even paying them on time or providing textbooks. Those who categorically blame teachers for the failures of our system are simply wrong.").

⁵⁵ See NAT'L CTR. FOR EDUC. STATISTICS, *supra* note 15.

⁵⁶ See DANIEL WEISBERG ET AL., THE NEW TEACHER PROJECT, THE WIDGET EFFECT: OUR NATIONAL FAILURE TO ACKNOWLEDGE AND ACT ON DIFFERENCES IN TEACHER EFFECTIVENESS 10 (2009), available at <http://carnegie.org/fileadmin/Media/Publications/widget.pdf>.

and are recognized and rewarded accordingly. Under the widget effect, which underlies the lock-step pay structures that exist in most districts, teachers are no more than assembly line workers performing simple, concrete tasks and passing products on to the next worker. Systems and pay structures that treat all teachers as interchangeable widgets are highly insulting, sending the message to teachers that what they do is indistinguishable from what the next person does, and nothing they could do will stand out as excellent. Teachers recognize this: fifty-nine percent of teachers and sixty-three percent of administrators say their district is not doing enough to identify, compensate, promote, and retain the most effective teachers, according to one survey from The New Teacher Project report.⁵⁷ Without differentiating among high and low performers, and making significant variable compensation as well as long-term career development dependent upon high performance, we will not retain or attract highly performing people as a whole.

B. Develop Rigorous Teacher Evaluation Systems.

These reforms all rest on the creation of sound, rigorous evaluation systems, and providing constructive and reliable feedback is absolutely necessary if we are going to value teachers as professionals and increase teacher effectiveness. This was one of the top priorities for reform in D.C. from 2007–2010. With and at the request of teachers, we created a Teaching and Learning Framework to clearly outline what good teaching looks like. We aligned the Framework to a value-added assessment called IMPACT. Under IMPACT, fifty percent of a teacher's evaluation is based on student growth according to student assessments. For teachers who are assigned to grade levels that do not take standardized tests, other objective student achievement components are worked out at the school level, approved, and included as ten percent of the evaluation (in these cases, classroom observations, discussed in detail below, become the main factor in evaluations). Teachers are not assessed according to absolute scores, as students' starting points are taken into account. From there, the socioeconomic background of the individual test-taker is considered, as are a number of other factors, such as historical attendance, or whether they are an English language learner. For example, for teachers in a school in which poverty is a factor for most students, overall scores were lower than in affluent neighborhoods across town. Students with more academic room to grow can show more progress in one year under an effective teacher, who can sometimes move students two to three grade levels ahead in one year. This is less likely to occur in the affluent neighborhood across town, where we see fewer large jumps since more students are already working at the proficient and advanced levels. A value-add model can incorporate these nuances and be generalized across systems, in which the teacher's score incorporates a reasonable growth goal given the

⁵⁷ *Id.* at 13.

student's starting point, background, and the aggregation of poverty within the classroom. IMPACT is one of the first and most thorough assessments of its kind; in many districts, evaluations are short and infrequent.⁵⁸

The D.C. school system now pays according to performance, allowing D.C. principals to ease the exiting process for underperforming teachers, another important factor in diminishing the problem of the Widget Effect.⁵⁹ Yet despite the fact that sixty-eight percent of teachers “strongly agree” or “agree” that dismissing poor performers is an important part of the system, unfortunately in D.C. and elsewhere, the process is still far too complicated and litigious.⁶⁰ In one ongoing court case, seventy-five D.C. teachers who lost their jobs due to their performance may be reinstated and could be granted up to \$7.5 million in back pay.⁶¹ Yet despite obstacles, D.C. made progress in building a culture in which teachers were respected with acknowledgement of their impact on student achievement through rigorous accountability systems and rewards for success.

Some argue that assessments including student achievement growth put too much pressure on teachers, and instead of accountability systems, what teachers need is more resources. Of course, resources are necessary, and teachers need and deserve quality professional development, instructional tools, and support to handle the significant challenges they face. But simply increasing resources won't change the flawed way a district school system is operating. Eric Hanushek reviewed 187 studies on the impact of increased resources on student achievement.⁶² He found that “the education of children depends directly on the ability of school districts to translate resources into student achievement. If schools are ineffective at this, simply heaping more resources on poorly performing districts will do little to improve educational equity.”⁶³

Furthermore, considering the links between student performance and the likelihood of crime and incarceration later in life,⁶⁴ it would be grossly irresponsible to be content with the failing “more resources” approach that at this point is damaging entire communities.

Nor are robust assessments, accountability structures, or performance-oriented teachers' unions “anti-teacher.” In fact, the opposite is true. The “anti-teacher” narrative severely underestimates the intelligence, abilities, and sensibilities of teachers who want high standards, definite accountability, and clear feedback. In D.C., effective teachers expressed a desire for

⁵⁸ *Id.* at 6.

⁵⁹ *Id.* at 29–30.

⁶⁰ *Id.* at 16.

