

# Pursuing a Mild-Mannered

Riley, Department  
Fight On Quietly  
With Some Success

By LINDA PERLSTEIN  
Washington Post Staff Writer

Dick Riley has no enemies. He is utterly without vitriol; at his angriest, his face merely flushes. He's a Democrat who calls up Republicans to ask, "Is there anything I can do for you?" He wonders why anyone would want to write an article about him.

What is this man doing in politics?

Ever since President Clinton took office, Richard W. Riley, the self-effacing former South Carolina governor, has served as his secretary of education, flying with stealth under the radar of just about everyone outside his field.

In the meantime, his department has achieved some successes. It increased funding for Pell Grants and disadvantaged schools, won tax credits for college tuition, expanded Head Start and distributed guidelines on religion in school that helped mellow that debate. The student loan default rate has fallen to its lowest level ever.

And perhaps Riley's most significant accomplishment of all: The department still exists.

Republicans have launched periodic efforts to abolish the Department of Education, most recently in 1995. They've charged that it's a wholly owned subsidiary of the teachers' union, a siphon of money that should be going straight to local school districts.

But less has been heard lately from the critics. Insiders attribute this in part to the new degree of stability and efficiency that Riley has nurtured at the department. He agrees with Republicans that education is a state and local function. And his own popularity hasn't hurt. Democrats call him the best education secretary ever; even some Republicans say he comes close.

"I'm not a household word," admits Riley, 65, a small, balding man with a receding hairline. "My style, I guess, is not—you know, it's not soundbite material."

# Passion for Education

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## Players

*Richard W. Riley*

**Title:** Secretary of education.

**Age:** 65

**Education:** Bachelor's degree, Furman University; law degree, University of South Carolina.

**Family:** Married, four children, nine grandchildren.

**Previous jobs:** Navy minesweeper, 1954-56; legal counsel to Senate Judiciary Committee, 1959-60; lawyer, 1960-78; South Carolina state representative, 1963-67; state senator, 1967-77; governor, 1979-87; senior partner in law firm, 1988-93.

**Hobbies:** Reading, conversation and travel. Though he doesn't have much time for them, Riley enjoys card games—cribbage in the Navy, poker after that.

**On party politics:** "I'm a loyal Democrat. ... But if it becomes between education, which is my public responsibility here, and partisanship, I'll go with education."

## Education's Cheerleader

That's an unlikely admission from a man whose primary tool is the bully pulpit. His Department of Education is relatively powerless to shape the way schools run, so his job is more about raising consciousness than launching programs. He works 12, 15 hours a day, six or seven days a week, and spends much of that time speaking to educators—emphasizing academic standards, education as a community endeavor, and opportunity for all.

"You have to change kind of the whole motivation of a people," he says of his mission. "You know, I haven't done that, and the president hasn't done it, but I think we've impacted it in a positive way. And I think the people in this country think better of themselves and better of their children."

That's hard to measure, and in the final analysis, the public school of 1998 is not a very different place from the public school of 1992.

Riley and Clinton have had some disappointments: Where they wanted control over 100 percent of student loans, they manage only one-third. Where they wanted Goals 2000 to be a nationally based standards program, it consists of open-ended grants for states. Where they wanted funds to hire 100,000 new teachers, they got money for 30,000. Most recently, Congress rejected their bid for school modernization funds.

With his characteristic tenacity, Riley insists these aren't losses; rather, just extensions of his time frame. And he doesn't mind waiting. In a city where people jump from opportunity to opportunity, Riley dutifully, patiently works to-

ward his goals, in the field he loves. Never mind that the president has asked him to consider more prestigious jobs, including the Supreme Court—twice.

## A Persistent Listener

After starting with "This may sound hokey, but," Riley's friends and colleagues describe him as compassionate, determined, all ears: The stories, almost mythical, bear it out.

The meter reader said that when he was a poor, shoeless boy, Dick Riley was the only kid in school to befriend him. For the 15 years that rheumatoid spondylitis painfully curved Riley's spine—leaving him permanently looking like he is about to tip over—he refused even aspirin,

because he didn't want to get booked. As governor, he would drive aides to distraction by spending hours listening to opponents who would never support him.

This is, by all accounts, a politician with no pretensions. Riley carries his own unmatched luggage and wipes his glasses on his tie. If someone asks what he does for a living, he replies, "I work for the Department of Education."

Riley's roots are sunk deeply in Greenville, S.C., where he played guard—fast and plucky—for the high school football team.

After law school in Columbia, he moved back to Greenville, where his father was county attorney and a Democratic fixture. He helped his dad defend the school district's efforts at integration, and continued that fight in his 14 years as a state legislator. He says it was this history—seeing blacks denied educational opportunities, and seeing that something could be done about it—that sparked his passion for education reform.

Riley ran for governor in 1974, and failed to win the Democratic nomination. When he ran again in 1978, early polls gave him 3 percent of the vote in a field of five candidates, and his aides suggested he quit. But Riley kept on and, after a few convincing debates and weekly disclosures of his campaign contributions, which his opponents refused to do, he squeezed by the closest Democratic rival. In the general election, he won every

county but one.

He started pressing right away for an education reform plan and, knowing the fight would be long, got the legislature to remove the state's ban on seeking a second term as governor. After his first proposal failed, he developed a new one, which included a penny sales tax to fund teacher raises, school construction, tough graduation requirements and help for failing schools. He tapped business leaders, educators and parents to help sell the reform, in an elaborate bipartisan outreach campaign.

By 1984, the legislature was worn down, and the \$217 million Education Improvement Act passed. South Carolinians still talk in awed tones about what Riley pulled off: raising taxes, and making people like it.

The year Riley was elected governor, Bill Clinton of Arkansas also

won his governor's race. The two quickly developed a warm relationship, based on their shared obsession with education. When Clinton was elected president, he had Riley head the selection of sub-Cabinet positions. Then he asked his fellow southern governor to take over the Department of Education.

By then, Riley had a comfortable position at a Greenville law firm and "no earthly idea of coming up here." But the loyal party man could hardly say no.

### In Tune With Clinton

Unlike in previous administrations, it was quickly clear that education policy would no longer flow just from the Education Department to the White House, but rather both ways. Riley is "one of these relatively rare Cabinet members whose president knows as much about the subject and is as involved as the secretary is," says Chester Finn, who was an assistant secretary of education in the Reagan administration.

Aides to the president and secretary say the two are totally in sync regarding policy. "I don't ever recall somebody from the White House calling and saying, 'The president's going to do this about education,' and me saying that that was a bad decision," Riley says.

Although his inclination to compromise sometimes frustrates Democrats, aides say his eagerness to listen to and work with everyone—Republicans, local educators, staffers at any level—translates into support for the final product. He incorporates their ideas so they feel attached to the outcome.

It's the same style, the secretary says, as when he ran South Carolina, a state with a markedly weak governorship. He worked the legislature "just like I was running for sheriff and they were voters. . . . I never did govern like a king."

Riley gets his way not by brute force, but by persistence and moral suasion—he'll quote Plato, Robert Frost, Robert Kennedy—and bone-deep credibility. Dwight Drake, who worked for Riley in South Carolina, tells of a state legislator who assured the governor he'd support his bid to rescind term limits, and then came under pressure to change his vote. "Jim," Drake said, "all I'd ask you is this: If Dick told you he was going to vote for something, would you ever have to worry about it?" The legislator voted with Riley.

It's said Dick Riley will scratch your back even after you stab him. But

nobody should forget that he is just as much keen politician as nice guy, opponents say. Rep. William F. Goodling (R-Pa.), the chairman of

the House Committee on Education and the Workforce, says that while the secretary is the most decent man he's met, he's also "charming and disarming."

Riley's manner is a far cry from the most widely known secretary of education, William Bennett, who stridently trumpeted the need for a return to values in the Reagan administration. Officials like Bennett, Riley says, seek results "by scaring people to death and talking about how terrible things were."

His approach is different: Riley says he tries to "give people hope, show them that they're making some progress." He travels to schools and deals one-on-one with educators.

Barely capable of soundbites, he is rarely asked on the Sunday TV gabfests. He leaves the task of rousing the larger public to the president.

Some colleagues do suggest his frail manner—behind a podium, Riley leans stiffly into his notes—can't help but weaken his message. But people who say that didn't hear him at the Ramada Inn ballroom in Greenville during the last round of elections.

The weekend before Election Day, Riley traveled through South Carolina, stumping for Jim Hodges, who was running for governor on a promise to use a lottery to fund schools. Under the fluorescent lights, Riley reminded the hundred assembled

Democrats what happened after his own education reform: The state rose from the cellar in SAT scores, attendance, and enrollment in early education.

But after Republicans took control, he said urgently, the schools sunk back to 50th, in just about everything. "It bothers me!" he shouted. "I don't like it!" It was as emphatic as you'll ever hear Riley, and the audience cried out "Yes, sir!" and "Oh yeah!"

Then Riley lowered his voice and punched these words, which embody his highest praise, fiercest insult, and the way he lives: "I want you to vote this year for a work-horse and not a show horse."

schools, Acme Institute of Technology, faced financial failure. At the urging of his supervisors, the prosecutors charged, Mr. Bates used excess student-loan funds to pay faculty and staff salaries and some bills to try to rescue the school. When Acme shut down, in 1990, after losing its accreditation, it had not repaid \$139,649 in federal loan funds. Prosecutors indicted Mr. Bates for that failure.

A federal district court dismissed the indictment in an April 1995 ruling in which it held that the federal law under which Mr. Bates had been charged required prosecutors to show that Mr. Bates had intended to defraud the government. In September 1996, however, the U.S. Court of Appeals for the Seventh Circuit overturned the lower-court ruling and reinstated the

charges.

Justice Ginsburg sided with the appeals court Tuesday. "The Government need not charge or prove that Bates aimed to injure or defraud anyone," she wrote.

The Supreme Court's ruling allows prosecutors to proceed with their case against Mr. Bates. ■

## 17. Education Daily

November 4, 1997

# A SOUTHERN POLITICIAN WHO 'RUBS PEOPLE THE RIGHT WAY'

There are two seemingly contradictory ways to look at Education Secretary Richard Riley.

The first is as the well-liked, respected education advocate who inspires gushing praise from congressional insiders on all points of the political spectrum.

The second is as the deft political operator in charge of implementing the baldly political education agenda of an unabashedly political president.

Will the real Richard Riley please stand up? Actually, these two aspects of Riley are not as bifurcated as they might seem, for it is precisely Riley's popularity that makes it possible for him to carry out President Clinton's agenda—much of which has only lukewarm support from education advocates and even less in Congress.

That's evident during an interview with an education lobbyist, who spends 20 minutes sharply criticizing what she paints as Clinton's cravenly political education proposals—and then cheerfully calls Riley "one of the most respected people in this town. No one feels double-crossed after talking to him."

Indeed, Capitol Hill staffers—from both sides of the aisle—say they can think of no member of Congress who dislikes him.

"He's clearly the best secretary of education we've ever had," enthuses Ed Kealy, executive director of the Committee for Education Funding, citing Riley's victory in fending off deep budget cuts in fiscal 1995 and then winning large increases for ED only two years later. "He is our best lobbyist."

"His low-key, gracious style rubs

members the right way," says one Hill staffer.

In fact, the only criticism one observer could offer is Riley's lack of charisma. His speeches are never podium thumpers, and they invariably begin with a scripted—yet amusing—anecdote about one of his eight grandchildren.

Riley honed his political skills as South Carolina's governor between 1978 and 1986, where he was so popular, the electorate voted to amend the state constitution to allow governors to serve two terms. Before that, he was a state legislator for 15 years.

He's adept at tailoring his message to his audience, as are all good politicians. When Riley spoke at a gathering of state legislators, he flattered them as "senior partners" in implementing federal education programs.

At a meeting of elementary school principals, he accentuated the high scores fourth-graders posted on the Third International Math and Science Survey. "Those are your students," he said, noting the contrast with eighth-graders, who didn't score as well.

When a GOP staffer calls Riley an "effective partisan," there's a hint of grudging admiration in his voice. That shouldn't come as a surprise about someone whom former presidential political advisor Dick Morris called "my best friend in the Cabinet."

### Clinton's Plans, Riley's Tasks

To keep Riley's job in political perspective, it helps to remember that two key proposals he's currently pushing were born of the president's 1996 re-election campaign.

Clinton announced his plan to

mobilize a million volunteers to tutor young children, called America Reads, on his train trip to Chicago in August 1996 for the Democratic National Convention.

"They were doing a proposal a day," grumbles one close observer of education politics.

In his book *Behind the Oval Office*, former teammate Morris credits Riley with coming up with the idea for a literacy program—an idea that was quickly poll-tested and found popular.

But taken out of the world of campaign rhetoric and thrust into the legislative and educational arena, America Reads has run into trouble.

At House hearings, both Republicans and Democrats—as well as respected reading experts—have questioned whether lightly trained tutors are the best use of \$2.75 million to improve children's literacy. Republicans also are suspicious because the program would use volunteers from AmeriCorps, a Clinton pet project that the GOP loves to hate.

And it is getting only lukewarm support from education groups because they would rather see the money go to established programs.

Furthermore, recent research casts doubts on whether volunteers can really get the hardest cases on the road to reading.

Still, Riley remains optimistic. "I would question anyone who'd say it isn't a great benefit," he says, with a touch of exasperation that common sense so far isn't winning out.

Riley has probably spent even more time this year pushing Clinton's higher

education tax credits and deductions.

Morris describes how polls showing that the electorate wanted a middle-income tax cut—but one targeted to education—validated the idea, originally proposed by then-Labor Secretary Robert Reich.

While Congress grudgingly approved a modified version of Clinton's postsecondary tax credit, higher education advocates and both parties in Congress repeatedly said the money would be better spent on boosting Pell Grants for needy students.

#### A Real Test: Assessments

But the Clinton proposal that placed Riley in the most treacherous political waters is the one for national tests for fourth-graders in reading and eighth-graders in math.

Clinton announced the proposal in his February State of the Union address, but only seven states have signed up so far, though ED hopes to have 30 by 1999 and eventually all of them. In addition, 15 large urban school districts plan to administer the tests—though three with many Spanish-speaking students have balked at giving the reading exam when ED said it would be available only in English.

Not only does ED have to convince governors that the exams are not a federal intrusion but it also has to convince other state policymakers, including boards of education, state education commissioners, union leaders and legislators, all with conflicting agendas.

"That's a complication, but we're familiar with it. We know how to work with it," says Riley. Congress, meanwhile, has been downright hostile to the tests, angry over being left out of the planning process. Republicans in both chambers have threatened to hold up education funding if ED continues developing the tests.

But Riley has faith in an educational halo effect: Simply proposing better standards spurs reform.

"When I was governor of South Carolina, the year we made the most progress is the year I proposed it," he says. "We had bumper stickers, meetings, billboards. Scores went up more that year than after the program took effect."

#### A Short History Of Standards

But President Bush didn't get very far when he advocated 15 tests—in five topics across three grade levels—several years ago. By many accounts, it is Clinton's unwavering, personal

commitment to the idea that is keeping it going. Public opinion polls have shown support for national tests, but so far that hasn't translated into support for tests from governors.

Some Republican governors don't want to be identified with a Clinton idea, speculates Jack Jennings, executive director of the Center on Education Policy and a Hill veteran.

Nonetheless, "Clinton is forcing the issue back onto the agenda because he believes in it," Jennings says.

"Sometimes you come out ahead simply for standing for something."

To critics, America Reads, the higher education tax cuts and the national tests add up to an education agenda driven by the White House's political needs, with ED the passenger, rather than the driver.

"Sometimes you just feel caught in a whirlwind," complained one lobbyist. "ED is in the position of having to do what the president wants."

Of course, that same scenario existed for prior education secretaries. Lamar Alexander opposed school choice—until he went to work for President Bush. And Terrel Bell had notorious policy battles with President Reagan's team of conservative, anti-government advisers.

Riley put it another way: "The president's clear delineation of education as a top priority has elevated interest, and that's been helpful. Our workload has increased and that's a wonderful burden."

It was in his role as governor that Riley met Clinton, another Southern governor interested in education reform.

The partnership they forged more than a decade ago endures today, and Riley's friends and foes know that he has the president's ear.

Some might think Riley and ED would have a relatively easy time lobbying Congress. Republicans in Congress have given up on their crusade to abolish the Education Department.

And the chairmen of the education policy and funding committees in both chambers are moderates who generally support the federal government's role in education.

"That they have pro-education backgrounds maybe got us ahead of the game," said Kay Casstevens, until recently ED's assistant secretary for legislative affairs. For instance, both chairmen of the education policy committees are active supporters of literacy programs.

But working out the specifics of a proposal is never easy—whether it's

Republicans or Democrats in charge, says Casstevens, who is now Vice President Gore's legislative affairs chief.

Riley is keenly aware of the constraints around the congressional leaders he must work with, observes Jennings.

James Jeffords of Vermont, one of the most moderate GOP senators, "is chair of the Labor and Human Resources Committee by the grace of the Republican conference," which is substantially more conservative. "So he has to be careful of what he advocates," Jennings says.

Rep. William Goodling, R-Pa., chairman of the House education committee, is under even more pressure there, where the GOP caucus is more conservative than the Senate's.

As a result, Riley "has got to weave and bob," finding allies where he can, says Jennings.

For instance, having failed to convince Goodling to support national tests, Riley turned to Rep. John Porter, R-Ill., chairman of the House education appropriations subcommittee, who compromised by okaying the exams as long as they can be validated by a federal study. Unfortunately for Riley, even Porter's support couldn't stave off further moves to quash the assessments.

"Because education is a top agenda issue, that's made it much more partisan," said Richard Long, executive director of National Association of State Coordinators of Compensatory Education. "But Riley has kept his course."

Vic Klatt, the House GOP's top education advisor and a former ED official in the Bush administration, says Riley can build agreement across party lines.

"He is an extremely effective communicator and a very good listener," Klatt says. "He doesn't make a bunch of extravagant demands. He makes an effective case and listens, then helps mold a consensus."

Of course, members of Congress aren't the only ones Riley lobbies. He also has to convince education advocates to back Clinton's agenda.

When Riley met with education funding advocates in Washington, D.C., this spring, they told him they supported the overall thrust of Clinton's proposals, one participant says. "He said, 'I'm glad to hear that, but it might not be good enough. I'd like you to support the specifics.'" "He's persistent that way."

says Kealy. "He's capable of being nice and appreciative but then pushing to go the full distance."

Riley's experience as a former governor does give him credibility. Sitting governors—who are key players in Clinton's education reform initiatives—treat him as part of their brotherhood, notes Patricia Sullivan, education advisor to the National Governors' Association.

"He wants to build on what states do, to drive the state efforts," not with federal mandates but with incentive

programs, she says.

#### Sticking Around

Clinton has made sure that Riley's plate is full for the remainder of his administration. After Clinton's reelection, Riley fended off rumors he was leaving the department, coyly allowing speculation to build for nearly two months.

Today, he proclaims that he's there until the end of Clinton's term. "The president is just getting so much into education," Riley says. Eventually he plans to return to South Carolina, but for

now, he says, "I like being overscheduled." —Laureen Lazarovici

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Richard Riley, Education Secretary  
Salary: \$148,400 Before joining ED:  
Practiced law after serving as South  
Carolina's governor from 1978 to 1986.

Education: Furman University; J.D.,  
University of South Carolina.

Summer reading: *Angela's Ashes* by  
Frank McCourt.

Favorite education book: *The  
Thirteenth Man: A Reagan Cabinet  
Memoir* by Terrel Bell. ■

## 18. Education Daily

November 4, 1997

# ED APPLICANTS COMPETE HARD IN '97; SUCCESS VARIES WIDELY

About 13,000 hopefuls competed for Education Department grants last year, but only about a fourth succeeded, department data show.

The wildly popular competition for national technology challenge grants drew 710 applications for 19 awards amounting to \$18.5 million. The grants support development, interconnection, implementation, improvement and maintenance of education technology infrastructure and staff training.

Last year's Projects With Industry program, which helps provide jobs for disabled students, drew 200 applications and yielded 87 awards totaling \$18.8 million.

