

Two Policies Aimed at Achieving Education Equality

—— Nine-Year Compulsory Education Law in China and the Elementary and Secondary Education Act in the United States

Jiajun Li^{1,a,*}

¹Shenzhen College of International Education, Shenzhen, Guangdong, 518000, China

a. s22708.li@stu.scie.com.cn

*corresponding author

Abstract: The compulsory education law in China, known as the *Nine-Year Compulsory Education Law* (NYCE), and the *Elementary and Secondary Education Act* (ESEA) in the United States, are two important laws with the purpose of guaranteeing educational access and enhancing the academic achievements of children. Although China and the United States have distinct educational systems and approaches, examining these legislations offers valuable perspectives on their respective efforts to ensure education for every student. By ensuring access to education, addressing achievement gaps, promoting accountability, and encouraging equitable resource allocation, the governments endeavored to provide all students with an equal opportunity to succeed academically. This paper presents a comparative analysis of the NYCE in China and the ESEA in the United States, highlighting their similarities and differences in terms of their historical backgrounds, efforts on educational equality, and their respective successes and drawbacks. By examining these aspects, people can gain insights into the impact of these laws on education and consider potential solutions to the challenges they face.

Keywords: ESEA, NYCE, educational system, education policy, educational inequality

1. Introduction

Educational equality is crucial for creating a fair, inclusive, and prosperous society. It serves as a unifying force in society. When everyone has access to quality education, it promotes social cohesion by fostering understanding, empathy, and respect for diverse perspectives. It encourages the dismantling of stereotypes and prejudices, leading to a more harmonious and inclusive society. Meanwhile, it empowers individuals with knowledge, critical thinking skills, and civic awareness necessary for active participation in democratic processes. Educational equality enables all citizens to be informed and engaged participants, contributing to the strength and stability of democratic institutions. In order to ensure that every child has equal educational opportunities, various countries have enacted a series of laws and policies. China's *Nine-Year Compulsory Education Law* (NYCE) and the *Elementary and Secondary Education Act* (ESEA) in the United States are two legal frameworks that fully reflect the educational values and priorities of their respective countries.

The histories of these two countries' educational regulations are very different. The first version of China's NYCE was published in 1986. In order to raise the nation's general educational level and lessen educational inequality in underprivileged areas, its fundamental objective is to guarantee that every kid completes nine years of compulsory education. In contrast, the ESEA in the United States is a federal law that has been revised and updated many times since 1965. The goal of the bill is to provide federal funding to support educational equity and improve educational access, especially for low-income and special needs students. The historical background of these two laws reflects the educational challenges and policy priorities faced by countries at different times.

Educational equity is a common goal of both laws, but there are some differences in how they achieve this goal. China's NYCE emphasizes the importance of universal education, especially in poor areas. The bill has achieved great success over the past few decades, greatly increasing education penetration in China. However, some problems remain, including urban-rural education gaps and imbalances in teaching staff. In contrast, the United States' ESEA focuses on providing additional support and resources to compensate for educational inequalities. Despite some of the achievements of this law, large educational gaps remain in the United States, especially among low-income communities and minority students.

By comparatively analyzing these two laws, people can gain an in-depth understanding of their similarities and differences in history, educational equity, successes and shortcomings, etc., thereby providing valuable lessons and inspiration for global education reform.

Through a comparative analysis of China's NYCE and the United States' Elementary and Secondary Education Law, people can see the different approaches and priorities of different countries in solving educational challenges. Both laws were enacted to improve educational equity, but there are some differences in their implementation methods and policy tools. By in-depth study of these similarities and differences, relevant departments in various countries can learn from their experiences and lessons and provide useful inspiration and direction for global education reform. In different international and cultural contexts, educational equity remains a challenging goal that requires continuous efforts and innovation to achieve. A comparative analysis of these two laws helps authorities better understand how to address these challenges and provides guidance for building a fairer and more inclusive education system.

