
Preface

*Federal Policy/ Compliance,
Leadership and Innovation*

A Triangulation for School Improvement Initiatives

This book is intended for educators to address three important questions that don't often get much attention as part of a comprehensive plan for reflecting on their systemic improvement work.

WHAT WERE THEY THINKING?

Congress passes federal laws such as the No Child Left Behind (NCLB) Act that require compliance, but it is rare for practitioners, those who must implement the law, to create an opportunity to understand exactly what the members of Congress were thinking when they passed the laws. What is the history of the calls for education reform, and how did they lead to Congress finally passing the most intrusive, sanctions-laden law for states and school districts ever under the auspices of the Elementary and Secondary Education Act? More important, how can compliance-driven laws be used to create a sense of urgency for their intended goals yet be flexible enough to appropriately be a driver for the needed change?

Educators often believe that their counterparts in the business world don't have to undergo the same scrutiny that NCLB has placed on them. To help dispel that misconception, this book includes a brief discussion and personal comments from former Congressman Mike Oxley, one of the coauthors of the Sarbanes-Oxley Act, a significant ethics law passed by

Congress that relates to business and financial reporting. Comments from other members of Congress and educators regarding NCLB compliance, leadership, and innovation are also included.

Fortunately, this book has taken me longer to write than originally intended. For that reason, newer events enabled me to reflect more precisely on what I was hoping to accomplish by writing the book. Clearly, the financial events at the end of 2008 parallel some of the issues that arose with NCLB. While Sarbanes-Oxley was intended to bring about more ethical behavior on the part of CEOs and their companies and accuracy in financial reporting, the financial crisis of 2008 demonstrated that the law wasn't entirely successful. And to help some of those companies, it didn't take Congress long to find nearly a trillion—yes that is *trillion* with a T—dollars to attempt to fix the problem. Yet educators who had been plodding along with NCLB, a law that imposed strict and punitive sanctions for not making required improvement, were not getting even the benefit of funding at the authorized levels. I am not suggesting that money is the only answer to fixing organizational problems. But when CEOs of major U.S. companies failed, their companies weren't reconstituted, nor were their employees replaced as the result of failing to meet a federal compliance requirement. But be careful what you ask for! By February 2009, Congress passed the American Recovery and Reinvestment Act, better known as the stimulus bill, and put approximately one hundred billion dollars in the K–12 funding pipeline, nearly doubling the U.S. Department of Education budget. Granted, the money is a one-time infusion for education. But it is unprecedented and, at the outset, not laden with overly burdensome compliance regulations, and it includes funds for innovation. Do you think policymakers won't be looking for improved performance of U.S. students? And if the results aren't obvious, the argument for increased education funding could be somewhat shallow in the future.

I believe in the fundamental principles of compliance-driven legislation. Without some sanctions, it is difficult to get people motivated to embrace change. Educators were slow to address some of the critically important provisions of NCLB, such as teacher quality, proficiency achievement for all students, and using research and knowledge to make decisions about programs for their schools. Compliance with NCLB changed all that. But it remains open to dispute how so much money was found so quickly to address a business "crisis" yet the education "crisis," often cited as critical to the successful future of the United States and its ability to compete in the global marketplace, couldn't muster the type of support it needed in Congress to see if money really could make a difference. We will soon find out. Hopefully this stimulus money will change the culture of schools to allow for less bureaucracy in decision making and more emphasis on organizing teams to engage in innovation and creating new products, programs, and practices that work.

WHERE ARE WE GOING AND WHERE HAVE WE BEEN?

Education has traditionally operated from the premise of the “great man theory,” that is, the superintendent and principal are the formal leaders. Yet more and more literature is being written about teachers as leaders and distributive leadership, concepts that empower others in schools, such as teachers, to make important decisions regarding school issues. But how can teachers be expected to function effectively as leaders if they don’t have appropriate background on the research and evolution of leadership theory? All effective leaders need to have a context for their leadership work. What is the contemporary thinking about how leaders function using a process that aligns with followers?

WHAT, NO SILVER BULLET?

The 21st century is about innovation in a global, flat, digital, information-laden, and knowledge-based world economy. Yet what passes as innovation in education isn’t normally transformational or related to “breakthrough” and doesn’t always result in real improvement. Additionally, really successful innovative educational practices rarely become known to all educators who could benefit from using them. This is because there is no effective dissemination process that transcends every district and school in the United States to communicate innovative products, programs, and practices. What is interesting to note is that even sports fans are using innovative thinking and technology to create a national network to connect them and distribute information about their teams. They are creating SportsBlog Nation, and it is intended to cover almost all sports, leagues, teams, and players (Hart, 2009).

Just think about this. Medicine has produced some incredible innovations that transformed the profession in profound ways with amazing results for patients. The laser transformed modern corrective vision surgery, and scalpels are now a tool of the past. The laser for correcting vision has made eye surgery faster, safer, less expensive, less intrusive, and more effective and has reduced recovery time. In orthopedic surgery, Dr. Bryan Neal, my wife’s doctor who treated her when she broke her wrist, said that hip and knee replacement have transformed the lives of those who have had these procedures. Without the innovation of that type of surgery, including the replacement parts, patients would be required to live their lives with considerable pain.

Where are the parallels in education? Educators are still looking for the innovative silver bullet that will solve some of the most challenging problems related to accountability compliance requirements. It won’t come unless they understand what innovation is and how it can be implemented

effectively in a school setting. And innovation may not come cheaply. It may necessitate incentive funding to really produce the learning equivalent of laser surgery and hip/knee replacement. One can only hope that the funds in the American Recovery and Reinvestment Act that are specifically targeted for innovation will produce some innovative ideas that will dramatically result in improved products, programs, practices, and learning in America's schools. The key, however, is to provide the appropriate setting in those schools to spawn innovative thinking. These funds might just do that!