

The Origins, Evolution, and Effects of Test Based Accountability: North Carolina and the Nation, 1976-2009

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Abstract

This paper examines the origins, development, and effects of test based accountability between 1976 and 2009. Using evidence from North Carolina and other southern states to illuminate broader national developments, the paper focuses on three overlapping waves of test based accountability that began in southern states in the 1970s and spread throughout the United States in the decades that followed: 1) the minimum competency movement of the late 1970s and early 1980s, 2) the raising of high school graduation requirements and the implementation of more rigorous high school exit exams in the 1980s and 1990s, and 3) the adoption of more comprehensive and coercive forms of high stakes testing in elementary as well as secondary schools during the 1990s. These waves of accountability replaced a civil rights agenda that promoted opportunity with an accountability agenda that placed responsibility for educational outcomes on students, teachers, and schools. The history of accountability in North Carolina and other southern states illustrates how NCLB evolved out of and derived from policies that were first established by southern states as the courts forced educational authorities to dismantle dual systems in the 1970s. I argue that during the last quarter of the twentieth century test based accountability has served as a politically expedient and palatable alternative to addressing the discrimination that persisted in schools and the task of providing all students, especially African American students, with equal educational opportunities. The proponents of test based accountability, including African American leaders who began to endorse these policies in the 1980s, have argued that test based accountability would close achievement gaps. However, evidence from tests administered in North Carolina since 1980 show that test based accountability has done little to promote racial equality in educational achievement.

“When reforms aim at basic institutional changes or the eradication of deep social injustices,” David B. Tyack and Larry Cuban argue, “the appropriate time period for evaluation may be a generation or more” (1995, p. 7). Although there is a vast and highly contested literature on accountability, we need to know more about the history of accountability: why systems of test based accountability were established, how they evolved over time, and the extent to which these regimes have promoted equality in education. Beginning in the late 1970s, North Carolina established one of the most the most durable systems of test based accountability in the nation. This system was created as schools were comprehensively desegregated, and in the last three decades, state authorities have consistently argued that test based accountability would benefit African Americans. For almost thirty years, North Carolina has been practicing what many policy makers and political leaders contend will close racial achievement gaps: annually testing students in the elementary schools, requiring students to pass high school exit exams, and using sanctions to spur students and educators to raise test scores. North Carolina’s accountability system has been widely praised by academics, advocacy groups, and civil rights organizations (Grissmer & Flanagan 1998; Manna, 2006; Darling-Hammond, 2010; The Education Trust, 2001; Olson, 2006). Thernstrom and Thernstrom contend that “North Carolina leads the nation in the intensity of its concern about achievement gaps” (2003, p. 234).

This paper presents a narrative history of accountability in North Carolina between 1976 and 2009 and offers longitudinal evidence from tests administered in the state since 1980. Using developments in North Carolina and other southern states to illuminate broader national trends, I examine three overlapping waves of accountability: the minimum competency movement of the late 1970s and early 1980s, the standards based reforms of the 1980s, and the more

comprehensive and coercive forms of testing in elementary and secondary schools that were institutionalized during the 1990s.

I argue that generations of moderate southern politicians in North Carolina and the nation turned to test based accountability as a politically expedient and palpable alternative to the task of making educational opportunities available to all students on equal terms as the Court ordered in *Brown*. Beginning in the 1970s, a generation of moderate New South governors built bipartisan and bi-racial coalitions that turned educational policy away from a civil rights agenda that promoted opportunity and sought to promote racial equality through systems of test based accountability that held students, teachers, and schools responsible for results. Seeing testing as a way of improving education and promoting economic growth without confronting the structural barriers to opportunity, these political leaders crafted a new, durable, and increasingly national discourse in education that emphasized accountability and achievement rather than access and opportunity. Although African American activists challenged minimum competency testing programs, the courts upheld the constitutionality of these assessments as an effective remedy for generations of state-sponsored discrimination. During the 1980s, as states raised high school graduation requirements and aligned standards with new end-of-course tests, civil rights organizations such as the NAACP and the Leadership Conference on Civil Rights endorsed accountability and closing racial gaps in educational achievement through standards based testing became an increasingly significant frontier in the struggle for racial equality. As schools resegregated and racial disparities within and between schools persisted, in the 1990s, moderate southern politicians ratcheted up the stakes attached to tests and began using sanctions to spur students and teachers in elementary and secondary schools to higher levels of achievement. Arguing that accountability would challenge the “soft bigotry of low expectations,” in 2001

