

American Indian, Alaska Native, and Native Hawaiian Education in the Era of Standardization and NCLB — An Introduction

Teresa L. McCarty

Guest Editor

The No Child Left Behind (NCLB) Act of 2001 (Public Law 107-110) is intended to ameliorate persistent disparities in school achievement by making schools accountable for results. The legislation's premise is unassailable: Who would argue that schools should "leave children behind"? Yet NCLB has become one of the most problematic pieces of education legislation in our nation's history. In their examination of NCLB impacts in six states, researchers from the Harvard Civil Rights Project succinctly summarize those problems:

- unrealistic standards;
- unfair expectations;
- disproportionately negative impacts on high-poverty schools;
- lack of a mechanism to recruit and retain highly-qualified teachers in "underperforming" schools;
- rigidity of the enforcement process;
- emphasis on a narrow set of outcomes; and
- use of theories of education reform that do not work in practice. (Sunderman et al., 2005, p. xxxv)

"At its worst," these researchers conclude, NCLB's implementation "has been insensitive, uninformed, and sometimes arrogant or insulting to the people whose support is badly needed for success" (Sunderman et al., 2005, p. xxxv).

As we approach the reauthorization of NCLB, it is time to pause and take stock. How have NCLB and the standards movement been translated into practice in schools serving American Indian, Alaska Native, and Native Hawaiian students? How has the policy impacted these students and their teachers and schools? What are the implications of NCLB and the standards movement for tribal sovereignty and self-determination? What lessons can be learned from Native American experiences to inform the reauthorization process and advance a policy agenda framed by principles of equity and social justice? To address these questions, it is helpful to examine three aspects of the policy's

implementation: (1) who the policy targets — that is, its intended beneficiaries; (2) the types of programs and pedagogies the target population receives; and (3) the consequences of those programs and pedagogies for the target population.

Who Does NCLB Target?

NCLB's congressional statement of purpose describes its goal as meeting "the educational needs of low achieving children in our nation's highest-poverty schools, limited English proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance" (U.S. Commission on Civil Rights, 2004, p. 3). Thus, the "targets" are poor and working-class children, students of color, and those "in need." The policy explicitly does *not* target White, middle-class, mainstream students or children of the power elite.

What Programs and Pedagogies Does the Target Population Receive?

With respect to American Indian, Alaska Native, and Native Hawaiian students, NCLB's provisions are, on the surface, reasonable and attractive; Title VII ("Indian, Native Hawaiian, and Alaska Native Education") authorizes culturally related activities, early childhood and family education, enrichment programs, career preparation, and "activities that promote the incorporation of culturally responsive teaching and learning...into the educational program" (NCLB, 2002, Title VII, Sec. 7115 [b(1-11)]). In practice, these activities are highly constrained by a rigid and punitive accountability system that fails to consider improvements over previous performance, is blind to racial discrimination and attendant school funding inequities, and uses English standardized tests as the sole measure of proficiency. Research shows that high-stakes accountability measures such as those in NCLB lead schools to increase special education placements, preemptively retain students deemed at risk of test failure, and sideline "low stakes" subjects not covered on the test (Jacob, 2004; Nichols & Berliner, 2007; Roderick et al., 2002).

Among the "low stakes" subject matter to be sidelined are precisely those culturally related activities the law ostensibly endorses. This is partly because schools identified as "underperforming" are, by law, subscribed to Reading First, which, as Jon Reyhner and Denny Hurtado show in this special issue, requires time-intensive, highly scripted English phonics instruction. In a large-scale, five-year study of Native language shift and retention at seven schools with high American Indian enrollments, my colleagues and I documented this example of a lesson based on Reading First's approach:

Teacher: Flat books please. Flat books, girls. [All students open their books and lay them flat in front of them.]

Teacher: Now you look ready. Lana [student], what lesson are we starting?

Lana: 39.

Teacher: Okay, what color do I read?

Lana: Blue.

....

Teacher: Touch the first word in Column A. What word?

Students: Beach.

Teacher: Touch the word in Column B. Next word, what word?

Students: Bench.

This continues until the group gets to *sail*.

Teacher: What word, spell word.

Students: S-a-i-l.

Teacher: Next word.

