

## **LWVUS EXPLORES THE FEDERAL ROLE IN EDUCATION**

Our national League study committee chose a broad context for our consensus, and focused their work on significant national-level issues for which we do not yet have positions. As a result, we will be talking about the history of the federal role, programs funded by federal money, including set-asides for early childhood programs and those for disadvantaged and disabled children, and the non-federal move to establish nation-wide curriculum standards and assessments.

### **I. THE HISTORY OF THE FEDERAL GOVERNMENT IN PUBLIC EDUCATION**

Education has long been considered a national concern. From the very beginning of the Republic, a well-educated citizenry was regarded as essential to protect the liberty and the general welfare of the people. Even before the Constitution was established, the Land Ordinance of 1785 and the Northwest Ordinance of 1787 included national grants to states for a local education system. Article 1, Section 8, of the Constitution granted Congress the power to lay and collect taxes to provide for the general welfare of the United States. It is under this “general welfare” clause that the federal government has assumed the power to initiate educational activity in its own right and to participate jointly with states, agencies and individuals in educational activities.

The 10th amendment, however, states that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Since public education was not mentioned as one of the federal powers, control of education has rested with local and state governments ever since.

### **II. EQUITY AND FUNDING**

Nearly half of the K-12 education funding in the United States is intended to come from the states, In most states, the remainder usually comes from local property taxes. The federal government adds less than 10 percent to local education budgets on average, yet it contributes significantly to the rules for how the funding is used.

States that rely heavily on property taxes to fund education tend to have large inequities among districts. Despite Civil Rights rulings and legislation, public education in the last two decades has become re-segregated. Currently, three-fourths of Black and Latino/a students in K-12 districts attend schools that are predominately non-white.

- **ADEQUACY:** Since 1990, most lawsuits challenging these conditions have focused on adequacy —whether a state is providing local districts with enough resources to give all students an adequate basic education, which has been defined as one that includes factors such as a full-day kindergarten, core class sizes of 15 for grades K-3, 25 for grades 4-6 and specialist teachers. The cost of an adequate education varies depending on how much money is needed to educate students from impoverished communities and students with special needs.

- **FUNDING PRIORITIES:** Historically, federal funding has been based on need, supplementing state and local allocations to support the education of special

populations such as children of military personnel on federal bases, or poor children, In 2008, (the latest year for which data is available) the national average for educating a child was \$9500,

- **NO CHILD LEFT BEHIND (NCLB):** In 2001, President George W. Bush signed the reauthorization of the Elementary and Secondary Education Act (ESEA) as “No Child Left Behind (NCLB).” This version of the law will remain in force until Congress reauthorizes an updated version. Provisions of the law were intended to close achievement gaps, particularly for minority children. The law laid many more requirements on states/ districts than previous renewals of ESEA had done by requiring that they report graduation rates and test score results for each school by race and ethnic origin, and not just by overall averages.

Other provisions permitted parents to transfer a child from a low-performing school to a better one. Vouchers were supposed to cover some of the cost of attending some other school – public or private--but the money actually appropriated has proved too little to enable poorer families to make a move. The results have been punitive. Schools with students whose test scores did not achieve “Adequate Yearly Progress” (AYP) toward grade-level proficiency, after 2 years, have been subject to increasingly severe penalties, regardless of the school’s circumstances or student body. Fearful of being penalized , districts have encouraged schools and teachers to “teach to the test,” drilling students in language skills and math, cutting back on time for subjects such as science, social studies and the arts, which are not tested.

Supporters of NCLB appreciate the increase in accountability for schools and teachers as well as the focus on low scoring sub-groups. Critics of NCLB point to the lack of sufficient federal funding for many of the act’s original mandates, the reliance on standardized tests as the single measure of competence, and the lack of attention to gifted students. The NCLB goal, having 95 percent of students meeting state standards in reading and math by 2014, has come to seem increasingly unattainable.

- **RACE TO THE TOP (RTTT):** Race to the Top, signed into law by President Barack Obama in 2009, shifted the basis for awarding funds from the historic emphasis on student need to school/ district competition to win what limited federal resources are on offer. Under RTTT, funding is flexible as long as states demonstrate that grants are aligned with the agenda outlined in their winning applications. Only twelve states have received funding through RTTT thus far. Two of the requirements met by winners were (1) improving teacher and principal effectiveness based on performance and (2) lifting the cap on the number of charter schools that could be created.

### **III. EARLY CHILDHOOD EDUCATION**

The well-being of very young children is of concern to all of us, but it wasn’t until the original ESEA included Head Start as a program providing low-income families free access to pre-school experiences for very young children that federal funding created specific programs for pre-schoolers. Even in 1965 the importance of early schooling was well understood in the educational community. In the years since, research has documented over and over again, how crucial those early opportunities are, particularly

for toddlers from poor or broken families and children with disabilities, to learn in a group setting along with their age mates, what school is like, and what books are.