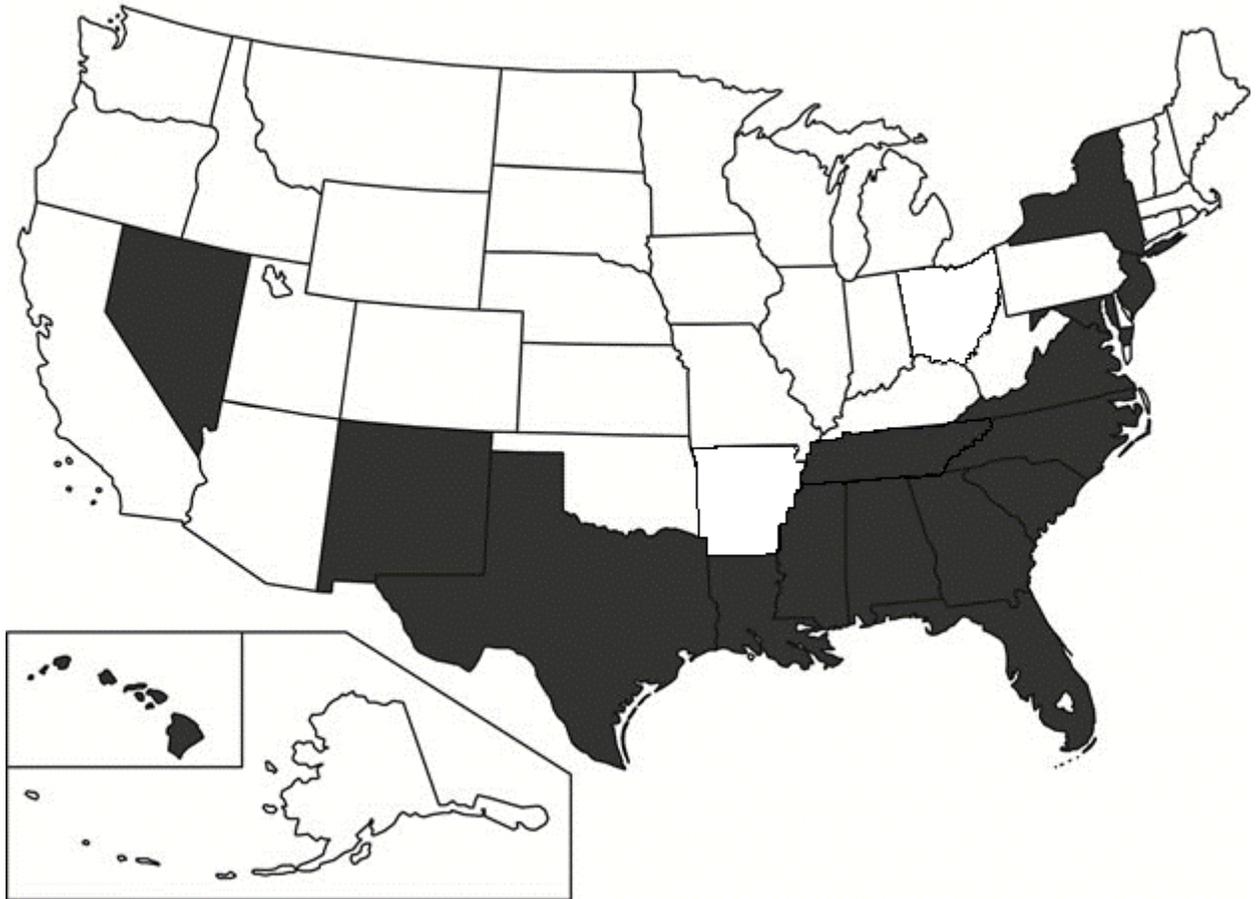
George W. Bush convinced large bipartisan majorities in the United States Congress to vote for No Child Left Behind, “an act to close the achievement gap” (Rudalevige, 2003, p. 34).

After examining the history of accountability in the first part of the paper, I present racially disaggregated test results from assessments administered in North Carolina since 1980. While state and national officials have since late 1970s argued that test based accountability would benefit blacks, longitudinal evidence from North Carolina shows that accountability has done little to close racial gaps in educational achievement.

II Minimum Competency Testing

The origins of modern accountability lie in the minimum competency movement of the 1970s and 1980s. In North Carolina and other southern states, MCTs were adopted as educational activists, the courts, and federal authorities forced school districts to dismantle dual school systems. Hoping to transcend what he called “the trauma of desegregation,” in 1977, North Carolina Governor James B. Hunt proposed that all students be required to pass a minimum competency test to receive a high school diploma (Hunt, 1982, p. 9). Capitalizing on the perception that the quality of education had declined, Hunt and other New South moderates built bi-racial coalitions that established high school minimum competency tests (MCTs) in every southern state by 1986 as Figure 1 shows.

Figure 1. States that Required State-Wide High School MCTs, 1976-1986.



Florida, 1976, New Jersey, 1976, North Carolina, 1977, Maryland, 1977, Nevada, 1977, New York, 1977, Virginia, 1978, Hawaii, 1978, Alabama, 1981, Tennessee, 1981, Mississippi, 1982, South Carolina, 1984, Texas, 1984, Georgia, 1985, Louisiana, 1986, New Mexico, 1986. John Robert Warren and Rachael B. Kulick, "Modeling Enactment of High School Exit Exam Policies," *Social Forces* 86, (2007), 216-217.

While moderate African American leaders supported MCTs as a way of making schools more responsive to the needs of black students, black activists waged political and legal campaigns that complicated implementation of competency programs. In rulings that shaped the future of

test based accountability in the United States, the courts upheld the constitutionality of MCTs ruling that competency programs and diploma sanctions were an effective remedy for the vestiges of state-sponsored discrimination that remained in schools.

Educational authorities resisted African American demands for access in the decade after Brown, but a rising tide of black protest and growing pressure from federal authorities forced comprehensive school desegregation. Drawing on a series of lower court rulings that endorsed new conceptions of desegregation crafted by the Department of Health Education and Welfare (HEW), in 1968, the Supreme Court instructed officials to eliminate racial discrimination “root and branch” and create not white schools or black schools but just schools (*Green*, 1968, pp. 437-8). A year later, Judge James B. McMillan ordered officials in Charlotte to fashion “affirmatively a school system as free as possible from the lasting effects of historical apartheid” (*Swann*, 1969, p. 1363). In 1971, the Supreme Court affirmed McMillan’s decision in *Swann v. Charlotte Mecklenburg*, sanctioning the use of busing to eradicate “the vestiges of state imposed segregation” (*Swann*, 1971, p. 26). The *Swann* decisions had an immediate and dramatic effect on education as courts ordered officials to comprehensively desegregate schools.

Rather than eliminating these vestiges, authorities implemented desegregation in ways that limited African American opportunity and reinforced racial inequality. In the decades after 1954, authorities waged a war against African American educators that, Michael Fultz argues, curtailed “African American progress, and maintained [white] power and privilege” (2004, p. 42). The dismissal, demotion, and displacement of black educators left African American students without advocates who could students understand the prejudice and hostility they faced in desegregated schools. New forms of white dominance were also maintained by discriminatory

disciplinary policies. During the disturbances that disrupted desegregation, African Americans in North Carolina and the nation were suspended and expelled at rates nearly double their percentage in the student population. As schools desegregated, testing and tracking intensified. “The movement toward integration had barely begun,” Kathryn Tyson argues, “before it was interrupted” through the use of racialized systems of tracking that segregated students (2011, p. 10, 13). The absence of “uniform procedures” for identifying students with special needs led to the arbitrary and disproportionate assignment of black students to “slow learning tracks from which they rarely escape” (NAACP report, 1978). Julius Chambers, who represented the plaintiffs in *Swann*, charged that in Charlotte as elsewhere black students were “relegated to segregated status” within desegregated schools (U.S. Senate, 1971, p.5433). During the 1970s, Chambers and other activists continued to contest and challenge the discrimination that pervaded schools and society.

