

Preface

Welcome to the Thomas B. Fordham Institute’s Elementary and Secondary Education Act (ESEA) “briefing book,” which resembles the briefing books that staff on Capitol Hill and in the Department of Education prepare for members of Congress and senior administration officials. It identifies the key issues to be addressed if ESEA reauthorization is to get across the finish line, and for each issue lists the major options available, as well as the advantages and disadvantages of adopting them.¹

This briefing book is meant to serve two purposes:

- To clarify—for members of the media, policy analysts, and other interested parties, as well as for policymakers themselves—the major issues facing Congress with respect to ESEA reauthorization; and
- To provide our own recommendations on these issues, in line with what we call “Reform Realism.”

We first introduced the concept of Reform Realism in December 2008 in an open letter to the new administration and Congress. As we wrote at the time, Reform Realism is meant to be an alternative to the three main (and problematic) visions of federal policy that were dominant then—and remain dominant today. We described the three camps in this way:

- **The system defenders.** These folks—the teacher unions, other established education groups, and their friends on Capitol Hill—believe that the public education system is fundamentally sound but needs additional resources in order to be more effective. Their vision of the federal role resembles the current version, with its many programs, formulas, rules, and complexities—albeit with a lot more money and a lot less accountability.
- **The army of the Potomac.** These folks—including civil rights groups such as the Education Trust, “New Dem” bastions such as Education Sector and the Progressive Policy Institute, and nominally bipartisan initiatives such as the Aspen Institute’s Commission on No Child Left Behind (NCLB)—hold generally sound instincts about reform. They see unions and school boards as barriers to improvement and equity; they favor holding schools accountable for public dollars; they believe in empowering parents, at least within the realm of public education; and they focus laser-like on closing achievement gaps and promoting educational equality. Their Achilles’s heel is their near-boundless faith in Washington’s ability to accomplish significant positive change in K–12 education. Even though the federal government is three or four steps removed from schools (and contributes only a very small portion of the schools’ revenue dollars), they remain confident that the right mix of carrots and sticks, suitably engineered by selfless policymakers and implemented by tireless technocrats, can lead to an educational

¹ In addition to the administration’s “Blueprint for Reform” of ESEA, options have been culled from recommendations by the Aspen Institute’s Commission on No Child Left Behind, the Education Trust, Democrats for Education Reform, the National Council on Teacher Quality, the Council of Chief State School Officers, the National Governors Association, and the National Association of State Boards of Education.

utopia. They downplay the unintended consequences of NCLB (and other well-intended federal education laws); indeed, most of them would ratchet up Uncle Sam's pressure on states and local schools.

- **The local controllers.** These folks, led by conservative and libertarian think tanks such as the Heritage Foundation and the Cato Institute, want Uncle Sam, for the most part, to butt out of education policy—but to keep sending money. They see NCLB as an aberrant overreach, an unprecedented (and perhaps unconstitutional) foray into the states' domain. Many within this faction also favor reform, particularly greater parental choice of schools, but at day's end their federal policy position resembles that of the system defenders. They want to keep federal dollars flowing, albeit at a much more modest rate than those on the left; but they want to remove the accountability that currently accompanies these monies. They have given up on Uncle Sam as an agent for positive change, period. And they have enormous confidence that communities, states, and parents, unfettered from and unpestered by Washington, will do right by children.

The Reform Realist Perspective

Reform Realists share some core assumptions with both the army of the Potomac and the local controllers, though we don't have much in common with the system defenders. Like the army, we embrace standards, assessment, and accountability; we believe America's achievement gaps are morally unacceptable, socially divisive, and politically unsustainable; and we recognize that for the United States to remain secure and prosperous in a dangerous but shrinking and flattening world, our education system must be far more effective and productive than it is today. Like the local controllers, we favor school choice in almost all its forms; we understand that most of the policy action in K–12 education is vested in states (as is most of the funding); and we realize that individual communities, schools, educators, and families have differing needs and priorities across this big and diverse land.

Like the army of the Potomac, we abhor the notion of spending billions of taxpayer dollars without demanding improved results in return. But we agree with the local controllers that federal action too often yields unintended, undesirable consequences, and that policymakers would be wise to adopt the medical profession's maxim of "first, do no harm."

Thus we believe in a targeted and strategic federal role in K–12 education, with Uncle Sam sticking to important elements that he can do well (and that others do less well)—but leaving the rest to states, communities, educators, and families. And when Uncle Sam cannot resist promoting particular reforms, we believe that he should almost always use carrots instead of sticks.

In the pages that follow we apply the principles of Reform Realism to the ten key issues at hand for ESEA reauthorization. (In the conclusion, you'll see what our blueprint looks like when all of our recommendations are added up.) Regardless of whether you agree with Reform Realism or not, we hope you find this briefing book to be a fair distillation of the debates ahead.

Issues Not Addressed

This briefing book examines ten challenging issues facing Congress as it considers ESEA reauthorization. We shared this list with colleagues on the Hill and in the Department of Education, and found general agreement that they are indeed key topics. But we recognize that there are many others—including some tough ones—with which policymakers will have to wrestle. These include:

- **Formulas, particularly for Title I.** Formulas are always tricky for Congress, because any changes result in clear winners and losers. However, Congress might choose to address whether the current Title I formulas adequately focus funds where they need to go, given that 95 percent of all districts continue to receive them. The proportion of Title I funds flowing to high-poverty districts increased only two percentage points since the last reauthorization.
- **Details of program consolidations.** We strongly support consolidating the vast majority of ESEA programs into a few funding streams. The specifics of consolidation, however—how to consolidate which programs—are beyond the scope of this report.
- **Issues related to special populations, such as achievement standards and alternate assessments for students with significant cognitive disabilities, and assessments and accountability for limited English proficient (LEP) students.** These pose many complexities that must be resolved to ensure that all students are full participants in the new system of college- and career-ready standards and assessments.
- **Other programs (many of them candidates for inclusion in our proposed revamping of Title II), including:**
 - **Parts B-H of Title I** (Reading First, Early Reading First, Even Start, Migrant Education, National Assessment of Title I, Comprehensive School Reform, Advanced Placement programs, School Dropout Prevention)
 - **Title III** (Grants for language instruction for LEP students)
 - **Title IV** (Safe and Drug Free Schools, 21st Century Community Learning Centers)
 - **Charter school programs**
 - **Title V** (which contains a number of small competitive grant programs, most of which are slated for consolidation in the administration's FY 2012 budget request)
 - **Title VII** (Indian, Native Hawaiian, and Alaska Native Education)
 - **Title VIII** (Impact Aid)

Acknowledgments

The Thomas B. Fordham Institute is a nonprofit organization that conducts research, issues publications, and directs action projects in elementary and secondary education reform at the national level and in Ohio, with special emphasis on our hometown of Dayton. It is affiliated with the Thomas B. Fordham Foundation, and this publication is a joint project of the Foundation and the Institute. For further information, please visit our website at www.edexcellence.net or write to the Institute at 1016 16th St., NW, 8th Floor, Washington, D.C. 20036. The Institute is neither connected with nor sponsored by Fordham University.

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