

throughout the good," said a Pakistani official. "The relations with Is- east a short-term administration officials ne initial Pakistani and cowardly." ing the airstrikes released an early n the day, the Paki- softened their re- Pakistani govern- gan in March. since talks for those by insurgents have border attacks in merican command- the United States. ce deals, drawing areas under a new latitude to militants d the new govern- between the Uni- comes at a time of ghanistan. y out attacks into se havens in Paki- nters and other in- der, and the ability n and Afghan forces the often faulty s on Tuesday night the countries. are likely to compli- surges on the Af- strikes during a from American air Pakistani parami- AD, Pakistan — The

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The government ordered all humanitarian aid groups to suspend their operations last week, charging that some of them were giving out food as bribes to win votes for the opposition leader, Morgan Tsvangirai, in a June 27 presidential runoff against Mr. Mugabe.

But political analysts, aid workers and human rights groups contend that it is, in fact, Zimbabwe's governing party that

Continued on Page A13

which the candidates have pledged to run issue-based campaigns, came after days of intense scrutiny from the news media and attacks from Senator John McCain and Republican Party officials over mortgages Mr. Johnson, a former chief executive of Fannie Mae, received on favorable terms from the Countrywide Financial Corporation, the mortgage company that was a central player in the subprime lending crisis. Mr. Johnson also faced questions about his role on

formation about my dental nominee, so

Mexican

By PATRICIA LEIGH

TURLOCK, Calif. begins at noon in a with brisk salutes on glittering sombreros choiced horsemen in suits.

Let others have their swimming hole the Central Valley and in Winnemucca, N. Mex., a growing middle-class Mexican spend lazy summer at the charreada — a party fiesta and one of Mexico's most revered sporting events to the 17th century.

"We don't live and the charreada," said Franco, a 51-year-old contractor from Tracy, Calif. is the United States representative for the Federación de Charrería. "We charreada."

At family-owned ranches, the scent of carnitas in the air and preschool charros, practice their rodeo beneath almond trees. The sport is flourishing, with 12 state teams in 12 states. In 40 all-female teams, the escaramuzas whose intricate maneuvers gallop resemble equestrian art.

But now the charreada is strictly amateur, is

Legacy-Minded Bush Loyalist Fights Foes of 'No Child' Law

By SHERYL GAY STOLBERG

NEWPORT, Ky. — Margaret Spellings is not running for office — at least, not yet. But in the waning days of the Bush presidency, she is running one last campaign.

On a cold and soggy morning in March, Ms. Spellings, the relentlessly cheery and sometimes sassy United States secretary of education, turned up here, at a little brick elementary school across the Ohio River from Cincinnati. She had been on the road for months, promoting President Bush's beleaguered education initiative, No Child Left Behind, delivering one sales pitch after another.

"I'm pretty sure that the new president, whoever it is, will not show up and work on George Bush's domestic achievement on

Day 1," she told a group of civic leaders and educators, promising to do "everything in my power" to improve the law before the White House changes hands.

For Ms. Spellings, a longtime and exceedingly loyal member of the Bush inner circle, it was a startling, if tacit, admission that the president's education legacy is in danger. No Child Left Behind — the signature domestic achievement, beyond tax cuts, of the entire Bush presidency — has changed the lives of millions of American students, parents, teachers and school administrators. Yet its future is in grave doubt.

Adopted by Congress on a wave of bipartisan unity that followed the terrorist attacks of

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INTERNATIONAL A6-16

Resentment In South Korea

Protests over the South Korean leader's decision to resume American beef imports are rooted in pride, not health fears. NEWS ANALYSIS, PAGE A6



NATIONAL A17-23

Unemployment Aid Fails

The House defeated a plan to provide added unemployment aid for Americans whose benefits are running out after Republicans opposed the bill. PAGE A17

BUSINESS DAY C1-10

Oil and Grain Prices Soar

Corn rose to a record above \$7 a bushel and oil was up \$5 a barrel as commodity prices continued to skyrocket. PAGE C1

METRO A24-25

Charges in Worker's Death

The owner of a Brooklyn site where a laborer died when a trench collapsed was charged with manslaughter. PAGE A24

SPORTS THURSDAY C12-15

N.B.A. on the Defensive

Players and coaches dismissed allegations of referee misconduct, but an investigation could still loom. PAGE C12

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Legacy-Minded Bush Loyalist Fights to Save 'No Child' Law

From Page A1

Sept. 11, 2001, the law imposed unprecedented testing requirements and tough expectations on the nation's nearly 99,000 public schools. But despite rising test scores, there is no hard-and-fast evidence, most experts say, that it is actually improving student achievement.