2. ESEA

Before the 1950s, the U.S. federal government was largely uninvolved in education issues, which had been left in the hands of the state governments [1]. The "War on Poverty" campaign, which acknowledged that education played a critical role in ending the cycle of poverty and creating chances for upward mobility, resulted in the signing into law of the ESEA in the United States in 1965. Nearly 40 million Americans were living in poverty in the late 1950s, with the poverty rate in the country hovering at 22% [2]. This issue raised concerns about the lack of equal educational opportunities and the negative impact of poverty on children's educational outcomes. one of the presidents recognized the need to address these challenges. In his message to Congress on Education, delivered on January 12, 1965, the President proposed the ESEA as a means to achieve "full educational opportunity" for all children [3]. Meanwhile, the Civil Rights Movement also played a significant role in shaping the social background of the ESEA's release. The goal of the movement was to end racial prejudice and segregation in all spheres of society, including education. In the decision in *Brown v. Board of Education*, Chief Justice Earl Warren asserted that, in the realm of public education, the concept of "separate but equal" does not hold a valid position. In fact, when it comes to colleges and universities, having them segregated inherently results in inequality [4]." It declared racial segregation in public schools unconstitutional, but educational disparities persisted. Prior to this, racial segregation in public schools was legal and commonplace. African American students were required to attend

separate schools that were often underfunded and deprived of resources compared to white schools. Despite the fact that the number of Black children attending racially integrated schools in several southern states has increased threefold since the early 1950s, by 1965 and 1966, only 16% of Black children in the entire southern region and neighboring states were enrolled in schools that were racially mixed [5]. Overall, the ESEA's inception was motivated by the pressing need to combat poverty, and eliminate disparities in educational levels in order to promote equitable access to quality education for students of all nationalities and different family economic levels. In 1965, Congress passed the ESEA, and in 1966, after Congress resolved the funding problem, this education law began to be formally implemented. The law conflicted with many state laws because each state had a high degree of authority to enforce its laws. For example, some states explicitly stated that the government could not give any subsidies to schools. After the implementation of this law, schools were subsidized by the government for textbooks, libraries, etc. At the same time, poor and bilingual students have access to education, which has furthered the process of school desegregation in the southern United States. This corresponds to what the British poet Samuel Johnson (19th century) said two centuries ago, "Decent provision for the poor is the true test of civilization." Overall, the ESEA of 1965 has played a critical role in promoting equal access to education, addressing educational inequities, and promoting accountability in the United States. It was an important step in ensuring that every student has access to a quality education and is academically successful.

3. NYCE

The NYCE was implemented in China during the "reform and opening-up policy" initiated in 1978. It aimed to address the high rural population and poverty levels in China by providing basic education to all children from disadvantaged families [6]. Prior to the implementation of this law, the educational options between urban and rural areas were very different. In the aftermath of the Cultural Revolution, which lasted from 1966 to 1976, there was considerable disruption in China's education system. Schools and universities were closed, and many intellectuals and professionals were sent to rural areas for "re-education" as part of the "send-down movement [7]." This movement resulted in an influx of educated youths into rural areas, which, in turn, brought some improvements in educational resources and opportunities for rural children. As a result, the availability of educational resources and opportunities was significantly higher in urban areas compared to rural areas. This uneven distribution of educational resources created a significant gap in access to education.

At the same time, the Great Leap Forward and the Cultural Revolution had a significant impact on economic disruptions and contributed to increased poverty levels during this period [8]. Due to poverty, many families in rural areas faced economic challenges and struggled to afford the cost of education for their children. What's worse, as many families in rural areas faced poverty and sought better economic opportunities in urban areas, they prospected better employment and increased income by sending their children to work. Children were required to contribute to their family's income and support themselves [9]. Limited financial resources, coupled with the need for child labor, created barriers for children in rural areas to access education. Originally, illiteracy rates have become a significant concern in China, particularly in rural areas and among certain demographic groups. In 1952, the overall illiteracy rate in China was estimated to be around 80%. This indicates that illiteracy remained a concern well before the 1970s [10]. and there are many school-age teens who are not in school. The basic education of a country directly determines the quality of the population. Every child who has turned six should attend school in order to acquire a mandated education. The state has also set up scholarships to help poor students. The state administers a nine-year obligatory education system, according to the "Compulsory Education Law". All school-age children and teens must obtain compulsory education, which the government is required to guarantee as a matter of public welfare. Tuition and other costs are not charged for compulsory schooling. It reflects the country's great

emphasis on compulsory education. The primary school graduation enrollment rate rose from 69.5% in 1986 to 98.4% in 2005, reached 100% in 2006, and has remained above 98% since then, which shows its effectiveness [11]. In conclusion, China's Compulsory Education Law has played a significant role in promoting universal access to education, reducing inequalities and developing the quality of education. It reflects the government's commitment to providing all children in the country with a solid educational foundation, paving the way for their future success and contributing to the overall development of society.