⁶¹ Bill Turque, *Rhee's Firing of 75 D.C. Teachers in 2008 Was Improper, Arbitrator Says*, WASH. POST, February 9, 2011, at B01; see also Lisa Gartner, *City Officials to Vote on 75 Fired DCPS Teachers*, WASH. EXAMINER (June 12, 2011, 7:05 PM), <http://washingtonexaminer.com/local/dc/2011/06/city-officials-vote-75-fired-dcps-teachers>.

⁶² See Eric A. Hanushek, *When School Finance “Reform” May Not Be Good Policy*, 28 HARV. J. ON LEGIS. 423, 433 (1991).

⁶³ *Id.* at 454.

⁶⁴ See RONALD B. MINCY, *BLACK MALES LEFT BEHIND* (2006).

systems that would help them to know more definitively where they were successful and how they could improve. Yet in D.C., when we first proposed removing tenure while giving successful teachers the opportunity to earn six figure salaries, the union balked—for two years—claiming teachers would never vote for a package in which teachers would accept higher accountability for more pay. When we did eventually put our proposal to a vote, eighty percent of votes were cast in favor of the proposal.⁶⁵ Contrary to some rhetoric, teachers voted overwhelmingly to give up the protections of tenure in order to be part of a high-performing, high-status profession.

C. *Eliminate Tenure or Reduce Its Impact.*

While tenure may have made sense in a time when the political party bosses punished teachers with losing their jobs if they did not vote in a certain way, it is no longer necessary in a country in which civil rights laws protect against egregious labor abuses.

Unfortunately, tenure is still one of the greatest sticking points for reform. Recently the current D.C. teachers' union chapter president, Nathan Saunders, described his election as union chapter president by saying, "Clearly this is a race about job security."⁶⁶ While I do not begrudge the union for doing its job, it is hard to ignore those instances in which protecting, rather than challenging, educators will run counter to the goal of raising the status of the profession and thereby ensuring an excellent educator for every classroom. For example, a McKinsey study analyzing the policies of high-performing school systems around the world concludes that the most effective school systems "do not allow ineffective teachers to remain in the classroom for long."⁶⁷ Yet unions, by agreement, must protect the interests of ineffective as well as effective educators. They have been very successful in living up to this agreement.

But while they may be important for some of the adults in the system, improperly formulated tenure systems are damaging to kids in several ways. Most importantly, tenure evaluation processes for teachers largely fail to incorporate student achievement.⁶⁸ Currently tenure is usually relatively easy to obtain, with no connection to results achieved or longevity in achieving them. Generally it takes two or, more commonly, three years to gain ten-

⁶⁵ Dana Goldstein, *Michelle Rhee's Last Battle*, DAILY BEAST (Oct. 12, 2010, 8:09 PM), <http://www.thedailybeast.com/articles/2010/10/13/michelle-rhees-unfinished-dc-schools-legacy.html> (on file with the Harvard Law School Library).

⁶⁶ Bill Turque, *Parker Out as Washington Teachers' Union Chief*, D.C. SCH. INSIDER (Nov. 30, 2010, 6:09 PM), http://voices.washingtonpost.com/dcschools/2010/11/parker_voted_out_as_washington.html (on file with the Harvard Law School Library).

⁶⁷ Eric A. Hanushek, *Teacher Deselection*, in *CREATING A NEW TEACHING PROFESSION* 165, 173–74 (Dan Goldhaber & Jane Hannaway eds., 2009), available at <http://hanushek.stanford.edu/sites/default/files/publications/Hanushek%202009%20Teacher%20Deselection.pdf> (on file with the Harvard Law School Library) (describing the McKinsey evaluation).

⁶⁸ See PATRICK MCGUINN ET AL., *CTR. FOR AM. PROGRESS, RINGING THE BELL FOR K-12 TEACHER TENURE REFORM 1* (2010), available at http://www.americanprogress.org/issues/2010/02/pdf/teacher_tenure.pdf.

ure.⁶⁹ Once it is obtained, it is a near lock on job security, and even chronic absenteeism and other faults are protected, creating a “horrible barrier to getting rid of that small percentage of teachers who are just not effective.”⁷⁰ Tenure also significantly increases the cost of firing teachers if they are ineffective, further burdening school systems who need the resources directed to classrooms. In Illinois, it costs districts more than \$219,000 in legal fees to fire a tenured teacher.⁷¹ The costs are so significant that many districts make it an unstated policy to not fire tenured teachers. For example, only one in 1,000 tenured teachers were fired in New York, Chicago, and Los Angeles in recent years.⁷² “Satisfactory” ratings have become the default, with the “Widget Effect” study finding that ninety-nine percent of tenured teachers in four studied states receive “satisfactory” ratings.⁷³

By granting tenured teachers more protection than that offered under the due process of law, teaching is separated in one more powerful way from the best practices that drive productivity and results in other fields. Prioritizing time over talent will also often “make teaching unattractive for high achieving people with technical skills”⁷⁴