Today, roughly 11 percent of schools do not meet the law's standards — a figure that is expected to climb sharply as more schools struggle to meet the demand that all students be proficient in reading and math by 2014. The bill is so deeply unpopular that Representative George Miller, the California Democrat who was its chief sponsor, often calls No Child Left Behind "the most negative brand in the country."

The White House had hoped Congress would revisit the bill this year, but on Capitol Hill, prospects for updating the legislation are virtually dead. On the presidential campaign trail, the presumptive Democratic nominee, Senator Barack Obama of Illinois, vows to overhaul it. The presumptive Republican nominee, Senator John McCain of Arizona, supports the law, though Ms. Spellings knows his priorities are elsewhere.

"It's not his passion," she said. "It's George Bush's passion."

And so, the education secretary has hit the road. She has visited more than 20 states this year, testifying in capitals from Tallahassee to Topeka, trying to gain support for the measure while announcing administrative changes intended to make it more palatable — an insurance policy of sorts, to help it withstand an assault after Mr. Bush leaves office.

She carts her own roller bag, changing into blue jeans in airline frequent-flyer lounges, so as not to rumple her business suits. She has slogged through inclement weather, flight delays and bad airport food.

"This is my child, my baby," she said over dinner in Maysville, Ky., referring to the No Child Law.

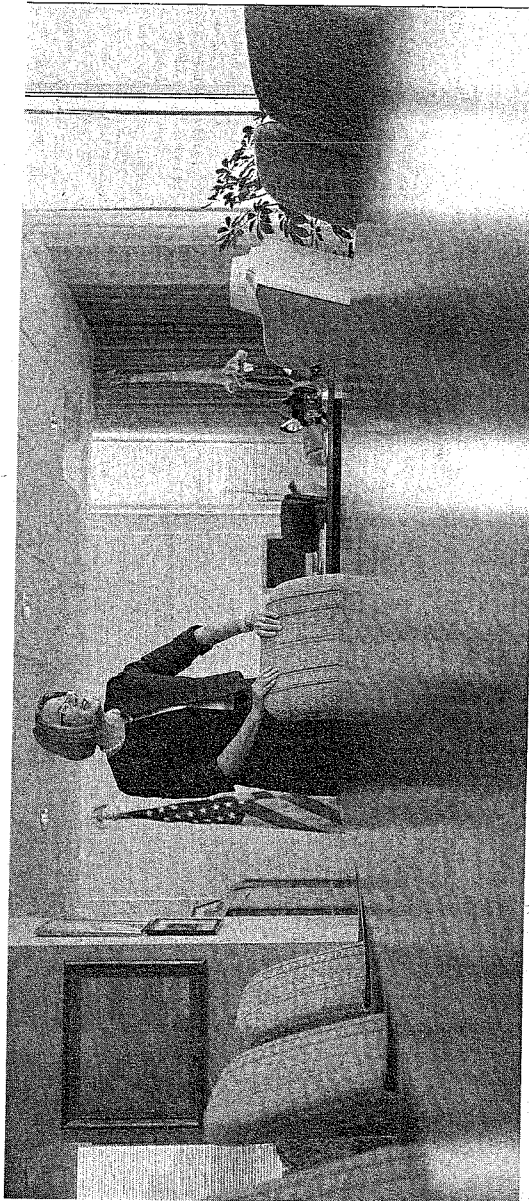
And with seven months left to go, she is not prepared to let it slip away.

A Triumph

The story of how No Child Left Behind morphed from a bipartisan legislative triumph into a laugh line on the Democratic campaign trail is, in part, the larger story of the Bush domestic policy agenda, of a Texas governor who came to Washington vowing to be "the education president" and wound up consumed with fighting terrorism and two wars.

