

**USCMA Resolution on  
Public Law 107-110 No Child Left Behind Act of 2001 (NCLB: Nickel-B)  
2010 USCMA Annual Meeting  
Albuquerque, New Mexico**

**Resolution:**

Using the lens of the Gospels and the Catholic Social Teachings, USCMA calls for the restructuring of the current enacted legislation, Public Law 107-110, No Child Left Behind, to bring justice and improved equitable education to the Title-1 and inner-city schools.

**Rationale:**

The current Public Law 107-110 was enacted in 2001. While we acknowledge the intention that each child is given the best education possible, the experience of the past nine years shows that the law has inconsistencies affecting minority groups and those who are in the Title-1 and inner city schools.

The scholastic goals set by the law do not take into account students with learning disabilities, special needs students, students whose native language is not English, those who are homeless and lacking in any societal advantage, and the basic daily survival struggles that are common to the poor. In the effort to be equal, requiring all students to be proficient in reading and mathematics by 2014 (Sec 1001 (3) & (4)), it did not foresee negative consequences pertaining to race and social status.

In most instances, families within the economically poorer communities are obligated to have two jobs to make ends meet and, in some, two jobs per person. There are some households that have two or three families living under the same roof who schedule shift work so that the beds are shared in shifts. These and other necessary lifestyle, social and economic structures make it impossible for the children of these households to receive adequate parental support in achieving their education or to advance in learning. In comparison, those in the suburbs where the economic standing is more stable, children do receive adequate support.

Under the NCLB Act, if the school does not meet the annual goals of proficiency, the principal and/or teachers can be terminated and the school may lose its federal funds and grants. The funds then become available to the suburban schools. The schools, which are typically Title-1 and inner city, and whose student body has high percentage of Hispanic and African American population, are at a losing end.

This gives rise to charter schools (Sec. 1116 (a)(8)(B)(i) p.1485) through the choice option of the law (Sec. 1116 (b)(1)(E) p.1479) . These schools would take the "better to best" of the students. This could lead to the regular public Title-1 and inner-city schools enrolling a disproportionate share of students who are classified as English-language learners and students with learning disabilities. They would be enrolling kids from the most troubled home circumstances, the ones with the worst attendance records, and the lowest grades. The cycle would be a downward spiral.

Another unintended consequence of NCLB is the shrinkage of time available for teaching. In urban schools, where there are many low-performing students, and typically Title-1 and inner-city schools, drilling and practicing to meet the testing objectives have become the norm. These practices have become a significant part of the daily schedule and routine. Also, time required for testing has become a major portion of the school year. Instruction has given way to intensive test preparation. Because of the difficulties inherent in Title-1 or inner-city schools, the schools are teaching to the test. However, to date, there is no substantial body of evidence that demonstrates that low-performing schools can be turned around by any of the remedies prescribed in the law.

Within urban communities, on average, the poor are African American and of different Hispanic heritage living in inner-cities while the middle class and wealthy live in the suburbs. The history of the legislation and its implementation has shown that the Title-1 and inner-city schools are the schools who have received disciplinary action. It is an unrealistic goal to put the entire burden of education upon the teachers, when the very systemic nature of education requires parental support.

**Suggested Action:**

1. Let Congress and Senate know that you do not support the current law by contacting:
  - A. Your Congressmen or Congresswomen, [www.house.gov/member\\_info/index.html](http://www.house.gov/member_info/index.html)
  - B. Your Senators [www.senate.gov/general/contactinformation/senate\\_cfm.cfm](http://www.senate.gov/general/contactinformation/senate_cfm.cfm).
2. Campaign with your circle of family and friends to do the same.

To read the law in its entirety, go to: <http://www.gpo.gov/fdsys/pkg/PLAW-107publ110/content-detail.html>