D. Eliminate Last-In, First-Out (LIFO) Policies That Govern Lay-Offs.

Astonishingly, when budgetary restrictions require lay-offs, in most public school systems performance is not even included as a factor in deciding which teachers will stay or go, as lay-offs are conducted based on seniority alone. In the current economy this can have a disastrous effect on student achievement.⁷⁵ First, research indicates that when districts conduct seniority-based layoffs, we end up firing some of our most highly effective educators.⁷⁶ Second, LIFO policies increase the number of teachers that districts must lay off. Because junior teachers make less money, schools will lose more teachers and more jobs as long as LIFO remains the law. Finally, LIFO hits hardest at the highest-need schools. Typically, these schools have

⁶⁹ *Id.* at 4.

⁷⁰ Alan Greenblatt, *Is Teacher Tenure Still Necessary?*, NPR.ORG (Apr. 29, 2010) (quoting Sandy Kress, a senior advisor to George W. Bush on education), <http://www.npr.org/templates/story/story.php?storyId=126349435> (on file with the Harvard Law School Library).

⁷¹ Scott Reeder, *Cost to Fire a Tenured Teacher? More Than \$219,000*, HIDDEN COSTS OF TENURE, <http://thehiddencostsofteacher.com/stories/?press=display&id=295712> (on file with the Harvard Law School Library).

⁷² Greenblatt, *supra* note 70.

⁷³ WEISBERG ET AL., *supra* note 56, at 6.

⁷⁴ Dan Goldhaber et al., *Teacher Attitudes About Compensation Reform: Implications for Reform Implementation*, 64 INDUS. & LAB. REL. REV. 441, 441 (2011).

⁷⁵ Education Secretary Arne Duncan referred to nation-wide teacher lay-offs as a potential “education catastrophe.” NAT’L EDUC. ASS’N, *TEACHER LAYOFFS AND SCHOOL BUDGET CUTS 12* (2010), available at <http://www.nea.org/assets/docs/HE/newsclipslayoffs10.pdf>.

⁷⁶ See DONALD BOYD ET AL., *TEACHER LAYOFFS: AN EMPIRICAL ILLUSTRATION OF SENIORITY V. MEASURES OF EFFECTIVENESS 3–5* (2010), available at http://www.edweek.org/media/layoffs10oct2010_appa.pdf (finding that most teachers laid off by seniority have substantially higher value-added (a rough metric for “effectiveness”) than a layoff policy based on a teacher’s value-added).

larger numbers of new teachers, who are the first to lose their jobs in a lay-off. This leads to increased turnover and instability in schools that are already challenging environments. High-income areas, which have more stable systems and fewer new teachers, are less impacted by budget cuts.

E. Reward Teachers Who Succeed.

Treating all teachers as the same means that we do not give enough pay or status to our most effective teachers. Compensation alone is not the issue, but compensation is one of the ways we signal status. Even more disparaging of the profession is that unlike the picture we see in other professions, teachers are not rewarded for performance with promotions, recognition, or raises.

Increasingly, teachers recognize that the presence of ineffective teachers in the classroom is a detriment to the status of the entire profession.⁷⁷ Protecting ineffective teachers runs contrary to the best interests of teachers and students. Individually, if salaries incorporated teacher outputs rather than simply depending on experience and education, we could reward the remarkable efforts of teachers. Higher salaries will also help us get to a more skilled workforce as a whole. This can only happen by coupling teacher earnings with stronger evaluation systems.

These reforms would do much to elevate the status of teaching. Teachers who accepted their bonuses in D.C. were able to make high-status moves,⁷⁸ such as buying homes relatively early in their careers. Indeed, far more teachers earned these exceptional rewards than received minimally effective ratings, even though the latter stories appeared more irresistible for the press.⁷⁹ And recently, seventy percent of eligible teachers indicated that they would accept their bonuses in exchange for higher accountability, compared to sixty percent in 2010, indicating increased buy-in in the system from teachers themselves.⁸⁰

⁷⁷ See JANE G. COGGSHALL ET AL., *RETAINING TEACHER TALENT: THE VIEW FROM GENERATION Y 10–13* (2010), available at <http://www.learningpt.org/expertise/educatorquality/genY>.

⁷⁸ See Eric Bethel, *Let's Celebrate, Reward and Learn From Successful Teaching*, STUDENTS FIRST (July 26, 2011), <http://www.studentsfirst.org/blog/entry/lets-celebrate-reward-and-learn-from-successful-teaching/> (on file with the Harvard Law School Library).

⁷⁹ See Editorial, *D.C. School Closings*, WASH. POST, Nov. 29, 2007, at A24; Alan Suderman, *More Teachers Being Fired, Examiner Says*, WASH. CITY PAPER (July 22, 2010), <http://www.washingtoncitypaper.com/blogs/citydesk/2010/07/22/more-teachers-being-fired-examiner-says/> (on file with the Harvard Law School Library).