4. Comparison

What ESEA and Compulsory Education Law have in common is that they both seek to achieve equality in education and to address the educational problems caused by poverty. However, ESEA, when promoted, did not address racial discrimination in education while racial discrimination is one of the most unique issues in American history. Although the federal government has strongly advocated for educational equality and resource utilization in recent decades, racial discrimination still exists in many schools, including Harvard University and the University of Chicago. Grades one through nine are required to attend school in accordance with the "Compulsory Education Law" of China. Because the differences in economic status between provinces, autonomous regions and municipalities, there are huge differences in teaching levels across the country. Although compulsory education has solved the problem of free and widespread education, it has not fundamentally solved the problem of equal distribution of educational resources.

Both the ESEA in the United States and compulsory education in China have to a large extent solved the problem of universalizing education due to poverty. However, some fundamental social issues still require attention. In the United States, ESEA has encountered a similar situation. Although in many southern states, the number of Black children attending racially mixed schools has tripled since the early 1950s, by 1965 and 1966 only 16% of black children in the entire South and neighboring states were attending racially mixed schools. This was largely because the policy of segregation was still in place and enforced during this time. The Civil Rights Act of 1964 marked the beginning of the end of this segregationist strategy. This act prohibited racial discrimination and mandated racial integration in public schools. As a result, by 1965 and 1966, few black children had access to racially integrated schools [12]. Governments still have a long way to go to address the root causes of educational inequality. The Secretary of Education withdrew financial aid to more than 60 schools in the South that were not racially mixed according to laws and regulations [13]. Some school districts desegregated. However, this approach does not fundamentally solve the problem. For instance, the U.S. Supreme Court ruled 6-2 on June 29, 2023, to reject preferential differential treatment by American institutions, finding that Harvard University and the admissions procedures at the University of North Carolina were against the Equal Protection Clause of the Fourteenth Amendment. The verdict in this case will restrict the entire admissions process of American higher education and forbid universities from considering race into account when accepting students because Harvard University is a private institution and the University of North Carolina is a public institution. This ruling signals a shift in university admissions policies and reminds us of the importance of equal protection in the society. It will prompt universities to take a fresh look at their admissions processes to ensure fairness and equal opportunity for all students. At the same time, it is an opportunity to think more deeply about the relationship between equity, diversity and fairness in order to find better balances and solutions.

In addition, compulsory education cannot fundamentally solve the education problem. Since the reform and opening up, China has carried out a series of educational reforms, but compulsory education is still affected by regional economic differences. Problems such as insufficient funds in poor areas and large differences in regional educational resources and infrastructure construction have

emerged [14]. Since the 1990s, the imbalance of fiscal expenditure on compulsory education has attracted widespread attention. The problem of unbalanced financial expenditure is the result of a combination of factors, such as the imbalance in regional development, the imbalance in the distribution of educational resources by the government, the gap between schools, and the imbalance in educational resources lies in between urban and rural regions. Solving this problem requires active government intervention and policy adjustments to ensure the equitable distribution of educational resources, reduce disparities between regions and groups, and provide equal educational opportunities for every student. The quantitative analysis of the study found that there is a serious imbalance in funding between regions [15]. In China's first-tier cities and southeast coastal areas, the overall development of education is faster. This is inseparable from the local economic development. Students from first-tier cities and southeast coastal areas can even get in touch with foreign professors from elementary school. In the wider inland areas, many students may not have their first time until high school or even future university exposure to foreign languages. In order to close the gap early, the government must provide them with more learning resources and opportunities, cultivate students' interest in learning and their ability to learn independently, and help them realize their dreams and goals.

In contrast to its intended goals, the *Elementary and Secondary Education Act* did not effectively address racial discrimination in schools. According to the *Meranto Act*, which aimed to provide aid to economically disadvantaged Black children, the government did not directly address the underlying racial inequalities in the education system. It did not comprehensively tackle the deep-rooted racial disparities present in the education system. As a result, the act passively improved the lives of Black individuals. Furthermore, the ESEA failed to bridge the cultural and educational gap between Black and White students, particularly in terms of the skills and knowledge required in school. White students enjoyed the privileges conferred by their race, enabling them to understand implicit rules within the education system, such as making eye contact with teachers as a sign of respect [16]. Consequently, they were more likely to receive recognition and praise from teachers. On the contrary, due to the lack of social and economic capital, Black students were often unaware of these unwritten rules and were thus disadvantaged compared to their White counterparts. This perpetuated a cycle of inequality unless actively addressed by government intervention. As the *Elementary and Secondary Education Act* did not adequately prioritize the concerns of the Black population, it fell short of achieving educational equality.

