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**Desegregation, Accountability, and Equality:
North Carolina and the Nation, 1971-2002**

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Abstract: Using North Carolina as a lens to illuminate broader national developments, this paper examines how and why educational policy in the United States turned away from a civil rights agenda of opportunity and embraced test-based accountability as a way of promoting racial equality. We show that comprehensive desegregation, enforcement of the Civil Rights Act of 1964, and Great Society Programs expanded educational opportunities for African Americans, fueled significant increases in black educational achievement and attainment, and brought African Americans closer to equality with whites by the 1980s. We situate the turn to accountability in a political context shaped by an increasingly conservative political environment, and examine three overlapping waves of test-based accountability that began in North Carolina in the late 1970s and spread throughout the

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region and the nation in the decades that followed: 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 high stakes testing in the 1990s. We argue that the southern political leaders who shaped U.S. educational policy turned to test-based accountability as a politically expedient alternative to the task of equalizing educational opportunities for African Americans. Civil rights organizations endorsed test-based accountability, but we find little evidence that test-based approaches improved African American educational outcomes. Opportunity policies, we conclude, did more to promote racial equality in educational achievement and attainment than test-based accountability.

Keywords: African Americans; desegregation; accountability.

Desagregación, responsabilidad e igualdad: Carolina del Norte y de la nación, 1971-2002.

Resumen: Usando el caso de Carolina del Norte como una lente para iluminar acontecimientos nacionales más amplios, este artículo examina cómo y por qué la política educativa en los Estados Unidos se alejó de una agenda de los derechos civiles y oportunidades para abrazar modelos de rendición de cuentas basados en exámenes como una manera de promover la igualdad racial. Se demuestra que una desagregación total, basado en la aplicación de la Ley de Derechos Civiles de 1964 y los programas de la “Gran Sociedad” han ampliado las oportunidades de educación para los afroamericanos, fomentando un aumento significativo en el rendimiento académico de estudiantes negros y afroamericanos acercándose a la meta de igualdad con estudiantes blancos en la década de 1980. Situamos la virada hacia modelos de rendición de cuentas educativos en un contexto político cada vez más conservadora y examinamos tres olas superpuestas de exámenes basadas en modelos de rendición de cuentas educativos, que comenzaron en Carolina del Norte a finales de 1970 y se extendió por toda la región y de la nación en las décadas siguientes: el movimiento de competencias mínimas de finales de 1970 y principios de 1980, las reformas basadas en estándares de la década de 1980 y las formas más completas y coercitivas de pruebas de consecuencias severas de la década de 1990. Argumentamos que los líderes políticos del sur que condujeron la política educativa de los Estados Unidos hacia las modelos de rendición de cuentas educativos como una alternativa políticamente conveniente para la tarea de generar igualdad de oportunidades educativas para los afroamericanos. Las organizaciones de derechos civiles aprobaron los modelos de rendición de cuentas educativos, pero encontramos poca evidencia de que los enfoques basados en esos modelos mejoraron los resultados educativos de los afroamericanos. Concluimos que, políticas de oportunidades fueron más efectivas para promover la igualdad racial en el rendimiento escolar que los modelos de rendición de cuentas educativos

Palabras clave: afroamericanos; desagregación; modelos de rendición de cuentas educativos

Desagregação, responsabilidade e igualdade: Carolina do Norte e a nação, 1971-2002.

Resumo: Usando o caso de Carolina do Norte como uma lente para iluminar os desenvolvimentos nacionais mais amplos, este artigo examina como e por que a política educacional nos Estados Unidos se afastou de uma agenda de oportunidades de direitos civis e abraçou a prestação de contas com base em exames, como forma de promoção da igualdade racial. Mostramos que uma desagregação abrangente, baseada na aplicação da Lei dos Direitos Civis de 1964 e os Programas *Grande Sociedade* expandiram oportunidades educacionais para os afro-americanos, alimentaram aumentos significativos no rendimento escolar dos negros e trouxeram os afro-americanos mais perto de igualdade com os brancos na década de 1980. Situamos a virada para os modelos de responsabilidade educativa em um contexto político moldado por um ambiente político cada vez mais conservador e examinamos três ondas sobrepostas de prestação de contas com base em testes,

que começaram na Carolina do Norte no final de 1970 e se espalharam pela a região e pela nação nas décadas que se seguiram: o movimento de competência mínima do final dos anos 1970 e início dos 1980, as reformas com base em padrões da década de 1980 e as formas mais abrangentes e coercivas de testes de alta participação na década de 1990. Argumentamos que os líderes políticos do sul que deram forma, a política educacional dos Estados Unidos voltada para a responsabilidade educativa com base em testes como uma alternativa politicamente conveniente à tarefa de equalização de oportunidades educacionais para os afro-americanos. Organizações de direitos civis aprovaram a prestação de contas com base em testes, mas encontramos poucas evidências de que as abordagens baseadas em testes melhoraram os resultados educacionais dos afro-americanos. Políticas de oportunidade, podemos concluir, fizeram mais para promover a igualdade racial no sucesso escolar e realização dos modelos de responsabilidade educativa; com base em testes.

Palavras-chave: afro-americanos; desagregação; prestação de contas.

Introduction

Improving educational opportunities and outcomes for African Americans has been a persistent policy concern in American education. In the decades following the Supreme Court's 1954 *Brown* decision, African American activists, liberal politicians, and federal judges forged a political coalition that sought to improve African American achievement and attainment by broadening educational opportunity. As schools remained battlegrounds in the struggle for racial equality, in 1977 North Carolina Governor James B. Hunt declared that "the trauma of desegregation" was over, and turned to test-based accountability as a way of promoting racial equality (Hunt, 1982, p.8). Hunt was part of the generations of the southern politicians including, Presidents Jimmy Carter, Bill Clinton, and George W. Bush, who shifted the discourse away from concerns about opportunity and discrimination and forged a new, durable, and increasingly national consensus about the need for greater accountability in schools. Beginning in the late 1970s, North Carolina institutionalized what many policymakers and political leaders contend will close racial achievement gaps and promote opportunity: annually testing students in the elementary schools, requiring students to pass high school exit exams, and using incentives and sanctions to spur students and educators to raise test scores. North Carolina's accountability system has been praised by academics, advocacy groups, and civil rights organizations (Manna, 2006; The Education Trust, 2001; Olson, 2006). Thernstrom and Thernstrom (2003) contend that "North Carolina leads the nation in the intensity of its concern about achievement gaps" (p. 234).

Using North Carolina as a lens to illuminate broader national developments, this paper examines how, when, and why educational policy turned away from a civil rights agenda of opportunity and embraced test-based accountability as a way of promoting racial equality. After examining the effects of desegregation on African American educational outcomes, we analyze three overlapping waves of accountability: 1) the minimum competency movement of the late 1970s and early 1980s, 2) the standards based reforms of the 1980s, and 3) the comprehensive and coercive forms of test-based accountability in the 1990s. We argue that political leaders and policymakers in North Carolina turned to test-based accountability as a politically expedient alternative to the task of making educational opportunities available to all students on equal terms as the Supreme Court ordered in *Brown*. During the last quarter of the twentieth century, Hunt and southern moderates built bi-partisan and bi-racial political coalitions that shifted education away from policies that expanded opportunity for African Americans and sought to promote racial equality by using tests to hold students, teachers, and, schools responsible for educational outcomes. Seeing testing as a way of raising achievement without confronting the structural barriers to opportunity, these political

leaders crafted a politically popular discourse that emphasized accountability and achievement rather than access and equality. Test-based accountability gradually eclipsed the expansion of educational opportunity, but opportunity policies did more to promote racial equality than test-based accountability.

