



Written by [Alex Newman](#) on February 25, 2015

Citing Federal Control, Critics Slam Education Bill in Congress

Rather than abolishing harmful and unconstitutional federal involvement in education, Congress is considering passage of the “Student Success Act” that would, among other provisions, re-authorize much of the No Child Left Behind and Elementary and Secondary Education boondoggles until 2021. While some conservative organizations have highlighted portions of the legislation that would supposedly diminish the giant Washington, D.C., boot print on government schools, critics are warning that other elements of the bill essentially represent a further takeover of education by the federal government. Several other education-related bills that would not end unconstitutional federal involvement into state and local education are also being considered by lawmakers.



With public outrage against the [Obama administration-backed Common Core \(basically a plan to nationalize K-12 schooling\)](#) reaching a fever pitch across the political spectrum, the GOP-led Congress is under tremendous public pressure to rein in the White House and its radical education plans. However, critics warn that none of the education bills currently being considered would do away with the unconstitutional and dangerous takeover of education standards. Making matters worse, a broad range of education experts and policy analysts are warning that the 600-plus pages of legislation keep many of the worst elements of unconstitutional federal meddling — along with creating new dangers.

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The Student Success Act, which passed out of House committee without any Democrat support on February 11, is expected to be voted on soon by the full House of Representatives. If approved, it will cost taxpayers over \$23 billion per year.

However, analysts say the worst amendments to the bill were successfully defeated, and that there may be some positive elements to the legislation. For example, according to an analysis of the bill by Dr. Karen Effrem, president of Education Liberty Watch, which opposes it, the legislation prohibits the secretary of education from “incentivizing” or “coercing” states into adopting standards or tests. “It is important for preventing future disasters like Common Core,” Effrem said.

Another provision of the bill would reportedly prevent D.C. from vacuuming up private data on students if it is “personally identifiable” — something that was [already illegal but which the Obama administration did anyway by lawlessly re-writing privacy protection laws and bribing states](#).

Separately, one section of the Student Success Act (H.R. 5) would apparently attempt to quash a broad



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array of intrusive schemes from No Child Left Behind (NCLB) such as “early childhood mental health programs” and funding for propaganda TV programs aimed at manipulating children. The new bill also eliminates requirements on “yearly progress” for schools — impossible requirements that were exploited by the Obama administration to impose Common Core through the issuance of lawless “waivers” from compliance with NCLB to states that imposed Obama’s agenda.

“The Student Success Act helps provide American families the education system they deserve, not the one Washington wants,” [argued](#) sponsor Representative John Kline (R-Minn.), chairman of the education committee. “I want to thank all my colleagues for engaging in a robust debate and offering their ideas to improve education. We have a lot of work ahead, and we will continue to move forward in a manner that is open, transparent, and fair. America’s parents, teachers, and students have waited long enough for a new law that helps every child in every school receive an excellent education. This important bill will move us closer toward that goal, and I look forward to continuing the debate in the weeks ahead.”

But praise for the bills is far from across the conservative board. Critics contend that the lawless federal data-gathering and data-mining schemes will continue unabated, including “research on social and emotional learning.”

Education Liberty Watch and a broad coalition of other organizations are also sounding alarm bells about H.R. 5 and urging a “no” vote by the full House. Among other concerns, critics say the bill continues to unconstitutionally mandate that states use dubious “cookie cutter standards” and assessments that bypass the authority of local officials elected by parents and communities. The legislation also purports to continue ordering states to test students every year as part of what is almost universally acknowledged to be a failed federal accountability scheme — in reality, a scheme to usurp control over education by dictating what is on tests, and thereby what is taught.

One of the most alarming new developments in the bill is the “portability” provision. That provision is one that on the surface would seem to provide parents with the ability to send their children to high-performing schools by providing school choice.

“Portability” refers to the portability of federal funding. Under the Republicans’ system, federal funding would “follow” individual students and could be used to put students in “charter schools” or other government schools. (The money could not be used to send children to private schools — yet.) While there are plenty of well-meaning conservatives and libertarians who support the “school choice” mantra, experts warn that there are numerous severe dangers associated with it. Among the chief concerns: The federal government eventually could expand the “portability” scheme to include private schools and then foist Common Core or something similar on private and religious schools by tying the money to adherence to government programs. As well, when it comes to charter schools, education experts warn that they lack accountability to the voters who fund them through their taxes.