A similar number of applicants sought awards under the National Institute on

Disability and Rehabilitation Research field-initiated research competition, which funded 27 awards for \$3.3 million.

The field-initiated studies competition run by the Office of Educational Research and Improvement garnered 112 applications for a mere seven awards. The special field-initiated studies contest focusing on at-risk students pulled in 198 applications for just six grants.

And OERI's technology-related Star Schools general competition elicited a modest 44 applications, for only eight awards totaling \$15.1 million.

The elementary and secondary education competition to support parent information resource centers drew 136 applications for 12 awards totaling \$4.7 million; and 92 Safe and Drug-Free School grant competitors vied for seven

higher education drug-prevention activities awards totaling \$1.7 million.

Also, 518 applicants sparred for 153 bilingual education program enhancement grants worth \$20.5 million, and 448 competitors fought for 110 bilingual comprehensive school grants totaling \$29.8 million.

The bilingual education systemwide improvement grants competition received 135 applications for 48 awards totaling \$21.8 million.

Higher education competitions also were a big draw. Under the perennially oversubscribed Fund for Improvement of Postsecondary Education competition, 2,154 preapplicants responded and 231 final applicants tried for 71 awards totaling \$5.2 million. —Pam Moore ■

## 19. Education Daily

November 4, 1997

# ADVOCATES PRAISE CONGRESS FOR EDUCATION INCREASE

Education lobbyists say they're pleased that Congress has agreed to significantly increase spending on school programs this year.

"This is the first year of real growth" in recent memory, said Ed Kealy,

executive director of the Committee for Education Funding. The tentative \$3.4 billion boost for ED is comparable to the increase it got for fiscal 1997, but that made up for several years of cuts and freezes, Kealy argued.

"Congress seems to have backed off at attempts for deep cuts and has shifted its focus on how to divide up the spending increases," said Joel Packer, lobbyist for the National Education Association. The increase would exceed recommendations

*Richard Riley has always been a catalyst for school reform. During his term as governor of South Carolina from 1978 to 1986, SAT scores soared, teacher salaries rose, and legislators passed a one-cent sales tax hike to fund school reform. As President Clinton's Secretary of Education, he's already navigated the passage of Goals 2000 (see page 3).*

*At a recent NEA national conference in Albuquerque, Secretary Riley took a few minutes to speak with NEA Today staffer Leona Hiraoka.*

**What impact will the new Goals 2000 legislation have on our public schools?**  
I think, number one, it's positive. It says: Let's work hard together, let's develop high standards, let's develop goals, we can do it.

Goals 2000 raises education up as a very important priority for this country, and we will realize that by making national policy to raise standards. Teachers then will have to be given the opportunity to teach to these high standards.

**What would you want a fourth-grade teacher to know about Goals 2000?**  
Goals 2000 says that we as a country have gotten serious about education. We've had a lot of rhetoric and single-shot efforts to improve education. But this now is a realistic look at the difficulty of education, and a recognition that you, as a fourth-grade teacher, are going to get more help—because of the diversity of the student body, the complications and advantages of technology, and the changing conditions of teaching.

**Why have you long embraced education as one of your main causes?**  
You have to look back at our history in South Carolina to see why education has been so important to me. A large percentage of our people had been systematically deprived of education. The only way for my state to come out of the hole educationally was for us to make major reforms.

**Who was your favorite teacher when you were growing up?**  
Well, I can remember just about every teacher I ever had.

## Richard Riley



## Education's Point Man

I can remember my first grade teacher just as clear as a bell, Mrs. Grimes. And I remember my mother, who's deceased now, being a room mother—taking us to the fire department and the bakery and all of that.

There was Louise Austin, whom I had for two years in high school for advanced mathematics and algebra. She was an absolutely marvelous teacher. And while

I was not off in the direction of being an engineer or an architect, I have always used in a very serious way my background in math. I attribute a lot of that to Ms. Austin.

I had an English teacher, Ms. Mary Wildes, in high school, who had gotten me very much interested in Shakespeare

More...

RICHARD RILEY--EDUCATION'S POINT MAN, continued...

and reading and poetry, diagramming sentences, which always fascinated me.

How does public education today differ from when you were a child? I can think of classmates who were perfectly content to drift through the system and come out the other side. Even if they had just a very basic education, jobs were there, and they could have a relatively productive life. You look at my grandchildren now, and their classmates, and they don't have that option.

With changing circumstances in the economy and society and the world in general, the demands put upon education are just much, much greater. I think we've made a mistake over the years—probably it was a period of transition—but a lot of young people are identified as being poor students early on and almost pointed in that direction.

Are you saying you're opposed to tracking?

Yes, I'm opposed to tracking. I realize different students have different qualities, abilities, and interests—you'll always have that and don't want to discourage it.

But the idea of lowering children's expectations of themselves at a very young age is, to me, a form of homicide. I just detest the idea that young people really are shown by the way we handle them at a very young age that they are not expected to do well, and so they are tracked—often in very subtle ways.

They drift through the system, and then we wonder why we have these 19-year-olds who are frustratingly often times violent. Then you look back through the system and see that when they were seven years old, we were almost moving them into this frustrating life of being uneducated and expected to be that way.

What do you think of companies that are vying to run schools for profit?

Any effort to improve teaching and learning in the public schools is something we have to take a look at.

If a policymaker is looking at some phase of the schooling being done by the private sector, I don't see anything wrong with that. But I think you need to do it in a very cautious way.

Paying someone in a private setting, especially a profit-making setting, must be looked at in the same way that you would look at any other decision.

Does it, in fact, put more resources in the classroom? That's what counts. Then you need to follow that kind of a decision, looking carefully at accountability.

My view is that nothing is either good or bad if it's intended to help teaching and learning. But you need to be very careful.

What about subcontracting of, say, transportation and food services?

The same view. If it is a service that's intended to be a better service, and will, therefore, better schools, I think it bears being looked at. I do think, though, a policymaker needs to be very, very cautious.

What's your stand on vouchers?

Private school vouchers, shifting public tax dollars to the private schools—I in no way see how that is intended to help the public schools. In fact, it appears to me that it's intended to put public schools in a bad light by misdirecting fault—that if they get so bad, then all of a sudden you can build out of the ashes a good school system. That is convoluted logic, in my judgment.

You wear a tie similar to the one President Clinton wore when signing Goals 2000. What's the story behind it?

Well, the tie comes from the Save the Children guys. And that particular one was being worn by Terry Peterson, my special assistant and counselor.

I was going in to speak to [the NEA board of directors meeting], and he had one of these ties on, which his daughter had given him. And I said, "Terry, I hate to do this to you, but take your tie off." A true staff person, he swapped ties right there before the meeting.

Did you pass it on to the President Clinton?

No, I didn't, but we have the same uniform. He has a tie just like that, and he loves it. On the tie, as you notice, all those children are smiling, and it kind of makes you feel good to have it on.

Come 1996, what will the Clinton administration boast of when it comes to education?

As I said when the President named me to this post, my goal is to shift things from the negative to the positive. My motivation would be to change a nation at risk to a nation on the move. And I think in 1996, if things keep on track, people will say that educationally, this country is on the move.

**Office of the President-Elect  
and Vice President-Elect**

For Immediate Release:  
January 19, 1993

Contact: Dee Dee Myers  
Phone: 202-466-9744

**PRESIDENT-ELECT NOMINATES KUNIN FOR EDUCATION POST**

(WASHINGTON, DC) President-elect Bill Clinton today nominated Madeline Kunin, the former Governor of Vermont who has served as a member of Clinton's Transition Board and Vice Presidential search committee, to be Deputy Secretary of Education in his administration.

"There is no issue more important to me than the education of our nation's children," said the President-elect, "and I can think of no one more qualified than Governor Kunin to work alongside Secretary-designate Richard Riley in turning the Department of Education into a center for innovation and a full partner with all of America's teachers, principals, and parents."

During her three terms as Governor, Kunin was highly praised by educators for her commitment to improving Vermont's schools. She doubled funding for public education, initiated a new public school assessment program, and revised her state's vocational training system. She also created early education programs for three and four year old low income children, established kindergarten for all schools, and worked with the private sector to establish incentive grants for school-restructuring. *Fortune* named Kunin one of the nation's two education governors, and during her tenure Vermont was ranked first in the nation for children's services by two child advocacy organizations.

"This is a wonderful opportunity to improve the lives of families and children," said Kunin, "because a first-rate education is the key to fulfilling the American dream. It will be an honor to work for the President-elect on education and work with Governor Riley, whom I tremendously admire."

Kunin will serve as Riley's chief deputy at the Department of Education, with a broad range of responsibility for departmental activities. "I am very pleased with this nomination," said Riley. "She has had a distinguished and exemplary career as the Governor of Vermont and as a champion of those issues related to the education of our young people. Governor Kunin is a hands on leader who knows the importance of building partnerships with states, local communities, schools and colleges to improve education across America. She is a compassionate individual who will work together with the President-elect and myself to expand opportunity for all of America's children."

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PROFILE

With a Gift for Dialogue, Education Chief Gets Congress Talking

■ Low-key style belies his quest to change the relationship between Washington, local governments.

By NICK ANDERSON, Times Staff Writer

ADVERTISEMENT

**C**HARLOTTESVILLE, Va.--Hundreds of University of Virginia students packed a lecture hall last spring to hear the secretary of Education hold forth on a front-line issue in American politics: school reform. They grilled him on everything from curriculum and teacher tenure to testing. And at every turn, the bespectacled, grandfatherly Richard W. Riley responded with a measured drawl and a benign smile that took self-effacement to new levels.

"It's not our job to tell states how to run schools," he kept telling his audience.

But Riley's low-key style belies a steely determination to change the relationship between Washington and state and local governments concerning school policy.

The federal presence in education has grown, not shrunk, during Riley's 6 1/2-year tenure--the longest of any secretary in the Education Department's short history. And if Riley gets his way, it will grow even further, pushing states to move toward at least the beginnings of a nationwide system of academic standards and accountability. This year, for instance, President Clinton has embraced a proposal to force states to stop promoting children who have not learned basic skills.

To be sure, the Education secretary is not a national superintendent. Riley has no direct authority over the Los Angeles or any other school board.

Nonetheless, Riley's agency has prompted dozens of states, including California, to adopt higher academic standards with funding from a federal program launched in 1994. Delaine Eastin, California's superintendent of public instruction, credits Riley for making a behind-the-scenes pitch that convinced a skeptical then-Gov. Pete Wilson, a Republican, to accept the money.

Another telling example: class-size reduction. A new federal program, approved last fall, is channeling money to states to help reduce the student-teacher ratios in elementary grades.

Some research suggests, and many educators insist, that children do better when they get more personal attention from teachers. Riley brokered a deal this year with California Gov. Gray Davis, a fellow Democrat, to give the state, which already had begun its own class-size program in elementary schools, some flexibility to use the money for upper grades.

Such influence is precisely what worries many Republicans. They charge that the Democratic administration has reached too far. Rather than act as a "CEO" of public education, the Republicans who control Congress say, Riley's agency should become a more passive "investor," with less sway over how states spend federal education dollars.

The very fact that the two parties are arguing over the federal role in education is itself a victory for Riley. As recently as 1995, some Republicans were pushing to abolish his department altogether. Now that talk has ebbed.

Riley and Clinton "have pushed education onto the Republican agenda," said Arthur Levine, president of Teachers College at Columbia University in New York. "They've made the Republican Party talk about how you actually improve schools. That's very interesting."

#### **Budget Increased 40% on His Watch**

Talk is typically what an Education secretary does best. In fact, talk is a large part of the job. The power of the Education Department, which, at 19, is the second-youngest Cabinet department in Washington (the Department of Veterans Affairs was created 10 years ago), is famously circumscribed. With discretionary spending of about \$33 billion a year, the agency dispenses student aid for higher education, monitors compliance with civil rights laws and funds programs meant to boost the academic performance of the nation's most disadvantaged children. Its budget has increased by about 40% during Riley's tenure. But the secretary's most critical assignment is to work the "bully pulpit."

On that score, Riley is no William J. Bennett, an Education secretary in the Reagan administration known as a moral crusader. Nor is he a Lamar Alexander, the media-savvy promoter of school standards and choice who served under George Bush and who, for a second time, is seeking the presidency himself.

It's a safe bet that Riley, 66, a former South Carolina governor, will not run for higher office. He rarely even makes the TV talk shows. But his voice has helped shape important debates about schools at a time when the nation has turned its attention to fixing public education.

In 1994, teachers' unions heard Riley chide "the intransigence of some in the education community who see any outside reform or proposed innovation as unneeded, unwanted and unnecessary." Now many union leaders acknowledge that they





## Education Secretary Richard Riley

### Infrastructure, teachers and technology head his unfinished agenda

Education Secretary Richard Riley spoke with Editor Albert Eisele and Staff Writer Mary Lynn F. Jones about the state of American education, his view of the federal government's role in education, the importance of education as an election issue in 2000, and the former South Carolina governor's own future. Following are excerpts.

**Q:** After almost seven years as secretary, what do you see as the greatest need for American education? **A:** The biggest infrastructure need in America is school construction. More than highways, more than bridges, more than airports, more than everything. ... You've got old, worn-out school buildings in many cases that impact things like use of technology, safety, environmental issues. ... You've got all of those issues, put on top of that, the highest enrollment ever, and the enrollment increases over the next 10 years are going to be significant. ... [What] we've come [up] with is a way to help states and local school districts with the financing of new schools and school renovation. They decide whether they want to build schools, renovate old schools, or where to build them or [how] to build them. We are not involved in that. ... There are two proposals out there, one by [Rep.] Charlie Rangel [D-N.Y.] and the other by [Rep.] Nancy Johnson [R-Conn.]. ... They're both around the \$25 billion range, and when you couple the support of the people who are committed to either the Johnson bill or the Rangel bill, which are almost identical, they have 222 members of Congress. ...

**Q:** What about the people side of education, the teachers? **A:** A second issue I would mention is class size reduction, which we passed last year. We took that as a commitment over a seven-year period to provide 100,000 teachers for early grades specially trained in reading to bring the class size national average down from 22-23 to 17-18 [students]. Research clearly shows us that makes a real difference.

**Q:** Why is there such a shortage of teachers? **A:** One reason is you have the enrollment increases. Another [is that] there's a tendency towards smaller class size. ... Then [there's] the competition with private industry when you have a qualified person, say, who is a very sought-after, good, strong high school

physics teacher. Private industry comes in there and offers them substantial increases in what they're making. ... [Teachers also] need to be paid better, and they need to be handled in a professional way, to be a respected profession. ... In the next five to 10 years ... we have to expect more from them and have to provide more for them.

**Q:** How important will education be as an issue in 2000? **A:** It's very clear that the American people now put education at the very top of their concerns. ... [Recent] polls indicated above 70 percent support of the American people for education. An ABC/Washington Post poll had education by far first of the 15 issues. And 14th was tax cuts. ...

**Q:** How does the quality of American education stack up against the rest of the world? **A:** The education of this country is the responsibility of the state. That is in the state constitutions and the general law of the state that they provide free public education for all children in the state. ... The federal government is a supporter of the state and local schools. We are a partner, but we are a junior partner. We are into support and not control. ... The best international comparison is in math and science in the so-called TIMSS [Third International Math and Science Study] test. ... A couple of years ago, a fourth grade TIMSS test of 42 countries [found] we were second only to Korea in science. ... In math, in fourth grade, we were way above average. ... Eighth grade, we were average. We were slightly above average in science, slightly below average in math. Twelfth grade, we were down at the bottom and just ahead of a few countries. ... What happens from the fourth grade to the eighth grade to the 12th grade? Our children, in the eighth grade math and science, take approximately the same thing that the children in Japan take in the seventh grade. ... Then in high school, a lot larger percentage [of students] in other countries take trigonometry and calculus, chemistry, biology and physics. In those high school years, our kids begin to take less difficult, challenging courses. And so by the 12th grade, they have slipped in terms of test scores. ... The reading scores, which are different from math and science, just came in about a year ago. We were up in fourth grade, in the

eighth grade and the 12th grade.

**Q:** Is the proposal by Gov. George W. Bush [R-Texas] to deny federal funding to schools with failing standards viable? **A:** That's the current law. Gov. Bush's speech really reiterates primarily things we got passed in 1994 in the reauthorization of the Elementary and Secondary Education Act. ... Five years ago we made a major decision. ... Up to that time, disadvantaged kids who were included in Title I had a watered-down curriculum, watered-down testing, watered-down programs. That was the way it was done; they weren't expected to do as much as kids who were not disadvantaged. ... [The president and I] were pushing for high standards in all the states and we decided to make Title I have the same high standards as every other child. ... Yes, they have to work harder. And some of that seems like it might be unfair in some ways, but it's the most fair thing you can do to poor kids, to have them realize they have to have the same high standards if they're going to have choices in life after they finish school.

**Q:** Education seems to be one of President Clinton's top priorities. Is that an accurate impression? **A:** Absolutely. ... You can't think back to when a president three years in a row has made education of all American children his main topic in the State of the Union address.

**Q:** Does Vice President Gore have the same commitment to education? **A:** Anytime you see the administration be that strong for something, you know Al Gore was there.

**Q:** What's the proper role for the federal government in education? **A:** In the 1994 election, there was a real turn, and it was not a pro-education turn. When the 104th Congress took office in 1995, the big education issue was to eliminate the Department of Education. That's about as far as you can go in terms of a federal role; they thought there should be no federal role. I'm pleased to say that with the president's strong leadership, and his willingness to veto anti-education appropriation bills, the American people backed the president. As he ran for reelection, I think education was a very significant factor. And now, everybody on both sides feels that there's a very important federal role. Of course,

how you do that is the debate today and what should the federal role be. It's clear that this administration has put proposals out there that are mainstream, that are practical, that make sense.

Q: How would you describe your relationship with Congress after it tried to abolish your department? A: The administration is way out front in making education a real priority and not a rhetorical priority. Everybody now is for education because the American people are for education, and you have to sift out people who are willing to hurt for education. Any politician is going to get up and talk about they're for education. That's political. But when it comes to making tough decisions, when you put education as a priority over something else, then that's a person who really

believes in education and wants to make it work. I'm pleased to say we've had enormous support from Democrats in the House and the Senate, and we've had very good support from a large number of moderate Republicans.

Q: What impact is technology having on the classroom? A: The technological requirements should be part of a child's education all through their elementary, middle and high school, so they will have a strong foundation to learn with technology and to understand the use of technology. ... Poor kids don't have computers at home, usually, and other kids usually always do. So if you are going to provide a quality education for a disadvantaged child, it is especially important to have technology in the school, where that child can learn to use

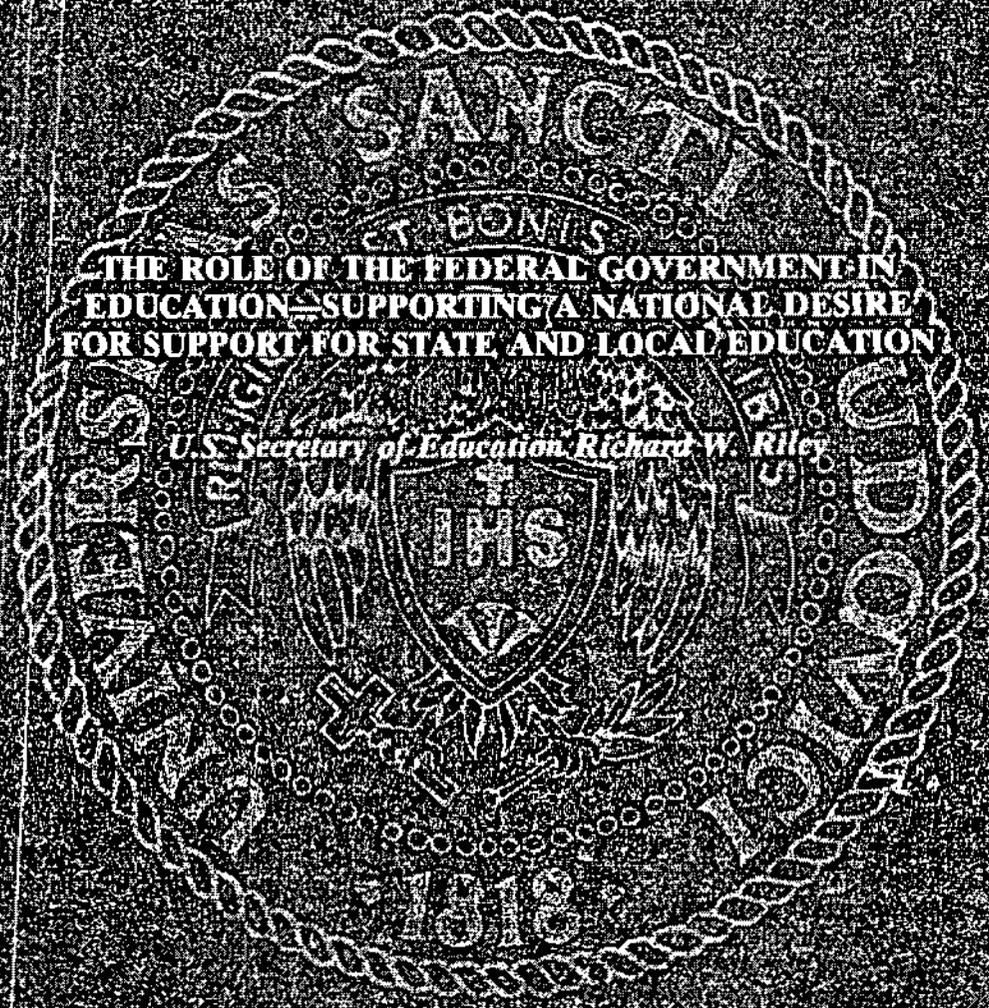
technology just like any other child. ...