Our historical analysis of the shift from opportunity to accountability is grounded in studies of desegregation that emphasize the benefits of comprehensive desegregation and the costs of accountability. Site of the landmark 1971 decision in *Swann v. Charlotte Mecklenburg*, North Carolina was at the center of debates about the efficacy of desegregation. The effects of desegregation remain contested, but a large body of social science scholarship has convincingly shown that comprehensive desegregation, civil rights measures, and Great Society programs produced significant gains in African American educational achievement and attainment (Darling-Hammond, Hyler, & Lott, 2012; Grissmer, Flanagan, & Williamson, 1998; Rury & Hill, 2012; Wells, Holme, Revilla, & Atanda, 2009; Wolters, 2008). By the 1980s, evidence from the National Assessment of Educational Progress and estimates of African American educational attainment indicate that blacks were closer to equality with whites (National Center, 2000; Rury & Hill, 2012).

Battles over busing and desegregation, in both North Carolina and across the nation, produced a backlash and contributed to a right turn in American politics. “The streams of racial and economic conservatism” that reshaped American politics after the 1970s were largely a reaction to policies that broadened opportunity (Carter, 1996, xvi). The turn to accountability in education occurred in a political context shaped by an increasingly conservative political environment and the growing hegemony of conservative political ideas in education. While the liberal consensus that governed American society in the years after World War II supported state intervention to remedy the legacies of educational apartheid, the conservative consensus that was forged in the late 1970s and gathered strength in the decades that followed emphasized the responsibility of individuals for achievement. “The ideology of modern conservatism,” K’Meyer argues, “shifted attention away from racial discrimination as a cause of educational inequality and toward individual responsibility” (2013, p. 182).

The first wave of accountability, the minimum competency movement of the late 1970s and early 1980s, reflected these conservative ideas and assumptions. The proponents of minimum competency tests (MCTs) in North Carolina and mostly southern states argued that holding students accountable for achievement would motivate students and increase the percentage of students, especially African American students, who mastered basic skills (National Institute, 1981). Critics, however, charged that MCTs were a conservative reaction to comprehensive desegregation and an “administrative device” that state authorities used to regain “power and control” over education that the federal courts had assumed during the process of desegregation (Airasian, 1987, p. 405; see also Wise, 1979). As scholars argued that MCTs shifted policy away from efforts to redistribute educational resources more equitably, African American activists vigorously contested the constitutionality of MCTs in North Carolina, Georgia, and Florida. While the courts held that MCTs were “necessary to overcome whatever effects of past purposeful segregation that remain in schools” (Debra P. 1983, pp. 188-189), scholars warned that MCTs reduced the likelihood of completing high school among African Americans (Dee, 1990; Serow, 1984). MCTs set a new direction in American education, but diploma sanctions, like the accountability measures that followed, had a racially disparate effect on African Americans. African American educational attainment rose sharply in the 1960s and 1970s, but diploma sanctions likely contributed to a stalling of increases in African American educational attainment after 1980.

The shift from opportunity to accountability continued during the second wave of reforms in the 1980s when states raised high school graduation requirements and aligned standards with new

end-of-course tests. Urban and Wagoner (2011), Ravitch (2000), and Vinovskis (2009) attribute the second wave reforms and the broader turn toward accountability to the publication of *A Nation at Risk* (ANAR) in 1983, that legitimized criticism of desegregation and accelerated a turn to accountability that was already well underway in North Carolina and other southern states (Manna, 2006; National Commission, 1983; Rhodes 2012). The southern politicians who led the National Governors Association in the 1980s crafted new “color blind” language about how standards based reforms would benefit all students. This new language and court decisions affirming the constitutionality of MCTs promoted accountability as an alternative to desegregation during a time when the courts began to dismantle desegregation plans and schools in North Carolina began to re-segregate. Seeing standards as a way of ensuring that African American students were taught a common curriculum, the NAACP and a new generation of civil rights advocates including The Education Trust and The Citizens’ Commission on Civil Rights endorsed these reforms (Rhodes, 2012; Taylor, 2004). While the rhetoric of standards was appealing, the confluence of policies and practices associated with the turning away from the expansion of educational opportunity – the intensification of racialized tracking, persistent disparities in funding, and the curricular reductionism that began with MCTs combined to limit African American opportunity (Darling-Hammond, Hyler, & Lott, 2012; Sacks, 1999; Tyson, 2011). Because African American students did not necessarily have the opportunity to learn what was tested, racial achievement gaps that had closed in the 1970s and early 1980s began to widen.

During the third wave of test-based accountability in the 1990s, politicians and policymakers in North Carolina, the region, and the nation implemented more comprehensive and coercive educational policies and raised the stakes attached to tests. Testing intensified, especially in schools with significant African American populations, as an increasingly federal judiciary sanctioned re-segregation, and political leaders in North Carolina and the nation vigorously resisted the redistribution of educational resources (Orfield & Eaton, 1996; Ryan, 2010). 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). The reforms of the 1990s placed increased emphasis on testing students in elementary schools, and the use of tests to retain and award high school diplomas. There is little evidence that the reforms of the 1990s closed racial gaps in achievement or attainment (Harris & Herrington, 2006; Lee, 2008; Rury & Hall, 2012).

By the beginning of the 21st century, test-based accountability had largely replaced the expansion of educational opportunity as a way promoting racial equality in education. In debates leading up to passage of No Child Left Behind (NCLB), North Carolina and Texas were cited as states that had made the most progress in using test-based accountability to narrow racial achievement gaps (Thernstrom & Thernstrom, 2003). Consolidating the bi-partisan and bi-racial consensus about accountability that emerged in the late 1970s and gathered strength in the decades that followed, in 2001 former Texas governor and President George W. Bush convinced bi-partisan majorities in the United States Congress that test-based accountability would leave no child behind (Nather, 2001). But NCLB, like the accountability policies it evolved out of and derived from, treated the symptom – racial differences in achievement and attainment rather than the cause racial disparities in opportunity.

Desegregating Opportunity

Educational authorities in North Carolina deflected black demands for access with considerable finesse in the decade after *Brown*, but a rising tide of black protest and increasingly

