



Written by [Raven Clabough](#) on April 15, 2015

Senate Committee Garnering Bipartisan Support for Education Bill

Senators Lamar Alexander (R-Tenn.) and Patty Murray (D-Wash.) are making progress in garnering bipartisan support for an education bill unveiled last week — the Every Child Achieves Act of 2015 — that would overhaul the No Child Left Behind law.

On Tuesday, the senators on the Health, Education, Labor and Pensions (HELP) committee prepared to “mark up” the proposed rewrite to the No Child Left Behind law, which was itself a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965. The markup process allows committee members to offer amendments to the bill for discussion, debate, and a vote.



Senators Alexander and Murray are hopeful that with the markups, the bill would include enough provisions to gain approval from both parties.

Later this week, the committee will vote on the entire legislation, including the amendments that are accepted. If approved, the bill will then go to the Senate floor for a full debate and vote.

Senator Lamar explained on Tuesday,

[The] consensus is this: Continue the law’s important measurements of academic progress of students but restore to states, school districts, classroom teachers and parents the responsibility for deciding what to do about improving student achievement. This change should produce fewer tests and more appropriate ways to measure student achievement. It is the most effective path to advance higher state standards, better teaching, and real accountability.

The [summary](#) of the 600-page education [bill](#) indicates that it would permit the states, not the federal government, to decide how they will evaluate their teachers and assist struggling schools.

“The bill recognizes that states, working with school districts, teachers, and others, have the responsibility for creating accountability systems to ensure all students are learning and prepared for success,” the bill’s summary reads. “These accountability systems will be entirely state-designed but must meet federal parameters, including ensuring all students and subgroups of students are included in the accountability system.... The federal government is prohibited from determining or approving state standards.”

According to the *Washington Post*, that is a “direct response to critics of the new Common Core State standards,” who argued that the Obama administration coerced states to adopt the federal standards by using competitive grants.



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Every Child Achieves of 2015 would eliminate the federal test-based accountability system laid out in No Child Left Behind. Schools would still be required to test students in reading and math from third through eighth grade and once in high school, but under the new bill, the tests would be less significant.

In a statement, Lamar explained,

Basically, our agreement continues important measurements of the academic progress of students but restores to states, local school districts, teachers, and parents the responsibility for deciding what to do about improving student achievement.

Likewise, the bill would not require states to evaluate teachers or measure them based on student test scores, and schools would not face federal punishment if they failed to meet federal standards of “adequate yearly progress.” Decisions regarding sanctions for low-performing schools would fall to the states under the proposed reform.

In preparation for the markup, a group of six senators — Mark Warner (D-Va.), Angus King (I-Maine), Joe Manchin (D-W.V.), Claire McCaskill (D-Mo.), Tim Kaine (D-Va), and Heidi Heitkamp (D-N.D.) — submitted a letter to the HELP committee outlining recommendations to strengthen the Every Child Achieves Act of 2015.

The [letter](#) drew attention to the federal government’s disastrous efforts to improve education:

The most recent reauthorization of ESEA, No Child Left Behind, brought unprecedented attention to the achievement gaps that still persist among disadvantaged students and students of color. It highlighted the perpetual challenges some school systems face in delivering a world-class education to our children. However, the law provided little in the way of programmatic flexibility to respond to the needs of these students in a comprehensive and locally-driven way, and it introduced an outsized federal presence within the nation’s classrooms.

But instead of recognizing the federal government’s repeated failures as proof that it should remove itself from the education field altogether, the letter outlined six recommendations to “produce an even stronger” bill:

1. Expand access to high-quality early childhood education
2. Support great teachers and school leaders
3. Promote next generation assessments
4. Encourage coordination between education and workforce
5. Fund innovations
6. Invest in wraparound services/ensure children have access to community support services
7. Ensure transparency around regulations

The senators wrote,

We believe that an ESEA reauthorization must recognize the leading role of teachers, school leaders, parents, and local districts in preparing our children to succeed in an ever-changing global economy. At the same time, we must also make improvements to the bill to prevent our education system from reverting to a time when our country would allow some group of students to persistently underperform.

Meanwhile, the *Washington Post* reported that the reform bill drew criticism from the conservative Heritage Foundation. Lindsey Burke, an education fellow for foundation, declared that the measure does not [go far enough](#) to limit federal education powers.



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The Heritage Foundation stated that the bill represents a “missed opportunity” to adequately reduce federal intervention in education:

Over the past five decades, an accumulation of evidence on the ineffectiveness of federal intervention in educations suggests that the federal government is less effective at improving education outcomes than policymakers at the state and local level, who can be far more responsive to students and their families.

Instead, the Heritage Foundation has supported proposals such as the Academic Partnerships Lead Us to Success (A-PLUS) Act that would allow states to completely opt out of federal education programs such as NCLB.

Neal McCluskey, associate director of the libertarian Cato Institute’s Center for Educational Freedom, [also told the](#) *Washington Examiner* that the bill is “an improvement over No Child Left Behind in that it is somewhat less prescriptive.”

But overall, Every Child Achieves perpetuates the false view that the federal government has a right to regulate education. McCluskey claimed that there was room for a federal role in education, but that the original ESEA overstepped the appropriate role. “It certainly wasn’t constitutional,” McCluskey told the *Examiner*. “[The federal government] doesn’t have the authority to govern or be involved in education outside of a few specific things.”

For example, claimed McCluskey, under the 14th Amendment the federal government has the authority to prohibit discrimination in state and local schools.

However, the clear truth is that the Constitution does not give the federal government any national education policy powers, reserving them, under the 10th Amendment, to the states and the people.



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