Q: With the recent school shootings, can students feel safe? A: That's one reason for my [recent five-state] bus tour [in the South], to talk to parents, teachers, students and grandparents about school, about the fact that it's the safest place in the community. Yet all of us have a role to make sure we keep it the safest place in the community. ...

Q: Do you plan on ever running for office again? A: I don't know, I really don't. I've always been one to work hard at what I am doing and let the future take care of itself. ... I have no plans about running for office. But as I say, I have no plans. You get down that road, and it takes you off of what you're trying to do. ■

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**THE ROLE OF THE FEDERAL GOVERNMENT IN  
EDUCATION—SUPPORTING A NATIONAL DESIRE  
FOR SUPPORT FOR STATE AND LOCAL EDUCATION**

*U.S. Secretary of Education Richard W. Riley*

# THE ROLE OF THE FEDERAL GOVERNMENT IN EDUCATION – SUPPORTING A NATIONAL DESIRE FOR SUPPORT FOR STATE AND LOCAL EDUCATION

BY RICHARD W. RILEY\*

## INTRODUCTION

Throughout the history of this nation, education – what Aristotle called “the best provision for old age” and Plutarch “the very spring and root of honesty and virtue” — has played a central role in America’s development and prosperity and has been at the core of our system of values and morals. The individual benefits are clear: people with more education tend to live more productive lives than those with less education.<sup>1</sup> Beyond that, education –

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\* U.S. Secretary of Education, 1993-present. governor, South Carolina 1979-1987. The author would like to thank Alexander Wohl for his research and analysis and Terry Peterson, David Frank, Leslie Thornton, Judith Winston, Jamiene Studley, Theodore Sky and Steve Sniegoski for their helpful comments and suggestions.

1. Education contributes directly to an increase in prosperity and civic participation, and a decrease in welfare and crime. In 1995 the median average earnings for males with a bachelor’s degree or higher was 52 percent higher than for males with a high school diploma and 78 percent higher than for males who had not graduated from high school. For females, this earning gap was even more pronounced. In 1995 the median average earning for females with a bachelors degree or higher was 91 percent higher than for females with a high school diploma and 129 percent higher than for females who had not graduated from high school. Similarly, unemployment rates are lower for college graduates than for high school graduates, and the rates for both groups are much lower than for dropouts. For college graduates the unemployment rate in 1996 was 2 percent, while the rate for high school graduates was 5 percent, and was 9 percent for dropouts. In terms of the population living below the poverty level, 25 percent did not complete high school, 10 percent had a high school diploma, and 3 percent obtained a bachelors degree or higher in (1997). U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, MARCH CURRENT POPULATION SURVEYS (1995). U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OFFICE OF EMPLOYMENT AND UNEMPLOYMENT STATISTICS, CURRENT POPULATION SURVEY (1996). U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, ANNUAL DEMOGRAPHIC SURVEY, MARCH SUPPLEMENT (1997).

In 1994, high school dropouts were more than twice as likely to receive income from Aid to Families with Dependent Children (AFDC) or public assistance as high school graduates who did not go on to college (14 percent compared to 6 percent). Less than one percent of persons with 16 years or more of schooling received public assistance. U.S. DEPARTMENT OF COMMERCE, BUREAUS OF THE CENSUS, MARCH CURRENT POPULATION SURVEYS (1994).

whether in the form of increased knowledge in a particular subject or simply the experience it provides to young people to help them become good citizens or as a means of achieving any number of common goals – contributes enormously to the nation's economic growth and well-being. As Thomas Jefferson wrote: "If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."<sup>2</sup>

A review of education policy in this nation must begin with the unique way that education is treated and viewed by Americans – as a local function, a state responsibility, and a national priority.

With its base in the work of individual teachers, parents, local school boards, and communities, the nation's effort to strengthen education and build quality systems of teaching and learning has been focused primarily in local communities, neighborhoods and schools. The day-to-day administration and operation of schools have remained the work of local and private authorities. The overall authority for providing a free public education has been vested in the states.

At the same time, accompanying and supporting, but not preempting this core function of locally based control with state responsibility is a critical national governmental role in education that goes back to the founding of our republic. For more than two centuries, there has been an important federal role in education that supplements the efforts of local and state governments and individual schools and communities and addresses the understanding that education is a critical issue that affects the entire nation and the future of all its citizens together. It is a role that is based not only in history but also in necessity. It is appropriate and necessary for the national government of a country as large, diverse, and developed as ours to take on a variety of important educational responsibilities and supplement and support state and local officials and educators.

This multi-dimensional but mutually supportive approach to education policy among local, state, and national levels has existed since the earliest day of our democracy, and has been much debated. The founding fathers certainl

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Although only about 18 percent of the population have never finished high school, this group accounts for 47 percent of the state prison population and 52 percent of prisoners on death row. U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, CURRENT POPULATION SURVEYS (1996). U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, PROFILE OF JAIL INMATES (1996). U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, CAPITAL PUNISHMENT (1997).

Eighty percent of college graduates, 62 percent of high school graduates, but only 45 percent of high school dropouts, were registered to vote in 1996. Furthermore, 70 percent of college graduates, 49 percent of high school graduates, and 32 percent of high school dropouts report that they voted in 1996. U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, VOTING AND REGISTRATION IN THE ELECTION OF NOVEMBER (1996).

2. Thomas Jefferson, letter to Colonel Charles Yancey, January 6, 1816.

were of no like mind on the subject. Nevertheless, even as many were suspicious of a national governmental power, most American leaders believed in the strength of education, particularly insofar as it was integral to creating good citizens, and thus allowed this view to overcome their fear of federal control.

Thomas Jefferson, for example, who was an avowed states' rights advocate, recommended the application of federal funds "to the great purposes of public education, roads, rivers, canals, and other objects of public improvement."<sup>3</sup> Among his proposals were that faculty from the University of Geneva be brought to the United States under federal sponsorship.<sup>4</sup> George Washington advocated a national university to promote learning and virtue among potential statesmen.<sup>5</sup> And Benjamin Rush, one of the Revolutionary leaders, proposed a national system of education that he hoped would fulfill the needs of the new democracy. He believed, along with others like James Madison and John Adams, that the best security for the new nation lay in a proper form of education.<sup>6</sup>

Although the Constitution is silent about the subject of education, two specific provisions have provided the grounds for most of the ensuing debate over the respective roles of state and federal governments in education. The Tenth Amendment, which reserves "the powers not delegated to the United States . . . to the States," has been cited as support for the argument that schooling is solely a non-federal function. This might be an acceptable argument if not for Article I, Section 8 of the Constitution, the general welfare clause. That language states in relevant part that "The Congress shall have power: To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States." Over time, the

3. DONALD WARREN, *TO ENFORCE EDUCATION* 26 (1974).

4. Stephen J. Sniegoski, *History of the U.S. Department of Education and its Forerunner*, unpublished manuscript, 4 (1998).

5. Albert Castel, *The Founding Fathers and the Vision of a National University*, 4 *HIST. OF EDUC. Q.* 280-99 (1964). Washington eloquently described the contribution of knowledge to an enlightened government under the Constitution: "To the security of a free constitution [knowledge] contributes in various ways - by convincing those who are intrusted with the public administration that every valuable end of government is best answered, by the enlightened confidence of the people and by teaching the people themselves to know and to value their own right; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burdens proceeding from a disregard to their convenience and those resulting from the inevitable exigencies of society; to discriminate the spirit of liberty from that of licentiousness - cherishing the first, avoiding the last - and uniting a speedy but temperate vigilance against encroachments, with an inviolable respect to the laws." *RICHARDSON, MESSAGES AND PAPERS OF THE PRESIDENT* 66 (1903 ed.).

6. ALLEN HANSEN, *LIBERALISM AND AMERICAN EDUCATION IN THE 18TH CENTURY* 48-63 (1965). Hansen also discusses Robert Coram's 1791 "Plan for the General Establishment of Schools throughout the United States," which was based on the essential relationship between education and the furtherance of democratic principles. *Id.* at 63-64.

representatives of the nation's citizens have done just that, with the general support of the Supreme Court in a number of areas, exercising this constitutional authority by appropriating funds to "provide for the general welfare."

This debate has remained remarkably consistent, even as our nation and education system has grown and matured. In the 19th century, for instance, at least one study has pointed out, "opponents of state involvement in local education used arguments remarkably similar to those we hear today against federal involvement."<sup>8</sup>

This article is premised on our national understanding of the importance of a federal role in education, the goal of which is to supplement and support local and state efforts to improve education. In examining this federal role, this article will first discuss its history, as well as the practical need for federal involvement in education. It will then examine current national education policies and how they fulfill the national understanding of the federal role in education.

### I. THE HISTORY OF THE FEDERAL ROLE

Even before the founding fathers had drafted the Constitution of the United States there were federal policies that promoted education. Two laws or ordinances enacted by the Continental Congress in 1785 and 1787, in which Congress established rules for the sale of public land in the Northwest Territory (the later states of Ohio, Indiana, Illinois, Wisconsin, Michigan and part of Minnesota), included policies to support the enhancement of education in the new nation.<sup>9</sup> Based on a colonial precedent, the 1785 law reserved one square mile out of every 36 for the benefit of public schools. The second statute reaffirmed this goal, stating that "Religion, Morality, and Knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."<sup>10</sup> The land grant policy did not come into effect until Ohio became a state in 1803. Since then, all but three states

7. See, e.g., *United States v. Butler*, 297 U.S. 1, 65 (1936). Alexander Hamilton is cited for this broad reading of the scope of the general welfare authority in his Report on Manufactures: "It is, therefore, of necessity, left to the discretion of the National Legislature to pronounce upon the objects which concern the general welfare, and for which, under that description, an appropriation of money is requisite and proper. And there seems to be no room for doubt that what concerns the general interests of learning, of agriculture, of manufactures, and of commerce within the sphere of the national councils, as far as regards an application of money." (Emphasis added).

8. Carl F. Kaestle & Marshall S. Smith, *The Federal Role in Elementary and Secondary Education, 1940-1980*, 52 HARV. EDUC. REV. 384, 386 (1982).

9. JAMES MONROE HUGHES & FREDERICK MARSHALL SCHULTZ, *EDUCATION IN AMERICA, 1783-1860* (1960). The primary purpose of these laws was to encourage the settlement and development of western lands. *Id.*

10. Northwest Ordinance of 1787, Article 3.

admitted to the union have received federal land grants for public schools,<sup>11</sup> demonstrating a clear understanding early in this nation's history that a quality education is a critical part of a developed and developing society. It is an understanding that continued to grow with the maturation of the nation.

During the 1830s, education reformers built a movement around the creation of common or public schools. This movement, led by educators like Horace Mann and Henry Barnard, was intended to strengthen and reinforce civic values and traditional and dominant "American" beliefs, rather than change them.<sup>12</sup> It was a time of "schools but no school systems," with reformers arguing for development of the latter and for the means of supporting them.<sup>13</sup>

The success of this movement led to the establishment of state education agencies designed to collect data and provide limited direction to local schools. This, in turn, created a drive to establish a federal agency that would help accomplish the same goal on a national level.<sup>14</sup> Such a federal agency was established in 1867.

The Civil War marked an important advance in the federal role in education and further emphasized the priority that Americans place on education generally, and more specifically the positive role that the government could play in achieving or enhancing that advancement. During the war itself, in 1862, Congress enacted the Morrill Act, which provided assistance to agricultural colleges.<sup>15</sup> It was the first major federal education program and part of "a culmination of a drive for greater democratization of higher education."<sup>16</sup> Pioneers participating in the movement westward wanted a practical education in agriculture and the "mechanic arts." As the chief sponsor of the law stated in prescient language that anticipated national needs and interests a century later: "The fundamental idea was to offer an opportunity in every state for a liberal and larger education to larger numbers, not merely those destined to sedentary professions, but to those much needing higher instruction for the world's business, for the industrial pursuits and the (practical) professions of life."<sup>17</sup>

Education was an important by-product of the war itself. Some abolitionists even described the conflict as a war over education because of the possibility that once slavery was abolished and slaves became citizens, they would be able to avail themselves of all the benefits of citizenry, most prominent

11. HUGHES & SCHULTZ, *supra* note 9, at 293.

12. Sniegoski, *supra* note 4, at 6.

13. HARRY KURSH, *THE UNITED STATES OFFICE OF EDUCATION - A CENTURY OF SERVICE* (1965).

14. Sniegoski, *supra* note 4, at 7.

15. See generally Morrill Land Grant Act of July 2, 1862, ch. 130, 12 Stat. 503, 7 U.S.C. 301.

16. KURSH, *supra* note 13, at 9.

17. *Id.*

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among these being education. In addition, the best way to prepare freed slaves for their social and civic responsibilities, as well as their benefits, was to provide them with education.<sup>18</sup> But there was also a belief among some in the North that greater educational opportunities would "secure white loyalty to the Union."<sup>19</sup> These northerners believed that the best way to reconstruct the defeated South was through education. Thus, at the close of the war, the government conditioned the return of a number of Confederate States to the Union on their guarantee that they include a specific right to education in their state constitutions.<sup>20</sup>

At the same time, there was a growing belief in the need for a limited federal role or agency that would provide information and could induce states to improve their educational systems.<sup>21</sup> This movement led to the creation of the United States Office of Education in 1867, the primary purpose of which was:

"Collecting such statistics and facts as shall show the condition and progress of education in the several States and Territories, and of diffusing such information respecting the organization and management of schools and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country."<sup>22</sup>

Due to a number of problems that included administrative obstacles, the Department lost some support and, in 1870, went from independent status to becoming a division of the Department of the Interior, in which capacity it stayed until 1939. Nonetheless, with a mission that included inducing improvement in the nation's schools and playing a significant role in the reconstruction of the South, a federal role in education clearly had been staked.

The importance of education as a national issue accelerated in the 20th century. Congress passed the Smith-Hughes Act of 1917 to address the shortage of trained workers that had been revealed during World War I. The act, supported by both labor and business leaders, allowed the federal government to provide aid to public secondary schools for vocational education programs and was supplemented by additional legislation five times over the next 15 years. During the Great Depression, numerous national laws were passed that either directly or indirectly aided education at the local level, from paying teachers with Federal Emergency Relief Funds to building schools with money from the Public Works Administration.<sup>23</sup>

18. Sniegoski, *supra* note 4, at 7.

19. *Id.*

20. See NEAL KUMAR KATYAL, *THE REPUBLICAN GUARANTEE OF EDUCATION* 67-69, forthcoming (1999).

21. Sniegoski, *supra* note 4, at 8.

22. The Department of Education Act of 1867.

23. KASTLE & SMITH, *supra* note 8, at 389.

Few examples better illustrate the power of the federal government to open the doors for education and encourage expanded learning opportunities than the GI Bill, passed in 1944.<sup>24</sup> With the creation of the GI Bill, the federal government strengthened its role as a means of providing greater access to education for all, with a strong emphasis on providing financial aid to help families pay for college. Under the bill, World War II veterans were eligible for education benefits for a maximum of 48 months, depending upon their length of service. The Veterans Administration paid the schools for tuition and living allowances. In a population of 15.4 million veterans, nearly 51 percent, or 7.8 million received education or training under the bill, 2.2 million of them at colleges and universities.<sup>25</sup>

During this post World War II period there was also limited federal involvement in elementary and secondary education, through funding for vocational education, school lunch programs, federal dependents, and Native American children.<sup>26</sup> This development advanced even further with passage of The Elementary and Secondary Education Act of 1965, which created the means for the federal government to provide financial assistance to local education agencies to assist in the education of children from low-income families.<sup>27</sup> The centerpiece of this legislation, known as Title I, still constitutes the primary federal investment in elementary and secondary education. For fiscal year 1999, more than \$8 billion was budgeted for Title I grants to Local Education Agencies.<sup>28</sup>

The Higher Education Act of 1965 is another example of the important and productive role the federal government plays in education. Created to continue and expand the efforts implicit in the National Defense Education Act of 1958 (designed to expand math and science education in the face of Soviet achievements in outer space), the Higher Education Act was part of the growing understanding of the importance of extending educational opportunities into college through loans and outright grants.

As our society has become more aware of the needs of previously neglected portions of our population, the national role in making sure all Americans have equal educational opportunities has grown even further through laws such as The Individuals With Disabilities Act.<sup>29</sup>

There has grown — along with our nation's size and sophistication — an understanding of the importance of a federal role in education. This role is

24. The Servicemen's Readjustment Act of 1944.

25. MILTON GREENBERG, *THE GI BILL — THE LAW THAT CHANGED AMERICA* 108 (1997).

26. KAUFLE & SMITH, *supra* note 8, at 389.

27. Pub. L. No. 81-874, § 201, as added by § 2 of Pub. L. No. 89-10.

28. For an extensive discussion of the federal role in elementary and secondary education and reform of the Elementary and Secondary Education Act see Richard W. Riley, *The Improving America's Schools Act and Elementary and Secondary Education*, 24 J. L. & EDUC. 513 (1995).

29. See Pub. L. No. 96-142, 89 Stat. 773 (1975).

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largely implicit in our laws, but finds support in the general welfare clause of the Constitution that states that "Congress shall have to . . . provide for general welfare of the United States."

The Supreme Court has supported a broad Congressional power to provide financial assistance or funds for the "general welfare" of the people, as well as the corollary power to place conditions on the receipt of federal funds, including funds for education. At the same time, however, it is important to emphasize that this power is not a power to exercise federal control over education curriculum. Indeed, the act creating the modern-day U.S. Department of Education reaffirms this, noting:

"No provision of a program administered by the Secretary or by any other officer of the Department shall be construed to authorize the Secretary or any such officer to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, over any accrediting agency or association, or over the selection or content of library resources, textbooks, or other instructional materials by an educational institution or school system, except to the extent authorized by law.<sup>30</sup>

The federal government has continued to work constructively within the requirements of this authorization to help strengthen local schools and support the efforts of local communities to improve education. A number of current initiatives demonstrating this supportive work are discussed in Section III.

### III. THE IMPORTANCE OF A FEDERAL ROLE IN EDUCATION TODAY.

Never has this nation been so confronted as it is today with the task of teaching so much to so many while reaching for new high standards. We live in a world where knowledge is exploding all around us — a time of new challenges — where the need for tools to prepare us for these challenges is extraordinary. In addition, student enrollments are at record levels and expected to increase for another ten years. Meeting our nation's ambitious goals requires an effective partnership and constructive balance among the local, state, and federal players in education.