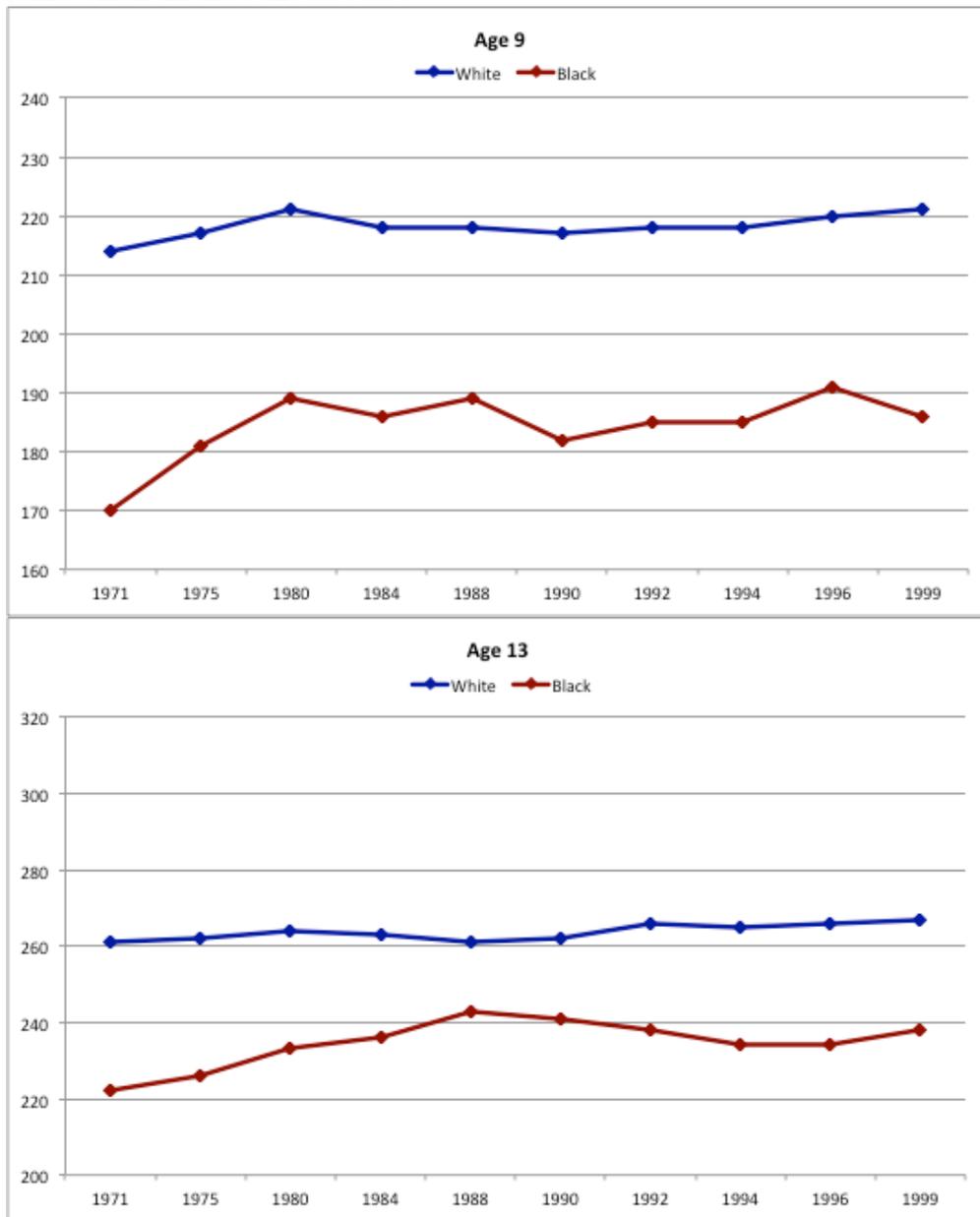
insistent federal intervention forced comprehensive desegregation by the early 1970s. Aggressive enforcement of court orders, oversight by the Department of Health Education and Welfare (HEW) and the Office of Civil Rights, and the resources provided by Great Society programs broadened opportunities and fueled significant increases in African American achievement and attainment.

The Civil Rights Act of 1964 empowered federal officials to initiate desegregation suits and gave HEW the power to ban racial discrimination in schools. Following passage of the Elementary and Secondary Education Act of 1965 and the appropriation of \$1 billion in federal aid, HEW officials threatened to withhold ESEA funds unless officials increased the percentage of black students attending desegregated schools. Prodded by aggressive action on the part of HEW, the courts finally placed the burden of desegregation on school boards. In 1969, 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). The Supreme Court affirmed McMillan’s decision in *Swann v. Charlotte Mecklenburg*, and sanctioned the use of busing to eradicate “the vestiges of state imposed segregation” and “achieve the greatest possible degree of actual desegregation” (*Swann*, 1971, p. 26). The *Swann* decisions and pressure from HEW increased the percentage of black students who attended desegregated schools in North Carolina and other southern states. Between 1968 and 1980, the percentage of African American students in the South who attended schools that were 90% minority fell from 64% to 33% as the percentage of African Americans who attended majority white schools rose from 23% to 37% (Orfield & Gordan, 2001, pp. 31-33).

Comprehensive desegregation and Great Society Programs increased funding for schools and expanded educational opportunities for African Americans. Authorities interrupted integration by creating systems of racialized tracking, but drawing on provisions of the Civil Rights Act of 1964 that prohibited racial discrimination, federal officials in the Office of Civil Rights challenged structural barriers to access and required school officials to justify the underrepresentation of blacks in advanced courses and the persistence of single race classes (Thomas to Severs, 1973). The black students who graduated from high school in 1980 were more likely to be in close proximity to “the same courses, teachers and school resources” (Wells, Holme, Revilla, & Atanda, 2009, p. 19). Desegregation occurred as African Americans gained access to new programs and more resources. The federally funded pre-school program Head Start, a recent review suggests, “generated lasting benefits” (Gibbs, Ludwig, & Miller, 2013, p. 46). ESEA sharply increased federal funding for education, and by reducing gaps in per pupil spending between states, contributed to increases in African American educational attainment (Cascio & Reber, 2013). African Americans gained access to these programs as the War on Poverty reduced the percentage of African American families with incomes below the poverty line. Reflecting national trends, the African American poverty rate in North Carolina fell from 45% in 1970 to 30% in 1980, and higher family income helped more black students persist in school (Smith, 2004).

In spite of the discrimination that pervaded the process of desegregation, broader opportunities and greater resources contributed to rising levels of African American educational achievement and a significant narrowing of differences in educational attainment. Evidence from the California Achievement Test (CAT) shows that African American achievement rose during the late 1970s and early 1980s. In 1978 African American 6th graders earned a grade equivalent score of 4.8 compared to a grade equivalent score for whites of 6.9, a racial gap of 2.1 years. By 1984, the grade equivalent racial gap closed to 1.5 years before widening to 2.1 years in 1988 and 2.3 years in 1992 (Division of research, 1978-1992). These results are consistent with long-term evidence from the National Assessment of Educational Progress (NAEP), as shown in Figure 1. Administered to a

representative sample of American students, the NAEP provides the best long-term evidence on the achievement in the United States.



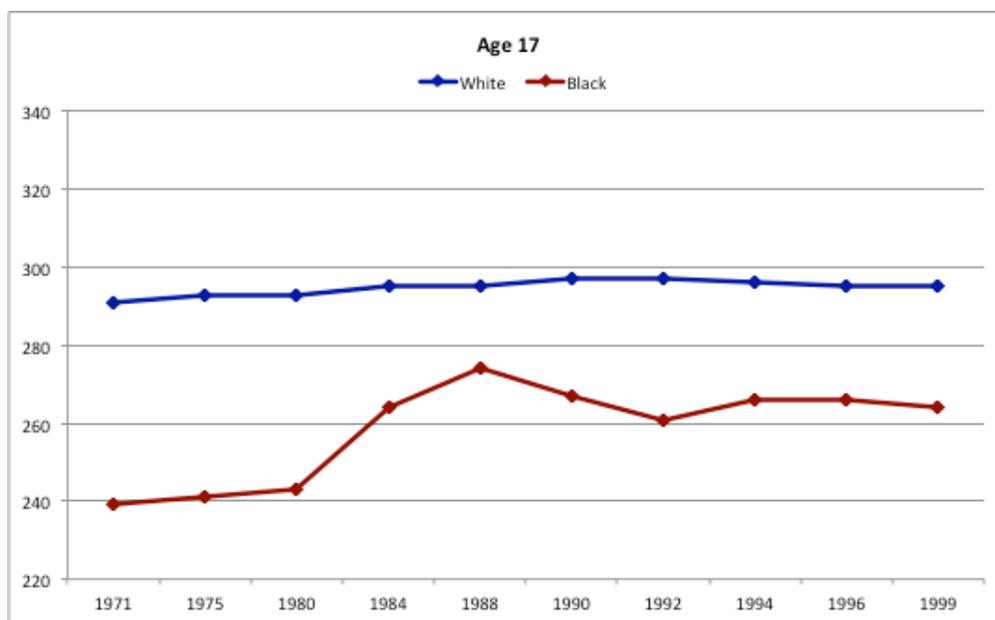


Figure 1. National Assessment of Educational Progress, Reading Scores
Source: National Center, *NAEP Trends in Academic Progress 2000*.