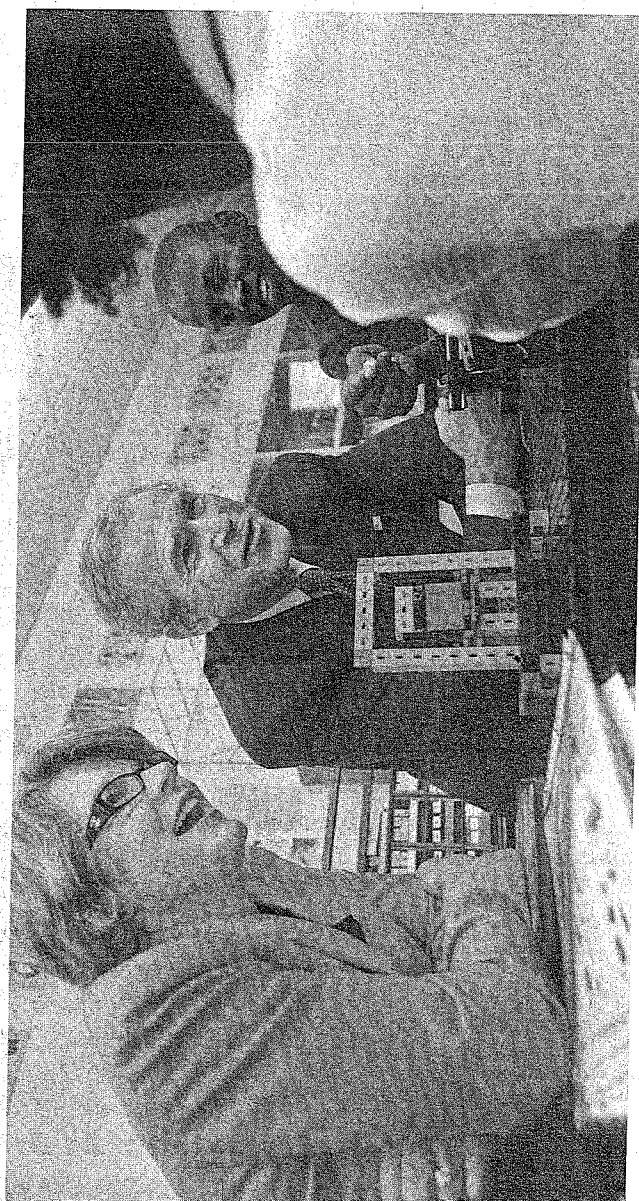
But it is also the story of "little old Margaret Spellings," as she sometimes calls herself, and her personal journey with Mr. Bush.

They met in the early 1990s — a mutual friend, the political strategist Karl Rove, introduced them — when Mr.



Margaret Spellings, the secretary of education, first met President Bush in the 1990s when she was a lobbyist and he was considering a run for governor of Texas. They were introduced by Karl Rove, and she went on to help run Mr. Bush's Texas campaign.

DOUG MILLS/THE NEW YORK TIMES



CHARLES DHAMAK/ASSOCIATED PRESS

in third through eighth grades every year. Even states that did rely on testing, like Kentucky, protested what officials saw as the heavy hand of the federal government.

Kentucky already had what its ed-

the department, the regulations were slow in coming and there wasn't as much discussion with the states as there should have been," he said, calling the department's efforts "a fiasco."

As the law identified schools in

students rarely see money at home.

"I want you to see if you can make 28 cents," Ms. Roberts announced brightly, as little hands began sifting through piles of coins.

As to whether the law has truly narrowed the achievement gap, the secretary promotes studies showing math and reading scores improving. "I like to say we are pleased, but not satisfied."

LaMontagne, the chief lobbyist for the Texas Association of School Boards. She helped run the campaign, became a top aide in Austin and, after a divorce, followed Mr. Bush to Washington, a single mother raising two daughters with a big new title: chief of domestic policy.

Today, Secretary Spellings (she married Robert Spellings, an Austin lawyer, in August 2001, and became education secretary in January 2005) is one of a handful of the so-called original Texans still working for Mr. Bush. At 50, she is promoted as a potential candidate for Texas governor and is also one of several determined women, among them Secretary of State Condoleezza Rice, who count Mr. Bush as a boss and a friend.

"She and Bush have a special relationship, a camaraderie," Mr. Spellings said of his wife, adding, "She trusts him, and she loves him."

Perhaps more than any other adviser, Ms. Spellings helped shape the Bush education philosophy: a strict emphasis on standards and accountability, intended to close the "achievement gap" between black and white, rich and poor. While other Republicans talked of dismantling the federal Department of Education, Mr. Bush cast education as a civil rights issue, challenging "the soft bigotry of low expectations."