5. Conclusion

Looking forward, the challenges and unresolved problems are multifaceted. When it comes to the NYCE in China, some of the key challenges include inadequate funding and resource allocation, regional disparities in educational quality and accessibility, teacher shortages and uneven distribution, outdated curriculum and teaching methods, and the persistence of educational inequities based on socio-economic status and rural-urban divide. These challenges hinder the effective implementation and equitable outcomes of the education law. The government has been working to address these issues through various initiatives, such as increasing education investment, improving teacher training programs, and implementing targeted measures to bridge the urban-rural education gap. However, ensuring that all students in China have access to quality education is fraught with challenges.

In conclusion, the right to equal education is a prerequisite for social progress, economic development and a vibrant democracy. The NYCE in China and the ESEA in the United States are both significant legislative measures aimed at ensuring access to education and improving educational outcomes for children. These laws contribute to bridging the gap between privileged and disadvantaged students, promoting accountability, equitable resource allocation, and providing all

students with equal opportunities to succeed academically. Both two laws largely resolved the unfair distribution of education or educational resources left over from domestic economic and historical reasons. By analyzing these laws, people gain insights into the efforts made by both countries to achieve educational equality. However, challenges and unresolved problems remain, which require continued attention, collaboration, and innovative approaches to overcome. Ensuring educational equality will not only benefit individual students but also contribute to building inclusive societies and fostering sustainable development. It is the responsibility of governments, policymakers, educators, and communities to work together to address these challenges and create a brighter future for all students.

References

- [1] Fu, L. (2006). *Checks and Balances of Rights and Positive Freedom Analysis of the Development and Implementation of ESEA 1965 in the United States of America*(dissertation).
- [2] Desmond, M. (2023, March 9). Why poverty persists in America. *The New York Times*. <https://www.nytimes.com/2023/03/09/magazine/poverty-by-america-matthew-desmond.html>
- [3] Corley, C. (2017, October 6). *President Johnson's Crime Commission Report, 50 years later*. NPR. <https://www.npr.org/2017/10/06/542487124/president-johnson-s-crime-commission-report-50-years-later>
- [4] U.S. Department of the Interior. (n.d.). 1954: Brown v. Board of Education (U.S. National Park Service). National Parks Service. <https://www.nps.gov/articles/brown-v-board-of-education.htm>
- [5] Carrillo, S., & Salhotra, P. (2022, July 14). The U.S. student population is more diverse, but schools are still highly segregated. NPR. <https://www.npr.org/2022/07/14/1111060299/school-segregation-report>
- [6] Sun, M. (2022). Nine Year compulsory education policy in China. *International Journal of Curriculum Development and Learning Measurement*, 3(1), 1–11. <https://doi.org/10.4018/ijcdlm.315580>
- [7] Encyclopædia Britannica, inc. (2023, September 5). Cultural revolution. Encyclopædia Britannica. <https://www.britannica.com/event/Cultural-Revolution>
- [8] Dittmer, L. (1998). Liu Shaoqi and the Chinese Cultural Revolution. M.E. Sharpe.
- [9] Khan Academy. (n.d.). Read: Rise of China (article). Khan Academy. <https://www.khanacademy.org/humanities/whp-origins/era-7-the-great-convergence-and-divergence-1880-ce-to-the-future/75-global-interactions-beta/a/read-rise-of-china-beta>
- [10] Garnaut, E. R., Song, E. L., & Fang, E. C. (2018). *China's 40 Years of Reform and Development: 1978–2018*.
- [11] Wang, X. (2012) A study of U.S. ESEA in the 1960s (dissertation).
- [12] A&E Television Networks. (n.d.). Brown v. Board of Education: The first step in the desegregation of America's schools. History.com. <https://www.history.com/news/brown-v-board-of-education-the-first-step-in-the-desegregation-of-americas-schools>
- [13] John A. (1998) *Andrew, Lyndon Johnson and the Great Society*[M]. Chicago: Ivan R. Dee, Inc.
- [14] Tsang, (2004) Research Institute for Economic and Social Development, Northeastern University of Finance and Economics.
- [15] Wang, W. (2009). *Analysis of China's Compulsory Education Fiscal Reform and Regional Differences: Equity and Adequacy in Education Finance* (dissertation).
- [16] Whitehurst, G. J. "Russ," Startz, D., Michael Hansen, D. Q., Lucy Sorensen, M. A.-A., J. Cameron Anglum, A. M., & Emily Markovich Morris, O. N. (2023, June 25). Unequal opportunity: Race and education. Brookings. <https://www.brookings.edu/articles/unequal-opportunity-race-and-education/>