On the NAEP reading tests, black students in the southeast achieved the most significant gains where schools were most comprehensively desegregated (National Assessment, 1981, pp. 42-43). In North Carolina and other southern states, African American scores rose more rapidly than those of whites when schools were more racially balanced, when enforcement of civil rights measures was most vigorous, when support for ESEA was strongest, and when the War on Poverty reduced the percentage of African American families with incomes below the poverty line (Darling-Hammond, Hyler, & Lott, 2012; Grissmer, Flanagan, & Williamson, 1998).

Comprehensive desegregation and civil rights measures also contributed to increases in African American educational attainment. The interracial contact that occurred in desegregated schools had positive effects as black students gained access to social networks that promoted social mobility. African Americans who attended desegregated schools were more likely to graduate from high school. While 35% of African American 19-year olds graduated from high school in 1960 compared to 65% of whites; by 1980, 64% of African American 19-year olds graduated from high school compared to 78% of whites (Rury & Hill, 2012). Reductions in African American poverty, comprehensive desegregation, enforcement of civil rights measures, and Great Society programs combined to raise African American educational achievement and attainment, and by the 1980s, bring African Americans closer to equality with whites. By themselves, schools did not produce these results, but comprehensive desegregation, insistent and aggressive enforcement of the constitutional right to equality of educational opportunity, and greater resources produced what are likely the most significant African American gains in American history.

The Politics of Minimum Competency Testing

It was in this context – a context so absent from most studies of the origins of accountability – that North Carolina Governor James B. Hunt came to prominence as a leader of the modern American accountability movement. Seeing testing as a way of improving education without addressing the discrimination that persisted in schools, Hunt helped shift the discourse away from

concerns about discrimination and opportunity and forge a new consensus about the need for greater student accountability. North Carolina was one of the first states to establish MCTs, and the history of minimum competency testing in the state and region illustrates how MCTs were intertwined with and came to be used as a remedy for the legacies of state sponsored segregation and discrimination. Officials in North Carolina and other southern states argued that MCTs would benefit African Americans, but black activists mounted political and legal campaigns that reveal how the turn to accountability was intertwined with the legacies of desegregation and the turn to accountability. While the courts upheld MCTs as a remedy for effects of past discrimination, scholars have shown that MCTs and diploma sanctions had a racially disparate impact on African Americans.

Hoping to transcend what he called “the trauma of desegregation” (Hunt, 1982, p. 8), in 1977 Hunt proposed that all students be required to pass a minimum competency test to receive a high school diploma. Capitalizing on the perception that the quality of education had declined as schools desegregated, Hunt and other southern governors built political coalitions that established high school minimum competency tests (MCTs) in every southern state by 1986 (Figure 2).

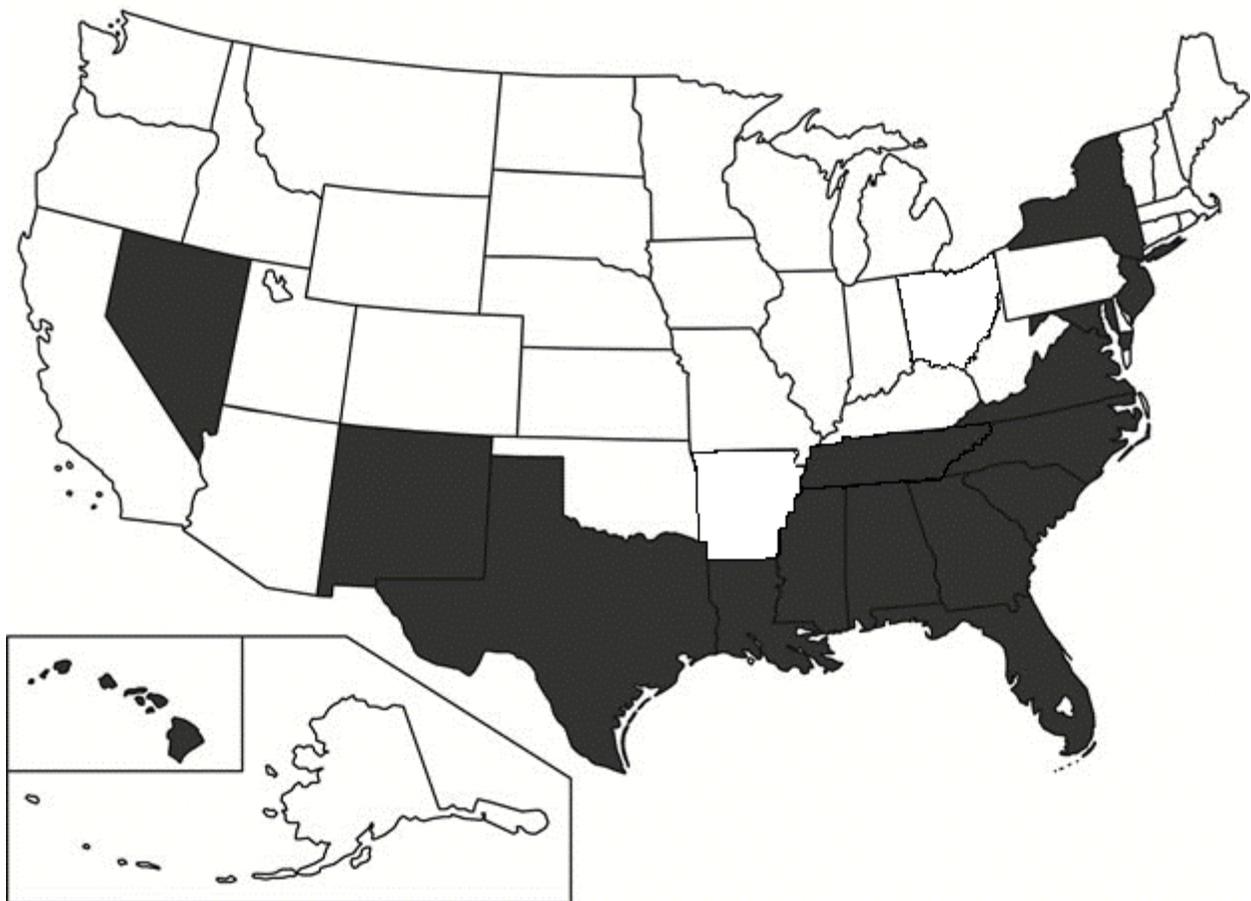


Figure 2. States that established state-wide high school MCTs, 1976-1986.

Source: Warren & Kulick (2007).

The implementation of MCTs in North Carolina illustrates the broader 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 liberal on racial issues. MCTs provided a way to talk about improving the quality of education without coming to terms with the legacies of racial discrimination. While the NAEP reading test results showed that the academic achievement of white and black students in the southeast rose between 1971 and 1976, Hunt argued that the schools failed to teach basic skills (National Assessment, 1981), declaring that “people have a right to get mad when schools don’t teach” (Strengthening Quality Education, 1976).