Here the teacher has purposefully “tricked” students by not saying the phrase, “What word?” Students are not to respond until she asks, “What word?” (Romero-Little et al., 2007, pp. 613-614)

This highly qualified teacher later described lessons such as this as “not *real* teaching,” yet educators in so-called underperforming schools have little choice but to implement these NCLB “remedies” for low test scores. “The bottom line is test scores,” an educator at one of our project sites stated, echoing concerns expressed across sites in the study.

Thus, NCLB’s target population receives pedagogies guaranteed to keep them behind their more affluent, largely European-American peers, who *do* have the benefit of “real” reading, learning, and teaching. Jim Cummins (2007) refers to these scripted English reading approaches as “pedagogies for the poor.”

What Are the Consequences of These Programs and Pedagogies for Targeted Students and Schools?

In 2005, the National Indian Education Association conducted 11 regional hearings on NCLB impacts, garnering testimony from 120 witnesses (see Beaulieu, this issue). The purpose was to determine “what is working within NCLB and how to support [successful] programs” (Beaulieu, Sparks, & Alonzo, 2005, p. 1). In their *Preliminary Report on No Child Left Behind in Indian Country*, David Beaulieu and his associates note widespread concerns about the law, including its negative impacts on culturally based instruction, hyper-attention to standardized tests, inadequate funding, and threats to tribal sovereignty and educational choice (Beaulieu et al., 2005).

A growing body of research documents similar issues across a spectrum of school-community settings. A U.S. Commission on Civil Rights (USCCR) study found that NCLB’s high-stakes accountability sanctions and failure to address funding inequities widened the achievement gap in two large multiethnic school districts in the eastern U.S. (USCCR, 2004). Analyzing National Assessment of Education Progress (NAEP) scores, Nichols and Berliner (2007) found that the pressures associated with high-stakes tests lead teachers to break standardization procedures, increase drill, and spend inordinate amounts of time

teaching to the test; moreover, there is a negative correlation between test pressure and test-score gains (Nichols, Glass, & Berliner, 2006). Noting the cultural and linguistic biases of standardized tests, other researchers warn that the instruments used to measure student progress actually create the gap NCLB is intended to remediate and encourage English submersion for English language learners (English, 2003; Wiley & Wright, 2004; Wright, 2005). In the large-scale study of Native language shift and retention referenced above, my colleagues and I found that standardized test scores for Native students subjected to highly scripted remedial English instruction declined by as much as 50 percent over a three-year period (McCarty et al., 2007; McCarty & Romero-Little, 2005). As James Crawford, director of the Institute for Language Education Policy, points out, NCLB's high-stakes accountability system is "likely to do more harm than good for students who are now being left behind" (2004, p. 1; see also Cochran-Smith, 2005).

Contributions of This Special Issue to the NCLB Debate

The articles in this special issue add to the research on NCLB and standards-based reform by illuminating the impacts and implications of these policies for American Indian, Alaska Native, and Native Hawaiian learners, communities, and schools. We begin with David Beaulieu's account of the development of a national research agenda in American Indian/Alaska Native education in tandem with NCLB. From 1997 to 2001, Beaulieu oversaw the U.S. Office of Indian Education. Working with NIEA and a few congressional representatives, he was instrumental in preserving the 1972 Indian Education Act and in promoting President Clinton's 1998 Executive Order calling for a national Indian education research agenda. "The executive order years," Beaulieu reflects, "transformed Indian education at the federal level," more than doubling the program budget and adding new programs. With the ascendancy of the Bush administration, the policy shifted to one of "say the right thing and do the opposite," with NCLB abetting the removal of Native language and culture from schools and the return of federal Indian education policy to pre-Meriam Report years. However, recent hard-fought educational victories — including the institutionalization of Native-language immersion programs and the 2006 Esther Martinez Native American Languages Preservation Act — show the resiliency of Indigenous self-determination efforts despite federal back-peddling. Beaulieu's account is both auspicious and hopeful: The need for a national research agenda on the role of Native language and culture in Native education "seems more true now than ever," he concludes.