⁸⁰ Bill Turque, *D.C. Teachers Get Their "Standing Ovation,"* D.C. SCH. INSIDER (Sept. 19, 2011, 9:33 AM), http://www.washingtonpost.com/blogs/dc-schools-insider/post/dc-teachers-get-their-standing-ovation/2011/09/19/gIQA27H1hk_blog.html (on file with the Harvard Law School Library).

IV. HOW CAN WE EFFECTIVELY ASSESS STUDENT GROWTH?

To include student growth in teacher assessments, we have to come to terms with the role of standardized testing, which is arguably the hottest debate in education policy. In this case, international comparisons are mixed: while some high-performing systems, such as Korea, use national tests heavily, other countries such as Finland use tests in a much more complex fashion.⁸¹ In the United States, however, an enormous campaign is being mounted to challenge the use of testing at all.⁸²

Some arguments against standardized tests deserve deep debate and discussion, such as the real challenges they present in measuring student growth fairly and accurately across different subject areas and demographics.⁸³ Others are much less compelling, such as the claim that testing should not be used because it may tempt adults whose salaries are based (in part) on tests to cheat, or the implication in the term “high stakes” testing—that the tests themselves are what create high stakes for children.⁸⁴

To be clear, cheating is unethical and unacceptable. To the extent there is cheating, it needs to be rooted out. But that doesn’t mean you should dismiss the notion of accountability. As we build and improve our evaluation systems, we need to make sure that they measure performance. That is why we must use multiple measures, including both tests and observations, and embrace test security reforms to reinforce ethics. But this should not mean scrapping all testing. We need objective measures of how all kids are doing, and how our educators are doing in helping students make progress.

Moreover, it is not standardized tests that introduce high stakes for children. The high stakes have existed for decades, with devastating results for students, communities, and the nation. Too many leaders have turned a blind eye to those stakes by accepting a dismal status quo for decades, but that does not mean we are suddenly creating “high stakes” by finally insisting on producing and examining results.

⁸¹ PISA VOL. 1, *supra* note 19; Amanda Ripley, *Testing Around the World*, NBC NEWS EDUC. NATION BLOG (Oct. 21, 2011, 9:00 AM), <http://www.educationnation.com/index.cfm?objectid=344AE6BA-FB34-11E0-B00E000C296BA163> (on file with the Harvard Law School Library).

⁸² See Ben Smith, *The Quiet Teachers Union Campaign*, POLITICO (July 8, 2011), http://www.politico.com/blogs/bensmith/0711/The_quiet_teachers_union_campaign.html (on file with the Harvard Law School Library); see generally Tom Crean, *Save Our Schools: The Fight to Defeat the Corporate Attack on Education*, SOCIALIST ALTERNATIVE, <http://www.socialistalternative.org/publications/education/> (on file with the Harvard Law School Library).

⁸³ See Rick Hess, *Professor Pallas’ Inept, Irresponsible Attack on DCPS*, EDUC. WK. BLOG (Aug. 2, 2011, 9:22 AM), http://blogs.edweek.org/edweek/rick_hess_straight_up/2010/08/professor_pallass_inept_irresponsible_attack_on_dcps.html (on file with the Harvard Law School Library).

⁸⁴ See Chester E. Finn, Op-Ed., *Don’t Ditch Testing After Atlanta Cheating, Boost Test Security*, CNN OPINION (July 13, 2011), <http://www.cnn.com/2011/OPINION/07/13/finn.atlanta.schools/index.html> (on file with the Harvard Law School Library) (addressing the “red herring arguments” and proposing that tests and students are not to blame).

Student assessments represent the most objective measure of student achievement growth in a classroom and across a school system. Some have asked me personally why we cannot just use the outputs to measure success, such as graduation and dropout rates. While those are useful as part of a whole picture, we need assessments that can be used while there is still time to change course, and a well-designed “value-added” measure provides reliable evidence that can be used in tandem with other measures to track progress.⁸⁵

I recognize, as Richard Rothstein states, that “standardized tests do not measure many non-academic, or non-cognitive, skills we want young people to gain from education.”⁸⁶ I also hear the concerns about “teaching to the test.” While tests will never be perfect, if a test can provide information about whether a child can read, write, do math, etc., on grade level, it can be used to drive more effective instruction. We need this information to better leverage our resources toward school and instructional improvement. When the test is good, “teaching to the test” amounts to no more than giving children the literacy and math skills they need at each level.⁸⁷ As a result, we need to be working constantly to improve the quality of the assessments we use. Fundamentally, great teachers use creative and instructionally sound approaches to teach the skills and content that will be measured on the test. But the data we get from these tests provides a good indication of great teaching.⁸⁸

While we were proud in D.C. of the growth measured from 2007–2010, successes in increasing teacher accountability and student achievement were about *much more than* test results. Rather than denying the “social dimensions” of teaching (planning, mentorship, teamwork), the D.C. value-added system employs them, aligning professional development to observation outcomes in the classroom and including important measures such as school engagement and school-wide outcomes.