Hunt’s accountability proposal, like those in Florida, Virginia, and South Carolina, appealed to moderate appointed and elected African American leaders who believed that the tests would help African American students whose needs were neglected in desegregated schools (Ramsbotham, 1980; *Durham Morning Herald*, August 4, 1977). With the support of African American legislators, the North Carolina 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).

New high school graduation requirements in North Carolina and other states explicitly held students responsible for passing the MCTs to receive a diploma and generated considerable opposition. “The real issue,” one NAACP leader in North Carolina declared, “is not minimal standards but opportunity” (Joint Committee Minutes, 1977). National NAACP leaders charged that African American students were required to demonstrate skills that were not taught in the public schools (Steele, 1978). As activists and attorneys in North Carolina, Florida, Georgia, and Virginia mounted campaigns to block implementation of the competency program, David Burton, chair of the North Carolina State Board of Education, declared that African Americans would “benefit most from competency testing” (*Raleigh News and Observer*, August 4, 1978).

As states clamored to institutionalize competency tests, President Carter and conservatives in the United States Congress attempted to establish a national test of basic skills. Like Hunt and other southern governors, Carter believed that tests would motivate students to work harder and learn more. In 1978, Carter instructed HEW secretary Joseph Califano to develop a legislative proposal (Carter, 2010). 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 (National Academy, 1978). Former HEW secretary, Harold Howe, worried that “the national mood for improving basic skills performance has hidden within it overtones of racism” (Remarks, 1978). Califano’s ambivalence, expert opinion, and opposition from African Americans and teacher’s unions dampened support for a national test. However, Carter endorsed the 1978 reauthorization of ESEA that provided federal grants to increase the capacity of state testing agencies to develop and administer “tests of essential abilities” (Congressional Quarterly, 1978, pp. 557, 563).

State officials used federal funding to implement MCTs, but African American activists in North Carolina, Florida, and Georgia challenged the constitutionality of new diploma requirements. African American activists believed 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 discrimination through tests that unconstitutionally denied disproportionate numbers of African Americans diplomas.

Although legal challenges in North Carolina foundered, federal courts in Georgia and Florida enjoined officials from enforcing diploma sanctions. In Georgia, the court prohibited officials from using CAT scores to deny diplomas until they could demonstrate that testing “increased educational opportunities” (*Anderson*, 1981, p. 503) in ways that overcame the present effects of past discrimination. The court in Florida found that 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, and Judge George Carr ruled that the past and present effects of purposeful segregation and discrimination caused disproportionate numbers of black students to fail the MCT. Carr was troubled by the fact that students were suddenly required to pass a test “covering content that may not have [been] taught. Punishing the victims of past discrimination for deficits created by an inferior educational environment,” Carr ruled, “neither constitutes a remedy nor creates better educational opportunities” (1979, p. 257). Carr’s 1979 decision in *Debra P. v. Turlington* prohibited officials from using test scores to deny diplomas until officials eliminated the discrimination that persisted in schools.

North Carolina, Florida, and other states responded to Carr’s ruling by creating remedial programs that sharply increased the percentage of African American students who passed the test. W. James Popham, who designed Florida’s testing program, argued that MCTs “rectified the problems of minority education” (National Institute, 1981, p. 13). In North Carolina, students who did not pass the test were placed in remedial classes where “the entire curriculum is based on the competency test and the teaching of basic skills” (National Institute, 1981, pp. 647). Echoing the views of Carter and Hunt, officials 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). The percentage of African Americans in North Carolina passing the MCT increased from 30% in 1978 to 89% by May of 1980 (Report of Student Performance, 1980, p. ii). In Florida, African American pass rates rose from 22% in 1977 to 90% 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.

In rulings that defined the future of test-based accountability in the United States, the courts lifted injunctions on diploma sanctions and upheld the constitutionality of MCTs. In 1983, Judge Carr ruled that the state’s MCT was a “fair” assessment of what was taught in the public schools. By then, students had received sufficient notice of the MCT requirement. Carr held that “the test was necessary to overcome whatever effects of past purposeful segregation that remain in schools” (*Debra P.* 1983, pp. 188). A year later the Eleventh Circuit Court of Appeals affirmed Carr’s decision. The court acknowledged “discomfort over unfairness if discriminatory vestiges have caused students to fail the test,” but held that MCTs and the diploma sanction created “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, p. 1416). As MCTs emerged as a constitutional remedy for generations of state-sponsored separation and discrimination, holding individual students responsible for performance became “a cornerstone of American educational policy” (Koretz, 2008, pp. 56-57).

While MCTs became a politically expedient and constitutionally permissible means of promoting racial equality, questions remained about the extent to which students had the opportunity to learn what was tested. A 1982 legal analysis of North Carolina’s competency program found that the state had not “ensured that each student taking the test has actually been taught everything the test measures” (Heubert, 1982, p. 133). One member of the North Carolina State

Testing Commission, which oversaw the construction and administration of the MCTs, charged that requiring students to demonstrate skills that were not “uniformly” taught in the public schools was a violation of the equal protection rights of minority students (Ramsbotham, 1980). Although the case was not adjudicated, African American plaintiffs in North Carolina charged that the disproportionate failure rate of black students on North Carolina’s MCT was a result of state’s failure “to remove the vestiges of a dual school system” (*Iwanda v. Berry*, 1980, p. 10). An analysis of diploma sanctions in Virginia, Maryland, North Carolina, and Florida found that “while the diploma denial *rate* in most states tends to be small, the actual number of students so penalized is actually quite substantial” (Serow, 1984, p. 73). By the end of 1981, North Carolina denied diplomas to 984 black students or 4.5% of African American seniors compared to 288 whites or 0.5% of white seniors (Division of Research, 1981).

After the *Debra P.* rulings provided an assurance that states could continue to administer tests without the threat of a court injunction, racial disparities in first-time pass rates widened (Linn, 2000). During the 1980s, North Carolina officials emphasized the “dramatic improvements” made by African Americans, but acknowledged that “the percentages of blacks passing the test have been lower than the percentages of white students on every test since 1978” (North Carolina Department of Public Instruction, 1988, p. 2). Diploma sanctions reduced the likelihood of high school graduation among Americans (Dec, 2003; Serow, 1984). While officials in North Carolina claimed that the competency program was “an affirmative action program of proven worth” that benefitted blacks “most” (*Iwanda v. Berry*, 1980, p. 2), MCTs and diploma sanctions exacted a disproportionate toll on black students, and likely contributed to the stagnation of the African American graduation rate during the last two decades of the twentieth century. After rising sharply in the 1960s and 1970s, the black graduation rate peaked in 1985 and remained stagnant in the decades that followed (Darling-Hammond, Hyler, & Williamson-Lott, 2012; Rury & Hill, 2012).