There are several specific ways in which the federal government supports and does benefit education at the local and state levels. These can be grouped generally into five categories.

First, and most traditionally, the federal government is a clearinghouse for good ideas, facts and figures, and a catalyst for improving the education of the nation. In 1867, when Congress created the first United States Office of Education the federal goal was to compile and collect statistics about education to induce positive change in learning across the nation.

30. Department of Education Organization Act, Pub. L. No. 96-088, § 103(b), 93 Stat. 670 (1979) (codified at 20 U.S.C. § 3403(b) (1988)).

The original goal is still being met today. In every state and community of the nation, educators and families are learning about effective ways of teaching and learning through U.S. Department of Education-sponsored research, evaluation, and technical assistance. Many effective innovations in education—for example the National Board for Professional Teaching Standards, which helps evaluate and raise standards for teachers, or the closed captioning for television to assist the hearing impaired—require long-term research and investment at a scale that almost no state or locality can afford.

In addition, through the Educational Resources Information Center (ERIC), as well as the Department's award-winning Internet Website and its 1-800 public information phone numbers, the Department is helping more American communities identify what works in education – and helping them learn about the most promising strategies for improving schools and children's performance that are being put into place in communities across the nation. The U.S. Department of Education receives approximately two million inquiries a year – and allows families and communities to draw on experiences in every state.

A second critical federal role in education is to help communities and schools raise academic achievement, meet the needs of their students, and enable all qualified students to get into college by increasing access to post-secondary education. This role has a dual objective, involving issues of both equity and excellence.

Historically, many low- or moderate-income students or students who are otherwise disadvantaged or are disabled have needed extra assistance and support to acquire the basics or pay for college. Often the communities and schools that serve these children have the least resources. As a recent General Accounting Office (GAO) study demonstrates, the U.S. Department of Education's funds are targeted to students of greatest need.<sup>31</sup> While states try to provide the foundation funding for public schools in equitable fashion, generally at any given time about one-third to one-half of schools are in state courts because their state funding system is inequitable.<sup>32</sup> Federal funds reduce some of the continuing inequities in local and state education funding, which is one reason that the GAO warned recently against creating unrestricted block grants to states from the federal government.<sup>33</sup>

To encourage excellence and high standards of learning, the Department delivers almost \$15.4 billion in highly targeted and structured funds to states and school districts to assist local elementary and secondary schools in pro-

31. GAO Study, *School Finance: State and Federal Efforts to Target Poor Students*, HEHS 98-36 (Jan. 28, 1998).

32. See, e.g., Tamar Lewin, *Patchwork of School Financing Schemes Offers Few Answers and Much Conflict*, N.Y. TIMES at A23 (April 8, 1998).

33. See *supra* note 31.

viding a quality education to all children. It also provides about 70 percent of all student financial aid for college, about \$40 billion, to give students greater access to the best postsecondary education system in the world.

A number of additional benefits to local education agencies have come from efforts by President Clinton and the U.S. Department of Education to create more of a partnership than in the past with regard to federal grants and other assistance for education. This new partnership, which is premised on the idea of greater flexibility in exchange for increased accountability, has focused its efforts in four areas: (1) regulatory reform and flexibility; (2) reducing federal paperwork requirements; (3) improving audit procedures; and (4) improving service to states and school districts, particularly by providing technical assistance support and better access to information about federal education programs and activities.<sup>34</sup> The result has been a lowered regulatory burden, less paperwork and red tape, streamlined audit procedures, and improved access to information – all of which have significantly aided local education agencies' efforts to provide quality education to students.<sup>35</sup>

A third key role in education for the national government, which builds on its efforts to provide opportunities for learning, is to help prepare young people to achieve and succeed in college and careers, and to be fully competent to meet the increasingly technological demands of society and work.

The School-to-Work Opportunities Act,<sup>36</sup> for instance, provides seed money to help states and local communities prepare youth for higher education and careers and equip them to learn for a lifetime through partnerships of schools, businesses, and community leaders. All states received development grants in 1994 to create strategies to build school-to-work systems that meet the needs of their students and economies. Since then, all 50 states and the territories have received one-time, five-year grants to launch these school-business-community partnerships.

Similarly, the federal government is playing an important role in helping students and schools have access to telecommunications, computers and other learning technologies, including the information superhighway and in broadening access to high-quality learning opportunities for adults using the Internet and other new technologies. The E-Rate (Education Rate), created under the Telecommunications Act of 1996, for example, is helping to end the digital divide and assist local schools to fully integrate technology into teaching and learning. This role that is similar to those of earlier periods in history in meet-

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34. See Department of Education White Paper *From Compliance to Cooperation: The Department of Education and the States*, forthcoming (1998) [hereinafter *Compliance*]. See also Riley, *supra* note 28, at 540 (discussing some of these improvements).

35. See *Id.*; See also Riley, *supra* note 28, at 540.

36. See generally The School to Work Opportunities Act of 1994, Pub. L. No. 103-239, 108 Stat. 568 (1994).

ing national needs, which included passage of legislation such as the Smith-Hughes Act of 1917<sup>37</sup> and the National Defense Act of 1958.<sup>38</sup>

The fourth important role that the federal government plays in education is to administer and enforce the federal statutes, regulations, and policies that ensure that students will not be denied access to education on the basis of race, color, national origin, ethnicity, gender, age or disability. The nation's civil rights laws protect more than 46.4 million students attending public elementary and secondary schools and more than 14 million students attending our colleges and universities. The laws also protect students *applying* to attend America's post-secondary education institutions. The U.S. Department of Education's Office for Civil Rights (OCR) provides information and other services to help federally funded educational institutions comply with the civil rights laws and to help their students and employees understand their rights under the laws.<sup>39</sup> The OCR also responds to complaints from the public and works to ensure compliance with the nation's civil rights laws through agency-initiated reviews.

This is a critical role for the federal government — and one that has a significant and continuing impact. Consider, for example, the education-based federal civil rights law known as Title IX,<sup>40</sup> which has been a prime force for closing the "gender gap" in high school and college athletics and in increasing participation by women and girls in math and science courses. As a result of this law and accompanying federal enforcement, the United States now leads the world in women's access to higher education and American women excel in larger numbers in athletics.<sup>41</sup>

Finally, the national government has a distinctive opportunity to be a leader and national catalyst in the effort to improve education and make sure

37. See Smith Hughes Vocational Education Act, Pub. L. No. 105-175, 39 Stat. 929 (1917); RICHARD W. RILEY & NORMA V. CASTLE, U.S. DEPARTMENT OF EDUCATION, TITLE IX: 25 YEARS OF PROGRESS (1997).

38. See National Defense Act, Pub. L. No. 105-175, 39 Stat. 166 (1916).

39. The laws enforced by OCR are: Title VI of the Civil Rights Act, 42 U.S.C. §§ 2000a-2000h (1964) (prohibits discrimination on the basis of race, color, and national origin); Title IX of the Education Rehabilitation Act, 7 U.S.C. § 326a, 42 U.S.C. § 275a, 20 U.S.C. §§ 1651, 1652, 1654-1656, 1681-1688 (1972) (prohibits discrimination on the basis of sex); Rehabilitation Act, 29 U.S.C. § 794 (1973) (prohibits discrimination on the basis of disability); Age Discrimination Act, 42 U.S.C. §§ 6101-6106, 6106a, 6107 (1975) (prohibits age discrimination); and Americans with Disabilities Act, 42 U.S.C. §§ 12101-12102, 12111-12117, 12131-12134, 12141-12150, 12161-12165, 12181-12189, 12201-12213, 47 U.S.C. § 225 (1990) (prohibits discrimination on the basis of disability by public entities, regardless of whether they receive federal financial assistance).

40. See generally The Education Amendment of 1972, Pub. L. No. 92-318, 86 Stat. 235.

41. See U.S. Department of Education, "Title IX: 25 Years of Progress" 1997.

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that all citizens have access to quality education.<sup>42</sup> The education of our citizens is critical to maintaining this nation's leadership role in the world as well as to increasing our productivity and creativity. Indeed, ensuring that our citizenry is well educated is a national security issue, affecting everything from our economy to our standing in the world. As Lyndon Johnson stated in 1965:

Education is the 'guardian genius of our democracy.' Nothing really means more to our future, not our military defenses, not our missiles or our bombers, not our production economy, not even our democratic systems of government. For all of these are worthless if we lack the brain power to support them and to sustain them.<sup>43</sup>

This leadership role has been a particularly important one during times of national crisis. Whether as a response to the Civil War, the Great Depression, a world war, or economic conditions, or through efforts such as Lyndon Johnson's "War on Poverty," education has always been a key part of the solution — and the federal role in this solution has been increasingly important. After the Soviet Union launched Sputnik, the first man-made satellite, on October 4, 1957, Congress responded by passing the National Defense Education Act of 1958,<sup>44</sup> which created a number of education-based initiatives, including a range of programs of assistance for mathematics and science education. President Eisenhower endorsed these proposals and others like them in an effort to "awaken America" and, "if necessary helping where it became the proper function of the Federal Government to bring about this thing."<sup>45</sup>

42. A series of other justifications and variations of the federal role have been offered over time, including the following: "The states vary widely in their ability to support an adequate educational opportunity; and only the federal government can do this." See HAROLD CRESSMAN & HAROLD W. BENDA, PUBLIC EDUCATION IN AMERICA 91 (2nd ed. 1961). "Our population is now highly mobile, and many do not remain in the states where they have been educated. Therefore the quality of such education is a matter of national concern." *Id.*

43. President Lyndon B. Johnson, Recorded Remarks on the Message on Education (Jan. 12, 1965). President Johnson was not alone in this view. Throughout the 1950s, largely as a response to the perceived threat from the Soviet Union, politicians, educators, and military leaders like Admiral Hyman Rickover all supported an increased focus on education as an important part of building our national defense. See BARBARA BARKSDALE CLOWSE, BRAINPOWER FOR THE COLD WAR: THE SPUTNIK CRISIS AND NATIONAL DEFENSE EDUCATION ACT OF 1958, 5-39 (1981).

44. See generally National Defense Education Act, Pub. L. No. 85-864, 72 Stat. 1580 (1958).

45. See CLOWSE, *supra* note 43, at 14. Eisenhower also held a White House Conference on Education in 1955 and sponsored legislation in 1955, 1956, and 1957 that would have provided grants and loans for school construction to address the massive growth in student population resulting from the baby boom. *Id.* at 46. While acknowledging that education is primarily a local issue, Eisenhower stated that the federal government was responsible and "it must and will do its part." *Id.*

We should, among other things, have a system of a nationwide testing of high school students; a system of incentives for high-aptitude students to pursue scientific or professional

Coming out of the recession of the early 1980s, many education and political leaders saw clearly that local, state, and national economic growth in an increasingly international economy depended on greater educational development.<sup>46</sup> In 1983, a national commission appointed by then-Secretary of Education Terrel Bell warned in the historic report *A Nation at Risk*, that "the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people."<sup>47</sup> The report called for action and the response included, for perhaps the first time in U.S. history, a combined effort by state and federal governments. Many governors took bold steps to improve education in their states, including Bill Clinton in Arkansas, Jim Hunt in North Carolina, Bob Graham in Florida, and Bill White in Texas. Governors also came together for an education summit with President Bush. Later, President Clinton put the goals of the summit into concrete policies by passing federal legislation, the Goals 2000: Educate America Act.<sup>48</sup>

Today, our nation continues to have an increasing demand for quality education that requires national leadership and involvement in education linked to state reform and commitment. Our national community faces unprecedented challenges. We have more children in our nation's classrooms than ever before and each year schools become more crowded.<sup>49</sup> Population growth is unevenly distributed among states and within states, putting exceptional burdens on some communities—most often those with fewer means. Our children speak more than 100 languages, even as they are eager to learn English. They start kindergarten with high hopes, but too many come unprepared.

Reading scores are not where we want them to be. And while we do a very good job of teaching math and science in the early years, we begin to drift in the middle years and fall behind the international standard of excellence.<sup>50</sup> Too many of our students show up at college unprepared.

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studies; a program to stimulate good-quality teaching of mathematics and science; provision of more laboratory facilities; and measures, including fellowships, to increase the output of qualified teachers.

*Id.* (citing a national radio and TV address by President Eisenhower, November 13, 1957).

46. See, e.g., Terry S. Peterson, *School Reform in South Carolina: Implications for Wisconsin's Reform Efforts*, EDUCATION ISSUES (1991).

47. NATIONAL COMMISSION ON EXCELLENCE IN EDUCATION, *A NATION AT RISK: THE IMPERATIVE FOR EDUCATIONAL REFORM 5* (1983).

48. The National Governors Association held a summit and, along with President George Bush, developed six national education goals. These ultimately became President Clinton's Goals 2000: Educate America Act. See Riley, *supra* note 28, at 295 (discussing this legislation in detail).

49. See generally U.S. DEPARTMENT OF EDUCATION, *A BACK TO SCHOOL SPECIAL REPORT ON THE BABY BOOM ECHO: HERE COME THE TEENAGERS* (1997).

50. See NATIONAL CENTER FOR EDUCATION STATISTICS, U.S. DEPARTMENT OF EDUCATION, *PURSuing EXCELLENCE: A STUDY OF U.S. FOURTH-GRADE MATHEMATICS AND*

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None of this is to say that we are not improving. Quite the opposite. American education has improved significantly over the last 15 years. Many reforms that have been put into place at the local and state levels and with federal assistance and cooperation are having positive effects. Students are taking tougher courses and participation in advanced placement programs has increased dramatically. Achievement is up, SAT and ACT college entrance scores have improved at almost unprecedented rates and SAT participation has risen significantly over the past decade for all ethnic groups. Reading scores, as measured by the National Assessment of Education Progress (NAEP), improved in each of the grades tested—4th, 8th, and 12th—for the first time in 30 years. Drop-out rates are down, and college enrollment is at record high levels.<sup>51</sup>

Unfortunately, we are not improving fast enough. For example, in the recent international study of math and science known as The Third International Math and Science Study (TIMSS), American students score well above the international average at the 4th grade, but well below average in the 12th grade.<sup>52</sup> And the rest of the world is not standing still. What is needed is an enduring national commitment to quality education and high standards. The only way to achieve this is with a sustained and substantive federal role in education that supports the work of state and local communities, and offers guidance, leadership, and direction.

### III. HOW A FEDERAL ROLE IN EDUCATION CAN HELP THE NATION MEET TODAY'S CRITICAL NEEDS

The improvement of education in local schools and communities continues to lie primarily with state and local education agencies and with schools, teachers, parents, principals, and students. At the same time, as the previous historical discussion indicates, and the increasingly important priority placed on education in our information-based world confirms, there is a vital and meaningful role for the national government as a partner, and as a source of leadership, information, and technical and financial assistance. Pull after pol

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SCIENCE ACHIEVEMENT IN AN INTERNATIONAL CONTEXT, NCES 97-255 (1997) [hereinafter *Fourth-Grade*]; NATIONAL CENTER FOR EDUCATION STATISTICS, U.S. DEPARTMENT OF EDUCATION, PURSUING EXCELLENCE: A STUDY OF U.S. EIGHTH-GRADE MATHEMATICS AND SCIENCE TEACHING, LEARNING, CURRICULUM, AND ACHIEVEMENT IN INTERNATIONAL CONTEXT, NCES 97-198 (1996) [hereinafter *Eighth-Grade*]; NATIONAL CENTER FOR EDUCATION STATISTICS, U.S. DEPARTMENT OF EDUCATION, PURSUING EXCELLENCE: A STUDY OF U.S. TWELFTH-GRADE MATHEMATICS AND SCIENCE ACHIEVEMENT IN INTERNATIONAL CONTEXT, NCES 97-198 [hereinafter *Twelfth-Grade*].

51. See U.S. DEPARTMENT OF EDUCATION ISSUE BRIEF, THE TRUE PICTURE OF AMERICAN EDUCATION (1997) (citing a series of reports and studies).

52. See *Fourth-Grade*, supra note 50; *Eighth-Grade*, supra note 50; *Twelfth-Grade*, supra note 50.

demonstrates the priority that Americans place on education and their desire for state and national leaders to make it a central focus of their agenda.<sup>53</sup>

Since taking office, President Clinton has worked to meet this national desire for learning and training by emphasizing and expanding educational opportunities. President Clinton and Vice President Gore have formulated an ambitious education agenda built on the long historical role of a national involvement in education - one that supports and supplements the state and local role and works to help communities provide their citizens the best possible education and training.

The President outlined a bold "call to action" to spur a national crusade for educational excellence. This action plan includes real and shared priorities such as encouraging parent involvement in schools, seeking higher standards for students and teachers and increased accountability, eliminating social promotion, making schools safer, reducing class size, repairing and modernizing crumbling school buildings and building new ones, investing in after-school programs to get young people off the streets, helping families pay for college, and effectively getting technology into classrooms. The legislative initiatives offered by President Clinton and Vice President Gore described above are designed to help ensure that every American has the opportunity to use all the tools available to him or her illustrate the importance of a federal role in education that complements and enhances state and local activity.

*Raising Achievement in our Schools and Classrooms -*

At the core of the federal role in education is a simple but vitally important concept: Our schools need to establish clear, meaningful and challenging standards of achievement for what students should be expected to learn and achieve in the basics and core subjects. Extensive research confirms that students who are challenged to learn and who focus on high academic standards

53. Recent Harris polls have found that education continues to be one of the most important issues the public thinks the government should address; 17% of the public said education is one of the most important issues; 15% said crime/violence; 14% said welfare; 14% said the federal deficit; 14% said taxes; 11% said health care (not Medicare); and 10% said drugs (HARRIS, 1997). A 1997 Washington Post Poll asked the public what should be the top priority for the President and Congress in 1997, 30% of the public said improving the education system; 30% said funding Medicare and Social Security; 23% said balancing the budget; 14% said reducing taxes on the middle class; and 3% said changing the way elections are financed (WASHINGTON POST, 1997). When the public was asked to choose one of seven issues that needs the greatest attention from the federal government at the present time, 25% of the public said improving education; 18% said guaranteeing the financial stability of Social Security and Medicare; 14% said reducing crime; 12% said reducing the budget deficit; 10% said reducing taxes; 8% said strengthening the economy; 3% said reforming the way political campaigns are financed; and 9% said all of these issues equally (NBC/WSJ, 1997).

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usually learn more.<sup>54</sup> Low standards and a watered-down curriculum lead to just the opposite result.

The good news is that this message is spreading, and with national leadership and focus combined with state action there is no longer much debate about this subject or the validity of these conclusions. Virtually every state in the union has, or is working toward adopting rigorous academic standards and challenging assessments. This is a fundamental change in the very structure of American education.

At the same time, however, it is important to recognize why the individual and varied efforts of fifty states are not enough. Ours is a nation where many people often move from community to community. Moreover, too often individual state assessments, evaluations, and standards of learning achievement not only differ widely from state to state and school to school, but also fail to stand up to the kind of strict scrutiny and rigorous, challenging measurements that are so crucial to educational excellence. A recent Southern Regional Education Board study found that in some states, more than 80 percent of the students meet state educational assessments, but 20 percent or fewer of these students make the grade when held up to higher standards of achievement based on excellence.<sup>55</sup>

Thus, even as the vital role of high standards and achievement increasingly is appreciated, it remains a challenge getting these standards into individual schools and classrooms. That is why President Clinton and Vice President Gore have developed a comprehensive strategy to support the effort to reach high standards and raise achievement.<sup>56</sup> It is a multi-part approach that includes targeting investments to disadvantaged children, with particular emphasis on the early years, improving teacher quality, and increasing school accountability so that our investments are used wisely and actually produce the desired results:

A number of leaders at the state and local levels are already doing what we are proposing: they are ending social promotion, requiring school report cards, identifying low-performing schools, improving discipline in schools and classrooms, and putting in place measurable ways to make change happen such as basic skills exams at different grade levels. They are striking a careful balance between giving schools the increased support and flexibility they need to raise achievement levels and, at the same time, holding schools accountable when

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54. M. MCLAUGHLIN, L. STEWARD & J. O'DAY, *IMPROVING EDUCATION THROUGH STANDARDS-BASED REFORM* (Stanford Univ., The Nat'l Academy of Educ., Panel on Standards-Based Education Reform, 1995); J. O'DAY & M. SMITH, *Systemic Reform and Educational Opportunity in DESIGNING COHERENT EDUCATION POLICY* (S. Furman, ed. 1993).

