



Written by [Alex Newman](#) on July 22, 2015

Education Bills Solidify Federal Control of Schools, Children

In brazen defiance of the enumerated powers listed in the U.S. Constitution that all lawmakers swore an oath to uphold, both houses of Congress passed massive “education” bills packed with attacks on real education, local control of schools, student and family privacy, and the rights of parents. Despite false campaign promises by Republicans to rein in the Obama administration, the legislation passed by the GOP majority purports to reauthorize a dizzying array of unconstitutional federal “education” schemes — including draconian tools Obama has lawlessly used to nationalize education through the [hugely unpopular Common Core standards](#). The White House has already indicated that it supports the legislation and will sign it, but critics are up in arms.



Perhaps the most important element of the legislation is that it reauthorizes the anti-constitutional Elementary and Secondary Education Act of 1965 — the primary mechanism used by Washington, D.C., to usurp control over education from parents and communities. In essence, the measure opened the floodgates of federal funding for government schools, and with those funds, which come with “strings” attached, D.C. politicians and bureaucrats formally launched their plan to federalize public schools. The ESEA scheme was amended and made even more draconian by the almost universally reviled “No Child Left Behind” Act, implemented by a coalition including Ted Kennedy and George W. Bush. That program was crucial in forcing states to impose a radical testing regime that was ultimately used to federalize what is taught in schools.

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Legal authorization for No Child Left Behind actually ended in 2008, yet Congress continues to appropriate funds for it. Just as importantly, the Obama administration continues to exploit the non-existent authority to usurp even more control over schools and the minds of children — offering “waivers” from the “mandates,” along with bribes, to state governments that agree to impose the Obama-backed Common Core regime.

In Ronald Reagan’s day, abolishing the federal role in education was the Republican position. By contrast, the GOP majority in Congress today seems determined to expand that giant D.C. boot print, as is shown clearly by the “education” bills, which further empower Obama. The latest bills even purport to legitimize the White House’s previous usurpations of power in violation of the law.

Ironically, much of the present Republican establishment’s rhetoric focused on pretending that the



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legislation would “give” states authorities and “flexibility” on education — powers the states already had and still have under the U.S. Constitution and the 10th Amendment, and powers that are not the federal government’s to “give” in the first place. “The needs of a student in eastern Kentucky aren’t likely to be the same as those of students in south Florida or downtown Manhattan,” Senate Majority Leader Mitch McConnell of Kentucky said on the Senate floor. “This bill would give states the flexibility to develop systems that work for the needs of their students, rather than the one-size-fits-all mandate of Washington.”

Of course, Washington has no authority to “mandate” anything on education, because the states never delegated any power to Washington over education in the U.S. Constitution. That means the 10th Amendment *specifically prohibits any* federal involvement in education at all, and especially purported “mandates.” To anti-constitutional politicians in Washington, though, the Constitution they all swore to uphold and defend apparently means nothing — assuming, of course, that they have even read it.

Regardless, the bills that advanced in Congress would expand controls and federal funding for “charter” schools, unleash intrusive bureaucracies seeking insight into your child’s mind via psychological and psychiatric testing, push to get even younger children in government hands, and much more.

On July 16, the U.S. Senate overwhelmingly passed S. 1177, more commonly referred to as the “Every Child Achieves Act” (ECAA). Just 17 senators, mostly conservative- or libertarian-leaning Republicans, voted against the bill. Before that, on July 9, the U.S. House narrowly approved the “Student Success Act,” described by American Principles Project Education Executive Director Emmett McGroarty as “one of the most far-reaching pieces of domestic legislation.” Now, the massive, radical bills go to conference committee to iron out the differences between the two versions so a final package can be sent to Obama to be signed into law.

The White House is pleased and plans to sign it, despite Congress not giving the administration the full range of powers it was demanding. “S. 1177, the Every Child Achieves Act, is an important step forward in the process of reauthorizing the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB),” the White House said in a statement. “The Administration appreciates the bipartisan effort that produced this legislation.” The White House also said it “applauds the bipartisan commitment in S. 1177 to expand opportunities for America’s children to attend high-quality preschool.”

Critics, though, are raging against the legislation. Liberty-minded Congressman Justin Amash (R-Mich.), for example, said in a statement that he was honored to stand up for parental rights by voting against it. “The bill increases federal control of education,” he explained, noting that the bill reauthorizes the lapsed No Child Left Behind scheme, with some modifications, for the first time in years, and that Congress should instead simply stop funding it all. He pointed out that the key selling points being touted by Republicans to advance the bill — that it “prohibits” using funds to coerce states on Common Core and that it allows parents to “opt out” of federal testing mandates — would both be accomplished by voting no on the bill. The Senate version does not include the “opt out” provision, [which was voted down](#).