New Standards, Persistent Inequities

During the second wave of test-based accountability in the 1980s, North Carolina and other states continued to turn toward accountability by raising high school graduation requirements, developing standards about what all students should know, and administering new end-of-course tests in secondary school subjects. Scholars tend to attribute these reforms to the publication of ANAR in 1983, but instead of defining a new direction the report resonated with, and accelerated, the turn to accountability that was already well underway in North Carolina and other southern states (Ravitch, 2000; Urban & Wagoner 2011; Vinovskis, 2009). ANAR accelerated this turn through its critique of school desegregation and the report’s endorsement of reforms that narrowed the purposes and practices of education in ways that did not benefit African Americans. As the Reagan administration worked to dismantle desegregation and reduce federal funding for programs that supported the schooling of African Americans, Hunt, and southern governors argued that higher graduation requirements and the alignment of standards with new end-of-course tests would ensure that students were actually learning more. The NAACP endorsed standards based accountability as a way of ensuring that all students were taught a uniform curriculum, but the reforms of the 1980s held students to the same level of performance without ensuring that all students had equal opportunities to learn. While standards based reforms became an alternative to comprehensive desegregation, the intensification of racialized tracking, curricular reductionism, and unequal funding limited African American educational advancement. After rising sharply in the 1970s and 1980s, increases in black achievement and attainment began to stall (Figure 1).

ANAR asserted that using schools to advance racial equality exacted “an educational cost” (National Commission, 1983, p. 6). University of Utah President, David P. Gardner, who chaired the commission, argued 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). The report noted that a “significant movement” to raise high school graduation requirements had already begun, and urged states to adopt the New Basics: a high school curriculum that required all students to complete four years of English and three years of math, science, and social studies (National Commission, 1983, p. 12). The Commission on Educational Excellence believed that “all regardless of race or class are entitled to a fair chance,” but argued “the grouping of students should be guided by the academic progress of students and their instructional needs” (National Commission, 1983, pp. 4, 30). The report urged educators to create “new equally demanding,” but tracked courses, “for students who did not plan to continue their formal education immediately” (National Commission, 1983, p. 25). The commission renewed calls for a nationwide system of standardized testing. Explicitly criticizing MCTs as “falling far short of what was needed,” the commission recommended that all students be required to pass “rigorous exams before receiving a diploma” (National Commission, 1983, pp. 20, 19). The report suggested that enough had been done to equalize educational opportunity and urged educators to emphasize excellence.

President Reagan praised the Commission’s “call for an end to federal intrusion” in education (*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). In 1981, Reagan persuaded Congress to cut funding for the ESEA by \$1 billion – or 15% – and devolve control over the allocation of ESEA funds to state and local authorities through block grants. This legislation 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” (Nelson, 2005, p. 226).

Reagan used the critique of desegregation contained in 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). In a campaign stop in Charlotte, North Carolina on the eve of the 1984 election, Reagan denounced busing as a “failed” experiment” (*Charlotte Observer*, October 9, 1984). In 1985, federal courts approved the return to segregated schools in Norfolk, Virginia, a decision that Reagan officials called a model for other districts (Orfield & Eaton 1996, p. 17). In the years after the Norfolk decision, schools in the South began to re-segregate.

Like other southern governors, James Hunt was “in sync with the Reagan administration on education” (Pearce, 2010, p. 144). During his eight years as governor, Hunt avoided civil rights issues, and focused instead on testing and accountability. Hunt served on education commissions with fellow southern governors William Clinton, Lamar Alexander, and Richard Riley, and helped publish reports that anticipated the arguments contained in ANAR. “Sweeping changes in educational policy are being pursued throughout the South by a growing number of political leaders,” the *New York Times* reported prior to publication of ANAR (March 20, 1983). In 1982, Hunt convened and chaired a national task force that published *Action for Excellence* in 1983 (Education Commission, 1983). The *New York Times* praised Hunt for “enacting sweeping education reforms by using standardized tests as key measures” (November 13, 1983). A glowing profile in

Newsweek suggested that North Carolina was “leading the way back to quality education.” Echoing *ANAR* and Reagan, Hunt declared “the education discussion in America has been too long dominated by fairness issues” (Tar Heel State, 1983). 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).

During the 1980s, more than 40 states raised the number of courses students were required to complete to graduate from high school. North Carolina’s graduating class of 1987 was required to earn two additional academic credits for a total of 20 credits. North Carolina’s graduation requirements, like those in other states, required students to earn four credits in English, and two credits in math, social studies, and science (History, 2010; National Center, 1986). States also began to develop standards defining what all students should know and be able to do. In 1985, the North Carolina Department of Public Instruction published a statewide course of study detailing the specific objectives for all required courses and began developing tests in core academic subjects. Political leaders argued that additional course requirements and new end-of-course tests would enhance educational opportunities and benefit African Americans. James Martin, who became governor of North Carolina 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 southern political leaders who led the National Governors Association believed that new course requirements and more rigorous tests would raise the performance of all children (Jennings, 1998). In North Carolina and the nation standards based accountability became a new way of promoting racial equality in education.

Although the NAACP called for a moratorium on minimum competency testing in 1978, by the 1980s the association had begun to adopt what the association’s Executive Secretary called “a more realistic” attitude on testing (Report on NAACP Strategy, 1986, p. 5). At a conference on legal strategy, association leaders argued “until the tests are changed, we must help our youth prepare for them” (Report on NAACP Strategy, 1986, p. 30). In 1987, the NAACP expressed support for additional high school graduation requirements and achievement tests as a way of ensuring that all students had the opportunity to study a common curriculum. William Taylor, of the Citizens’ Commission on Civil Rights, argued that “high standards should be set by states for all students” and tests should link “high standards with determinations of student progress” (1994, pp. 194, 197-198).

As support for standards based accountability grew, racialized tracking intensified. During the Carter administration, Congress eliminated the Office of Civil Rights’ enforcement authority, and national studies suggest that African American representation in gifted and talented programs fell (National Center, 1981; Meier, Stewart, & England, 1989, p. 5). In North Carolina, African American enrollment in gifted and talented programs declined. Between 1978 and 1986, African Americans comprised 30% of students and whites comprised 68% of the students in the North Carolina public schools. However, the percentage gifted and talented students who were African American fell from 12% in 1978 to 6% by 1986 as the percentage of white students in gifted and talented programs rose from 87% to more than 90%. Enrollment in these programs is significant because “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” (Mickelson, 2003, p. 7). As students were required to complete higher graduation requirements, 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. 232-233).

Most African American students did not have an opportunity to learn the more advanced course material or the skills that the new end-of-course tests sought to measure. It was politically expedient to mandate additional coursework but difficult to ensure what was taught in new courses. While new graduation requirements required students to complete more academic courses and enrollment in these courses surged, 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” (Toch, 1991, p. 102). The rhetoric of higher standards was appealing, but higher graduation standards failed to get students into more “rigorous courses,” produce a more “uniform curriculum” or convey “higher-order thinking skills” (Clune, White, & Patterson, 1989, p. 47). In 1986, North Carolina began administering end-of-course tests in algebra. State officials acknowledged, “the student participation rate in algebra I varies considerably. Black students appear to be underrepresented in algebra 1 classes across the state” Report of Student Performance, 1987, p. i). Not all students, officials acknowledged, had “the opportunity” to prepare for the test (Report of Student Performance, 1989, p.1). Using 1990 census data, Dee estimates that higher course graduation rates reduced African American educational attainment by 2% (2003, p. 225).

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 “rote instruction” (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” (Corbett, 1991, p. 92), because as one teacher noted, “now all that is taught is the test. It [testing] has not helped with thinking skills” (p. 94). Studies suggest that the practice of reducing the curriculum to what was tested was most common in predominately minority schools (Jones, 2003; McNeil, 2000). Writing in 1985, Darling-Hammond noted “the effects” of these practices “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” (p. 44).