These were the foundations of No Child Left Behind. The law's cornerstone is its requirement that states set targets and issue detailed reports on student performance. Schools must improve the performance of subgroups, including minority, low-income and disabled students. Schools that repeatedly fail to report progress are deemed "in need of improvement," the law's term for failing. Students may transfer out of failing schools, and the schools risk being shut down.

On a wall in a hallway outside her office in Washington — a spacious affair with huge glass windows overlooking the Capitol and paintings on loan from the Smithsonian — Ms. Spellings keeps framed mementos of the passage of the bill: The Senate vote roster, 87 to 10; a congratulatory note from Representative John A. Boehner of Ohio, a key Republican sponsor; a schedule from Mr. Bush's bill-signing tour, a bipartisan road show featuring Senator Edward M. Kennedy, the Massachusetts Democrat.

Ms. Spellings was still so new to Washington, so green, that she did not realize how extraordinary it all was — or how quickly the relationship between the Bush White House and Congress would sour.

"We were used to doing business like that in Texas," she said. "We just thought that's how it was done."

The Criticism

The backlash was swift. States that did not use annual tests to assess progress scrambled to meet the law's requirement for testing students

But meshing the two "was like putting a slightly round peg into a slightly square hole," said Lisa Gross, a spokeswoman for Mr. Druud's agency.

Kentucky assessed student achievement every two years; No Child demanded it every year. Kentucky tested seven subject areas; the federal law required just reading and math. Kentucky marked progress based on a school's growth; under No Child Left Behind, a school either passed or failed.

So schools could pass by Kentucky's standards, but fail by Washington's. The state pushed back to no avail. "We said, 'What you're proposing is very similar to what Kentucky is already doing, and we have found that it is a much stronger, more reliable system if you do two years' worth of data as an average, and give schools a little more flexibility,'" Ms. Gross said. "They say, 'Well, that's not how we want to do it.'"

Back in Washington, the Education Department, under Secretary Rod Paige, struggled to issue the regulations states needed to put the law into effect, said Gene Hickok, a former deputy secretary. Mr. Hickok remembers "an ongoing sense of tension" between Mr. Paige and Ms. Spellings, who from her perch at the White House pushed for faster action. Mr. Hickok said both he and Ms. Spellings urged a firm stand against states seeking exemptions — a rigid approach that critics say helped undermine support for the law.

To make matters worse, Mr. Hickok said, the department had no public relations strategy to counter the burgeoning opposition. (The strategy it ultimately adopted — secretly paying Armstrong Williams, a conservative commentator, to promote the bill — backfired badly. The Government Accountability Office concluded it violated federal law.)

On Capitol Hill, Mr. Boehner was up in arms. "There was just silence coming out of

high-stakes accountability program. But meshing the two "was like putting a slightly round peg into a slightly square hole," said Lisa Gross, a spokeswoman for Mr. Druud's agency.

In 2003, the National Education Association, one of the nation's two biggest teachers' unions, surveyed its members, laying the groundwork for a major message campaign that would denounce No Child Left Behind as "a one-size-fits-all approach to learning." The union's president, Reg Weaver, said, "We needed to galvanize our members as well as the public around a law that was not doing what it was intended to do."

By the time Mr. Bush replaced the much-criticized Mr. Paige with Ms. Spellings in 2005, thousands of schools were being declared failing, and states were in open rebellion. Utah threatened to opt out. Connecticut eventually sued. "No Child Left Behind, as implemented, has not passed the common sense or the fairness test," said Joe Nathan, director of the Center for School Change at the University of Minnesota. "It did not make sense to citizens or legislators to say that this school is going to have to be closed or reorganized because kids who may have been disabled are not achieving standards."

It was against such opposition that Ms. Spellings arrived at the Fourth Street Elementary School, on that soggy March day.

The school is a showcase, a model of a thriving urban school. Roughly 85 percent of pupils at Fourth Street received free or reduced meals — a barometer of economic disadvantage that can indicate poor performance. But through aggressive efforts to hire math and reading specialists, Fourth Street is making the grade under No Child Left Behind.

On the day Ms. Spellings visited, a 28-year veteran math teacher named Lynn Roberts was teaching first-graders about money — not an easy task when

total of 33 cents. The teacher gently corrected him; Ms. Spellings left impressed.

