

INFORMATION CAPSULE

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A NATION DIVIDED ON EDUCATION

This Information Capsule examines five issues confronting public education at the present time. These issues include the No Child Left Behind law, mayors who want control over their local public schools, affirmative action, vouchers, and the public's opinion of education nationwide.

Issue No. 1: No Child Left Behind

As reported in *Education Vital Signs 2004*, the nation finds itself as divided as ever on many educational issues, including the No Child Left Behind (NCLB) Act, testing, vouchers, and school governance. Although the public is in agreement on the importance of seeing our nation's school systems succeed, it is deeply divided on how exactly to achieve that success.

Funding levels are at the heart of an ongoing political NCLB debate, with Democrats blaming Republicans for withholding promised funds and Republicans accusing Democrats of abandoning school reforms. Under the NCLB law, \$18.5 billion was authorized for Title I funding for fiscal year 2004, but President Bush requested only \$12.3 billion. The White House claims that the \$18.5 billion figure represented an upper limit, not a predetermined amount. Democrats charge that the White House backed out of an agreement that tied accountability provisions to increased funding.

A provision in NCLB states that the federal government cannot "mandate, direct, or control" a state or school district "to spend any funds or incur any costs not paid for under this Act." The National Education Association has filed a lawsuit claiming that states and school districts are, in fact, being required to provide a variety of services that are not paid for by the federal government. An analysis of 18 states' cost predictions found that all faced substantial new expenses related to the implementation of NCLB (such as revamping testing programs and contracting for supplemental services).

States Challenge NCLB

States are beginning to challenge NCLB, claiming that the law requires them to implement new programs but does not provide the needed funds to do so. The White House contends it is providing enough money to meet NCLB requirements, but some states take issue with that claim and have taken action.

- Utah's Republican-controlled House of Representatives voted not to comply with any NCLB requirements that do not receive sufficient federal funds. The bill will now be voted on by Utah's Senate. It has been estimated that full compliance with NCLB will cost Utah \$1 billion per year, about 10 times more than the state receives in NCLB funding.

- Virginia's Republican-controlled House of Delegates approved a resolution calling on the United States Congress to exempt the commonwealth, without penalty, from "the most sweeping intrusions into state and local control of education in the history of the United States."
- In Hawaii, lawmakers approved a resolution that asked state education officials to consider foregoing NCLB funding until more federal funds are received.
- State officials in New Hampshire are arguing with the U.S. Department of Education over who should pay for student testing.
- Arizona and New Mexico lawmakers have introduced legislation that will exempt their states from NCLB.
- Vermont law now prohibits school districts from assuming any costs under NCLB that are not funded by the federal government. Five Vermont school districts have given up what amounted to small amounts of federal monies so that they will not be required to participate in NCLB.
- The Superintendent of Schools in Dongola, Illinois announced that he will give up \$16,000 in NCLB funds. Implementation of NCLB, requiring that 116 of the district's students be transported to a school that offers specialty subjects, would have cost his district \$230,000.

Opposition to NCLB has created unusual political alliances. Democratic and Republican politicians alike question the legitimacy of a federal mandate that does not receive sufficient funding. Furthermore, many conservatives believe NCLB is a federal imposition on states' independence and many liberals disapprove of standardized testing and stricter teacher qualifications.

Public's Opinion of NCLB

Polls taken to learn how the general public feels about NCLB have had mixed results, reflecting the nationwide divide that exists on many educational issues. For example, in a Phi Delta Kappan/Gallup poll, 74 percent of parents responded that if their child attended a school identified as needing improvement, they would prefer that "additional efforts be made in the child's present school" rather than transferring the child to another school. A similar question in a Heritage Foundation poll elicited a different response: 76 percent of respondents favored allowing parents to transfer their children from underachieving schools.

The public also appears to disagree on the issue of standardized testing. Eighty-three percent of respondents to the Phi Delta Kappan/Gallup poll said that tests "covering only English and math" were not enough to determine whether a school is in need of improvement. In a Business Roundtable poll, however, 59 percent of respondents agreed that NCLB's reporting requirements (consisting mostly of English and math tests) were fair.

Issue No. 2: Mayors Want Control

Another area of conflict in education is the issue of school governance. Mayors in cities throughout the country want more control over school boards and are frustrated that they have little or no impact on their school systems. To exert more control, some mayors are attempting to influence the hiring and firing of their district superintendents and the selection of school board candidates.

Issue No. 3: Affirmative Action

Division exists in the courts as well, as evidenced by the U.S. Supreme Court's affirmative action rulings. The court upheld the affirmative action practices at the University of Michigan's law school by ruling that "narrowly tailored" programs that make "individualized considerations" are constitutional. However, in a separate ruling, the court struck down the university's practice of giving "underrepresented" groups of undergraduates an advantage for admissions due solely to race. Although these cases did not address K-12 education directly, they provide a legal framework under which public school systems can operate. Of special interest is the Supreme Court's decision to hear a challenge to the constitutionality of reciting the Pledge of Allegiance in public schools, one of the most controversial church and state cases in recent times. The court will consider whether requiring children to listen to the words "under God" amounts to government sponsorship of religion and is therefore unconstitutional.

Issue No. 4: Vouchers

As voucher cases make their way through the court system, the country remains divided on whether or not public money should be used to fund private schools. A U.S. Supreme Court ruling on *Locke v. Davey* is expected in June 2004. The *Locke v. Davey* case asks whether the state of Washington can refuse to give scholarships

to theology students under the Blaine Amendment, which prohibits spending state tax dollars on religious organizations. The Supreme Court's ruling will help to determine if governments can be required to pay for vouchers and is likely to have a significant impact on how governments at all levels will finance education.

Issue No. 5: Public's Opinion of Education

The public's opinion of schools nationwide differs from their opinion of their local schools. Phi Delta Kappan polls have consistently shown that the public has a much higher opinion of their local schools than they do of schools nationwide. In the 2003 Phi Delta Kappan poll, for example, 26 percent of respondents gave the nation's schools a grade of A or B, but 68 percent gave the school their oldest child attends a grade of A or B. These responses indicate that the public's strongest support for education is at the local level, where schools have the greatest impact on their children.

Conclusion

In conclusion, the country's political and legal systems, as well as the public in general, are divided on many educational issues, including vouchers, standardized testing, school governance, and the value of NCLB itself. The country may disagree on how best to achieve a high quality education for all students, but is united in its belief that our public schools must be improved.

References

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