As racial disparities in the opportunity to learn persisted, officials in North Carolina and other states vigorously resisted efforts to redistribute educational resources. 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). 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 this claim, ruling that while the constitution required equal access, it did not require that all students be provided with “equal educational opportunities” (*Britt v. North Carolina State Board of Education*, 1987, p. 436). In the years after the *Britt* decision, the spending gaps between high and low wealth counties widened (Public School Forum, 2002). As courts in North Carolina, the region, and the nation absolved states of constitutional obligations, southern governors ratcheted up the stakes attached to test results.

Getting Tough: Accountability in the 1990s

During the third wave of test-based accountability in the years after 1990, politicians and policymakers implemented more comprehensive and coercive forms of accountability (McDonnell, 2004). Testing intensified as court decisions sanctioned the rapid resegregation of schools and officials in North Carolina and the nation continued to resist the redistribution of educational resources. The 1990s reforms placed increased emphasis on testing students in elementary schools and the use of state test results to rank schools, sanction educators, and retain students. As in earlier phases, these reforms were promoted by southern politicians and policymakers including Hunt, who was reelected as governor in 1992 and 1996, and Presidents Bill Clinton and George W. Bush. Although civil rights advocates such as the Education Trust and The Citizens' Commission on Civil Rights endorsed more comprehensive forms of test-based accountability and became part of the consensus that built support for passage of NCLB, the reforms of the 1990s did little to promote racial equality in education.

During the 1990s, an increasingly conservative federal judiciary signaled the end of court supervised school desegregation, and schools in North Carolina as elsewhere became increasingly segregated by race and class. The Supreme Court's decisions in *Board of Education v. Dowell* (1991) and *Freeman v. Pitts* (1992) placed limits on what educational authorities were required to do to address the vestiges of state-sanctioned segregation and discrimination. These decisions held that districts in which students were racially isolated could be declared unitary, and absolved of court oversight, if educational authorities had made "good faith efforts" to create a unitary system of schooling. In 2001, federal courts held that officials in Charlotte had eliminated the vestiges of segregation "to the extent practicable" (*Belk v. Charlotte-Mecklenburg Board of Education*, 2001, p. 7). Between 1993 and 2001, the number of African Americans in North Carolina who attended schools with enrollments that were more than 80% black doubled (*Raleigh News and Observer*, February 18, 2001). Increasing segregation concentrated poverty in majority African American schools. In the region and the nation, African Americans were considerably more likely to attend schools where a majority of students were poor. By 2002, more than 60% of black students in the United States attended high poverty schools compared to 18% of whites. In the South, 62% of black students and 7% of whites were enrolled in schools where 90% to 100% of students were poor, and 82% of whites and 5% of blacks attended schools where less than 10% of students were poor (Orfield & Lee, 2004). Students in high-poverty schools were taught by teachers with fewer formal credentials and offered fewer advanced courses (The Education Trust, 2002-2003).

As schools resegregated, school finance reformers used an adequacy theory to secure decisions in state courts requiring levels of funding that were necessary to bring students to acceptable levels of performance. However, decisions in North Carolina and other states did as much to legitimize accountability systems as they did to equalize resources. The Education Trust argued that standards and testing created "a commitment that policymakers will provide oversight and *resources* to meet those standards" (Carey, 2004, p. 15). Adequacy advocates prevailed in court, but political leaders in North Carolina and the nation "fiercely opposed the judicially mandated redistribution of educational resources to districts attended primarily by minority students," and opportunity continued to be "strongly influenced by different levels of property wealth" (Ryan, 2005, p. 172). The North Carolina school finance decisions illustrate how state accountability systems were used to elide constitutional obligations. Court decisions made the performance of students on state tests rather than "substantially equal funding," the standard for demonstrating compliance with the state constitutional guarantee of equal educational opportunity (*Hoke v. Board of Education*, 2002). By 2002, spending gaps between the state's wealthiest and poorest counties had

widened from “a chasm” to “an abyss.” The disparities between the highest and lowest spending districts in the state were \$1,437 per student or \$37,362 per 26-student classroom (Public School Forum, 2002). As adequacy advocates yoked school spending to state definitions of proficiency, test scores, not opportunity, became the arbiter of whether or not a state complied with constitutional requirements.

It was in this context that policymakers in North Carolina and other states raised the stakes attached to test results. Testing intensified as schools resegregated and racial disparities between schools widened. 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, required annual performance goals for all schools, and the rating of schools. In North Carolina, Texas, Florida, and Georgia, school ratings and tests results were publicized in an effort to spur educators and students toward higher levels of performance (McNeil, 2000; Michael & Dorn, 2007; Urban & Wagoner, 2011). 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 schools for more than two years faced dismissal and were summoned to the state capitol (Excellent Schools Act, 1997). States also began to provide incentives in the form of bonuses for educators who raised test scores. However, in North Carolina bonuses did not close achievement gaps because financial incentives had the effect of encouraging teachers to abandon low performing schools (Vigdor, 2008). While ratings, sanctions, and incentives were politically expedient, they did little to increase the capacity of schools to improve African American students’ opportunities to learn and tended to exacerbate inequities between high and low performing schools (Elmore, 2000).

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. President Clinton believed that tests and “other indicators,” should be used to retain students who could not “read independently,” by the fourth grade, and eighth grade students who did not have a “solid foundation in math” (Heubert & Hauser, 1999, p. 115). Hunt endorsed Clinton’s campaign to end social promotion. Texas Governor George W. Bush supported the retention of students in the third, fourth, and eighth grades. By 2001, 17 states had enacted or made plans to require elementary students to pass a standardized test to be promoted, and 13 states had standardized test policies or plans for middle school students (American Federation of Teachers, 2001). Although professional organizations such as the American Educational Research Association recommended that high stakes decisions should not be based simply on standardized test scores, getting tough was far more expedient than making substantial investments in the capacity of schools and teachers to improve opportunities to learn (American Educational Research Association, 1998).

Getting tough was expedient, but North Carolina did not have the capacity to end social promotion. Part of what was by the 1990s a national effort to end social promotion, 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 amended this policy to include tutoring and summer school. In 1996, plaintiffs challenged the constitutionality of retention policies in Johnston County, North Carolina, but the court held that the policy “is designed to help the retained students: a student who is not promoted is given what is, in effect, a remedial year which should allow the student to catch up on skills that he is lacking and perform better in the future” (*Erik v. Causby*, 1997, pp. 389). By 2000, when more than 20% of all white fifth graders and

38% of all African American fifth graders did not pass state math tests, the chair of the state board of education, Phil Kirk complained that principals did not have “the backbone” (*Raleigh News and Observer*, October 4, 2001) to retain students, but many principals and parents agreed with the conclusions of the National Research Council that “simply repeating a grade does not generally improve achievement; moreover, it increases the dropout rate” (Heubert & Hauser, 1997, p. 122). Without the funds or the facilities to retain an estimated 22,000 students, North Carolina’s attempt to end social promotion faltered in the face of the complex issues that were well beyond the capacity of tests to solve.