It was in this context, a context so absent from most studies of the origins of accountability, that James B. Hunt came to prominence as a leader in the movement to institutionalize MCTs. Hunt was part of a generation of moderate New South politicians - Jimmy Carter, Reuben Askew, Linwood Holton, Lamar Alexander, Bill Clinton, Robert Graham and Richard Riley - who turned to accountability as a politically expedient way of shifting the discourse away from concerns about opportunity and discrimination and forging a new durable consensus about the need for greater student accountability in schools.

The implementation of MCTs in North Carolina illustrates the broader regional and national debates that emerged as state officials sought to establish standards of performance required for a high school diploma. As governor, Hunt made accountability, not desegregation,

the central concern of state educational policy. While recognizing the legitimacy of racial equality, Hunt carefully avoided being “too liberal” on racial issues. MCTs provided a way to talk about improving the quality of education without coming to terms with the legacies of educational apartheid and the racial discrimination that pervaded schools. While the National Assessment of Educational Progress tests showed that white and black students in the southeast were performing better academically than in the past, Hunt argued the schools had “failed to educate children in fundamental subjects” (Strengthening quality education). The publicity surrounding the decline of average Scholastic Aptitude Test scores, which fell from 980 in 1963 to 899 in 1977, shaped public perceptions and a narrative of decline. Hunt capitalized on these perceptions telling voters that “people have a right to get mad when our schools don’t teach” (Strengthening quality education).

While African American activists believed that MCTs would reinforce rather than remedy racial inequality, Hunt’s MCT proposal appealed to moderate appointed and elected African American leaders who believed that the tests would “provide relief for kids” who were neglected in desegregated schools (*Durham Morning Herald*, August 4, 1977). With the support of the state’s five African American legislators, the general assembly overwhelmingly passed a package of educational reforms that included annual testing in the elementary schools, and a minimum competency testing program “to assure that graduates of the public schools possess those skills and that knowledge necessary to function as members of society” (General assembly, 1977). The North Carolina statute explicitly held students - not teachers or schools - responsible for passing the test. David Burton, chair of the North Carolina State Board of Education, stated that African Americans would “benefit most from competency testing” (*Raleigh News and Observer*, August 4, 1978).

By 1978, competency testing had become one of the most contested issues in American education as President Carter and conservatives in Congress pushed for a national test of basic skills. Like Hunt and other southern moderates, Carter believed that holding students responsible for educational performance would motivate students. As president, Carter sought to establish what he called an “all inclusive and mandatory” national achievement test (2010, pp. 145, 72). When Representative Ronald Mottl, a conservative Democrat from Ohio who shared Carter’s opposition to busing, scheduled hearings on a bill to establish a national competency test, Carter told HEW secretary Joseph Califano to develop an administration proposal.

As Mottl’s proposal picked up support from conservatives Califano convened a series of conferences where educational experts warned that the capacity of testing did not match the complexity of problems competency programs were intended to solve. Harold Howe, the former HEW secretary, raised “the difficult question of whether the national mood for improving basic skills performance has hidden within it overtones of racism” (Remarks, 1978). Scholars at the National Academy of Education endorsed competency testing in the lower grades for diagnostic purposes, but warned that “any setting of statewide minimum competency standards for the awarding the high school diploma exceeds present measurement arts” (National Academy, 1978, pp. iv, 9). Expert opinion and Califano’s opposition dampened Carter ardor, and the president turned to the reauthorization of ESEA to encourage competency tests. The five-year \$50 billion reauthorization of ESEA in 1978 provided federal grants to support tests of “essential abilities,” and increased the capacity of state testing agencies to develop and administer MCTs (Congressional Quarterly, 1978, pp. 557,563).

As state officials implemented MCTs, African American activists in North Carolina, Florida, and Georgia challenged the constitutionality of these tests. The NAACP's Director of Education, Gerda Steele, declared that "desegregation or not, there is still a dual school system operating in North Carolina. We see the repeal of competency testing laws as necessary" (Steele to Alexander, October 19, 1978). African American activists argued that the denial of high school diplomas would penalize students for past inequities without placing "any burden on the [educational] system itself" (Joint committee minutes, March 16, 1977). Arguing that officials had failed to provide African Americans with the opportunity to learn skills needed to pass the MCT, black plaintiffs charged that MCTs carried forward the effects of past and present discrimination through tests that unconstitutionally denied disproportionate numbers of African Americans diplomas.

In Georgia and Florida, federal courts enjoined officials from enforcing diploma sanctions. Tattnall County, Georgia began requiring students to pass the California Achievement Test (CAT) in 1976, six years after comprehensive school desegregation. Most black students were segregated in low track classes where "less material" was taught. Finding "overwhelming evidence that the diploma requirement had a disparate impact on black students," the court prohibited officials from using CAT scores to deny diplomas until they could demonstrate that the tests "increased educational opportunities" in ways that overcame "the lingering effects of previous discrimination" (*Anderson*, 1981, pp. 486, 501, 503). During the 1970s, the court in Florida found, black students attended unequal schools where disparities in physical facilities, course offerings, and instructional materials limited access to knowledge and skills tested. After the schools were desegregated, discrimination persisted through "disparate busing schedules, lingering racial stereotypes, disproportionate terminations of black principals, and a high

incidence of suspensions.” Judge Robert Carr was troubled by the fact that students were suddenly required to pass a test “covering content that may not have [been] taught. Carr found that the past and present effects of “purposeful” segregation and discrimination caused disproportionate numbers of black students to fail the MCT. Punishing the victims of past discrimination for deficits created by an inferior educational environment,” he ruled, “neither constitutes a remedy nor creates better educational opportunities.” Carr’s 1979 decision in *Debra P. v. Turlington* prohibited officials from using test scores to deny diplomas until all students pursued their education in schools “without the taint of the dual system” (*Debra P.*, 1979, pp. 249, 252, 257, 265, 269).