55. U.S. DEPARTMENT OF EDUCATION STUDY *COMPARING NATIONAL ASSESSMENT OF EDUCATION PERFORMANCE (NAEP) TESTS VERSUS STATE ASSESSMENTS* (1996).

56. OFFICE OF MANAGEMENT & BUDGET, *BUDGET OF THE UNITED STATES GOVERNMENT, FISCAL YEAR 2000*, 5 (1999).

they do not measure up to clearly established goals. That is what the administration proposed in its 1999 reauthorization of the Elementary and Secondary Education Act.<sup>57</sup> It is also one part of a more comprehensive agenda that includes initiatives like reading class size in the early grades,<sup>58</sup> the Reading Excellence Act,<sup>59</sup> and the 21st Century Community Learning Centers After-school<sup>60</sup> initiative, each of which invest in the early years and expand learning opportunities to minimize the number of children at risk of retention in grade. It is an agenda designed to tell students that "performance counts," and to encourage districts and schools to take aggressive action to help all students meet promotion standards on time.

This is not an "either/or" solution - more federal control versus less local control. If a state is putting its own accountability measures into place, they do not need to replace their measures with federal measures. But if a state does not have such requirements in place, then it makes sense for them to adopt proposals that provide real accountability and aid in the delivery of a quality education.

The promotion of high standards is an ideal opportunity to reap the benefits of national leadership and involvement in, and commitment to education. Indeed, that is why President Clinton proposed voluntary national (not federal) tests in fourth-grade reading and eighth-grade math. These tests would be designed to help teachers, parents, families, schools, and communities know how their students and children compare with their peers around the country and throughout the world. The nonpartisan National Assessment Governing Board presently is moving to develop these tests so that we, as a nation, can begin to pinpoint our shortfalls, address these deficits directly, and move forward with solutions.

These tests are designed to be tools with which local communities may fulfill their responsibility to help students achieve a quality education, that is, world-class. They will help parents know early enough if their children are mastering the critical basic skills they need to succeed in school and prepare for college. And, equally important, they will help to eliminate inequity in education because there will be a clear set of expectations and standards for all students.

These tests do not lead to a national curriculum. They will not promote any method of teaching or learning. And these tests will offer information to those local schools that avail themselves of the tests and to the communities that support those schools. If a student or school does poorly on these tests, the object will not be to push that student or school down, but to pull them up.

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57. *Id.* at 64.

58. *Id.* at 65.

59. *Id.* at 65.

60. *Id.* at 65.

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The tests will identify students and schools that need help. Communities then need to offer extra support — after-school and summer tutoring, increased parent and community involvement, more focused teaching, or whatever it takes — to lift student achievement.

These tests are not duplicative of current tests, because, unlike the current NAEP and TIMSS Assessments, these new voluntary national tests would provide individual, not sample results, thereby giving critically important information to parents and teachers about how well their children perform against a rigorous standard, no matter what state they live in. Unlike any other tests, most, if not all, of the questions and answers would be made public soon after the test is given—providing useful and timely information to the students, teachers, and parents.

National tests represent one part of a comprehensive strategy at the federal level — which also includes efforts to increase accountability, end social promotion and improve teacher quality — that together will help raise standards of learning in schools and classrooms in communities across the nation.

*Helping Make Sure Our Students Learn the Basics — Building Block Subjects Like Mathematics and Reading*

One of the ways in which national leadership in education can play a key role is by focusing attention on basic subject areas at critical points that are essential to future success. Two of the most essential of these are mathematics and reading. A child who doesn't learn to read by the third grade is likely to be less interested in reading about science, history and literature, and more likely to drop out and be at risk for a lifetime of diminished success in school and employment.

Similarly, a child who doesn't have a strong foundation in math is less likely to take more advanced math and science courses in high school and be prepared to enter and succeed in college and meet the increasing competition in the work world. Almost 90 percent of new jobs today require more than a high school level of literacy and math skills. An entry level worker, according to industry-wide standards, needs to be able to apply formulas from algebra and physics to properly wire the electrical circuits of a car. That is why it is so important that we make sure that all students master the traditional basics of arithmetic early on, as well as the more challenging courses that will prepare them to take chemistry, physics, trigonometry, and calculus in high school or college.

Through research and demonstration projects, the U.S. Department of Education has been working at the national level to help states, communities and individual schools recognize the benefits to their students of rigorous teaching in mathematics. Our research shows, for instance, that young people who take gateway courses like algebra I by the eighth grade and geometry I by the ninth grade go on to college at much higher rates than those who do not.

83-36%. The difference is particularly stark for low-income students. These students are almost three times as likely to attend college if they do take a rigorous series of courses early (71 percent versus 27 percent).<sup>61</sup>

Unfortunately, while we give our children a good early foundation in the basics, math and science education often gets "stuck in a rut" in the middle grades. We run in place and allow many of our students to "check out" of rigorous math and science courses in high school.<sup>62</sup>

Clearly, the major burden for addressing these issues and overcoming the challenge rests on local schools, communities, and states. I have seen a number of communities throughout the nation develop exciting ways to address these problems. One group of 20 school districts near Chicago, called The First in the World Consortium, for instance – nurtured by U.S. Department of Education funding and support – has taken comprehensive and successful steps toward achieving significantly better results. Their students recently took the TIMSS test and their students placed among the best in the world in 12th grade in both math and science. The consortium accomplished this by involving parents, teachers, students, and entire communities in developing a rigorous curriculum and high-quality teaching and testing. Over 70 percent of their high school seniors have taken advanced math and physics courses. Half took algebra by the eighth grade. These represent far higher rates of participation than in typical schools across America.<sup>63</sup>

But there is also a clear federal role here. It is one of identifying these challenges, but also of working in an appropriate and supplemental manner to support communities in their efforts to solve them. That is why the president's most recent budget proposal includes an investment in "America Counts," – an initiative coordinated by the U.S. Department of Education and the National Science Foundation – to strengthen the teaching of mathematics in middle schools. This effort will include community volunteer tutoring programs to work with K-12 students in mathematics.

The President's "America Reads Challenge" has similar qualities. America Reads supports reading in the school, home, and community in several ways: by supporting parents in fostering a love of reading at home; by recruiting colleges to enlist students in work-study jobs to tutor children; by encouraging teachers to utilize best practices and professional development in reading; by mobilizing volunteers to give students extra help after school and

61. U.S. DEPARTMENT OF EDUCATION, MATHEMATICS EQUALS OPPORTUNITY (A White Paper Prepared for U.S. Secretary of Education Richard W. Riley October 20, 1997).

62. This conclusion is supported by data from the results of the Third International Math and Science Study. See *supra* note 50.

63. Education Department Internal Memorandum on The First in the World Consortium and 12th Grade TIMSS Performance, based on conversations with Superintendents in the Consortium. (Paper on file with the author). See Jo Thomas, *Questions of Excellence In Consortium Ranking*, N.Y. TIMES, April 22, 1998, at A29.

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during the summer; by engaging business to involve employees and offer incentives to young readers; and by uniting communities to form strong partnerships to promote child literacy. Through a grass roots campaign America Reads marshals the strength of communities.

Last year, building on the goals of America Reads, a bipartisan majority in Congress passed The Reading Excellence Act.<sup>64</sup> The purpose of this law was threefold: (1) to provide readiness skills and support needed in early childhood; (2) to teach every child to read by the end of the third grade; and (3) to improve the instructional practices of teachers and other staff in elementary schools.

These are some of the ways in which a federal role in education can be appropriate and beneficial to local schools and communities without being intrusive or controlling.

#### *Continuing to Support Expanded Access to College*

One of the primary federal responsibilities and accomplishments in American education is the provision of loans, grants, and other financial assistance to help families pay for college and give students increased opportunities to attend college. President Clinton and Vice President Gore understand this and have sought and achieved increases in Pell Grants and other federal assistance for college. They know that in this information age it is crucial that every American have the financial support to attend at least two years of college. That is why the President proposed, and Congress passed, two important laws that changed the tax code in preparation for the 21<sup>st</sup> century and expanded the educational opportunities required to meet the new challenges.

First is the \$1,500 Hope tax credit, which helps make the first two years of college or vocational school universally available. Students receive a 100% tax credit for the first \$1,000 of tuition and required fees and a 50% credit on the second \$1,000. Second, is the Lifetime Learning Tax Credit, which is targeted to help adults who want to go back to school, change careers, or take courses to upgrade their skills, and college juniors, seniors, graduates and professional degree students.<sup>65</sup> A family will receive a 20% tax credit for the first \$5,000 of tuition and required fees paid each year through 2002, and for the first \$10,000 thereafter.

These two ideas are as significant to today's students as the GI Bill was returning veterans after World War II. And they have been supplemented increased Federal Work Study – by \$253 million since 1993 to help nearly 900,000 students work their way through college—and by increases in Pell grants for low income students – the heart of student financial aid – to \$3.1 billion. The President is proposing an additional increase this year.

64. The Reading Excellence Act of 1998, H.R. 2614, 105th Cong., 2nd Sess (1998).

65. Taxpayer Relief Act of 1997, P.L. No. 105-34 (1997).

### *Encouraging Students to 'Gear Up' for College*

In early 1998, President Clinton proposed the *High Hopes for College* initiative.<sup>66</sup> This was an effort to encourage colleges nationwide to develop partnerships with middle and high schools in low-income communities to help raise students' expectations of success and ensure that they are well prepared for college. The new GEAR UP<sup>67</sup> initiative (Gaining Early Awareness and Readiness for Undergraduate Programs) builds on the High Hopes effort and expands support for state early college awareness programs through partnership grants. GEAR UP supports early college awareness activities at both the local and state levels. The 1999 budget calls for \$120 million in competitive grants to states and partnerships among colleges and universities, high-poverty middle and junior high schools, businesses, families, and community and parent organizations. By combining early intervention in a student's academic career with strengthened academic programs, mentors, after-school and summer help, improved teacher training, help in college planning, greater parental involvement, and high expectations, we can strengthen schools and increase the opportunities for more students to be prepared for, and attend college. It is an important example of how national leadership in education can help local communities make a positive difference.

Across the country, the kinds of programs that GEAR UP will support and help generate are already in place helping young people. The Community Mentor-Program (CMP) at St. Edward's University in Austin, Texas, for example, addresses the needs of minority youth at both the elementary and college levels. CMP seeks to promote student retention, academic achievement, career exploration and community service for both St. Edward's student mentors and for more than 500 Austin Independent School District elementary school children. The program has demonstrated improved academic performance and classroom behavior for children mentored in it, and a higher graduation rate for CMP mentors compared to other students at the university. Other programs, like Project GRAD in Houston and the Berkeley Pledge in the San Francisco-Oakland area, also help make powerful connections between low-income students and their parents and communities through development of a rigorous K-12 curriculum and increased access to college. The GEAR UP initiative proposed by President Clinton and Vice President Gore will allow more communities to develop these positive, locally based efforts.

The federal government's important and unique ability to work to the direct benefit of students can be seen in Direct Student Loans, a program developed by President Clinton. The Student Loan Reform Act, passed by Congress

66. Remarks Announcing the High Hopes for College Initiative, 34 WEEKLY COM. PRES. DOC. 199 (Feb. 4, 1998).

67. Statement on Signing the Higher Education Amendments of 1998, 34 WEEKLY COMP. PRES. DOC. 1995 (Oct. 7, 1998).

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and signed into law by President Clinton,<sup>68</sup> created the William D. Ford Direct Loan program, which supports post-secondary education while significantly simplifying the loan application process, reducing costs to students and taxpayers, and adding needed competition to the student loan program.

#### *Supporting Families and Children in the Earliest Years of Learning*

At the same time that we as a nation need to support and encourage rigorous learning in the elementary, secondary, and post-secondary years of school, we are becoming ever more aware of the importance of paying close attention and giving significant support to education and development during the earliest years of childhood. New research on the development of the brain tells us that children develop much of their learning capacity during their first three years of life. Every mother and father, every grandparent and all caring adults need to know that they can have an enormous influence in these early years in shaping a young child's future.

In response to this important research on brain development and parental involvement, President Clinton and Vice President Gore have proposed the single largest national commitment to child care in the history of this nation, including strengthening early childhood opportunities and professional development for early childhood educators through Title I of the Elementary and Secondary Education Act (ESEA).

This effort will supplement some of the wonderful work already going on in this area in states and communities across the nation. For example, North Carolina Governor Jim Hunt established "Smart Start," a pre-school learning program and Illinois Governor Jim Edgar decided to double his state's funding for early childhood education. Another successful program, Parents as Teachers (PAT), was started in Missouri in 1981 for parents with infants. It continues to be a public school system-operated program in every Missouri district and has served half a million Missouri families. Children who have been in the PAT program demonstrate increased levels of achievement during their school years. The program, which has been replicated in 43 states, features group meetings for parents, regular monitoring of children's health and developmental status, and referral to social service and other agencies when necessary.

Although locally based, PAT programs have federal government support and involvement through funding by the Education Department, through the Title I program, the Even Start program, and Title IV of the Parental Information and Resource Centers of the Goals 2000: Educate America Act,<sup>69</sup> and th

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68. Student Loan Reform Act of 1993, Subtitle A of the Omnibus Reconciliation Act, P.L. No. 103-66 (1993).

69. For an examination of the entire Goals 2000: Educate America Act see Richard W. Foley, *Redefining the Federal Role in Education*, 23 J.L. & EDUC. 293 (1994).

legislation specifically cites local programs as examples for other communities to emulate.

Another way in which the U.S. Department of Education addresses the critical need for early childhood development and parent involvement in education is through its natural role as a national leader. For instance, the Department has helped start The Partnership for Family Involvement in Education. This Partnership consists of more than 5,000 local, state, and national organizations – from PTAs to employers, schools, and religious groups – all working to encourage greater family involvement in children's lives, at home and in school.

#### *Helping Local Communities Enhance Learning with After-School-Community Centers*

What happens during the school day is just part of the solution for building quality educational opportunities. A significant majority of children's time is spent outside the classroom. Thus, what goes on in a child's life before and after school is critical to helping our young people develop as good students and good citizens.

President Clinton and Vice President Gore's historic after-school initiative – the 21st Century Community Learning Centers Program<sup>70</sup> – has begun supporting rural and inner-city schools in nearly every state, working in partnership with local community organizations, to address the educational needs of their community in the periods after school, on weekends and during summers. These Centers provide academic enrichment and homework help; music, art, supervised sports, and cultural activities; community service opportunities; nutrition and health services; access to technology and telecommunications; and activities to promote parent involvement and lifelong learning that can directly and indirectly benefit their children.

Statistics show that the after-school period – before parents and other family members get home – is the period of greatest risk for young people, particularly those between the ages of 12 and 17. Recent data collected by the C.S. Mott Foundation document clearly a strong public commitment to make high-quality, supervised after-school programs available to all children who need or want them.<sup>71</sup> The demand for these programs was reaffirmed in 1998, when close to 2,000 communities applied for funds to establish 21st Century

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70. See generally C.S. Mott Foundation, *Poll Finds Overwhelming Support for Afterschool Enrichment Programs to Keep Kids Safe and Smart* (visited Mar. 4, 1999), <[http://www.mott.org/special\\_reports/ta\\_press\\_release.htm](http://www.mott.org/special_reports/ta_press_release.htm)> [hereinafter *Mott*], and 21st Century Community Learning Centers, *After-School, Weekend and Summer Programs for Youth* (visited March 4, 1999), <<http://165.234.220.66/offices/OERU/21stCCLC/>>.

71. See generally *Mott*, *supra* note 69.

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Community Learning Centers.<sup>72</sup> By the summer of 1999, we will have provided \$200 million for after-school, summer and weekend programs in 2,000 schools. These schools are working in collaboration with youth development agencies, community-based organizations, local businesses, colleges and universities, and museums and libraries to ensure that children have access to a wide range of educational and recreational services. Given the demonstrated need and desire for these critical services and the success of this initiative, the President has requested that Congress triple the budget for the program, to \$600 million.

#### *Reducing Class Size and Modernizing Our School Buildings*

All across our nation today we are facing a significant and growing problem. Too many of our schools are vastly overcrowded, and many others are run down and crumbling around our children's heads. Last year, our schools set a new national enrollment record – a record we are going to be breaking for nearly the next ten years.<sup>73</sup>

When schools and classrooms are overcrowded and unsafe, students can't concentrate on learning – so they don't learn as much. These conditions send the wrong message to our children – that we don't give their education the priority it deserves. This is yet another area where the federal government can and should play an important role in helping communities solve problems.

President Clinton and Vice President Gore have developed a practical and creative approach to help the nation and local communities refocus on what matters and cultivate improved education. They have proposed a \$25 billion school construction initiative to help spur that development across the nation by offering federal tax credits to pay interest on certain types of bonds to build and renovate public schools. This initiative would provide valuable federal support while maintaining local autonomy—making local and state tax dollars go further by reducing the interest they pay on their school bonds. It simply reduces the cost of, and creates incentives for local investment in much needed school construction.

As local communities and as a nation, we have the energy and the ability to address this facilities problem. Right now, all across the nation, there exist many places where a school is in a state of disrepair, while not far away there is a state-of-the-art prison. As the philosopher Plato stated: "That which is honored in a country is that which will be cultivated there." If we focus on

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72. See generally *President Clinton Announces New 21st Century Community Learning Centers* (visited Mar. 4, 1999), <<http://www.ed.gov/PressReleases/06-1998/21grn1.html>>.

73. U.S. DEPARTMENT OF EDUCATION WHITE PAPER, A BACK TO SCHOOL SPECIAL REPORT ON THE BARY BOOM ECHO – HERE COME THE TEENAGERS, August 21, 1997; U.S. DEPARTMENT OF EDUCATION WHITE PAPER, A BACK TO SCHOOL SPECIAL REPORT – THE BARY BOOM ECHO August 21, 1996.

building beautiful prisons, we will have no trouble filling those buildings. But if we focus on building quality schools, we will have a much better chance of producing quality students who can become productive citizens. National leadership will help advance this effort.

A second and interrelated part of the President and Vice President's proposal is a plan to help local communities reduce average class size to 18 in grades one through three. Studies show what parents and teachers already know: that children – especially young children – learn more and teachers teach more effectively in small classes.<sup>74</sup> And follow-up studies have shown that these achievement gains continued after the students returned to regular-size classes after third grade.<sup>75</sup> Teachers have reported that they preferred small classes in order to better identify student needs, provide more individual attention, and cover more material effectively.

Last year Congress passed the first installment of the Clinton Administration's proposal to invest \$12 billion over seven years and reduce class size all across America by helping participating states and school districts to hire 100,000 new highly qualified teachers. This investment will also supply additional funding and support for local communities to adopt rigorous teacher training and testing so that all students can master the basics. I am hopeful that Congress will finish the job and make the long-term investment that is necessary in this critical area.

Lowering class size is a critical current national need felt in communities across this nation. It does not encroach on the traditional and primary state and local role in education but enhances it. It does not dictate how teachers are hired or how they should teach, but creates opportunities for communities to hire new, well-qualified teachers who can raise standards of learning for all children.

#### *Helping Local Schools Bring the Best in Learning Technology to Classrooms*

President Clinton and Vice President Gore have worked hard to provide local communities – rich and poor, urban and rural – with one of the greatest opportunities of learning since the invention of the blackboard – the vast world of learning technologies. The U.S. government is working to supplement local efforts to achieve these goals. Currently, about one-quarter of all funds spent on technology in K-12 schools in this country are federal funds.<sup>76</sup>

74. See U.S. DEPARTMENT OF EDUCATION, *REDUCING CLASS SIZE: WHAT DO WE KNOW* (1998), citing Frederick Mosteller, *The Tennessee Study of Class Size in the Early School Grades*, 5 *FUTURE OF CHILDREN* 113-127 (1995).