Fortunately, the truth is much more interesting and nuanced. One of our first priorities in D.C. was to require that all students had access to art, music, PE, and counselors or psychologists.⁸⁹ This may sound like common

⁸⁵ See generally Raj Chetty et al., *The Long-Term Impacts of Teachers: Teacher Value-Added and Student Outcomes in Adulthood* (Nat'l Bureau of Econ. Research, Working Paper No. 17699, 2011), available at http://obs.rc.fas.harvard.edu/chetty/value_added.html (on file with the Harvard Law School Library).

⁸⁶ Rothstein, *supra* note 41, at 85.

⁸⁷ E.g., Walt Gardner, *Good Teachers Teach to the Test*, CHRISTIAN SCI. MONITOR, Apr. 17, 2008, at 9; Julian Nagler, *Teaching to the Test?*, STUDENTS FIRST (May 6, 2011), <http://www.studentsfirst.org/blog/entry/teaching-to-the-test/> (on file with the Harvard Law School Library).

⁸⁸ See BILL & MELINDA GATES FOUND., LEARNING ABOUT TEACHING: INITIAL FINDINGS FROM THE MEASURES OF EFFECTIVE TEACHING PROJECT 4 (2010) (“[T]he teachers with the highest value-added scores on state tests *also* tend to help students understand math concepts or demonstrate reading comprehension through writing.”).

⁸⁹ See Bill Turque, *Art Plan Could Cause Funding Gap, Study Says*, WASH. POST, July 23, 2008, at B01.

sense, but it was not the situation we saw coming in, especially in lower-income communities. We had to change the entire school budgeting structure,⁹⁰ and it caused significant pushback to prioritize the arts, PE, and counseling services. But the social supports were needed to better allow teachers to focus on instruction, and we valued the role of the arts and PE in education for all children, as well as the interplay of the arts with advancing achievement in other subjects.⁹¹ As a result of this work, D.C. was “able to ensure that every school had a gym, art and music teacher, a librarian, a nurse and a counselor or social worker.”⁹²

Education cannot be boiled down to standardized tests alone, but in no way does this mean measures of student achievement are not important. Student achievement must be measured when assessing educational success. Ever-improving, standardized tests should be part of comprehensive assessments used to track progress and better direct our resources to benefit children.

V. SHOULD CHARTER SCHOOLS AND SCHOOL CHOICE PLAY A ROLE IN IMPROVING PUBLIC EDUCATION?

The debate on school choice—whether all parents should have a choice in the school their child attends (through public charter school options or vouchers for private schools), or whether they should collectively demand an overhaul of a failing school—is contentious in the United States. Some consider vouchers a panacea in that they give parents funds to help pay for a private school, while others argue that any form of school choice would devastate public instruction by starving it of needed resources. Clearly, neither has happened. But there remains considerable debate about whether a well-regulated approach to choice should be an important part of school reform.

⁹⁰ See Testimony of Michelle Rhee to the Council of the District of Columbia (Oct. 30, 2008) [hereinafter Rhee Testimony], available at <http://dcps.dc.gov/DCPS/About+DCPS/Chancellor%E2%80%99s+Corner/Public+Testimony+by+Chancellor+and+DCPS+Leadership+Team/October+30,+2008+Testimony+of+Michelle+Rhee,+Chancellor> (on file with the Harvard Law School Library).

⁹¹ See *Arts and Academic Achievement*, AMERICANS FOR THE ARTS, http://www.artsusa.org/information_services/arts_education_community/resource_center_001.asp (last visited Dec. 3, 2011) (on file with the Harvard Law School Library).

⁹² Michelle Rhee, *Why I'm Proud of Student Achievement in Washington, D.C. (and Why We Need National Reforms)*, HUFFINGTON POST (April 13, 2011, 10:38 AM), http://www.huffingtonpost.com/michelle-rhee/why-im-proud-of-student-a_b_848560.html (on file with the Harvard Law School Library).

A. *No Parent Should Have to Send His or Her Child to a Failing School.*

I view this issue as a parent. In D.C., my two girls were zoned to a high-performing school in the DCPS. As chancellor, I was meeting and emailing with parents across the system about the schools their children were zoned to, with most of them producing dismal results for kids. But as a mom, even with all the criticism I have heard of parents in urban neighborhoods, in all my conversations with other parents, I have never met a parent who did not want exactly the same things for their children that I want for my own. Thousands of parents in D.C. were in a terrible position that I would not wish on any parent. With their children zoned to a failing school and without the funds to pay for private school, they had little recourse but to apply through a DCPS lottery. In this process, schools that have space after accommodating kids in their neighborhood boundaries can accept students from other parts of the city. Parents can apply to other schools through an “out-of-boundary” process. Those who are not chosen through the lottery often appealed directly to me for help. These parents did not care how far they would have to travel. Desperate to secure a solid future for their children, they were ready to make anything work if their children could attend a decent school. Conversations with parents in this situation were some of the most heartbreaking conversations I have ever had. This most basic parental desire for our kids—*not* the desire to preserve a system, not arguments pitting charters against traditional public schools—is what should drive the conversation about parent choice.