Educational authorities removed the “taint of the dual system” by narrowing the curriculum, teaching to the test, and creating remedial programs that sharply increased African American pass rates on MCTs. W. James Popham who designed and helped defend Florida’s program believed that MCTs “systematically isolated student deficits in fundamental skills” and allowed teachers to correct those deficits in remedial programs (National institute, 1981, p. 13). In North Carolina, student who did not pass the test in the fall of their junior year were placed in remedial classes where, one educator noted, “the entire curriculum is based on the competency tests and the teaching of basic skills” (National institute, 1981, pp. 646, 839). Officials also argued that tests and diploma sanctions motivated students. James Gallagher, the chair of the testing commission in North Carolina stated that because of testing “attendance goes up, achievement goes up, and everybody seems to take the whole thing more seriously” (*Raleigh News and Observer*, August 8, 1978). State superintendent Craig Phillips declared that “crash remedial programs and greater motivation” produced dramatic gains in student performance (Rogers, 1981, p. 66). By May of 1980, the percentage of African Americans in North Carolina

passing the MCT increased from 30 percent in 1978 to 89 percent (Report of student performance, 1980, p. ii). In Florida, African American pass rates rose from 22 percent in 1979 to 90 percent in 1983 (*Debra P.*, 1979, pp. 248, 257; *Debra P.* 1984, p. 1415). Similar increases occurred in Georgia, Texas, Virginia and other states in the years after MCTs were introduced.

Eager to end judicial involvement in the resolution of the complex educational problems brought to the surface by desegregation, in the early 1980s the courts lifted injunctions on diploma sanctions and upheld the constitutionality of MCTs as a remedy for the legacies of state sponsored segregation and discrimination. In 1983, Judge Carr ruled that “educational opportunity” in Florida “had been equalized in a constitutional sense.” Finding that the state’s MCT was a “fair” assessment of what was taught in the public schools, Carr held that “the test was necessary to overcome whatever effects of past purposeful segregation remain in schools” (*Debra P.* 1983, pp. 188, 189). A year later the Eleventh Circuit Court of Appeals affirmed Carr’s decision. While the court acknowledged “discomfort over unfairness if discriminatory vestiges,” caused African American students to fail the test, the court ruled that the competency program and the diploma sanction remedied these vestiges by creating “objective standards” and “a climate of order” that motivated students and produced “remarkable improvement” in the percentage of black students who passed the MCT (*Debra P.*, 1984, pp. 1415-1416).

African American advocates continued to challenge MCTs, but courts in Texas, Louisiana, Kentucky, and other states, citing *Debra P.*, upheld the right of state officials to deny diplomas on the basis of test scores. As MCTs emerged as an alternative to court ordered desegregation remedies, holding individual students responsible for performance became what Koretz calls “a cornerstone of American educational policy,” and states began to develop new

more rigorous high school exit exams that were designed to move students from minimum competency to excellence (2008, pp. 56-57).

III Standards Based Accountability in the 1980s

During the second stage in the evolution of test based accountability, North Carolina and other southern states raised high school graduation requirements, developed detailed standards about what all students should know, and began administering end-of-course tests in core secondary school subjects. Scholars tend to attribute these reforms to the publication of *A Nation at Risk (ANAR)* in 1983, but as Jesse Rhodes argues, this report is “best seen in the context of a broader movement that both preceded and elaborated on it” (2012, p. 44). Rather than defining a new reform course in American education, *ANAR* resonated with, and accelerated, the turn to accountability that was already well underway in North Carolina and other southern states. By making Great Society programs and court ordered desegregation a cause of putative declines in student achievement and sluggish economic growth, *ANAR* supported test based reforms that continued to shift the educational discourse away from issues of desegregation and opportunity and emphasize the need for higher standards and more testing. As with the minimum competency movement, southern states were at the forefront of wave of reform. New South politicians, including Hunt, Lamar Alexander in Tennessee, Robert Graham in Florida, Richard Riley in South Carolina, and Bill Clinton in Arkansas argued that higher graduation requirements and the alignment of standards with new end-of-course tests would promote higher levels of achievement and insure that students were actually learning more. While civil rights organizations endorsed standards based accountability as a way of ensuring that all students were

taught a uniform curriculum, a spate of school finance litigation in the 1980s charged that states failed to provide all students with equal opportunities to learn.

Charged with “assessing the degree to which major social and educational changes in the last quarter century have affected student achievement,” *ANAR* argued that the achievement gains made after the Soviet Union launched Sputnik in 1957 had been “squandered.” Emphasizing “an unbroken decline” in SAT scores between 1963 and 1980, declining scores on international assessments, and increasing enrollment in remedial math courses in public colleges, the report claimed that “the educational skills” of the current generation of students “will not even approach those of their parents.” A significant cause of this calamitous collapse in achievement, were “multiple and conflicting demands” placed on schools by civil rights measures and court ordered desegregation. Using the schools to solve “social and political problems” the commissioner’s argued “exacted an educational cost” (National commission, 1983, pp. 2, 5, 7, 9, 11). University of Utah President, David P. Gardner, who chaired the commission, told *New York Times* reporter Tom Wicker that “the most serious problems arose from the greater inclusion of economically and socially deprived and minority members that tend to lower demands on all students” (*New York Times*, March 29, 1983). Enough attention had been devoted to equality of opportunity the report argued. Schools needed to focus on excellence if the nation was to compete in global markets.

