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No Law I Have Signed Means More to America

Using Federal Tax Dollars to Improve Education

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Presently Congress is debating the reauthorization of the Elementary and Secondary Education Act (ESEA), which at \$8 billion a year is by far the largest piece of the federal education pie. What final form will the law take? If the past is prologue, policy innovation is likely to be stifled by politics.

Hotly contested, ESEA was signed into law in 1965. Upon signing the measure in 1965, Lyndon Johnson said, "No law I have signed or will ever sign means more to the future of America."

Congress had long been a burial ground for education legislation. Though the importance of educating American youth has been trumpeted since the Revolution, not once had a bill of this magnitude survived Congress. Hundreds of bills had entered Congress never to return. The politics of education policy were simple- reformers pushed for bills to fund schools and state's rights adherents killed them, tarring them as efforts at "federal control" over a matter best left to local government.

Johnson's ESEA escaped doom by subterfuge. Secretary of Health, Education and Welfare Anthony Celebreeze and others testified in Congress that the ESEA was an antipoverty measure. In spinning it so, LBJ and his team were able to sidestep the cantankerous debate over the propriety of federal involvement in education.

The problem, said Johnson, was that "the kids is where the money ain't"-- meaning that poor areas had many children but had too few educational resources. So ESEA provided poor schools with funds for bigger and better stocked school libraries, textbooks, audio-visual equipment, and more. The centerpiece of the legislation was Title I, which comprised five-sixths of ESEA's funding and has provided grants for locally fashioned compensatory education programs for poor and minority youths.

Thirty-four years have passed and over \$100 billion Title I dollars have been spent. Yet studies have consistently shown that supplementary and compensatory education programs rarely raise academic achievement among the disadvantaged. LBJ's "full educational opportunity" has not led to equal educational results. Test scores for blacks and Hispanics still lag far behind those of whites and Southeast Asians.

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Until recently, the nature of Title I remained virtually unchanged. Aid was dished out with little regard for the efficacy of the programs localities administered. The reauthorization politics of ESEA resembled the politics of welfare -- liberals sought more money and conservatives pushed for less. Neither offered convincing plans for reworking Title I. Ultimately, they agreed to disagree and every four years there was a small increase in Title I's budget.

In 1994 President Clinton offered a proposal based on two observations. First, that children rarely perform to their potential unless spurred to do so; second, that far too often poor and minority students receive a dumbed-down education because their teachers lack command of their subject areas and have low expectations for students.

To remedy this Clinton proposed to amend Title I to require states to create rigorous education standards subject to federal approval. The message to the states was clear: challenge poor and minority children to do better, or face funding cuts.

With this amendment, President Clinton shifted the politics of ESEA from welfare to education. In tying funding to standards Clinton encroached on a traditionally local matter--school curricula. Like so many educational proposals before, his bill was savaged by conservatives and lambasted as a violation of federalism and states rights.

Clinton also caught flack from the left. Linking arms with the right, Democrats in Congress said that forcing schools to raise their standards could result in them being raised too high, the result being disproportionate numbers of poor and minority students flunking. Trapped in an LBJ-like mindset, the majority Democrats, in the face of strong evidence otherwise, ardently insisted that low student achievement was caused by insufficient funding. Republicans were infuriated.

Remarkably, in 1994 Title I of ESEA was amended. But to do so, Clinton had to both increase Title I spending and water down the educational standards language. So loose is the wording of the amendment and its attendant guidelines that states need only submit plans describing their designs in order to continue receiving funds. Thanks to this laxity, no state has been seriously threatened with loss of funding and few have adopted rigorous standards. Worse, state educational standards needn't be uniform and can take into account "local conditions." This left the states free to allow schools to give the poor and non-white a less rigorous education. Separate and unequal lives on.

In terms of public policy, nearly everyone agrees that schools should have high educational standards. In fact, public opinion surveys consistently show that the vast majority of Americans believe that schools should have nationally-approved standards. Texas and North Carolina, two states that do have challenging standards, have seen leaps in academic performance. But this seems to be of no consequence to Congress.

Now President Clinton is trying again. First announced in his 1999 State of the Union Address, the Educational Excellence for All Children Act would require each state to develop an accountability system "that holds all schools, including Title I schools, accountable for making continuous and substantial gains in student performance" in return for Title I dollars.

Again, the push for standards has met with acrimony. With the presidential primary season on the horizon, Democrats have been tepid in their criticism for fear of harming Al Gore's candidacy. Not surprisingly,

Republicans have been shrill in their denunciations, with their leading presidential hopeful, George W. Bush, declaring, "Any time the federal government attaches strings to education dollars, it's unwarranted intervention [in this local matter]." In July the GOP introduced a bill that removes much of the targeting language in ESEA, the point being to shift nearly all control over Title I spending to states and localities. The tenacious opposition to "federal meddling" has led Acting Deputy Secretary of Education Marshall Smith to glumly (and rightly) admit that a reauthorization of Title I won't happen this year. Too bad for the children.

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