"These are not people who are sitting around whining about No Child Left Behind," Ms. Spellings said. "These are people who are hard at work."

In fact, Ms. Roberts and other Fourth Street teachers have serious concerns about No Child Left Behind. "My concern is that there is such pressure on assessment," Ms. Roberts said in a later interview, "that oftentimes people are working hard to pass the test, and not to gain real understanding."

Ms. Spellings often says the bill requires just one test a year, and here in Kentucky the same test is used for both state and federal assessments. But Doug Alper, the Fourth Street principal, said tests begot more tests, because school districts want proof their students are on track.

At Fourth Street Elementary, the signs are everywhere. Classroom doors are posted with pie charts and bar graphs showing test results, though not by name. Hallways are lined with handmade posters exhorting students to "Try your best!" on standardized tests.

"Assessments are very important, and I said that to the secretary," Mr. Alper said. "It's important for us to use data to drive our instruction. But the emphasis appears to be so much on the assessment that, I'm telling you, at times during the year, our kids are being formally assessed for a month straight."

Repair Efforts

As she travels the country, Ms. Spellings talks up efforts to use her executive powers to address concerns like Mr. Alper's. For instance, she has begun a pilot program allowing certain states to measure progress using a "growth model," a technique similar to the one that Kentucky was forced to abandon.

concluded in a 2007 study that it is "very difficult, if not impossible" to draw a cause-and-effect relationship, in part because scores were going up before the bill was passed. The center's director, Jack Jennings, says Ms. Spellings' initiatives are too narrowly written to make real change, and faults her spending more time being "a political operative" than listening to teachers.

"All these complaints aren't silly," Mr. Jennings said. "There's substance to them."

On Capitol Hill, Mr. Miller complains that he proposed similar fixes, but was rebuffed by the White House. "They sabotaged the reauthorization," he said, "and now she's running around trying to salvage a legacy that can't be salvaged."

Yet others, like Gene Wilhoit, a former Kentucky education commissioner who now runs the Council of Chief State School Officers, praise Ms. Spellings for trying to repair relations with states. "My question," Mr. Wilhoit says, "is: 'Is it too late?'"

For Ms. Spellings, it may not be; her travels have raised her profile, building a network of connections that could prove useful if she runs for public office. She says she views the churning around No Child Left Behind as "a badge of honor," the price Mr. Bush had to pay for making what she calls "powerful and profound" reform.

Both supporters and detractors of No Child Left Behind agree that when the history of the Bush administration is written, the president will have succeeded, at least in changing the American conversation about education.

As Mr. Wilhoit said, accountability "is now anchored into the process."

Yet many say Mr. Bush's promise to be "the education president" has gone unfulfilled.

To Mr. Kennedy, Mr. Bush squandered an opportunity to have "a legacy as great as Medicare." Mr. Weaver, the union official, gives Mr. Bush a D. Jim Hunt, the former Democratic governor of North Carolina, who is close to Ms. Spellings and backs the law, blames the president for the erosion in support.

"He didn't stick with it," Mr. Hunt said. Ms. Spellings, upon hearing this, drew in a deep breath.

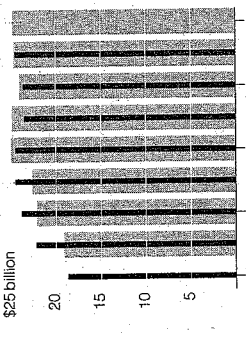
She was sitting in her Washington office, the one with the Smithsonian paintings, drinking coffee from a porcelain cup, a long way from Texas. She paused a moment and then, in her own loyal way, effectively conceded Mr. Hunt's point.

"Well, you know, obviously, absent 9/11 and the wars in Afghanistan and Iraq, I think the whole domestic agenda would have been different," she said. "He ended up being a wartime president and as such has devoted — appropriately so — time and energy to those issues. But with respect to how education fares compared with other education priorities, I think we've done well."

No Child Left Behind: By the Numbers

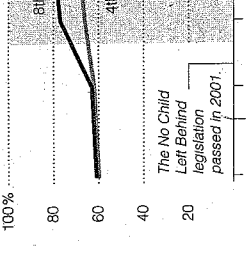
FINANCING FOR THE INITIATIVE

Appropriation President's request



NATIONAL ACHIEVEMENT LEVELS

Students at or above basic achievement levels in public schools



Sources: Education Department, National Education Association

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