To promote excellence, raise achievement, and increase productivity, *ANAR* urged state and local officials to raise high school and college graduation requirements and increase testing. Attempts to advance racial equality through the education led students, teachers, and administrators to lose sight of the “basic purposes of schooling.” During the 1960s and 1970s

educators created “a cafeteria style curriculum in which appetizers and desserts can easily be mistaken for main courses,” and as a result, the report claimed that the percentage of students enrolled in the general track that was neither academic nor vocational had grown from 12 percent in 1964 to 42 percent in 1979. Noting that “a significant movement” to raise high school graduation requirements “had already begun,” the report recommended that states adopt what it called the New Basics: a high school curriculum that required all students to complete four years on English, three years of math, science and social studies and two years of foreign language for the college bound. The report also urged states to stiffen college entrance requirements. While *ANAR* noted that “all regardless of race or class are entitled to a fair chance,” the report did not question or challenge the structural barriers to equality within schools, arguing that “the grouping of students should be guided by the academic progress of students and their instructional needs.” *ANAR* urged educators should create “new equally demanding” but tracked courses “for students who did not plan to continue their formal educational immediately.” The commission renewed calls for a nationwide (but not federal) system of state and local standardized tests administered “at major transition points from one level of schooling to another and particularly from high school to college.” Explicitly criticizing MCTs as falling “far short of what was needed,” the report recommended that all students be required to pass “rigorous exams before they received diplomas” (National commission, 1983, pp. 20, 22, 24, 30).

While the Commission affirmed the federal government’s role in “protecting the constitutional and civil rights” of students and teachers, when the report was released at a White House Ceremony in April of 1983, Ronald Reagan praised the commission’s “call for an end to federal intrusion” in education (National commission, 1983, pp. 32-33; *Chicago Tribune*, May 1, 1983). During the 1980 presidential campaign, Reagan pledged to “remove control of our

schools from the courts and the federal government and return it to local school boards where it belongs” (McAndrews, 2006, p. 167). He believed that Great Society Programs “encroached on local prerogatives” “wasted money,” and “made the schools worse” (McAndrews, 2006, p.122). In 1981, Reagan persuaded Congress to cut funding for the ESEA and devolve control over the allocation of ESEA funds to state and local authorities through block grants. The Education Consolidation and Improvement Act of 1981, (ECIA) which reauthorized ESEA, reduced federal aid to schools by \$1 billion or 15 percent and changed the name of Title 1 to Chapter 1 and consolidated 28 smaller programs into block grants called chapter 2. As Adam Nelson has shown, ECIA brought a “sudden retreat from federal efforts to promote compliance with civil rights statutes and desegregation guidelines and left it to states to address these problems” (2005, p. 226).

Reagan used *ANAR* to support his campaign to dismantle court ordered desegregation. Echoing the commission’s contention that the schools had been asked to do too much, Reagan argued that the enforcement of civil rights laws and court ordered desegregation “compromised the quality of learning in our classrooms” (*New York Times*, June 30, 1983). Court orders requiring schools to “correct long standing injustices in our society” such as racial segregation were directly related, Reagan asserted, to declining student achievement (*Washington Post*, June 30, 1983). What schools needed the President argued were a higher standards, more courses, and tougher standards for matriculation. In a campaign stop in Charlotte on the eve of the 1984 election, Reagan denounced busing because it made “innocent children pawns in a social experiment that nobody wants. And we’ve found out that it failed” (*Charlotte Observer*, October 9, 1984). Reagan’s Justice Department, Orfield and Eaton have shown “supported some of the school districts that the Justice Department had once sued for intentional segregation” (1996, p.

17). In 1985, the court's approved the return to segregated schools in Norfolk, Virginia a decision that Reagan officials called a model for other districts.

Like other southern governors, Hunt was "in sync with the Reagan administration on education," writes former aide and biographer Gary Pearce (2010, p. 144). During his eight years as governor, Hunt avoided civil rights issues in the North Carolina schools, and focused instead on testing, basic skills, and achievement accountability. Districts that were not under court order, especially those without combined city county systems, began to resegregate. In 1982, Hunt convened and chaired the Education Commission of the States Task Force on Education for Economic Growth which published *Action for Excellence* in 1983. The *New York Times* praised the report and Hunt for "enacting sweeping education reforms," in North Carolina "without expanding the budget by using standardized tests as key measures" (*New York Times*, November 13, 1983). A glowing profile in *Newsweek* suggested that "the Tar Heel State was leading the way back to quality education" (Tar Heel state, 1983). Echoing Reagan, Hunt declared that "the education discussion in America has been too long dominated by fairness issues." Hunt believed that "the weight of multiple tasks led schools to struggle and sometimes stumble. It is time to put learning first" (The North Carolina commission, 1984, p.10).

Putting learning first meant expecting more of students and raising the number of academic courses that were required to graduate from high school. During the 1980s, 42 states raised the number of courses students were required to complete to graduate from high school. In North Carolina the graduating class of 1987 was required to earn 20 credits including four in English, two in math, social studies, and science (History, 2010; National Center, 1985-1986, table 65). States also began to develop standards defining what all students should know and be

able to do. In 1985, the Department of Public Instruction published a “rigorous” state-wide course of study detailing the specific objectives for all required courses, and began developing test items for measuring competencies in all courses required for high school graduation. Political leaders in North Carolina and other states argued that additional course requirements and new end-of-course tests would enhance educational opportunities and benefit African Americans. James Martin, who became governor in 1985, argued that requiring students to master “a common core of knowledge will help ensure equality of education for every student” (Martin, 1985) The National Governors Association declared that new course requirements and more rigorous tests would raise the performance of all children (Jennings, p. 11).