#### **IV. EDUCATION FOR CHILDREN WITH SPECIAL NEEDS**

The original ESEA in 1965 was considered a linchpin of the Civil Rights Act of 1964, and included disabled children under Title IV. Aid for the education of disabled children was later funded by a separate law: the Education for All Handicapped Children Act of 1975 (EAHCA). Over a 35-year span, the law was reauthorized and became the Individuals with Disabilities Education Act (IDEA), the latest of which was reauthorized in 2004 and called the Individuals with Disabilities Education Improvement Act (IDEIA).

To qualify for special education service, a student must be classified with one (or more) of 13 disabilities now covered by IDEIA, including hearing, speech, visual, or orthopedic impairments; serious emotional disturbance, traumatic brain injury, learning disabilities, and autism.

#### **V. COMMON CORE STANDARDS**

Until recently, standards for student performance were set independently by each state. Students who move from one part of the country to another during their K-12 school careers are likely to meet substantial differences in the graduation requirements and in the rigor and variety of courses offered. Educators have long recognized the need to provide a more uniform set of educational standards to ensure that all students acquired an adequate level of mastery during their school years, regardless of where they live.

In March 2009 The National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO) launched the Common Core State Standards Initiative. By early 2011, 40 states had adopted the Standards, and are currently aligning their own state standards to them.

§ ASSESSMENTS: Since No Child Left Behind gauged “proficiency” according to the curriculum standards set by each state, the implementation of the law has created a 50-state and 50-test environment in public education. Proficiency in achieving state standards can be scored either in *norm*-referenced tests, comparing students with all the others who are taking the same test and ranking one against the other, or in *criterion*-referenced tests, which measure in absolute terms how well students have mastered a particular body of knowledge without reference to anyone else. As a result state-to-state expectations and performances vary greatly.

In September 2010, the U.S. Department of Education awarded grants to two coalitions, together representing 44 states and the District of Columbia to design “comprehensive assessment systems” aligned to the Common Core standards and designed to measure whether students are on track for college and career success.

§ WHY NOT NATIONAL STANDARDS OR ASSESSMENTS? : The most common arguments against adopting the Common Core Standards for K-12 center on two issues: 1) the cost and difficulty of changing the existing curriculum and assessments and (2) the sovereignty of states in issues related to education and local control. Another concern is the potential to use scores from the student assessments as a major component of teacher evaluations and merit pay plans, an idea that has popular appeal.

## VI. WHAT IS THE NATIONAL INTEREST IN THE EDUCATION OF FUTURE CITIZENS?

- Who should oversee the national interest in education?

The Department of Education is only the principal among many federal agencies addressing the bigger questions about the national interest in educating our citizens. Two official documents itemize all such federal expenditures for education. The General Accountability Office ([www.gao.gov](http://www.gao.gov), search keyword Federal Education Funding, January 27, 2010) , concentrates on total expenditures by program. The Find Youth Information web site ([www.findyouthinfo.gov/index.shtml](http://www.findyouthinfo.gov/index.shtml)) lists federally funded educational programs by geography. If you want to know what educational programs in your area receive federal money, just enter your zip code and get the complete list. Each agency, seriously trying to address its own definition of what young people should know about how adult society works, has its own programs and contributions to make toward achieving that goal, but there is very little communication amongst them all, and no overarching priority-setting or coordinating mechanism.

- What topics should be addressed?

The topics listed in our scope are all worthy of League attention but only as they are choices about how to implement the achievement of national goals. Even this study leaves unaddressed serious questions such as Dropout prevention, College/ Career Readiness, alignment of PreK-20, but they all will have to be part of any long-range integrated effort to create first-class educational opportunities for all our children. Since so many state systems have not yet established effective policies on these issues, it is urgent that the federal government, in some form or other, pull together the many disparate pieces to articulate what our goals are for preserving America's economic and social health into the next generation.

- Who should administer federal programs and who should pay for them?

These are really two separate questions, but they are related, especially during our present economic difficulties. As Leaguers, we are well aware that complicated questions require multiple levels of decision-making, drawing on all levels of government in tandem. States already have experience organizing inter jurisdictional collaborations by way of agencies addressing water supply or air quality or transportation and land use regionally, bringing state, county and local authorities together to manage their resources jointly. Perhaps future education policy-making and funding might benefit from the same kind of shared management structure.