Another provision that has generated widespread alarm appears on page 552 of the bill. While marketed as a tool to restore state sovereignty, critics say it may do just the opposite, outlining the process in which states explicitly surrender their constitutional authority over education to the federal government in exchange for U.S. taxpayer funding and grants. The legislation does note the obvious: No state can be obligated to submit to Washington, D.C.’s demands on education. However, it also explains that to receive certain assistance from the U.S. Department of Education with strings attached, the state legislature must approve the program, “waiving the State’s rights and authorities to act inconsistently with any requirement that might be imposed by the Secretary as a condition of receiving



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that assistance.”

The outcry against the bill is growing across the political spectrum. A coalition of prominent education experts including Lindsey Burke, Williamson Evers, Theodor Rebarber, Sandra Stotsky, and Ze’ev Wurman, for example, released a recent statement arguing that the bill did not return control over education policy to where it belongs. “The current drafts, both the Senate and the House versions, do not return authority to the states and localities or empower parents,” they said. “The ESEA has evolved from what was described at the outset in 1965 as a measure to help children from low-income families into an instrument of testing mandates and federal control of public K-12 education and, increasingly, of private education as well. The road to effective education is paved with local control and parent power.”

In an analysis of the legislation dubbed “No Program Left Behind,” Lindsey Burke, an education policy fellow at the Heritage Foundation, blasted the fact that virtually every federal education scheme remains alive in the bill. “The 616-page proposal that is now under consideration fails to take the necessary steps to genuinely limit federal intervention in education,” she wrote. “In fact, it’s difficult to square that circle: that a bill as long as the existing No Child Left Behind Act somehow reduces federal intervention in education. Beyond simple page count, the House proposal maintains elevated levels of spending, while doing little to actually eliminate programs.... Policymakers should empower states to completely exit the 600-page law in order to begin the process of devolving education authority back to states and localities, and, ultimately, families.”

Also coming [out against the bill were the Obama administration and its allies](#), although for different reasons. Notwithstanding the fact that the U.S. government is loading more than \$18 trillion in debt on taxpayers and even unborn Americans, they argue that the federal government must continue to fund and control education policy. The White House and globalist Education Secretary Arne Duncan, who [boasted to the United Nations and others of using U.S. schools to mass produce “green citizens,”](#) were particularly outraged about the “portability” scheme. They argue that it would reduce the flow of federal funds to schools with more poor students by allowing them to leave the failing schools and take the federal tax dollars elsewhere. Another sticking point is that Congress did not fully fund Obama’s demands for federally managed “early education” schemes to capture the minds of the very youngest Americans.

Late last year, Obama hosted a summit on “early education” at the White House, bringing together a vast array of organizations hoping to further super-size the federal government’s gigantic role in molding (and tracking) the minds of the Americans from birth. Among other schemes being pushed by the administration, according to the announcement on the White House website, was [“extending and expanding evidence-based, voluntary home visiting.”](#) As it did to impose Common Core on state governments, the administration used various slush funds to bribe state officials into expanding what top Obama officials regularly describe as their “cradle-to-career” education agenda — with special emphasis on the “cradle” component, as D.C. works hard to prod as many parents as possible into handing over their young children to government for “early education.” It remains unclear whether Congress truly intends to rein in the administration’s “cradle” scheming.

Another education bill in Congress, the “A-PLUS Act,” would reportedly seek to curtail the failed “No Child Left Behind,” which is almost universally loathed and acknowledged to have been a miserable failure. “As a former teacher I can attest to the fact that No Child Left Behind is the wrong approach to improving education standards in this country,” said Representative Rob Bishop (R-Utah), who introduced the proposal in the House. “This nation is simply too great, too broad, and too diverse for



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one set of ideas to rule from coast to coast.”

The real solution to America’s very real education crisis, though, is to get the federal government completely out of schools, as the U.S. Constitution and the 10th Amendment require. That means no more federal funding or mandates on education, permanently shutting down the unconstitutional U.S. Department of Education, ending all federal bribes and the strings they come with, and allowing local communities to make decisions again. It also means getting rid of the half-baked Common Core scheme financed by billionaire population-control zealot Bill Gates and foisted on states by the Obama administration. Several states are in the process of ending Common Core, but the threat to America’s future from the radical scheme remains.

Decades of D.C. and globalist meddling in education have turned American schools — and students — into a national crisis of epic proportions. The disaster will continue to grow more severe if left unchecked. The best and simplest solution is to just end federal involvement in education once and for all — the only constitutional solution. None of the bills in Congress would do that, but with enough public pressure, Americans can still restore proper education and constitutional government by getting the feds out of schools. In fact, doing so will be essential to the future of liberty, real education, and prosperity in America.

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