By addressing one of the central arguments in legal challenges to MCTs - that tests required black students to demonstrate knowledge and skills that were not taught in schools – the reforms of the 1980s increased African American support for the standards based accountability. Although the NAACP called for a moratorium on minimum competency testing in 1978, by the 1980s, the association had begun to adopt “a more realistic” attitude toward testing. At a conference on legal strategy, some NAACP members argued that since tests are “here to stay time and effort would be better used to find ways to [help] African Americans successfully pass these barriers to entry. Until the tests are changed, we must help our youth prepare for them” (Report on NAACP strategy). In 1987, the NAACP expressed support for additional high school graduation requirements and achievement tests as a way of ensuring that all students had an opportunity to study a common curriculum. A 1987 report argued that all students should have “equal opportunities for developing test sophistication (coaching),” and recommended that test scores be “disaggregated” by race (Standards and Assessment, 1987, p. 7). A Coalition of African American advocates affiliated with the Citizens Committee on Civil Rights urged legal

reforms that would provide disadvantaged students with “a legal right to sue for access to a rigorous curriculum” (Rhodes, 2012, p. 51).

While the rhetoric of standards was appealing, higher graduation requirements did not challenge the historical and structural inequities in differentiated and unequal learning opportunities in schools. *ANAR* endorsed the practice of tracking that tended to reinforce and reproduce inequality. It was far easier to mandate additional coursework than ensure what was taught in new courses. While new graduation requirements required students to complete more academic courses and enrollment in these courses surged, Thomas Toch has shown that in North Carolina, Florida, and Texas there was “a proliferation of courses that treated academic courses with extreme superficiality. The vast majority of students were getting little more exposure to rigorous course work than they did previously” (1991, p. 102).

New graduation requirements did not alter the underrepresentation of African Americans in advanced classes and overrepresentation in lower level classes where curricula and instruction were generally weaker. At the elementary level, African American enrollment in gifted and talented programs in North Carolina declined even as total enrollment grew during the 1980s. Between 1978 and 1986, African Americans comprised 30 percent of the students in the North Carolina public schools. While black students comprised 12 percent of the students in gifted and talented programs in 1978, the percentage fell to 9.5 percent in 1980, 7.4 percent in 1984, and 6.9 percent in 1986 (Department of education, 1978-1986). Enrollment in these programs is significant because as Mickelson argues: “the effects of ability grouping and tracking are cumulative: young students who possess similar social backgrounds and cognitive abilities but who learn in different tracks become more and more academically dissimilar” (2003, p.7). Racial

disparities at the secondary level where compounded, Amy Stuart Wells notes, because in North Carolina as elsewhere, “even when prior achievement levels of white and black students were similar, white students were given more information about and easier access to the higher-level classes whether honors, accelerated or AP classes”(Wells, 2009, et.al, p. 99). By 1997, more than a decade after the higher graduation requirements took effect black students in Charlotte, the largest district in North Carolina, “were rarely found in the top tracks but were disproportionately present in the lower tracks” (Mickelson, 2001, pp. 232-33). These course taking patterns support Clune, White, & Patterson’s finding that higher graduation requirements failed to get students into more “rigorous courses,” produce a more “uniform curriculum,” or convey “higher-order thinking skills” (1989, p. 47).

Most African American students did not have an opportunity to learn the more advanced course material or the higher level skills that the new end-of-course tests sought to measure. In 1986 North Carolina began administering end-of-course tests in Algebra. State officials acknowledged “the student participation rate in Algebra I varies considerably. Students whose parents have less than a high school education and black students appear to be underrepresented in algebra I classes across the state,” and not all students, state officials acknowledged, had “the opportunity” to prepare for the test (Report of Student Performance, 1987, p. i; 1989, p.1). Given the lack of opportunity it is not surprising that in 1994, 23 percent of black students and 53 of whites earned proficient scores on the end-of course Algebra I test (North Carolina state testing results, 2010).

While raising graduation requirements did not necessarily increase most African American students’ opportunities to learn, new end-of-course assessments led teachers to devote

more time to teaching to the test to raise scores. By attaching tests to new ostensibly more demanding courses, politicians and policymakers limited the intended benefits of these reforms. As one study noted, end-of-course tests reinforced “the poor skills and rote instruction that motivated reform in the first place” (Consortium for Policy Research, 1994, p. 6). In North Carolina, officials were so concerned about “teaching to the test” that the 1988 Testing Code of Ethics explicitly stated that “the curriculum is not to be taught simply to raise test scores” (Sacks, 1999, p. 123). Yet, 1989 legislation mandating the publication of an annual report card to measure progress in raising student achievement, heightened pressure on teachers to reduce the curriculum to what was tested (School Improvement and Accountability Act, 1989). One study of teacher attitudes in North Carolina found that most teachers did not think “testing was an effective means of reform,” because as one teacher noted, “now all that is taught is the test. It [testing] has not helped with thinking skills” (Corbett, 1991, pp. 92, 94). “The effects” of these practices Linda Darling-Hammond argues, “are worst for those who most need improved educational programs. Those who start out ‘behind’ receive the most drill on skills, and the least exposure to real books, ideas, and writing that might ultimately close skills gaps” (1985, p. 44).

While the standards based reforms were coached in egalitarian rhetoric, officials in North Carolina and other states vigorously resisted equity and adequacy litigation that sought to provide all students with equal opportunities to learn. Advocates argued that North Carolina required “a uniform level of performance without providing a uniform level of resources. We think the issue of equality in resources should be addressed before the state demands equal performance” (Senate minutes, 1985). In 1985, the state enacted an ambitious Basic Education Plan (BEP) that established standards of performance for grade-to-grade promotion. The BEP placed caps on class sizes, student/teacher ratios, and committed the state to pay for construction

and operating costs in an effort to reduce sharp inequities between high wealth urban counties and low wealth counties with large African American populations. Between 1985 and 1987, the plan increased funding for education by 34 percent, but funds were distributed on a per capita basis rather than on the basis of need. As the economy slowed and funding fell, plaintiffs in rural Robeson County sued the state arguing that it was not complying with the state's constitutional obligation to provide "equal opportunities for all students" (North Carolina constitution Article IX). The North Carolina Appeals Court rejected the plaintiff's contention that funding disparities within Robeson County and between Robeson and other counties in the state violated the state constitution. The court ruled that the constitutional required that students be provided with equal access to schools but did not require absolutely "equal educational opportunities" for all students (*Britt v. North Carolina State Board of Education*, 1987, p. 436). Plaintiffs in North Carolina and other southern states continued to pursue equity and adequacy cases to promote opportunity. By 2002, however, "the spending gaps between the state's wealthiest and poorest counties had become an abyss" (Public school forum, 2002).