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# PUBLIC EDUCATION STUDY CONSENSUS QUESTION

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## GENERAL QUESTIONS

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1. The current role of the federal government in public education is
  - ◇ Much too small
  - ◇ too small
  - ◇ about right
  - ◇ too large
  - ◇ much too large
2. What should be the role of the federal government in public education? (Rank)
  - a. To ensure that all students preK-12 receive a quality education.
  - b. To develop accountability measures that will study the progress of all students so that they achieve adequate yearly progress.
  - c. To mandate Common Core Standards for all students K-12.
  - d. To monitor state efforts for funding
  - e. To measure teacher effectiveness through test data.
3. A quality public education is important to perpetuate a strong and viable democracy.
  - ◇ Strongly agree
  - ◇ Agree
  - ◇ No consensus
  - ◇ Disagree
  - ◇ Strongly disagree

## COMMON CORE STANDARDS

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4. Currently the governors and state education officers have developed Common Core Standards that are national but not federal. Should the standards be mandated of the states in order to obtain federal funding? (Choose one)
  - a. Special grant programs such as Race to the Top
  - b. All programs under Elementary and Secondary Education Act where the needs qualify for funding.
  - c. All programs receiving federal funding from any source
  - d. All of the above
  - e. None of the above
5. Should there be a **national assessment aligned** with the common cores standards?
  - ◇ Yes
  - ◇ No

If Yes, Should implementation be voluntary or federally mandated? (choose one)

  - a. Voluntary
  - b..Mandated
  - c. Mandated, if fully funded

If No, what other accountability measures might you suggest? (choose one)

  - a. Continue to allow the states to develop their own assessments.
  - b. Suggest that the local education districts use their own assessments or adopt one that is a nationally norm-referenced assessment such as the *Stanford Achievement Test* or *Iowa Test of Basic Skills*.
  - c. Suggest that districts use a portfolio type of assessment where student projects and activities would be scored holistically

6. National standards should lead to: (choose one)
- A nationally mandated curriculum to be aligned to the national standards and assessments.
  - A national curriculum that is only suggested but not mandated.
  - A suggested structure for states and local education agencies to develop their own curriculum.
  - No national curriculum.
7. What role should the national assessment consortia play in student evaluation?  
(Rank order)
- Provide an assessment system that is aligned to the Common Core Standards.
  - Provide comparison data showing progress toward reaching Common Core Standards.
  - Provide criteria for determining readiness for college and careers.
  - Provide information to students, parents, teachers and school districts about student achievement.
  - Provide diagnostic information on each child.
8. Data from the national assessments are often difficult for parents, teachers and others to understand. If we have a national assessment, what information is most important to be reported to parents, teachers, students and the community? (choose one)
- Data should be “norm referenced” (where students are ranked) for district comparison only.
  - Data should be “criterion referenced” and clearly informative so that teachers, parents, and students know how individual students have mastered criteria established at a national level.
  - Data should be used to determine “cut” scores knowing if students have mastered requirements for special grade levels.
9. Information from nationally required assessment data should be used to (Choose one):
- Sanction schools not measuring up to the specific levels
  - Reward schools that achieve high scores
  - Rank teachers based on student test score data
  - Reward teachers who have exemplary scores
  - Inform districts how their population compares to others similar to theirs.

## FUNDING AND EQUITY

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10. In the past most of the Elementary and Secondary Education Act (ESEA) funding has been non-competitive based on need. All/Any Schools that prove they fall under the federal guidelines for funding receive those funds. However, competitive grants are now being proposed to states/districts who meet certain federal requirements, such as Race to the Top. Which would be appropriate: (choose one)

- a. Non-competitive funding for all applicants meeting requirements
  - b. A combination of non-competitive and competitive grants
  - c. Competitive grants only
  - d. No federal funding
11. If the federal government's role is the concern of the "common good" then:  
(choose one)
- a. Mandates only should be sanctioned.
  - b. Mandates and funding should both be provided.
  - c. Funding should be provided through grants only.
  - d. A combination of funded mandates and grants should apply.
  - e. No mandates should be required and limited grants for innovation available.
12. Equity in public education means equitable access to: (Rank order)
- a. high quality teaching/learning
  - b. adequate and current learning materials
  - c. clean and well maintained physical facilities
  - d. food and health care
  - e. safe and secure neighborhoods
  - f. secure housing
13. Currently Elementary and Secondary Education Act (ESEA) funding is considered "categorical" rather than for general use. This means that it can only be used with special populations for special purposes. ESEA should remain targeted toward poverty and special needs.
- ◇ Strongly agree ◇ Agree ◇ No consensus ◇ Disagree ◇ Strongly disagree
14. The federal government has a role in supporting early childhood education, birth to 5, for all children?
- ◇ Strongly agree ◇ Agree ◇ No consensus ◇ Disagree ◇ Strongly disagree
15. Federal support for early childhood education programs ( e.g.Head Start, Title I, Special Education, Early Start) should include funding for parent education and support regarding child development, child health and nutrition, and access to other supportive services, such as mental health as needed.
- a. ◇strongly Agree ◇ Agree ◇ No consensus ◇ Disagree ◇ Strongly Disagree
  - b. This funding should be extended to :
- ◇ All children ◇ only those with special needs ◇ special needs first