The use of standardized tests to retain students and award high school diplomas had a racially disparate impact on African Americans. While North Carolina officials pledged to provide extra help through tutoring and summer school, funding was not necessarily provided. Moreover, there was a lack of professional capacity about how to improve instruction in predominately minority schools. In a 1999 report, the National Research Council estimated that by age 11, 5 to 10% more blacks than whites are enrolled below grade level. By ages 15-17, 40-50% of African Americans were enrolled below grade level compared to 25-35% of whites (Heubert & Hauser, 1999, p. 122). A comprehensive review of the literature on retention, led the council to conclude that “the negative consequences of grade retention typically outweigh the intended positive effects. Simple retention in grade is an ineffective intervention” (Heubert & Hauser, 1999, p. 285). The negative effects of retention policies were magnified by the more rigorous high school graduation tests that were adopted by North Carolina and other states during the 1990s. While the courts, citing *Debra P.* consistently upheld the constitutionality of these exams, an exhaustive analysis of graduation testing concluded that “the most methodologically rigorous studies are nearly unanimous in the conclusion that ‘more difficult exit tests are associated with increases in dropout rates, delays in graduation, and increased rates of GED attainment.’” The effects of these tests were “particularly adverse on outcomes for non-Whites and students residing in high-poverty states and districts” (*Rankins v. Louisiana Board of Education*, 1992; Holme, Richards, Jimerson, & Cohen, 2010, p. 502).

While support for a federal system of accountability grew during the late 1990s, scholars continued to contest the efficacy of test-based accountability as a way of promoting racial equality in education. In debates leading up to passage of NCLB, North Carolina and Texas were portrayed as models where the test scores of blacks rose more rapidly than those of whites and achievement gaps closed (Thernstrom & Thernstrom, 2003, p. 233; Manna, 2006, p. 125). After the scores of students in North Carolina rose faster than those in the rest of the nation during the 1990s, Hunt heralded the results. (Christensen, 2008, p. 242). Table 1 presents black and white proficiency rates on state and the NAEP tests.

While state results suggest that the racial achievement gap among fourth and eighth grade students narrowed, Fuller, Gesicki, Kang, and Wright (2006), have shown that state test results exaggerate the percentage of students who are proficient. The NAEP proficiency rates of African Americans in North Carolina on fourth and eighth grade math tests increased, but Amrein and Berliner (2002) argue that the narrowing of racial achievement gaps on the NAEP math tests in North Carolina was an “illusion” produced by a sharp increase in the “exclusion” of students with individualized education plans who were disproportionately African American. Between 1994 and 2002, the gaps between the proficiency rates of blacks and whites in North Carolina on NAEP widened as Table 1 shows. Texas state test results also showed a closing of achievement gaps, but Linn, echoing the findings of Fuller, raised questions about “the trustworthiness” of the Texas state test results (2001, p. 28). A Rand Corporation analysis of NAEP results in Texas found that during George B. Bush’s tenure as governor the achievement gaps between black and white students increased (Klein, Hamilton, McCaffrey, & Stecher, 2000). Reviews show that the accountability

reforms of the 1990s exerted little downward pressure on achievement gaps (Lee, 2008; Harris & Herrington, 2006).

Table 1
North Carolina reading and math proficiency rates, 1994-2002

Reading, 4 th Grade						
Year	White % Proficient		Black % Proficient		Gap	
	NC	NAEP	NC	NAEP	NC	NAEP
1994	75.3	27	44.9	11	30.4	16
1998	80.2	27	33.8	10	46.4	17
2002	85.7	33	61.5	13	24.2	20
Reading, 8 th Grade						
Year	White % Proficient		Black % Proficient		Gap	
	NC	NAEP	NC	NAEP	NC	NAEP
1994	80.9	NA	55.2	NA	NA	NA
1998	86.9	36	63.8	12	23.1	18
2002	91.9	38	72.5	11	19.4	27
Math, 4 th Grade						
Year	White % Proficient		Black % Proficient		Gap	
	NC	NAEP	NC	NAEP	NC	NAEP
1994	77.1	NA	44.5	2	32.6	14
1998	81.4	25	49.5	4	31.9	21
2002	91.1	30	70.7	8	20.4	22
Math, 8 th Grade						
Year	White % Proficient		Black % Proficient		Gap	
	NC	NAEP	NC	NAEP	NC	NAEP
1994	77.4	NA	46.2	NA	31.2	NA
1998	78.0	23	44.6	5	33.4	18
2002	88.3	30	63.9	6	24.4	24

Sources: North Carolina State Testing Results. Retrieved March 10, 2010, from <http://report.ncso.edu/ncpublicschools/reports>; NAEP Data Explorer, Data Table. Retrieved July 1, 2012, from <http://nces.ed.gov/nationreportcard/nde/viewresults>.

As the United States Congress began deliberating national accountability legislation, discussions of the racial achievement gap dominated the legislative agenda and meetings of the North Carolina state board of education. More than three decades after the chair of the North Carolina State Board of education declared that African Americans would “benefit most” from test-based accountability the General Assembly in 2000 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” (*Raleigh News and Observer*, August 4, 1978; North Carolina State Board, 2009). Civil rights organizations praised the initiative. In 2001, the NAACP gave North Carolina its Educational Advocacy Award (Thernstrom & Thernstrom, 2003). 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 comprehensive and coercive reforms of the 1990s produced “little improvement in closing achievement gaps that exist between ethnic groups” (The North Carolina Commission, 2001, p. 21) one of these studies urged policymakers to address the “root causes of the achievement gap” (p. 2).

NCLB, like earlier efforts, treated the symptoms rather than the root causes of gaps in opportunity and achievement. By the beginning of the 21st century, accountability had largely displaced opportunity as the principle means of promoting racial equality in education. Drawing on a contested record of using accountability to close racial achievement gaps in education, President George W. Bush consolidated the consensus about accountability that emerged in the late 1970s and gathered strength in the decades that followed. Bush convinced bi-partisan majorities in Congress that test-based accountability would leave no child behind in spite of considerable evidence to the contrary. NCLB was crafted by a former moderate southern governor, but it was also endorsed by congressional liberals and a civil rights advocates. The Citizens' Commission on Civil Rights declared that "when schools and districts are held accountable for the achievement of all students, the means are at hand to force them to improve the quality of schooling provided for previously neglected students" (*Education Week*, November 15, 2000). NCLB "borrowed strength" from test driven accountability systems that were institutionalized in North Carolina and more than a dozen other, mostly southern, states during the last two decades of the twentieth century (Manna, 2006, p. 5). NCLB required annual testing of students in the third through eighth grades, the administration of tests in high schools, progress in raising high school graduation rates, and sanctions against schools that did not make adequate progress in closing racial achievement gaps. NCLB, like the accountability measures it evolved out of and derived from, continued to treat the symptom - racial differences in achievement and attainment- rather than the cause - unequal educational opportunity.

Conclusion

During the last quarter of the twentieth century, generations of southern politicians turned American educational policy away from an agenda of opportunity and embraced accountability as a way of promoting racial equality. This shift reflected broader currents in American politics and the ascendancy of conservative ideas in education. For a brief period in the late 1960s and 1970s, a liberal political coalition implemented policies that reduced discrimination and poverty, broadened opportunity, and increased federal spending on the schooling of African Americans. Evidence from the NAEP and studies of educational attainment provide compelling evidence that opportunity policies improved African American educational outcomes. In the increasingly conservative environment of late twentieth century America, the efficacy of opportunity had less power, political power, than the expediency of accountability. Accountability was expedient because it permitted the southern governors and presidents who shaped educational policy during the last quarter of the twentieth century to talk about improving education without addressing persistent racial disparities in opportunity. During the three waves of accountability that began in the late 1970s, policymakers steadily ratcheted up stakes attached to tests as schools resegregated, funding disparities widened, and opportunities to learn became increasingly unequal. As a result, African American educational advancement stalled in the 1980s and racial achievement gaps persisted in the 1990s. The expediency of accountability remains politically popular, but the promotion of racial equality in education will require a political coalition that can make educational opportunities available to all students on equal terms as the Court ordered in *Brown*.

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