IV A Time for Results

By the 1990s, raising standards and holding students, teachers, and school accountable through testing had become the central focus of educational reform. During the third phase in the evolution of test based accountability in the 1990s, politicians and policymakers in North Carolina and the nation implemented more comprehensive and coercive educational policies. As in earlier phases, these reforms were centered in the South, where education governors argued that it was time for results. Developments in North Carolina, McDonnell argues, were part of "a larger trend throughout the South to improve student performance through high stakes measures

[that] needed to be ratcheted up” (2004, p. 95). By the 1990s, all southern states required students to complete high school exit exams, but the reforms of the 1990s placed increased emphasis on testing students in elementary schools, and the use of a combination of rewards and punishments to increase achievement. As the political and educational landscape shifted to the right, these approaches gained considerable currency, and illustrate how NCLB evolved out of and derived from test based reforms that were adopted by North Carolina and other southern states.

The reforms of the 1990s substantially raised the stakes attached to test results. In 1995, the North Carolina legislature passed the ABCs of public education that established sanctions for schools, educators, and students (ABCs of Public Education, 1995). This legislation established end-of-grade testing in reading and math for all students enrolled in the third through eighth grades. The act required annual performance goals for all schools in the state, and the North Carolina board of education began to rate schools (on a scale of one to four). In North Carolina, Texas, Florida, and elsewhere, school ratings and tests results were publicized in an effort to spur educators and students toward higher levels of performance. Officials in Texas disaggregated test results by race and ethnicity and published them in newspapers (McNeil, 2000, p. 233). In Florida, the state commissioner of education began publicizing a list of the lowest performing schools (Michael & Dorn, p. 102). North Carolina’s ABC’s law outlined procedures for identifying “low performing” schools, and sanctioned state takeovers of these institutions. Principals who had been in charge of these institutions for more than two years before the state board identified them as low performing faced dismissal and were summoned to the state capitol. The Excellent Schools Act of 1997 provided additional sanctions, and required that all educators in low performing schools pass a test of general knowledge (Excellent Schools Act, 1997). After

officials discovered that most of these educators had already passed such tests during the licensure process, and educators threatened a boycott of the test, the legislature reversed itself. As critics raised questions about the capacity of the state to turnaround an increasing number of low performing schools, state and national leaders sought to sanction students in elementary schools.

Part of what President Bill Clinton called an effort to end social promotion in schools, North Carolina's ABC's act established three gateways for retention at grades three, five, and eight, and students in each of these grades were required to pass both reading and math tests to be promoted. Initially, the state board suggested that scores on state tests would be the sole determinant for promotion even if a student attained passing grades in course work, but the board amended this policy outlining a series of "focused interventions" such as tutoring and summer school that were designed to prepare students to retake and pass the tests. Two decades after the state began administering the California Achievement Test (CAT) in the elementary grades so teachers could diagnose and remediate problems and almost a decade after North Carolina began administering tests in the third through eighth grades more than 20 percent of fifth graders and 38 percent of African Americans did not pass reading or math tests. The chair of the state board of education, Phil Kirk complained that principals don't have "the backbone to enforce the policy," but the professional organizations in education and psychology recommended that high stakes decisions should not be based on a single test score (*Raleigh News and Observer*, October 4, 2001). Many principals agreed with the conclusions of a National Academy study that "simply repeating a grade does not generally improve achievement; moreover, it increases the dropout rate (Heubert & Hauser, 1999, p. 129). Like other test based reforms of the 1990s, the attempt to

end social promotion floundered in the face of the complex deeply rooted historical problems it sought to solve.

As in the past, the inability of the 1990s reforms to produce intended goals did not lead to a reconsideration of the assumptions behind test based accountability, but the launching of new initiatives that became part of NCLB. During the 1980s, in the years after the state began administering MCTs and the CAT, officials emphasized African American achievement gains. As scores of North Carolina students on NAEP tests rose faster than those in the rest of the nation in the 1990s, Hunt, who was re-elected as governor in 1992 and 1996, heralded the results (Christensen, 2008, p. 242). Research suggested that test based accountability in North Carolina produced “evidence of disadvantaged student’s scores rising more rapidly than those of advantaged students” (Grissmer & Flanagan, 1998, p. i). These gains were not durable, and by the late 1990s, discussions of the racial achievement gap dominated the legislative agenda and meetings of the state board of education. In 2000, the General Assembly directed the state board of education to create an Advisory Committee on Raising Achievement and Closing Gaps, and incorporate a “closing the achievement gap component into the state’s accountability system” (North Carolina State Board, 2009). The Advisory Committee commissioned a series of studies that outlined ambitious goals to address the persistent underrepresentation of African American students in advanced classes. Acknowledging that the coercive reforms of the 1990s produced “little improvement in closing achievement gaps that exist between ethnic groups” one of these studies urged policymakers to address the “root causes of the achievement gap” (The North Carolina Commission, 2001, pp. 1, 21, 6). As the state heightened pressure on students and educators to raise scores, educational and political authorities continued to resist efforts to

equalize funding between high and low wealth school districts and did little to oppose the rapid resegregation of urban schools in the state.

The reforms of the early twentieth century, like earlier efforts, continued to treat the symptoms rather than the causes of the achievement gap. In 2000, George Bush addressed 2,000 educators in Greensboro, and state officials launched a campaign to close the gap (*Education Week*, May 10, 2000). Modeled after a program in Texas, school districts in the state began disaggregating student scores by racial, ethnic, and socioeconomic subgroups, and rewarding teachers if the test scores of students in all groups improved” (*Education Week*, April 5, 2000).¹ Civil rights organizations praised these initiatives. In 2001, the NAACP gave North Carolina its Educational Advocacy Award (Thernstrom & Thernstrom, 2003, p. 234). By the beginning of the twentieth-first century, closing the achievement gap had become a fashionable frontier in the struggle to achieve racial equality. Signed into law in 2002, NCLB was based largely test driven accountability systems that had already been institutionalized in North Carolina and more than a dozen other, mostly southern, states. NCLB required annual testing of students in the third through eighth grade, the administration of tests in high schools, and sanctions against schools that did not make adequate progress in closing racial achievement gaps.