Beaulieu's auto-historical narrative is followed by an interpretive policy analysis by Teresa Winstead, Adrea Lawrence, Edward J. Brantmeier, and Christopher Frey, who position NCLB historically, legally, and socio-culturally. Pointing to tensions between NCLB, tribal sovereignty, and other federal legislation designed to protect and promote Native American languages (e.g., the Native American Languages Act), Winstead et al. trace the evolution of those

tensions, then show how they are manifested in the case of the Navajo Nation. NCLB sanctions, they emphasize, ignore the central role of schools in the Navajo economy and threaten to “push Navajo culture and language out of schools.” With the passage of the 2005 Navajo Sovereignty in Education Act (NSEA), the Navajo Nation presents a “test case” for top-down policies such as NCLB. A complex but promising new policy development, the impacts and enforceability of the NSEA remain to be seen.

Robert Patrick shows how these issues play out in real classrooms and schools. A former teacher at the pseudonymous Warrior Elementary, a public school within the Navajo Nation, Patrick documents educators’ efforts to meet adequate yearly progress (AYP) under NCLB. He shows how the school became a site of struggle in which educators both constructed and fought against an “unhealthy Native” image — “a reactionary, inherently prejudiced dialogue” — to explain their students’ academic failure. Although Warrior Elementary was able to make significant test score gains after implementing standards-based reforms, those gains came at the cost of culturally relevant pedagogy, allegations of test-administration fraud, and community alienation. This school’s experience, Patrick argues, highlights the need for culturally relevant curriculum, the training of non-Native teachers on the history of American Indian education, and the empowerment of Native educators and communities to exercise leadership in the schooling of their children.

This is followed by a suite of articles on the literacy-related aspects of NCLB. Jon Reyhner and Denny S. Hurtado introduce this theme in their examination of NCLB’s Reading First provisions. Noting that the “balanced approach” to reading instruction advocated by the congressionally mandated National Reading Panel (NRP) was scuttled in the law, Reyhner and Hurdado critique Reading First’s one-size-fits-all approach, citing its neglect of student motivation in literacy learning and calling for reading programs that develop students’ bilingual, biliterate proficiencies in the Native language and English.

In her interview study of 120 Native students, Linda Miller Cleary reinforces the importance of motivation and engagement in literacy learning. Native students in this study were motivated when (1) the literature they read included representations of themselves, (2) they chose what they wrote and read, (3) they were allowed to follow their own curiosity in research and writing, and (4) they had a real audience and purpose for their literacy projects that benefited their communities. Returning to the NRP Report, Cleary calls for “a Native literacy pedagogy that embraces intrinsic motivation, gives students ways to use their own voices toward personal fulfillment and communal well-being, and crosses the...two-way bridge between their own and the mainstream culture” with their purposes intact.

Sundy Watanabe extends the analysis of literacy issues to the post-secondary level, showing how standardized testing works against tribal efforts to place Native teachers in schools serving Native students. Drawing on Bourdieu’s notion of habitus and data from an American Indian teacher

preparation program, she unveils the cultural and linguistic biases inherent in the PRAXIS I test required for teacher licensure, and in writing assignments within mainstream teacher preparation courses. Watanabe maintains that despite NCLB's emphasis on preparing "highly qualified" teachers, "the way this term is defined and enacted in the case of Indigenous educators can actually work to 'drive out' those who might be our 'strongest' and 'most creative' teachers."

The issue concludes with David R. Garcia's examination of state-level achievement data on American Indian students in Arizona public schools. Although American Indian students outpace other minority groups on post-NCLB achievement tests, they are not making sufficient progress to close the achievement gap with their White counterparts. Moreover, when a one-time test-score spike in conjunction with changes in the state assessment system is corrected, "the achievement rates of American Indian students drop precipitously," Garcia states. A reauthorized NCLB, he concludes, should allow states to measure academic progress rather than test arbitrarily defined proficiency levels, and should include locally developed indicators of accountability.

Next Steps: Toward a Fair, Equitable, and Culturally Responsive Education Policy

What can be learned from the articles in this special issue, and from the wider research on American Indian, Alaska Native, and Native Hawaiian education, to inform the reauthorization process? How can we use this knowledge to promote a fair, just, and equitable federal education policy in sync with Native cultural values and linguistic human rights?