75. See U.S. DEPARTMENT OF EDUCATION, *REDUCING CLASS SIZE: WHAT DO WE KNOW* (1998), citing BARBARA NYE, ET AL., *THE LASTING BENEFITS STUDY, EIGHTH GRADE TECHNICAL REPORT* (Tenn. St. Univ., Center of Excellence for Research in Basic Skills, 1988).

76. See MCKINSEY & COMPANY FOR THE NAT'L INFORMATION ADVISORY COUNCIL, *CONNECTING K-12 SCHOOLS TO THE INFORMATION SUPERHIGHWAY* (1995).

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These efforts include an investment of \$425 million for the Technology Literacy Challenge Fund in 1999, funds that will help states and local districts meet the administration's four goals on education technology. These goals are connecting every classroom to the Internet by the year 2000, increasing the number of modern, multimedia computers in the classroom, expanding the availability of high-quality education software and content, and ensuring that teachers have the kind of access and training they need to use these tools well.

The President's 1999 budget also included \$115 million for Technology Innovation Challenge grants, a competitive grant program to build partnership among local school districts, universities, businesses, libraries, software designers, and others.

Finally, in another recent example of how critical a federal role in education can be, the President and Vice President took the lead in securing the E-rate (Education-rate) to connect schools and libraries to the Internet. The E-Rate provides \$1.925 billion in discounts of between 20 and 90 percent on telecommunications services, internal connections, and Internet access, with the deepest discounts going to the poorest urban and rural schools which need it most. In this way, we are helping at the federal level to ensure that no one at the local level will be denied the opportunities to use these new learning technologies. Early signs indicate that there has been, and will continue to be, a dramatic increase in schools and classrooms connected to the Internet.

#### CONCLUSION

It is said that necessity is the mother of invention. We have always had a genuine need in this nation for education. Out of that need, the federal government - with the public's support - has steadily built and sustained a federal role in education that contributes to the well-being of this nation while maintaining state and local control. This commitment has demonstrated significant results. Yet more needs to be done.

Today, we stand at the dawn of a new Age of Education - a critical time in our nation's history when the opportunities for broadening horizons, expanding learning and building a secure future are greater than ever before. These unbounded opportunities are equaled by the challenge to make sure that every person has access to them. The federal government plays an important part in helping families, states, and localities meet this challenge.

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Remarks Prepared for  
Richard W. Riley  
U.S. Secretary of Education

Education Commission of the States'  
National Forum and Annual Meeting  
Pittsburgh, Pennsylvania  
July 15, 1993

Chairman Bayh, Chairman-Elect Edgar, Frank Newman, my fellow panelists -- Governors McKernan (Maine) and Nelson (Nebraska), and Secretary Robertson (Massachusetts).

"Of all the countries in the world, America is that in which the spread of ideas and of human industry is most continual and rapid."

That was how Alexis de Tocqueville saw America's unique commitment to education in the 19th century. Throughout our history, it has been a distinguishing characteristic of the American system, one that strengthens both our people and our economy.

It is preserving that heritage of the American education ideal that probably motivated many of you to participate in this conference ... and I thank you because you are critical to the reinvention of education from preschool to graduate school across this great country.

It is a special honor to be here to talk about navigating systemic educational change at this ECS meeting because today, my home state, South Carolina and I celebrate an anniversary. It was ten years ago at this very ECS meeting in Denver that the seeds of South Carolina's comprehensive Education Improvement Act were planted.

Fifteen of us --state government leaders and staff, legislators, business, educators, and community representatives -- attended that meeting and began the design of a systemic reform package. And we took our experience at the meeting to build a team which gave birth to our very successful legislative package and grassroots citizens' campaign for improved schools.

All of you have come to this meeting hopefully to do something similar. The timing could not be better because it complements President Clinton's policy proposals, including those in the **GOALS 2000: EDUCATE AMERICA ACT**.

I want to talk about three elements of systemic change and how these relate to improvement at all levels of education. They are:

1. Creating process leadership to build ownership for sustained education reform;
2. Establishing comprehensive and systemic education reform; and
3. Focusing on challenging high standards and achieving the National Education Goals.

Because public education includes so many stakeholders, being able to exert **process leadership** is vital to success.

Clearly the states have the legal responsibility to set education reform into motion. Surely Bill Clinton and I believed that when we were Governors, and our belief system hasn't changed with our new "federal" jobs! But state leadership must be coupled with support for bottom-up innovation, building local ownership and creating local excitement about the change process.

An ECS study of school reform in the late 1980's identified a critical ingredient for success in statewide education reform -- called the "T" Formation. The top of the letter "T" represents building a consensus across the top leaders in the state for the needed changes. The perpendicular line of the "T" is the two-way communication with local community leaders, educators, and business who are the advocates for and implementors of change. Without this two-part approach, it was found that few states were successful in building the long-term foundation for change. This is what process leadership is all about -- building consensus and ownership statewide for comprehensive education reform from bottom to top and from top to bottom.

And the Federal government should be a partner, not a barrier, in this process. While working on education reform as a Governor, I remember well how helpful it was to have the support of then Secretary of Education Ted Bell. And at a critical time, a federal grant we won helped pay for part of the design of our reform package. The federal support for our South Carolina statewide reform effort was important because people like to be part of a bigger whole -- a nationwide effort.

Process leadership then builds the ownership from which we can achieve change.

The second element in navigating change is establishing comprehensive systemic education reform.

The lessons learned from state and local reform efforts over the past 10 years tell us that the whole of the reforms is bigger than the sum of its parts. Some call this systemic reform. (I know the guru's who came up with that name -- and many of whom work for me now, Mike Smith, Mike Cohen, Terry Peterson, Sharon Robinson. The first time I heard it, I thought it was a cold remedy. But I have learned the power of this concept because it goes to the core of good education.)

Systemic reform aims to redesign the entire system, so that everything and everyone in it supports high-performance teaching and learning. That means ongoing professional development for teachers to help all students reach high standards. It means opening up new, more effective uses of time and technology, and better ways of involving parents and the community. It includes high-performance management and continuous feedback on how the system is performing.

After traveling around the nation for the past six months as Secretary of Education, I find that people want these bolder cutting-edge ideas and approaches, but they need to connect to them, feel a part of the change process, and become excited about the potential for success.

Systemic, comprehensive change in education offers that potential.

This leads me to the third element of navigating systemic change -- focusing on challenging high standards and achieving the national education goals. All of our actions must be driven by high standards and goals. Students in many other countries are expected to learn more ... and they do. Too many students in America receive a watered-down curriculum -- which results in low expectations and poor results. I often quote Benjamin Mayes on this point.

Benjamin Mayes, a close friend of Martin Luther King, Jr., was a friend of mine in his later years. He used to say that the "greatest tragedy in life is not failing to reach your goals -- the greatest tragedy is having no goals at all."

Using high standards and challenging course work to drive school reform is powerful. Recently, I reviewed findings summarized from the National Education Longitudinal Study (NELS). These findings compared 10th grade student achievement in mathematics under a variety of situations. Some very, very interesting results emerge. The best predictor of how students did on the 10th grade math test -- wasn't so much the income of the parents, not so much which type of school they attended, but what tough courses the students had taken.

If you don't teach it, kids won't learn it.

[Talking about building support for high standards in states reminds me of campaigning around South Carolina for our reform package, I walked into a restroom of a restaurant where I was speaking, and there, posted in big letters on the hot-air automatic hand dryer, was a sign -- "Push here and receive a message from your Governor." I've preferred paper towels ever since.]

To add to your tool chest in navigating these three elements of change that I've just discussed, our Clinton Administration has a number of initiatives.

Our lead bill in Congress, the **GOALS 2000: EDUCATE AMERICA ACT**, is built on what we have learned from you in the states during the past ten years about how education reform gets started and is implemented. It is a strategy for reinventing our schools. It is a new national partnership for educational excellence. It provides the framework to achieve the three elements of systemic change.

The legislation invites states and local communities to develop their own systemic action plans, custom-made to their needs. It allows for waivers to states and communities for ambitious reforms. (I know this is an interest of Governor Bayh.) And the Federal government will provide grant money to support comprehensive state and local reform efforts. All these activities encourage a bottom-up approach and, at the same time, support building state and local capacity for statewide reform -- it helps develop that T-formation I talked about earlier.

**GOALS 2000** at long last puts the National Education Goals in formal national policy, if passed by the Congress. By 1996, it is possible that as few as 15% of the governors who signed on to the Goals in 1990 will be in office. We need to keep the focus on the Goals for the entire decade, not just the first half of the decade.

With **GOALS 2000** you will, for the first time, have available information about what are internationally competitive standards in academic and occupational areas. We often see studies that find that American students don't measure up to students in other countries on international tests. Yet, right now in America, you as policy makers, business leaders, and educators have little information about what are the international standards. It is like asking American students to swim the English Channel with their hands tied behind their backs while the competition has both hands free. We want to give local communities and states the tools and information to be competitive.

\* { Let me make it very clear. We don't want to create a super Federal school board or dictate curriculum or spell out teacher/student ratios.

**GOALS 2000** must be on the right track. In the last few months I have had visits or calls from numerous governors, legislators, school board members, and business and education leaders wanting to know when they could get started with their action plans.

And former Secretary of Education Ted Bell put it this way: "The **GOALS 2000: EDUCATE AMERICA ACT** will, at long last, give us the clear, high standards and tough assessments that everyone agrees we need to improve schools. It can, over time, make American schools and students the best in the world once again. And that's a goal that members of both parties must share." We are working hard to make **GOALS 2000** balanced and bipartisan as it moves through the full Senate and House.

The 5 pages that follow are meant to be  
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- THIS SPEECH IS STILL IN DRAFT FORM

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It is suggested that the first paragraph on page 9 ("Let me make it very clear...") be replaced by the following pages.

This addition is still being worked on as it renders the speech too long. A final copy will be available Thursday morning.

I'm sure many of you are concerned that opportunity-to-learn standards will place an undue fiscal burden on already tight state budgets. I understand that problem. If I were still a governor, I would not want anyone in Washington requiring me to levy additional taxes. But the problem here is not with opportunity-to-learn standards, and it won't go away if the standards didn't exist.

In order to meet world-class standards in science, middle school students will require teachers with a deep understanding of science. If does not have a sufficient pool of qualified middle school science teachers, we've got a problem. Not because the federal government says so. Not because Washington won't give use a Goals 2000 grant. But because students can't learn from teachers who can't explain the material.

We can address this problem in a number of ways. We can hire additional, qualified teachers, if we can find them and the money to pay for them. We can institute a massive, ongoing professional development program. We can use satellites and other forms of technology to bring students the subject matter expertise they might not have access to in their own school. We can foster team teaching arrangements. We can coordinate the implementation of our new content standards with the timeline for implementing these other strategies, so that students have the appropriate opportunities when they are required to learn the new material.

There may be a variety of other approaches every one of you can think of. What is important to keep in mind is that there is a real problem, and it must be addressed, or else the challenging content standards will be meaningless.

How it is addressed, when it is addressed, and how costly the approach to addressing it will be are all matters for the state and its citizens to address, without interference from the federal government. This is what our bill provides. And if there was no Goals 2000 bill the problem would not go away for any state that understood the importance of having our students reach challenging standards.

These school quality standards can and do complement the systemic reform agenda that you and I share, and that many states are already hard at work on. They do need to be different from the quality and input standards many of us put in place in the past.

They need to emphasize the quality, not just the quantity of school resources.

We need to be concerned with the quality of work students are given, not just the labels of the courses they are offered.

They need to more explicitly reflect our expectations for student learning.

Schools must have a critical mass of teachers with demonstrated competence in teaching more challenging content standards. Teacher licensure and certification requirements should be performance based and must reflect this expertise.

These standards need to help us focus and improve school resources, rather than simply increasing them. While additional funds may be necessary to help some schools meet opportunity-to-learn standards--to provide more or better staff development, more current textbooks, computers or lab equipment--the most important thing is to make sure that the resources we already have in place, as well as any additional ones, are focused on helping students meet challenging standards.

We can't, and won't try, to run schools from Washinton D.C. Our Goals 2000 bill recognizes this. We are not proposing the creation of a federal school board. Nor are we setting federal standards for class size. Throughout the bill, and especially with respect to the opportunity to learn standards provisions, the Administration's bill provides states with the maximum flexibility to define opportunity to learn standards, and to incorporate them into their own overall reform strategy.

If I were still a state official, I would be concerned that these voluntary standards would quickly become mandatory--or at least very costly to not volunteer for. Let me reassure you on this point. We do not intend to make the existence, use, certification or achievement of opportunity to learn standards a condition for the receipt of federal funds or participating in federal education programs. And we will oppose any efforts to make such a connection.

As the bill makes its way through the Congress, there have been some changes to our initial version. But we are only part way through the legislative process. In the next several weeks, I expect both the House and the Senate to take up Goals 2000. There will be some things to work out in conference. The President and I have indicated repeatedly that we oppose any efforts to interfere with the fundamental responsibilities of states, or to dilute the overall focus on results. With your help, we can succeed.

At the same time we are working on **GOALS 2000**, we want to reshape the almost \$10 billion Elementary and Secondary Education Act, including Chapter 1, during reauthorization. The redesign of the Elementary and Secondary Education Act is rooted in the concept that the schools have to establish, enable and reinforce high standards and high performance for all students including those at a disadvantage. We want to increase flexibility to encourage local initiative. And we want to invite schools to collaborate with other human services in helping students with special needs.

School-to-work transition is a third area on which we are working. The United States is the only industrialized nation with no formal system for helping young people get from high school to first career jobs. We want to create a new bridge between the classroom and the workplace by building career pathways. Students then would come to learn the reminder that President Clinton has so often issued: "The more you learn, the more you earn."

In addition to these initiatives, the President has just sent to the Congress new legislation called the "Safe Schools Act." We want to give school districts and communities as much help as we can in combatting the rising teenage violence around and in schools. But schools can't do this one alone. Parents, the entire community, law enforcement, and the media are needed to tackle this vexing problem that is ripping America apart from big city to small town.

Finally, we are committed to fulfilling President Clinton's call for a program of national service. We want to tap the imagination, the compassion, the intelligence and the energy of our young people to solve community problems. This is a real natural connection between colleges and schools. Streamlining and simplifying the college student loan program fits into this initiative as well.

Through **GOALS 2000**, a reshaped ESEA, the school-to-work initiative, Safe Schools, and National Service, we hope to make the Federal government a helpful partner in your efforts.

Accomplishing these goals will be no small feat. Each state and each community will have to design its own comprehensive actions. To connect communities and states working on systemic change, we sponsor a monthly teleconference in conjunction with the U.S. Chamber of Commerce. Call 1-800-USA-LEARN if you want to get involved with others throughout America working on school reform.

[I assure you, this is not an attempt to compete with Ross Perot's 800 number.]

My staff has packets marked **GOALS 2000** that describe in more depth a number of our initiatives and the **GOALS 2000** Community Project and teleconference.

In the end, the real payoff of systemic change is in individual student growth. A couple of years ago, I spent a little time at Harvard. One day in an open forum, a student named Jeffrey Livingston got up to speak. He was African-American, a sophomore at Harvard. He spoke eloquently and forcefully about how school reform had changed his life. How he came from a family of modest means and education reform in his state had made the difference in his life. I listened politely like everyone else.

Then, as he continued, I suddenly realized that Jeffrey Livingston was talking about home ... about South Carolina. So there it was right before my eyes ... at Harvard ... a product of our South Carolina Education Improvement Act ... a product of our planning at the ECS meeting ten years ago.

By the way ... while Jeffrey was waiting to start his first full-time job on Wall Street this past spring, he came back to South Carolina and tutored children. And he led a rally in support of public education on the steps of the State Capitol.

President Clinton and I thank you for what you are doing. If our children are going to grow and learn -- if our country is going to be prepared for the coming times -- so much depends on your efforts to produce millions of more Jeffrey Livingston's throughout America.

Thank you.

Optional Closing: While in Boston at Harvard, I also got interested in ice hockey — a wild game for a native Southerner. Since then I have followed the game and Wayne Gretzky. Wayne Gretzky, when asked once why he was ice hockey's greatest player, responded, "I skate to where the puck is going, not to where it is." It is easy to focus on simple solutions and quick-fix answers. But, to meet the challenges posed by a global economy, we must look to where the future is moving, not remain stuck where we are. We must look to the future of the next generation and those which will follow. We must move to where the puck is going, not to where it is. As my Japanese friends say, "We must smell the future." I urge your state teams to "smell the future."

Thank you.

## K-12 Transition Team Executive Summary

The Clinton/Gore agenda, the National Goals and the upcoming reauthorization of ESEA provide an unprecedented opportunity to reform elementary and secondary education. This agenda calls for high voluntary national standards and the provision of appropriate services to help assure that all students have a fair chance to reach these standards. To accomplish this, the Department of Education will need to create a coherent policy that integrates programs at the Federal level, and builds partnerships with states and local school districts around achieving high standards. This policy should provide guideposts for resource allocation that will bring to all children opportunities to achieve. Instead of a series of individual, non-integrated programs, the Administration should create a structure that crosses programs and provides a foundation for their coordination. Such a structure can serve to interconnect education services for *all* children by enabling them to meet challenging expectations. The new policy needs to be particularly mindful of the needs in urban areas and of initiatives in early childhood development, youth apprenticeships and community service.

### Current Conditions

Overall, the Department has not provided the necessary leadership and vision to guide the administration and policies of the K - 12 programs toward the achievement of National Goals. This has occurred because of the following key factors.

#### 1. Fragmentation of programs

Over the past twelve years the Department has provided little attention to the comprehensive needs of K-12 students. That is, programs have been administered as specific projects without a coherent view of how they might fit together to help serve students and schools. Chapter 1, which is the largest program to serve needy students and which offers the most direct source of funds to advance educational equity, has been limited because of a remedial, add-on rather than a preventative, whole-school approach to educating at-risk students. Other categorical programs (Migrant, Indian, Special Education) tend to focus on identifying and regulating services to their target students rather than stimulating and upgrading the general quality of all instruction for such populations. Similar problems have characterized programs intended to encourage school improvement efforts, thereby limiting the capacity of schools to deliver high standards to all students. The implementation at the local and state levels of many of these federal K-12 programs are driven primarily by fear of audit exceptions and compliance reviews at the expense of a focus on the needs of the whole child and coherence of teaching and learning.

#### 2. Lack of Connectedness to Achieve National Goals

The Administration's focus on America 2000 has been largely divorced from a serious attempt to realize the National Goals. Lacking to date is a departmental policy and capacity to plan, coordinate and oversee programs that move students through an early, continuing.

and comprehensive experience culminating in their achievement of high standards.

### 3. Failure to Address Equity

Poor and minority students are frequently victims of a system that holds them to lower standards than others. While the responsibility to level the playing field for these students is a cornerstone of the federal role, the traditional categorical approach has focused on remediation and not on providing quality education. Children with special needs frequently receive basic skills instruction in segregated settings. The categorical structure is an important way to set federal priorities in education and should not be dismantled. However, the individual programs can be changed to promote a common focus on high quality performance for needy students.

### 4. Technical Assistance

SEAs and LEAs, as well as schools themselves, have long felt that the Department has assumed a role characterized by monitoring and auditing rather than support and guidance toward program development. Although hundreds of technical assistance centers are funded through the Department, they are uncoordinated and administered under specific program jurisdictions and are paralleled by teams of Department personnel interested in compliance. Consequently, the technical assistance centers are not viewed by school personnel as resources to help them drive improved teaching and learning in whole school reform.

## A Window of Opportunity

In order to provide a coherent direction and strategy for educational reform, national standards which provide a shared vision of what all students need to know and will be able to do when they leave school must be developed. Such voluntary national standards must be defined with the full participation of educators at all levels of the system. The present environment opens up a critical window of opportunity for maximally effective reform due to a convergence of circumstances. In addition to the upcoming ESEA reauthorization, for example, subject-matter associations (e.g., National Council of Teachers of Mathematics), state policymakers, and local school districts are beginning to use ambitious and concrete standards to guide teaching and learning. Additionally, there is unprecedented agreement in the research community to support the concepts of reform, e.g., that almost all children can learn to high levels of thinking and that the bilingualism of language minority children can be leveraged to accelerate their achievement. The federal government can reinforce these efforts by linking various federal programs to the same high standards and offering all children the opportunity to achieve them. Specifically, the administration should set the following priorities.