D.C. has a robust system of public charter schools. Again, these are not private schools or magnet schools, which can pre-select students based on performance or aptitude. Charters are public schools that operate independently of the school board or traditional system. The charter includes a unique vision for how they will advance student achievement, and a charter board must approve the school prior to operation.

Supporting public charter schools does not require winning the argument over whether traditional public schools or charter schools are “better” as a whole. There is simply too much variance among all public schools to make sweeping claims that are not helpful to the parent looking for the right school for their children. For example, a report by the Civil Rights Project states that the federal government is increasing pressure to support charter schools “based on the notion that charter schools are superior to traditional public schools.”⁹³ Yet this is not actually the reason to support charters. Studies that attempt to draw wide conclusions about charter vs. public schools are not what parents should use to decide where to send their chil-

⁹³ ERICA FRANKENBERG ET AL., CIVIL RIGHTS PROJECT, CHOICE WITHOUT EQUITY: CHARTER SCHOOL SEGREGATION AND THE NEED FOR CIVIL RIGHTS STANDARDS 4 (2010), available at <http://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/choice-without-equity-2009-report/frankenber-choices-without-equity-2010.pdf>.

dren to school. This is about allowing any excellent public school to thrive—especially in neighborhoods where poor and minority students need them. Yes, “charter schools attract a higher percentage of black students than traditional public schools, in part because they tend to be located in urban areas.”⁹⁴ What we should be looking at closely is whether the schools are excellent or not. If they are, it makes sense that they should exist in neighborhoods to offer a high quality education to poor and minority students. If we focus on allowing excellence to thrive, families in the area, regardless of race, will want to send their children there.

*B. Choice Through Charters Can Drive Traditional
Public School Reform.*

Successful charter schools can catalyze critical reforms in the traditional public school system, benefiting not just children in charters but in traditional public schools as well. In Washington, D.C., as mentioned earlier, the charter system actually helped drive reform for the traditional public school system, prompting mayoral control when many parents had fled the system for local charter schools. Outside Detroit is another example of competition prompting improvement in the traditional public school system: Sankofa Shule, a public African-centered charter school whose students are achieving at high levels. It is in Lansing, a neighborhood where, at best, five percent more students achieve “proficient” standardized test scores than in Detroit. But at Sankofa Shule, low-income African American children “are reading from two to four levels above grade level . . . doing algebra and calculus in grade schools . . . and outscored the state and district on the state accountability test”⁹⁵ The school’s strategies positively impacted the district. *Education Report* described the observations of Superintendent Cain of Sankofa Shule: “‘Before they never had enough money for all-day kindergarten,’ she said. ‘But when the charters started offering it, suddenly Lansing found the money for it. They started offering more art, more music, more phys-ed. They responded to the competition.’”⁹⁶

Allowing high-quality public charter schools to proliferate can move us closer to a system in which parents are fully informed and capable of voting with their feet despite residential limitation. With this leverage, several charter schools have experienced great success, showing exemplary student achievement in New York City, Lansing, Michigan, Washington, D.C., and across the United States in the Knowledge Is Power Program (KIPP) academies. According to the Educational Policy Institute, KIPP’s student-centered approach has achieved “well above normal growth rates in reading, lan-

⁹⁴ *Id.*

⁹⁵ Lisa Delpit, *Lessons From Teachers, in CITY KIDS, CITY SCHOOLS: MORE REPORTS FROM THE FRONT ROW* 168, 170 (William Ayers et al. eds., 2008).

⁹⁶ Maxine Hankins Cain, “*You Have to Be a One-Woman Army*,” MICH. EDUC. REP., Summer 2006, at 6, available at <http://www.educationreport.org/archives/2006/mer2006-02.pdf>.

guage, and mathematics”⁹⁷ Not surprisingly, the charter’s leaders still have work to do to build on students’ high school success and extend that success through college and beyond.⁹⁸ But as one of the first schools to achieve levels of success far above what had previously been expected of schools in low-income urban neighborhoods, it makes sense that KIPP will be one of the first to face the obstacles that arise beyond that success, in college.