We can begin by appreciating anew the distinct legal-political, social-cultural, and social-linguistic context in which education for American Indian, Alaska Native, and Native Hawaiian children operates. The articles by Beaulieu and Winstead, Lawrence, Brantmeier, and Frey provide an excellent foundation for this. Tribal sovereignty must be at the core of any education policy for Native Americans, and with tribal sovereignty comes the right of choice — not choice in the narrow sense of "school choice," a policy that masks operations of race, social class, language, and power — but rather choice rooted in the linked domains of individual and communal self-determination (Lomawaima & McCarty, 2006, p. 9).

From this premise flow other principles to guide the reauthorization process. Holding schools accountable for providing a high-quality, healthy, and uplifting education to all students is a noble goal and a welcome change from past colonial schooling practices (Beaulieu et al., 2005). Yet we must ask, "Accountable to what or to whom?" As Robert Patrick's study graphically attests, Native parents and communities must be at the center of school accountability and reform. Further, federal education policy should provide what Crawford (2007) calls "*authentic accountability*," a coordinated plan that is —

1. *flexible and inclusive*, leaving day-to-day pedagogical decisions to educators, in consultation with parents and other stakeholders, based on local expertise and needs;
2. *constructive*, helping schools improve through technical assistance rather than public shaming, and providing incentives rather than sanctions to recruit and retain good teachers in schools that are trying hard to improve;
3. *accurate and valid*, using multiple measures and alternative assessments, including locally developed indicators (see Garcia, this issue);
4. *reasonable*, evaluating schools based on academic growth rather than arbitrary proficiency levels, and over sufficient time to achieve long-range goals (see Garcia, this issue and Reyhner & Hurtado, this issue);
5. *balanced*, considering not only “outputs” (i.e., test scores) but also the quality of “inputs” (i.e., “real” teaching and learning);
6. *equitable*, tailoring accountability to the unique characteristics and needs of diverse learners; and
7. *broadly and deeply informed*, basing pedagogical change on a wide array of sound research, including qualitative as well as quantitative designs (Crawford, 2007; Sunderman et al., 2005).

These principles are echoed throughout the articles in this special issue. To these recommendations it is important to add the need for *specific, enforceable provisions in the law to support the teaching of Native languages and cultural content*. As Beaulieu’s article (this issue) cautions, it is essential that such provisions not be muted or circumvented by other sections or sanctions in the law. Reyhner and Hurtado also call for more research on literacy learning specifically addressing American Indians, Alaska Natives, and Native Hawaiians (Cleary’s imperative of “getting literacy instruction ‘right’”), and for full funding — a particular need in rural reservation schools. Finally, as Watanabe urges, we must continue to confront and challenge the standardization juggernaut — a policy that history shows not only to be detrimental to Indigenous learners, but to undermine equality of educational opportunity for all.

Teresa L. McCarty is the Alice Wiley Snell Professor of Education Policy Studies at Arizona State University. She has worked in the field of American Indian/Indigenous education for more than 25 years. Her recent books include *A Place To Be Navajo — Rough Rock and the Struggle for Self-Determination in Indigenous Schooling* (Erlbaum, 2002), and *“To Remain an Indian:” Lessons in Democracy from a Century of Native American Education* (with K. T. Lomawaima; Teachers College Press, 2006).

Acknowledgements

I thank Dr. David Beaulieu for extending the invitation to guest-edit this special issue and for offering sage advice to the authors and me to enhance the final publication. His vision and policy activism on behalf of Native American education and languages offer an exemplar for us all. I also thank Dr. Denis Viri, who was instrumental in bringing this special issue to fruition. Without his dedicated efforts over many years, *JAIE* would not be the high-quality journal it is today. I am grateful to two scholars who, despite “extreme” schedules, stepped up to serve as senior consulting reviewers for the special issue: Dr. Dorothy Aguilera, Assistant Professor of Educational Leadership at Lewis and Clark College, and Dr. Bryan Brayboy, currently Presidential Professor at the University of Alaska Fairbanks and incoming Borderlands Associate Professor of Educational Leadership and Policy Studies at Arizona State University (ASU). From their vantage points at the time, in South America and Alaska respectively, they provided thoughtful editorial insights that greatly strengthened this special issue. Many scholars responded to the Call for Papers for this issue, and although we could not publish them all, we are heartened by the widespread interest in the topic and the important work under way on these policy matters throughout Native America. To each of the authors whose work is published here, many thanks for your conscientious and timely responses to feedback, and for your substantive contributions. A special thanks to Larisa Warhol, doctoral candidate in Educational Leadership and Policy Studies at ASU, who expertly took care of countless tasks so that I could devote time to this editorial project. Finally, I extend my deep appreciation to Alice Wiley (Dinky) Snell, whose faith in this work is matched by her ongoing concrete support. ‘Ahéhee’.