1. **Create a vision of excellence and equity that guides all federal education and related programs.** National standards, developed with broad participation of educators and others, will represent a shared vision of what students should know and be able to do. The

Secretary and the Department can encourage and support these voluntary standards, engage in research and development on assessment to measure attainment of the standards, identify and disseminate promising practices to help reach the standards, and assist states to create policy infrastructures for adopting the standards. The standards will guide all federal programs, providing performance goals and emphases for services to children and setting high expectations for *all* children. In this manner, a common set of objectives can forge new integration among previously discrete categorical programs, making performance their primary emphasis and directing infrastructure development toward the realization of these objectives.

**2. Create a developmental sequence of educational experience.** Students can move through the learning process in a continual and reinforcing way toward achievement of high educational goals and outcomes. For example, early childhood programs for special populations need to be expanded to assure school readiness and to provide for prevention rather than treatment. Chapter I and Bilingual Education do not adequately serve secondary students whose developmental needs continue beyond the period of concentrated services offered at grades K-3. If these programs are to help level the playing field, services for needy students cannot be truncated at early grades without some plan for continuation. And, community service opportunities should be part of preparation for life-long citizenship.

**3. Emphasize all levels of educational delivery in improving capacity to meet high standards.** One area in particular need of attention is the professional development of educators. The Department should encourage a cross-cutting program that prepares teachers to serve students as whole individuals rather than as recipients of specific services. In addition, teacher training should be linked to the realization of national goals and include preparation in using assessment to improve instruction and in working with parents as partners in achieving the new standards. Opportunities should be made available to support flexible plans and programs in schools that allow the leveraging of resources for capacity building. In the area of technical assistance, there must be an accompanying shift from a focus on compliance to one of quality support.

**4. Improve coordination within and across programs and with other agencies.** With the national standards as a unifying vision for the education of the whole child and all children, the Department must aim for a seamless web of service delivery. For example, in Chapter I, there should be increased support for school-wide projects. In such schools with a presence of language minority students, Chapter I and Title VII can be coordinated in a way that increases equity and pushes excellence for LEP students. Chapter I can help students achieve high levels of content mastery, while Title VII can maintain focus on the goals of foreign language and international competitiveness through the development of high functioning bilingualism among both language minority and native English-speaking students. As another example, the Chapter 2 (state grant programs), the Eisenhower Math and Science Program and the NSF systemic reform effort can provide coordinated opportunities for schools to create plans that integrate instructional development, staff development, and instruction-based assessments. The Office of Special Education and Rehabilitation Services

must interact with Elementary and Secondary Education more systematically to insure that children with disabilities are included in education reform. The resources of both categorical and discretionary funds must be harnessed to meet both academic and service needs of schools and communities in urban areas.

**5. Renew the federal government's historic commitment to providing access and equity.** In contrast to the past, national goals and standards provide targets and greater definition to equal opportunity. Chapter 1 funds should be viewed as a supplement to help level the overall educational playing field rather than as a separate program. Inclusion of disabled children into regular education settings should be a priority. In order to more effectively serve LEP students, the current Chapter 1 provisions that limit services to students of limited English proficient status need to be removed. Finally, schools and districts and states must be held accountable for providing all students an effective opportunity to attain high achievement standards.

**6. Reinforce the National goals and standards with other policies and programs in a systemic reform effort.** We cannot expect ambitious outcomes if students are assessed only on basic skills, if textbooks are mediocre and if teachers are unprepared for new challenging content and related pedagogical demands. The federal government can help build a partnership with states and localities to increase capacity for systemic reform. One key approach is to consolidate the seven broad areas of expenditure under Chapter 2 to support school-wide plans. Another would be to link school-wide efforts at reform to innovative approaches in the math and science program under the Eisenhower program. A third would be to leverage funds beyond the limited purposes of individual school improvement programs to create broader initiatives for urban schools.

### **First Steps**

Specific steps will have to be taken during the next 6 months to move the agency toward the Clinton/Gore agenda and a national vision for education.

**1. Assist states to be ready for systemic reform by developing and promoting legislation that provides a focus and resources for setting goals and standards, and for developing strategies to achieve high performance.** States and local school districts are currently at different levels of developing standards that define what all students should know. The legislation should facilitate the development of benchmarks for performance that can help states and local school districts move toward their own definitions of standards. Financial assistance should be provided to states, school districts and schools to develop a plan of systemic changes to help students attain the goals and standards. If this legislation is passed early in the year it may require a FY 1993 supplemental appropriation.

**2. Plan for ESEA reauthorization.** It is critical that Departmental planning for ESEA reauthorization begin immediately so that the Administration's proposal can serve as the basis for Congressional markup. An effort should be made to meet a March 1 deadline. This

planning effort must consider the proposals for revisions made by major study groups advising reauthorization. The ESEA reauthorization effort should be linked with the development of proposals for OERI reauthorization. The linkage would be important to tie the Department's research agenda to its major substantive mission:

**3. Orient program staff to changes.** It will be necessary to focus and provide engaging professional development for Department program staff. They must be prepared for changes that will need to be made to align policies and programs with the reform agenda.

**4. Consider Supplemental Appropriation for FY 1993 to accommodate impact of demographic changes in the 1990 Census.** The demographic shift in the poverty population as recorded in the 1990 Census may require a supplemental adjustment in the budget for programs Chapter 1. Depending on the provisions addressed, e.g., level of hold-harmless in Chapter 1, the amount may range from \$250 to \$500 million.

**5. Make immediate contact with other teams working on Clinton/Gore initiatives related to children and learning.** Major legislative and programmatic efforts are anticipated in the areas of early childhood development, youth apprenticeships, and community service. These initiatives have substantial implications for the efforts discussed throughout the K-12 report. The Secretary should take immediate action to develop interagency teams, or some other mechanism, to coordinate these efforts with the other initiatives within the department.

**6. Redirect Department-sponsored Technical Centers.** There are several hundred Technical Centers that function in a disconnected manner from one another. They should be restructured to provide quality support for state and local agencies and schools to help them meet the National Goals.

## K-12 Report

1. **Divisions and Entities Reviewed** The units reviewed by the K-12 Task Force are the Office of Elementary and Secondary Education (OESE), the Office of Bilingual Education and Minority Languages Affairs (OBEMLA), and the Office of Special Education Programs (OSEP).

2. **Programs and Activities** Each of the reviewed offices is directed toward its own set of missions and responsibilities.

- a. The Office of Elementary and Secondary Education administers over 30 programs with a total budget of over \$9 billion. The Office directs, coordinates, and recommends policy for programs designed to assist state and local education agencies. Its primary aims are to help improve the achievement of elementary and secondary students and to assure equal access to services leading to such improvement for all students, particularly those who are economically disadvantaged, limited English proficient, Alaskan Native, American Indian, or children of migrant workers. Following are descriptions of the largest and most significant of the programs in the Office of Elementary and Secondary Education.

Part A of Chapter 1 of the Hawkins - Stafford Elementary and Secondary Education Act (ESEA) is the Department's largest program. This program provides formula grants to local educational agencies (LEAs) for supplemental instruction and support services to help educationally disadvantaged children master the academic skills they need to succeed in school. \$6.13 billion are distributed to serve over 5 million students through two formulas: (1) Basic grants (\$5.45 billion) to over 12,000 LEAs based on the number of school-aged children from low-income families and (2) Concentration grants (\$0.68 billion) to LEAs that have at least 6,500 children from low-income families or a poverty rate of at least 15 percent.

Part D of Chapter 1 is the Migrant Education program (approximately \$300 million). This program makes grants to state agencies and non-profit organizations to assist migrant students from pre-K through college levels. The state agency grants, the largest part of this program, are used for supplemental instruction for migrant students and for intra- and inter-state coordination of services for migrant children.

Part B of Chapter 1 is the Even Start program (\$89 million). Even Start is a two-generational program designed to foster parent literacy and child development. The program not only integrates adult and child education, but serves as a hub for community-based services for low-income children, often linking Head Start and Chapter 1. In FY 1991, there were 234 Even Start projects serving 7,500 children and families.

The Office of Indian Education (approximately \$80 million), located within OESE.

administers grants to LEAs for programs designed to meet educational needs of Native students, provides limited fellowships for graduate studies for Native Americans, and supports programs of adult education for Native Americans.

Impact Aid programs (\$750 million) provide general financial assistance to schools in LEAs whose local revenues are adversely affected by federal activity. The funds help serve 1.8 million students whose parents work or live on federal property, including military bases, and over 100,000 children from Indian lands. The program also provides funds for school construction to LEAs adversely affected by federal activity. The substantial reduction in military bases over the next few years will influence the size and scope of this program.

School Improvement programs in OESE fall under several provisions of Hawkins - Stafford. Overall there are approximately 20 programs which fit into this category. There are five major school improvement programs:

- The state and local Educational Improvement programs (\$436 million) provide funds to state (SEA) and LEAs for the general improvement of elementary and secondary education, to meet the special needs of at-risk students, and to support effective school programs.
- The Eisenhower Math and Science State grant program (\$246 million) provides financial assistance to SEAs, LEAs, and institutions of higher education for programs and activities to improve the skills of teachers and the quality of instruction in mathematics and science in public and private elementary and secondary schools.
- The Drug Free Schools and Communities program provides roughly \$500 million in formula grant funds to states for schools and community based programs of drug and alcohol abuse education and prevention. An additional \$100 million is used for grants for training personnel and other support activities including a small amount of funds which are transferred to the Justice Department for related activities.
- The Magnet Schools Assistance Program (\$108 million) provides financial assistance to eligible LEAs to support the elimination, reduction, or prevention of minority-group isolation in elementary and secondary schools with substantial proportions of minority students and to support courses of instruction that will substantially strengthen the knowledge of academic subjects and marketable vocational skills of students attending these schools.
- The School Dropout Demonstration Program (\$38 million) provides funds to LEAs, community-based organizations, and educational partnerships for dropout prevention and reentry programs.

- b. The Office of Bilingual Education and Minority Languages Affairs (OBEMLA) is a free-standing Departmental office which administers \$226 million in state and local programs which are designed to increase and promote improvements in educational services for students whose first language is not English. The program also supports development of curricular materials for persons of limited proficiency in English, research and evaluation on issues having to do with bilingual education, and funds for pre-service teacher training and continuing professional development.
- c. The Office for Special Education Programs (OSEP) (approximately \$3 billion) lies within the larger Office of Special Education and Rehabilitative Services (OSERS). OSEP directs, coordinates, and recommends policy for programs that are designed to meet the needs and develop the potential of the approximately 5 million handicapped children in the nation. The large state grants K-12 education program (\$2.05 billion) leverages over \$12 of state and local funds for every federal dollar. Other programs in OSEP include grants for institutionalized persons with disabilities, preschools, and for programs serving infants and families (total \$0.65 billion). In addition, the Office has a variety of programs for research, development, demonstration and implementation activities to examine how best to design and deliver services to students with disabilities activities. These programs also have active dissemination components.

3. **Current Performance of Programs:** Each of the major programs that make up the K-12 units of the Department face substantive and administrative issues, both immediate and long-term.

- a. **Chapter 1:** Over the past 25 years, Chapter 1 has had some success in helping to improve the basic skills of poor and minority children. Specific evaluations of Chapter 1 programs show some average short-term effects on basic skills test scores but few long-term (beyond 3 years) effects. More positive data from the National Assessment indicate that between early 1970 and 1988 the difference between the reading scores of African American and white students decreased by roughly 50%, although Hispanic students did not show any marked improvement. Most analysts believe that Chapter 1 contributed to the narrowing. The gap widened again in 1990, adding to the increasing concern and a growing consensus that focusing on low level basic skills in Chapter 1 programs inappropriately narrows the curriculum for disadvantaged students. Societal demands now require a higher order level of thinking and problem solving in order to succeed in a more complex work environment.

The central issue facing Chapter 1 is to define the purpose of the program. The current focus of the program is on providing supplemental remedial services for identified low achieving youngsters in high poverty schools. An alternative strategy would be to use Chapter 1 to help modify the fundamental practices and policies of high poverty schools to bring all students, especially those now eligible for Chapter

1, to challenging standards of achievement. Supplemental services would continue to be necessary but they would be part of a larger and more coherent strategy of providing full opportunities for all students. In effect, this would bring Chapter 1 into play as a major component of the overall national school reform effort.

A second, related issue facing Chapter 1 is the nature of service delivery. The predominant instructional method used in the Chapter 1 program is to "pull out" students from their regular classes to receive supplemental services. "Pulling out" often results in only limited amounts of time allotted to intensive instruction (generally 24 to 30 minutes a day), in an emphasis on only basic and not higher order skills, and in the absence of coordination with the regular program and the range of subject matter included in it. Moreover, it can lead to a stigmatization of students. An associated concern is the process of assessment used to measure student progress. Under the current Chapter 1 assessment requirements, student eligibility and progress are measured using standardized, norm-referenced, tests. This system has supported the use of a narrow, basic skills curriculum to the exclusion of an emphasis on challenging content and the development of higher order thinking, a matter that must be addressed in the long-run by this program.

A third significant issue has to do with how the program should target funds and services to the neediest schools and children. Currently, over 70% of all elementary schools in the nation receive Chapter 1 funding. As a result, funds tend to be spread thinly. Yet data clearly indicate that low income children in especially low income areas suffer a double educational disadvantage. This suggests that consideration should be given to concentrating Chapter 1 funds more on the neediest schools and children. A related issue is the exclusion of LEP students from Chapter 1. The 1990 census data indicate that there has been a tremendous increase in the numbers of language minority students at all grade levels in our schools, but only 1/2 million out of 3.5 million LEP students receive Chapter 1 services. In order to serve LEP students more effectively, strong consideration should be given to removing the current restriction regarding services only to students whose eligibility is not determined by their LEP status.

- b. **Migrant and Native American Education:** While certain individual projects in each of these areas are effective, the overall impact of the program on their target populations has been limited. The funds available for these programs are small in relation to the size of the eligible populations. Moreover, because of practical and regulatory constraints, the funds sometimes need to be used for purposes other than direct instructional services to children. For example, a substantial portion of the Migrant Education budget is used to identify, track and qualify students, leaving less money for the classroom. Further, instructional delivery in these programs is not systematically informed by the latest research in teaching and learning. Finally, programs in all of these areas are burdened by a compensatory and deficiency model of education that emphasizes remediation rather than higher levels of cognitive skill

development. The use of this model is at least partially attributable to the traditional view of these children as disadvantaged because of their cultural and linguistic difference. Such a view also serves to marginalize these students and these programs, in the local schools as well as within the Department of Education.

- c. **Bilingual Education:** The Bilingual Education Program (Title VII of ESEA) has served, and continues to serve, a very small proportion of eligible students. Currently, less than 10 percent (310,000) of the estimated total of LEP students in the country (3.5 million) are served through Title VII-funded projects. Since the projects are awarded on the basis of competitive applications, there are many children in districts that do not have the capacity or motivation to apply for funding. Typically, these students are served by less than adequate state and local bilingual programs which are badly coordinated with the Title VII programs.

As in Chapter I, Bilingual Education faces the issue of program focus. The program's effectiveness has been limited by an excessively narrow emphasis on the speedy learning of English, and by attention to comparison of bilingual approaches versus alternatives such as English immersion. This has deflected attention from fostering of higher order thinking skills and achieving content standards. Research shows that regardless of the type of instructional approach supported by the Bilingual Education program, instruction is characterized by passive learning and emphasis on low level skills. The program needs to focus more on improving the level of instruction within programs for LEP students. Additionally, the programs need to develop the language resources brought by immigrant and first generation students to this country. Moreover, large amounts of research show that bilingualism is not a zero-sum game when the two languages compete, but rather, that learning two languages leads to cognitive and social advantages for the students. Thus, with respect to both content and language, the program needs to move away from compensatory models of educating language minority children and focus on high expectations coupled with advanced skills and developing a full range of bilingual skills among these students.

Program purpose is an additional issue. The primary intent of Part A is to provide funds to LEAs to develop their capacity to serve LEP students and to act as a demonstration for other school sites and districts. However, Title VII projects are viewed by most districts as providing basic services rather than serving their demonstration capacity. This is compounded by the fact that it is not clear whether evaluation and reporting are to serve project improvement or policy purposes.

A final problem related to bilingual education is funding. Funding levels for Title VII have not increased substantially for the past two administrations. At the same time the number of eligible students has increased dramatically and the 1984 and 1988 reauthorizations added new programs and purposes to the Title.

- d. **Impact Aid:** The Impact Aid program compensates school districts for the loss of a tax base they would otherwise use to educate students. In the near future the program will face major changes. The projected military drawdown over the next several years will result initially in a dramatic increase in students whose parents work or live on federal property (military personnel returning from overseas). Soon after, however, there will be a rapid decline when the drawdown is complete and the overall force is reduced. The projected decline of such students suggests a need for future redirection of the monies.
- e. **School Improvement:** The Chapter 2 State Grant program is currently the most flexible program in the Department; states and districts can use the funding for anything that is tied to one of the broad targeted assistance areas. However, there are no provisions to ensure that funds are used effectively to improve educational quality or that they are used according to some coherent strategy designed to improve opportunity for all youth.

A two-year national study on the effect of the Eisenhower Math and Science Program found that the program was serving large numbers of the nation's teachers. However, program effectiveness could be improved by: (1) increasing the depth and impact of professional development experiences by focusing more state and LEA resources on projects of higher intensity and longer duration; (2) strengthening dissemination efforts to provide states and LEAs with maximum information on effective and exemplary uses of funds; and (3) more effectively using the Eisenhower program to support systemic reform.

Little clear information exists about the effectiveness of the Drug Free Schools and Community program. However, a recently completed implementation study of the program found that the state and local efforts in needs assessment, monitoring, and evaluation for both the SEA and Governors' programs need to be strengthened.

Studies conducted in 1983, 1987, and 1989 of the Magnet Schools program indicated that the magnet schools can provide high-quality education in urban school districts for average as well as high-ability students and can have a positive effect on desegregation at the district level and on integration at the school level. In recent years school districts have experienced demographic changes that have caused increased minority enrollment, making it difficult for them to reduce minority group isolation and thereby remain eligible for the program.

- f. **Special Education:** The major program, Part B of the Individuals with Disabilities Education Act (IDEA), serves roughly 5 million children and youth ranging in age from birth to age 21. The largest single group (49 percent) have specific learning disabilities. Since 1976, the proportion of students with specific learning disabilities has increased dramatically. Youth with disabilities are disproportionately male and black, and from single parent families of lower SES status. Most students are served

in regular school buildings; 33% in regular classes, 36% in resource rooms and 35% in separate classes. States have made progress in serving disabled infants and toddlers and in developing policies for the required components of a statewide early intervention system. OSEP is funding efforts to develop indicators of outcomes of special education. Currently, effectiveness is measured primarily by service rather than by outcome.

A major issue concerns the degree to which special education is integrated into education reform. Greater integration will require a stronger priority of inclusion of disabled children in regular education settings; enforcement of current law in a way that emphasizes Least Restrictive Environment placement; training of teachers to assimilate more disabled children into regular education environments; and coordination with the rest of the Department and with other agencies. Special educators should participate in the development of the national standards.

#### 4. Issues to be Addressed

Overall, the Department has suffered from a lack of leadership and vision to guide the administration and policies of the K - 12 programs. This has manifested itself in a number of ways:

**a. Fragmentation of programs:** Over the past twelve years the Department of Education has provided little attention to the comprehensive needs of K-12 students. That is, the Department's programs have been administered as specific projects without a coherent view of how they might fit together to help serve students and schools. Chapter I, which is the largest program to serve needy students and which offers the most direct source of funds to advance educational equity, has been isolated from school reform by administrative requirements and tradition. As a consequence it often fragments rather than integrates services and support for disadvantaged children. Other categorical programs (Migrant, Native Indian, Special Education) tend to focus on identifying and regulating services to their target students rather than stimulating and upgrading the general quality of all education programs which serve such populations. With regard to those programs intended to encourage school improvement efforts, the Department's impact has been limited because of a focus on fragmented attempts at reform rather than on a comprehensive, integrated approach to capacity building that can help schools deliver high standards to all students.