Another example of success is the Harlem Success Academy 1, spotlighted by former New York City Public Schools’ Chancellor Joel Klein in *The Atlantic*.⁹⁹ Like most other charters, the demographics there closely reflect those of the traditional public school. The results were astounding. Harlem Success boasted eighty-eight percent and ninety-five percent proficiency rates in reading and math respectively, and ninety percent of its students reached the highest level in science.¹⁰⁰ These statistics far surpass both the city (for example, just forty-three percent at the highest level in science) and “white students at more than 700 schools across the state.”¹⁰¹

C. Traditional Arguments Against Charters Are Not Strong Enough to Block Others From Replicating the Best of Them.

Charter schools that boast academic excellence are sometimes accused of recruiting the strongest, most invested students and families in the district. The argument goes like this: if charters have limited space and require parent permission, then only those students with motivated parents will register for charter schools; students with motivated parents are more likely to enter school with stronger vocabulary and exposure to reading. Those with stronger foundational skills are often stronger academically than their less prepared peers.¹⁰² However, a RAND study found that the student composition in charter schools was similar to that of the traditional public school counterpart.¹⁰³

Others argue that supporting charter schools equates to a desire to privatize education. First, charter schools are public schools. Second, such

⁹⁷ ADRIANE WILLIAMS & WATSON SCOTT SWAIL, EDUC. POLICY INST., Focus on Results, Aug. 2005, at 12, available at http://www.kipp.org/files/dmfile/FocusonResults_EPIKIPP.pdf.

⁹⁸ See Andrew J. Rotherham, *KIPP Schools: A Reform Triumph, or Disappointment?*, TIME (Apr. 27, 2011), <http://www.time.com/time/nation/article/0,8599,2067941,00.html> (on file with the Harvard Law School Library) (arguing that KIPP students are not making it through college at the same level of success they achieved in high school).

⁹⁹ Joel Klein, *Scenes From the Class Struggle*, ATLANTIC, June 2011, at 66, available at <http://www.theatlantic.com/magazine/archive/2011/06/the-failure-of-american-schools/8497/6/>.

¹⁰⁰ *Id.* at 73.

¹⁰¹ *Id.*

¹⁰² See Roland H. Good III et al., *The Importance and Decision-Making Utility of a Continuum of Fluency-Based Indicators of Foundational Reading Skills for Third-Grade High-Stakes Outcomes*, 5 SCI. STUDIES OF READING 3, 261–64, 274–85 (2001).

¹⁰³ See JENNIFER LI, RAND EDUC., ARE CHARTER SCHOOLS MAKING A DIFFERENCE?: A STUDY OF STUDENT OUTCOMES IN EIGHT STATES 2 (2009), available at http://www.rand.org/pubs/research_briefs/2009/RAND_RB9433.pdf.

arguments put the system first, not children or the parents that a school system is supposed to serve. When we look from the perspective of students and families, we should favor school choice, as fewer parents will have to send their children to failing schools if we increase the number of high-performing options, be they traditional public or public charter schools.

The data show and most can agree that charter schools, like traditional public schools, vary widely in their success.¹⁰⁴ But this is no reason to block a charter school movement that is producing successful schools for children otherwise forced to attend failing schools. Of course, charter systems also require accountability structures, including streamlined processes for closing underperforming charters. However, districts and leaders who make it difficult for charters to proliferate actively communicate to parents like those I met in D.C. that they must condemn their children to the failing public school in their neighborhood. What better way to ensure generational poverty continues than to aggregate children from low-income families in schools likely to continue that trend? Compulsory public education without choice substantially limits the freedom of parents in poverty and the future aspirations of their children, who deserve the same shot at the American Dream that all children do.

VI. IS MAYORAL AUTHORITY CRITICAL TO PUBLIC SCHOOL REFORM?

As mentioned previously, in 2007 the D.C. Council and Mayor Fenty implemented mayoral control of the D.C. Public Schools through the Public Education Reform Amendment Act. While most systems utilize a school board structure, systems in need of swift and comprehensive action benefit from mayoral control, in which the mayor is held accountable for results but given authority to effectively manage the system, making and implementing decisions without school board approval. The school board structure can be painfully slow, even when elected members agree on changes that need to occur. For children languishing in failing schools, the glacial pace even of a well-intentioned school board just isn't working.

This dynamic played out in D.C. even when the oversight body did not have the authority to block one of the mayor's or my decisions. For example, as chancellor I proposed to the D.C. Council, which oversees our budget, that we close twenty-three under-enrolled schools.¹⁰⁵ Closing schools is an emotional process for families and politically complicated for politicians, as few parents want to see their own children's school close. But for years, the system had been spending millions to maintain facilities that were under-enrolled.¹⁰⁶ The community had collectively agreed on an extensive engagement process conducted by the previous superintendent and out-

¹⁰⁴ *Id.*

¹⁰⁵ See Theola Labbé & David Nakamura, *D.C. School Closings List Is Revised*, WASH. POST, Feb. 2, 2008, at B01.

¹⁰⁶ See Rhee Testimony, *supra* note 90.

lined in his Master Education Plan (MEP). Councilmembers also verbally agreed that the system should close schools. In a private meeting with councilmembers, each voiced agreement that closing schools was the right thing to do. Then, councilmembers around the room insisted that we not close any schools in their own wards.¹⁰⁷ So even in a case in which everyone agreed on what was best for students, nobody was willing to do it when their own political necks were on the line. Only because of mayoral governance under a mayor willing to stand by the decision, was the city finally able to save millions in wasteful spending on under-enrolled buildings.