¹ Vigdor (2008) has shown that these bonuses did not close achievement gaps in part because financial incentives had the unintended consequence of encouraging teachers to abandon low performing schools.

V A Generation of Test Results

Since the late 1970s, educational and political leaders in North Carolina have argued that testing would motivate students, provide data to diagnose and remediate problems, and compensate for the legacies of discrimination. As Lee argues, the “core argument” behind test-driven accountability has been that this policy would “close the achievement gap by serving disadvantaged minority students most” (2008, p. 644). This “core argument” continues to command broad support in political and policy circles, but longitudinal results from an array of tests given in North Carolina since 1980 provide limited support for the argument that test based accountability benefits African Americans. Racially disaggregated test results from the CAT, state achievement and graduation tests, the NAEP, and the SAT (Scholastic Aptitude/Assessment Test) suggest that three decades of test based accountability in North Carolina has done little to narrow racial disparities in educational achievement.

Since 1978, North Carolina has been testing students in the elementary schools. Between 1978 and 1992, the state administered the (CAT) a widely issued aptitude test. In 1978, black sixth graders earned a grade equivalent score of 4.8 and white sixth graders earned a grade equivalent score of 6.9. (In 1985, McGraw-Hill which published the test began administering a new version). By 1992, blacks earned a grade equivalent score of 6.1 while whites earned a score of 8.4. The CAT scores show that among white and black sixth graders, the gap in grade equivalent years increased from 2.1 years in 1978 to 2.3 years in 1992 (Report of Student Performance, 1979, 1992).

In 1992, North Carolina stopped administering the CAT, and began giving end-of-grade math and reading tests to students enrolled in the third through eighth grades. Table 1 presents

data from North Carolina reading and math test and the National Assessment of Education Progress. State test results show that the gap between the percent of black and white fourth and eighth grade students who are proficient in math narrowed, but rose slightly in reading at the fourth grade level and significantly at the eighth grade level (North Carolina State Testing Results, 2010). However, as Fuller, Gesicki, Kang, & Wright (2006) have shown, NAEP test results are a more reliable and valid measure of student achievement and proficiency. The NAEP proficiency rates reported in Table 1 show that between 1994 and 2009 achievement gaps in reading and math widened at the fourth and eighth grade levels in North Carolina (NAEP Data Explorer, 2012). Evidence from the CAT, state reading assessments, and NAEP do not show that decades of testing at the elementary level has narrowed the achievement gap between white and black students.

During the 1990s, North Carolina officials pointed to large gains in state NAEP scores as evidence that the state's accountability system was working, but North Carolina's math NAEP scores may be inflated. In debates about NCLB in 2001, North Carolina was cited as one of the states that had made the most progress at closing gaps between whites and blacks (Manna, 2006, p.125). However, Amrein and Berliner show that North Carolina's NAEP math score gains are "an illusion" produced by "exclusion" (2002, p. 36). Between 1992 and 2000, they found, the percentage of Individual Education Plan (IEP) and Limited English Proficiency (LEP) students who were excluded from participation in NAEP tests in North Carolina increased from four percent in 1992 to 13 percent in 2000. "North Carolina's grade four math exclusion rates," they write "increased [by] 325 percent while the national exclusion rate decreased. In addition, North Carolina 's grade eight math 1992-2000 exclusion rate increased by 467 percent while the national rate stayed the same." They conclude that "there is little doubt that the relative gains

posted by North Carolina were partly, if not entirely, artificial given the enormous relative increase in rates by which North Carolina excluded (IEP and LEP) students from participation in NAEP” (Amrein & Berliner 2002, p. 36).

In 1980, North Carolina began requiring students to pass a competency exam to receive a diploma and there had been a slight narrowing in racial gaps in the percentage of students passing these exams. In 1980, 89 percent of black students passed both tests compare to 98 percent of whites (Report of Student Performance). In 1998, the state began requiring students to pass a new “more rigorous” competency test. By 2000, 88.3 percent of black twelfth graders and 95.5 percent of white twelfth graders passed the test (Report of Student Performance, 2001, p.9). These results suggest that the gap between black and white pass rates on high school graduation tests in North Carolina narrowed slightly from 9 percent in 1980 to 7.2 percent in 2000.

A final measure of the extent to which decades of test based accountability has closed racial gaps in education achievement is SAT scores, and here too, one finds little evidence that decades of testing has closed racial gaps. In 1989, the mean SAT scores of North Carolina students fell below those of every other state in the nation (North Carolina Scholastic Aptitude Test Results, 1990). In response, North Carolina officials launched an effort to raise student performance on these tests providing test preparation booklets and funding for students to take the Preliminary Scholastic Aptitude Test. State officials argued that these efforts and the state’s accountability policies increased mean SAT scores in a state where relatively high percentages of white and black students took this test. Between 1989 and 2009, the mean SAT scores of black and white students in North Carolina rose. (The test was re-normed in 1995). During this period, mean African American SAT scores rose by 52 points from 807 in 1989 to 853 in 2009 as white

scores rose by 78 points from 986 to 1063 (North Carolina SAT Report 2010, p. 15). While African American scores increased, white scores rose more rapidly, and the racial gap in mean SAT scores increased from 179 points in 1989 to 210 points by 2009. Evidence from the SAT shows that racial gaps in achievement have widened.

As much as political leaders would like to use tests to resolve achievement differences that were generations in the making, the history of accountability in North Carolina – a state with considerable long term evidence on this issue - shows that three decades of testing has done little to close racial disparities in educational achievement. This finding should prompt reconsideration of accountability policies that have done little to promote racial equality in educational achievement.

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