**b. Lack of a shared partnership with states, school districts and schools:** Over the years the federal government has been viewed by states, districts, and schools as excessively regulatory and top-down in promoting restrictions and requirements without also providing sufficient funds and support for the SEAs, LEAs and schools. Without question this view has substantial truth. It stems, in part, from a lack of involvement of the Department's constituents in thinking and planning federal activities and programs.

One way of beginning to overcome the perception would be to enter into serious and sustained partnerships with states and school districts and schools to plan and implement the business of the Department.

**c. Lack of Connectedness to Achieve National Goals:** The Clinton/Gore education agenda sets out a vision for the nation's elementary and secondary schools that builds on the national goals:

- All children come to school ready to learn (Goal I);
- All students have opportunities to learn challenging content to high standards (Goals II, III and IV);
- All schools will be safe and decent places for all students (Goal VI);

The current Administration's major reform effort, America 2000, has largely been divorced from a serious attempt to use the Department's programs to realize the National Goals in an integrated way. Lacking to date, for example, is a Departmental policy and capacity to coordinate, plan, and oversee the expansion of early childhood education. Equally absent has been a plan to leverage elementary/secondary individual programs to work with one another so that students can move through a continual educational experience that culminates in their achievement of high standards. For example:

- The categorical programs for special groups of students have not been connected to Goals III and IV which call for all students to reach challenging content standards.
- The numerous teacher training and other capacity building programs, some tiny, have not been focused in a coordinated effort to help states and local education agencies build the infra-structure necessary to support schools and teachers who need to teach more challenging material to all students.
- And, while opportunities exist for drug prevention programs these have not been extended to larger plans to create safe schools and hospitable environments for students.

**d. Failure to Address Equity in a Purposeful Way:** Poor and minority students are frequently victims of a system that holds them to lower standards than others. Children with special needs frequently receive basic skills instruction in segregated settings. Little is expected of them, and consequently, they do not have the same opportunity as other students. While we cannot expect these programs to make the "playing field level" for our nation's most needy students we should expect them to do more. It is important to understand that the categorical structure is a key way to set federal priorities in education and should not be dismantled. However, the individual programs can be altered and

improved to promote a common focus on high quality performance for needy students and, in that way to be more effective for their target population.

e. **Technical Assistance:** SEAs and LEAs, as well as schools themselves, have long felt that the outreach offered by the federal Department of Education focuses on monitoring and auditing rather than on technical assistance intended to provide support, guidance and information dissemination toward program development. Although hundreds of technical assistance centers are funded through the Department, they are administered under specific program jurisdictions and are paralleled by teams of Department personnel interested in compliance. Clear guidance and rules for use of funds are important ingredients of federal financial assistance, but care should be taken to make sure that there are not unintended consequences of such monitoring. Moreover, compliance monitoring cannot replace positive constructive support and help. Until a supportive and coordinated process of technical assistance is developed, the community of educators will continue to feel threatened by Departmental pressure rather than responsive to the capacity it can offer.

f. **Planning Capacity:** Limiting the effectiveness of the federal role is the absence of a coherent design in the Department of Education which links program administration in the K-12 program offices with evaluation, research, planning, and budgeting analysis. Furthermore, instead of assuming a proactive strategy for reform, the agency has primarily reacted to Congressional and other outside initiatives. The programs have been little involved in the overall education reforms -- their primary goal has been to protect themselves. In an agency where the programs are expected to contribute to meeting the national goals an improved capacity for policy analysis and development within the K-12 program offices could help produce more coherent and effective program strategies.

##### 5. Opportunities for Change and Improvement:

The Clinton/Gore agenda, the National Goals, and the upcoming reauthorization of Hawkins-Stafford provide an unprecedented opportunity for addressing the pervasive problems identified in Section 3. The Clinton/Gore agenda calls for voluntary, national educational standards to challenge the states and to focus developmentally appropriate services to assist all students to reach the standards. In order to meet Goals III and IV, the Goals panel has called for the creation of challenging expectations for what students should know and do in each subject area. The reauthorization of Hawkins-Stafford offers an occasion for focusing categorical programs on preparing schools with high percentages of needy students to give all students the opportunity to achieve high levels of performance and for implementing a coherent strategy for improving teacher professional development and school improvement in support of attaining the standards. Instead of a series of individual, non-integrated programs, we can construct a structure that crosses programs and provides a foundation for their coordination. Such a structure would help to unify services for special need children by enabling all children to meet the same high standards.

The current window of opportunity at the federal level is reinforced by other developments:

- Increasingly, research shows that all students can master complex material and that basic and higher order skills need not follow one another in a lock-step hierarchical fashion. All young students should be continually engaged in much more challenging content and skills than they currently are in our schools.
- At the national level, subject-matter associations (e.g., the National Council of Teachers of Mathematics) have begun to develop content standards that set out the knowledge and skills expected of all students and performance standards that serve as national benchmarks for excellence.
- In many states, policymakers are beginning to make progress on developing curriculum frameworks that flesh out the standards, and on developing teacher and student performance assessments, materials and teacher professional development opportunities that reflect the standards.
- Local districts are beginning to use ambitious standards to guide teaching and learning for all students.
- Schools in many districts and states are working on strategies for effectively teaching the content of the standards to all of their students.

The federal government can reinforce these efforts by focusing federal programs on supporting teachers and schools, districts and states to help all of their students to achieve to the same high content standards. It can also stimulate standards development and the integration of related policies through grant and assistance programs for states and localities.

This overall strategy--high standards for all students and integration of policies and programs around the standards -- will be detailed in legislation to be introduced early in the administration and underscored in the major piece of elementary/secondary education legislation to be considered by this Congress, the reauthorization of Hawkins-Stafford (ESEA).

An essential power of the strategy is that it provides a clear roadmap for making resource allocation decisions at the federal, state and local levels by anchoring all choices to achievement of the National goals and reinforcement of high content standards.

The strategy also provides a guide for restructuring and focusing decisions about the Department's operations. Specifically, in order to implement this strategy, the Administration should set the following priorities:

- a. **Work with educators and citizens throughout the nation, create a vision of excellence**

and equity that guides all federal programs. Voluntary national standards will represent a shared vision of what students should know and be able to do. States can use the national standards as benchmarks in the development of their own curriculum frameworks and other standards. The Secretary and the Department can encourage and support these voluntary standards, engage in research and development on assessment to measure attainment of the standards, and assist states to create supportive infrastructures to allow them to give all of their students the opportunity to achieve the standards. The standards will serve as a guide for all K-12 federal programs, providing performance goals, an emphasis for improving teaching and learning for all students, and by setting high expectations for *all* children. They can help to guide the identification and dissemination of promising practices to teachers and school administrators. In this manner, a common set of objectives forges new integration among previously discrete categorical programs, makes performance their primary emphasis, and directs infrastructure development toward the realization of these objectives.

In order to give students from families in poverty and other disadvantaged students the opportunity to achieve high standards, federal programs directed to specific populations will need to be refocused to reinforce objectives of bringing all students up to standards of higher-order skills. Such programs will need to be more performance driven, with less regulation and more constructive support so that flexibility in management and greater coordination with other programs can be achieved. For example:

- Chapter I should be coordinated with other federal programs designed to achieve educational excellence, rather than encouraging students to be pulled out for separate instruction. The current assessment system can be reconfigured, over time, from a norm-referenced testing system to a performance based assessment system tied to the state or voluntary national standards. Because of its size and importance, Chapter I can be used to leverage change in support of more challenging instruction for all needy students in states, districts and schools.
- Bilingual education should be revitalized in a way that increases equity and pushes excellence for LEP students. Chapter I can help students achieve high levels of content mastery, while Title VII can maintain focus on the goals of foreign language and international competitiveness through the development of high functioning bilingualism among both language minority and native English-speaking students.
- Native American education could be focused on restructuring programs in the primary schools with the focus on language and cultural development as keys to improving academic performance.
- The goal of including children with disabilities in regular education programs is furthered by the existence of national standards as expectations for all students. Administration of IDEA could focus on promoting and providing support for inclusion of disabled children when feasible. Reauthorization of IDEA discretionary programs in this Congress provides an opportunity for examining how standards can guide instruction for children

in various settings.

b. **Work with state and local educators to create a developmental sequence of educational experience so that students can move through the learning process in a continual and reinforcing way toward achievement of high educational goals and outcomes.** For example:

- Early childhood programs need to be expanded to assure school readiness. Within the Department of Education, Even Start could be expanded, Chapter 1's emphasis should be changed from treatment to prevention by encouraging greater investments in pre-school and primary education, and infant and toddler and pre-school handicapped programs could be expanded. More importantly, the Department needs to work aggressively with HHS toward developing a comprehensive strategy for early childhood development opportunities for low income children.
- Chapter 1 and Bilingual Education do not adequately serve secondary students whose developmental needs continue beyond the period of concentrated services offered at grades K-3. If these programs are to help level the playing field, services for needy students cannot be truncated at early grades without some plan for continuation. While funding may be limited for this purpose, consideration will have to be given to meeting this need. Greater funding is only one strategy. Another is to work closely with the Labor and Commerce Departments on the development of a job training strategy for high school aged youth.
- Community service opportunities should be part of preparation for lif-long citizenship and should be made available at every level of the educational experience. Such opportunities will help young people develop self-esteem and skill of teamwork, leadership and problem-solving and increase their connection to communities.
- The transition from high school to college for all students, but especially for poor and minority students, including American Indian and Alaska Natives, is sometimes difficult. Their rural isolation, cultural and language differences, and unfamiliarity with the environment of post-secondary institutions sometimes create barriers that need special attention. Special programs for high school juniors and senior students that are college bound are necessary transition activities for many Native students.

c. **At all levels of the educational system, emphasis should be placed on improving capacity to meet high standards.** Current federal programs of assistance and development can be refocused toward meeting high standards. Capacity-building will also require additional resources. For example:

- The federal government has an important role to play in the professional development of educators. Through such vehicles as the Eisenhower Math and Science Program, the Chapter 2 state grant program, and Title V of the Higher Education Act, the Department

can create a cross-cutting program that prepares teachers to be able to teach the challenging content standards and to serve students as whole individuals rather than as recipients of specific services. In addition, teacher training should be linked to the realization of national goals and include preparation in using assessment to improve instruction.

- Critical to helping schools and school systems reach the national goals is the building of a national technical assistance capacity. Federal technical assistance must be shifted from a compliance focus to a quality support focus and coordinated across programs. The federal government could provide resources and work with states to build capacity for assisting schools and LEAs.
- The Department should examine whether federal offices are sufficiently staffed and whether staff are appropriately trained and placed to carry out the mission of the agency. The Department staff need meaningful professional development opportunities. The Department should value learning and growth for itself as well as for its clients. In addition, the Office of Elementary and Secondary Education needs focused research capacity to enhance program development and administration.

**d. The Department must improve coordination within and across programs and with other agencies.** With the voluntary, national standards as a unifying vision for the education of the whole child and all children, the Department must aim for a seamless web of service delivery. For example:

- The Office of Special Education and Rehabilitation Services must interact with the Office of Elementary and Secondary Education more systematically to insure that children with disabilities are included in education reform. Within OSERS, the Office of Special Education and the Rehabilitative Services Agency must work together to assure transition from school to work for disabled students.
- The migrant student population is grossly underserved although pockets of funding can be found in several programs across the Department. Without aggressive action to end the fragmentation of services scattered in bilingual and other programs, support and successful intervention on behalf of migrant students will be not be realized.
- OBEMLA has little or no contact with other programs, offices, and agencies that serve bilingual and language minority students, including Chapter 1, Migrant Education, education for Native Americans and Special Education.
- The Chapter 2 state grants and state set-asides of other programs can be coordinated with one another so that states have necessarily flexibility in enhancing services to school districts and schools.
- LEAs should be able to coordinate funding from various, separate programs to create the

best educational settings and practices for all children. In particular, LEAs should be able to relate Chapter 1 funds and funds from other programs, including Migrant education, Special Education, Indian education and Bilingual education.

- Schools must have flexibility to design schoolwide projects to improve the overall instructional program. In Chapter 1 there should be increased support for schoolwide projects. Chapter 2 and Title II can provide opportunities for schools to submit schoolwide plans that reflect the coordination of instructional practices, staff development, assessment and materials. At the same time schools and districts must be held accountable for providing all students the opportunity to meet the standards.
- The Department of Education should coordinate the development of national standards with technical assistance and target the set-asides provided for Bureau of Indian Affairs schools to create an exemplary educational system for other schools to emulate.

**e. In order to achieve quality education for all students, we must level the playing field, assuring all the opportunity to reach high standards.** The federal government's historic commitment to providing access and equity demands renewed attention to equal opportunity. But in contrast to the past, national goals and standards provide targets and greater definition toward achieving equity for all students. A fundamental component of opportunity is sufficient time, high quality resources and supports to make achievement of the goals a reality for all. For example:

- LEAs should not view Chapter 1 funds as an entitlement but rather as a supplement to help "level the playing field." Under a new and more focused formula, most districts would continue to participate but those with the highest concentrations of poverty should receive a greater percentage of the funds.
- Only half a million out of 3.5 million Limited English Proficient students receive Chapter 1 services. In order to serve LEP students more effectively, strong consideration should be given to removing the current restriction regarding provision of services only to students whose eligibility is not determined by their LEP status.

**f. The National goals and standards will be powerful only to the extent that other policies and programs reinforce them in a systemic reform effort.** We cannot expect ambitious outcomes if students are assessed on only basic skills, if textbooks are mediocre, and if teachers are unprepared for new content and pedagogical demands. The federal government must work together with states and local education agencies to change its regulations and strategies to assure that its programs are integrated in a way that reinforces the standards. The federal government can also help states and localities integrate their own policies and build capacity for state systemic reform. For example the following special initiatives should be a high priority of the new administration.

- Both Chapter 2 and Title II provide opportunities for stimulating state and local school

reform. In order to maximize the opportunity for systemic reform, state block grants under Chapter 2 could be consolidated from seven broad areas of expenditure to support carefully constructed school-wide plans for achieving state standards that reflect the comprehensive integration of these components.

- Funds under the Eisenhower Math and Science program should be linked to promoting opportunity for all to achieve challenging state standards through innovative approaches to professional development, high quality curriculum design and development and quality assessment linked to instruction.
- The provisions under the Drug Free Schools and Communities program, the Dropout Prevention program and the discretionary grants program of Chapter 2 provide a vehicle for addressing interrelated issues of safety and drugs in all schools and for extending services beyond these matters to programs of academic consideration. These changes would address national Goal V and could be made through the reauthorization of Hawkins - Stafford.
- Currently, professional development activities are not effectively tied to implementation of broader reforms in states that involve standard setting, curriculum development and student assessment. Nor do teacher training programs link to one another to deal with overlapping problems of different populations (Chapter 1, Bilingual, Migrant). Both under Chapter 2 and Title II opportunities exist for teacher training to occur that would contribute to the realization of systemic reform.
- Finally, and perhaps of greatest future importance to the nation, we very strongly recommend that the new administration design and implement a major urban initiative. The purpose of the initiative, which might take place in 30 to 50 of our inner cities, would be to demonstrate that under the proper conditions all children could be effectively given the opportunity to meet the National Goals. The components of this program would reflect the Clinton/Gore vision for all children: a healthy and developmentally sound early childhood; a stimulating and engaging school experience based on high standards; an environment throughout the day which is not fraught with fear; college or a good job at the end of secondary school. We do not have a magic strategy for making this vision work in East LA or Roxbury but we do believe that the nation has a national responsibility and a moral imperative to attempt to make it happen.

## 6. Qualities of Key Personnel

- a. Assistant Secretary of Elementary and Secondary Education: Significant expertise in management. Substantial understanding of US system of education. Political experience at least at the local or state level and preferably at the federal level. Should probably be well regarded practicing educator in the public system.
- b. Director of OBEMLA: Assistant Secretary level job. Should have same qualities as

Assistant Secretary of Elementary and Secondary. Should in addition be knowledgeable about theory and practice of bilingual education. Could be person from higher education as long as s/he has respect from the field.

c. Assistant Secretary of Special Education and Rehabilitation Services: Same experiences as Assistant Secretary of Elementary and Secondary Education. But, also a current or former practicing educators in special education or rehabilitative services. If Assistant Secretary is not a practicing educator then the Director of Special Education should have these qualifications.

d. Deputy Assistant Secretaries in Elementary and Secondary Education. Should complement the Assistant Secretary in terms of expertise, diversity and experience with management and within education.

e. Deputy Director of OBEMLA: Should have strong administrative and management skills and expertise as a bilingual educator.

f. Director of Special Education: Same qualities as the Ass't. Sec. of Special Ed and Voc. Rehab but provides balance.

7. Opportunities for Budget Cuts and additional funding needs for FY 1993 budget:

a. FY 1993 supplemental:

- Possible Chapter 1 shortfall: For this year the allocation formula for the \$6.1 billion Chapter 1 Part A grants changes from using the 1980 census to using the 1990 census. The change affects both the basic grants (roughly \$5.5 billion) and the concentration grants (\$700 million) programs. The effect is to shift a major amount of money from the Northeast and Southeast to the West and Southwest. The Midwest states come out roughly even. The losses in the East are considerable. If fully applied, for example, New Jersey's allocation would fall from roughly \$200 million to less than \$140 million and Washington DC would lose over 35% of its funding. On the other side of the ledger California would gain over 25% or approximately \$140 million while Houston's allocation would increase by over 60%. There is a provision within the law which smooths some of the losses for the North and Southeast -- no county can receive less than 85% of its basic grant allocation. This cuts New Jersey's losses by about 50%. And, it reduces California's gains by some \$40 million.

The budget issue is whether to go with the allocations as they are presently driven by the law or to attempt to relieve some of the pain of the larger percentage reductions to a point even beyond the 85% hold harmless provision. Our first assumption is that we should not reduce the "winners" any more than their "fair" share is already reduced by the 85% hold harmless prescribed by law. If we simply stayed with the law the additional cost of the program for FY 1993 would be zero. The down side of simply

going with the law is that there will continue to be substantial losses in many places including Boston, NYC, Washington DC, to name a few which each lose approximately 15%. Moreover, there is a lot of Congressional interest in reducing the losses by even a greater amount than the 85% hold harmless.

One approach would be to further increase the hold harmless. If this were to be done without reducing the gains in the West and Southwest more than they had already been reduced by the 85% hold harmless it would cost new money. To take the hold harmless to 92.5% under these conditions would cost roughly \$210 million. This would reduce the losses to Boston, NY city and the District of Columbia by roughly 50%. To move all of the way to a full hold harmless (100%) would cost around \$500 million

Two final thoughts: a). Since the Chapter 1 program is forward funded the outlays for FY 1993 would be only ten percent of the appropriation. This suggests that there would be sufficient budget authority for FY 1993 to support a substantial supplemental. b). It might be possible to use the supplemental appropriation for Chapter 1 as a bargaining chip in the discussion of when to move the President's national goals and standards and school reform legislation.

- **School Reform Legislation:** Draw from the budget document.
- **Other parts of the FY 1993 supplemental:** Draw from the budget document.

b. FY 1994 budget;

- **Hawkins-Stafford reauthorization:** The issue here is whether the Hawkins - Stafford elementary and secondary legislation is reauthorized in time for the 1993-94 school year and therefore require special attention in the FY 1994 budget. Our best thinking now is that it will not be. Instead we expect it to be completed during the summer of 1994 thus the budget consequences of the reauthorization should first be felt in the FY 1995 budget.
- **Continued effects of the Chapter 1 change from using the 1980 to using the 1990 census.** There will continue to be effects of the switch from the 1980 to the 1990 census beyond those appearing in FY 1993 because each year the 85% hold harmless provision continues to be applied.