Mayoral authority also allows a mayor to leverage other city resources to improve the public schools. For example, in D.C. we were able to renovate long-neglected facilities that did not support student learning, working closely with the Office of Public Education Facilities Modernization, created by the mayor solely to renovate school facilities under leading architect Allen Lew. We also were able to work more closely with city agencies providing social and other services to students in our schools and with the city's Department of Health, which provided school nurses and other health education services to schools.

Moreover, parental involvement remains an essential component of a system under mayoral authority. In fact, parents exhibit greater confidence in the D.C. Public Schools under mayoral control than they did before 2007, based on surveys of parental satisfaction, and inferred from increased enrollment figures.¹⁰⁸ Mayoral authority allows school districts to do a better job of serving students and families. In a recent survey, a majority of parents rated D.C. public schools as "good" or "excellent" and over half approve of decisions made under the 2007–2010 administration.¹⁰⁹

Mayoral Authority Alone Is Not a Silver Bullet.

While the structure of mayoral authority allows for a faster pace of change, the structure alone is not enough. Without courageous leadership willing to make tough decisions and endure the pushback that comes with changes to put students first, mayoral control is not likely to be more effective than a school board structure. As I mentioned earlier, time after time Mayor Fenty stood by the tough decisions necessary to increase system efficiency and student achievement: whether closing schools, holding central office staff accountable for performance, making performance a factor in conducting lay-offs after a budget cut, or any of the other difficult changes we had to make from 2007–2010. I understand that not all cities are presented with such candidates when they vote. However, especially for struggling systems in need of mayoral control, this is where grassroots

¹⁰⁷ See *D.C. School Closings*, *supra* note 79.

¹⁰⁸ See Turque & Clement, *supra* note 13, at A01.

¹⁰⁹ *Id.*

movements are most effective. The democratic process depends on parents and other citizens to insist on mayoral control in struggling cities, and on mayors who will run the city and school system putting education and children first.

CONCLUSION

There has been unmistakable progress on the path to making America's public schools the great equalizer that Horace Mann wanted them to be. Schools across the country are demonstrating that public schools can provide an excellent education to every child, in every neighborhood. In districts such as D.C., Denver, and Memphis, there are robust new teacher evaluation systems that hold teachers to high standards for results in student achievement growth—giving teachers the feedback they need to improve and doing more to recognize and reward those great teachers who change lives every day. More states are introducing legislation to create them in the coming years as one by one, they are also ending LIFO policies to include performance in layoff decisions. More union leaders are acknowledging that we need to streamline the process of removing ineffective teachers from the classroom, and some teacher contracts are beginning to reflect that need. Mayoral governance is spreading, and in places like D.C. and New Orleans, robust charter school systems are modeling success serving the same demographic of students seen in their traditional public school counterparts.

Most importantly and in part due to the competing narratives about Washington, D.C., from 2007–2010, people are invested in a national conversation about what is best for children in our nation's public schools. As the founder of a grassroots organization for school reform, every day I hear from more Americans who are recognizing and acknowledging that, whether they have children or not, the state of our public schools impacts their lives and communities as well as the nation's economic stability.

Yet despite this progress, the promise to educate every child who attends an American public school remains unfulfilled. The reasons are complex, and too often they are focused on the privileges and priorities of adults rather than the needs of children. As a nation, we do not yet treat teachers like the professionals they are, recognize or reward them as we should, or insist on the high standards that the vast majority of teachers are capable of meeting and exceeding. We do not yet consistently attract and retain great teachers in our classrooms—right now, we cannot even ensure that every child has a good teacher. We are not even consistently defining what that looks like, measuring whether students are growing academically under their leadership, or giving teachers the tools to improve when they need help.

Some states empower parents with real choices through systems that support traditional public schools while also allowing public charter schools to proliferate. But many states and districts still limit parent choice by placing limits on the numbers of charters allowed per year or proposing large-

scale litigation to close down the charter schools that serve as beacons of hope in low-performing education deserts.

At StudentsFirst, over one million members strong as of December 2011, we challenge legislators, school districts, educators, and policymakers across the nation to recognize the connection between education and the economy, and to put students first in every strategy for city and school system reform. This idea is so basic on the surface that people are sometimes offended by the implication that they may not be putting students first. But in a country in which ZIP code and skin color still largely determine the outcomes of our children's futures, it is clear that while the idea may be simple, implementation is incredibly complex. If all of our policies in city planning and education reflected the StudentsFirst principle, we would know how well every teacher, principal, and school was driving student growth compared to other educators in similar positions. Students would graduate from American public schools with the skills and knowledge necessary to succeed at the college level. Poverty would not be increasing as it is now; rather schools would be acting as foundations for reversing generational poverty, building thriving communities safer from violence, and creating stronger economies that drive innovation and prosperity in future years. When all of this happens, we will stop waving red flags of concern, calling for urgency, and making people uncomfortable by insisting that we owe it to kids and ourselves to do a better job educating children in every school and neighborhood. We are not there yet.