In the Senate, liberty-minded Senator Mike Lee (R-Utah) also blasted the federal control over education purportedly authorized in the bill. “Not only did the Senate miss an opportunity to put states back in control of education policy, but the Every Child Achieves Act also expands the Department of Education’s role in early education policies,” he said in a statement. “Some have argued that this bill creates new protections for states who want to resist Washington dictates on curriculum or testing. But



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current law already includes similar protections and the Obama administration has already blatantly ignored those.... Utah parents have been asking for a new direction on education, but unfortunately this bill only gives them more of the same.”

In one of the broadest widely circulated criticisms of key elements of the legislation, education activist Christel Swasey outlined [six specific “evil” elements of the bill](#) — any single one of which should have been enough to quash the bill, at least if lawmakers were serious about their oath of office, the Constitution, or the wishes of their constituents. Among the chief complaints, which she lists along with the relevant sections of the legislation, are: “The bill aims to kill parental rights in the parental opt-out movement”; “The bill’s master-servant relationship between Fed Ed and State Ed is unconstitutional”; “The bill will suppress student expression of religious and political values”; “The bill sees government, not families, at the center of the universe — for younger and younger people, for more and more of the time”; “The bill promotes federal definitions of mental health and promotes collection of mental health data”; and “Toddler Snatching.”

“In my own mind I have given all its versions this name: Nasty Orwellian Progressive Education (NOPE) — a convenient, more honest, and recyclable title,” Swasey wrote in the Education Without Representation blog in her analysis of the 800-page Senate version of the legislation. “The hide and seek that readers must wield with the real purposes and powers of this bill is ridiculous. Clearly, the authors of S.1177 aim to obscure its true purposes, which I now see only serve the Obama-UN agenda for education. The media’s calling S.1177 ‘a bipartisan compromise’ but that’s far from true. It’s all part of the Common Core bipartisan profiteering scheme that aligns federal tests and standards, but elbows out parents and voters.... The power struggle is no longer between the Republicans and the Democrats. Bipartisan means almost nothing. The fight is between voting families — We the People, whether Democratic, Republican or other — versus the clique of profiteering businessmen and politicians.”

Deliberate Dumbing Down of America author Charlotte Iserbyt, also a former senior policy advisor at the U.S. Department of Education, sounded the alarm on the charter-school component of the legislation. Blasting as the “huge elephant in the Senate and House chambers” the agenda behind tax-funded school-choice and charter-schools, which do not have elected boards yet use public funds, Iserbyt said the real goal was to prepare Americans for global tyranny. “HR 5 and S. 117 are not education bills. They are communist limited learning for lifelong labor bills,” she said, citing a wide array of publications on the issue going back generations. “We need people to start using proper adjectives, and then we will start winning,” she told *The New American* in a phone interview. “This is communism.” Indeed, more than a few foreign governments have used exactly the same strategy — tax funding for supposedly non-government schools — to usurp full control of education and quash all available alternatives. Even homeschoolers will be impacted, Iserbyt said.

By stuffing the radical bill with handouts and benefits for special-interest groups with powerful lobbyists — and especially tax-funded “charter” schools and crony-capitalist testing mega-companies — proponents of the agenda to federalize schools and further dumb down Americans have made great progress. The agenda is clear: D.C. wants to decide what your children learn and how they learn it, at younger and younger ages, and it wants to know every detail about your child’s views, attitudes, psychological profile, and beliefs so “interventions” can change them. The agenda to shower crony special interests with public funds is transparent, too, and should be firmly resisted — especially considering that the federal government is already drowning the American people in impossible-to-pay debt.



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Republicans ran on a platform of reining in the White House, and yet, these education bills hand the administration virtually everything it wants — and then some — all in violation of the U.S. Constitution. Instead of passing a “compromise” bill once the House and Senate versions are put together, members of Congress should obey their oath of office and get the federal government completely out of education. That can happen by stopping all funding for federal education bureaucracies and programs — no bill is even needed, so Obama cannot veto it. At the state level, meanwhile, activists concerned with proper education should ensure that state and local officials refuse federal bribes and the mandates attached to them. They should also work to abolish state education agencies, as well. Not only do those federally funded bureaucracies serve as conduits for federal mandates to be imposed on local schools, they also usurp communities’ rights to self-government and to provide real education without external meddling. The federal government and its allies have done enough to destroy education. It is time for real change — and real education.

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