References

- Beaulieu, D., Sparks, L., & Alonzo, M. (2005). *Preliminary report on No Child Left Behind in Indian Country*. Washington, DC: National Indian Education Association.
- Cochran-Smith, M. (2005). No Child Left Behind: 3 years and counting. *Journal of Teacher Education*, 56(2), 99-103.
- Crawford, J. (2004). *No Child Left Behind: Misguided approach to school accountability for English language learners*. Washington, DC: National Association for Bilingual Education.
- Crawford, J. (2007). No Child Left Behind: Blessing or curse for English language learners? Presentation at the Mini-Conference on NCLB, Arizona State University, Tempe, October 6. Retrieved October 23, 2007 from <http://www.eladvocates.org>
- Cummins, J. (2007). Pedagogies for the poor? Re-aligning reading instruction for low-income students with scientifically-based reading research. *Educational Researcher*, 36(9), 564-572.
- English, F. W. (2003). Unintended consequences of No Child Left Behind. *The Carolina Slate*, Winter, 2.
- Jacob, B. A. (2004). Accountability, incentives and behavior: The impact of high-stakes testing in the Chicago Public Schools. NBER Working Paper No. 8968. Retrieved August 23, 2005 from <http://www.nber.org/papers/w8968.pdf>
- Lomawaima, K. T., & McCarty, T. L. (2006). *“To remain an Indian”: Lessons in democracy from a century of Native American education*. New York: Teachers College Press.
- McCarty, T. L., Romero-Little, M. E., Warhol, L., & Zepeda, O. (2007). *Native Language Shift and Retention Study final report*. Grant No. R305T030007. Report submitted to the U.S. Department of Education, Institute of Education Sciences, Washington, DC (October 15).

- McCarty, T. L., & Romero-Little, M. E. (2005). Accountable to whom? NCLB, English-only, and Native American learners. Paper presented at the Annual Meeting of the American Educational Research Association, Montréal, Québec, April 12.
- Nichols, S. L., & Berliner, D. C. (2007). *Collateral damage: How high-stakes testing corrupts America's schools*. Cambridge, MA: Harvard University Press.
- Nichols, S. L., Glass, G., & Berliner, D. C. (2006). High-stakes testing and student achievement: Does accountability pressure increase student learning? *Education Policy Analysis Archives*, 14(1), 1-172. Retrieved February 1, 2006 from <http://epaa.asu.edu>
- No Child Left Behind (NCLB) Act (2002). *No Child Left Behind Act of 2001* (Public Law 107-110, January 8, 2002). *Title VII: Indian, Native Hawaiian, and Alaska Native education*. Washington, DC: U.S. Department of Education.
- Roderick, M., Jacob, B. A., & Bryk, A. S. (2002). The impact of high-stakes testing in Chicago on student achievement in promotional gate grades. *Educational Evaluation and Policy Analysis*, 24(4), 333-357.
- Romero-Little, M. E., McCarty, T. L., Warhol, L., & Zepeda, O. (2007). Language policies in practice: Preliminary findings from a large-scale study of Native American language shift. *TESOL Quarterly*, 41(3), 607-618.
- Sunderman, G. L., Kim, J. S., & Orfield, G. (2005). *NCLB meets school realities: Lessons from the field*. Thousand Oaks, CA: Corwin Press.
- U.S. Commission on Civil Rights (2004). *Closing the achievement gap: The impact of standards-based education reform on student performance*. Draft report for commissioners' review, July 2. Washington, DC: U.S. Commission on Civil Rights, Office of the General Counsel.
- Wiley, T. G., & Wright, W. E. (2004). Against the undertow: Language-minority education policy and politics in the "age of accountability." *Educational Policy*, 18(1), 142-168.
- Wright, W. E. (2005). Evolution of federal policy and implications of No Child left Behind for language minority students. Tempe: Arizona State University Language Policy Research Unit, Education Policy Studies Laboratory. Retrieved October 1, 2007 from <http://edpolicylab.org>