



**RSC Resource Guide:
The Current Status of Re-Authorization of “No Child Left Behind”**

February 10, 2012

Background:

On February 9, 2012, U.S. House Education and the Workforce Committee Chairman John Kline (R-MN) spoke at the American Enterprise Institute (AEI) about his Committee’s efforts to reform the *Elementary and Secondary Education Act*, commonly known as No Child Left Behind (NCLB). He explained his new legislation, [Student Success Act](#) and the [Encouraging Innovation and Effective Teachers Act](#). A video of his speech at AEI can be found below or [here](#):



“What we’re trying to do is make sure our kids have the best chance to succeed [and] get the best education possible; involve parents more [by] giving them more options, more choices, more say, [and] more input; more involvement and control at the local level; and a much smaller federal footprint. That’s what we think we’ve done in this legislation.”

This RSC guide serves to provide resources on the current status of legislation on renewal of “No Child Left Behind.”

Process of “No Child Left Behind” Renewal:

This legislation is currently divided into five parts:

1. [Empowering Parents Through Quality Charter Schools Act \(H.R. 2218\)](#)
Introduced by Rep. Duncan Hunter (R-CA)
Approved by the House on 9/13/11, by a Roll Call vote of 365 – 54 ([Roll no. 705](#))
[Committee Summary](#)
[Committee Fact Sheet](#)

Committee:
[Bill Markup](#) and [Video](#)

RSC:
[Legislative Bulletin](#)

CRS Report:
[Comparing Proposed Charter School Legislation and Current Law](#)

CBO:
[Cost Estimate](#)
2. [State and Local Funding Flexibility Act \(H.R. 2445\)](#)
Introduced by Rep. John Kline (R-MN)
Reported by Committee on Education and the Workforce on 7/25/11 – H. Rept. ([112-180](#))
[Committee Summary](#)
[Committee Fact Sheet](#)

Committee:
[Bill Markup](#) and [Video](#)

CBO:
[Cost Estimate](#)
3. [The Setting New Priorities in Education Spending Act \(H.R. 1891\)](#)

Introduced by Rep. Duncan Hunter (R-CA)
Reported by the Committee on Education and the Workforce on 6/14/11 – H. Rept. ([112-106](#)).
[Committee Summary](#)
[Committee Fact Sheet](#)

Committee Bill [Markup](#) and [Video](#)

The two remaining pieces of legislation were introduced this week:

4. [Student Success Act \(H.R. 3989\)](#)
Introduced by Rep. John Kline (R-MN)
[Committee Bill Summary](#)
[Committee Fact sheet](#)
5. [Encouraging Innovation and Effective Teachers Act \(H.R. 3990\)](#)
Introduced by Rep. John Kline (R-MN)
[Committee Bill Summary](#)
[Committee Fact Sheet](#)

Outside Commentary on Current Legislation:

The links provided are meant to provide a perspective on some of the commentary from different ideological perspectives.

- The Heritage Foundation (Web Memo)

[The Student Success Act: Reforming Federal Accountability Requirements Under No Child Left Behind](#)

“Student Success Act aims to reform the much-derided accountability provisions of NCLB, provide funding flexibility to states and local school districts, and limit federal intervention into local school policy. . . The Student Success Act attempts to correct the misguided accountability of No Child Left Behind and increase information about outcomes to the people who care most about students: parents and local school leaders. The House Education and the Workforce Committee correctly notes that:

‘Across the country, states and school districts have led efforts to reform the nation’s troubled education system. As these bold reformers step up, the federal government can step back; limiting its footprint to ensuring parents have the information they need to judge the quality of the schools.’

The experiment in bureaucratic accountability under No Child Left Behind has not achieved its objectives. The Student Success Act is a good first step in replacing the wrongly directed accountability of No Child Left Behind with transparency about school results to parents and taxpayers.

- AEI (“The Enterprise” blog)

[6 reasons the House Republicans’ education bill gets it right](#)

The House Bill:

1. Scraps NCLB’s practice of requiring states to label schools as making or not making “adequate yearly progress” based upon a snapshot of reading and math scores by particular demographic populations, but sensibly retains the requirement for annual testing in reading and math in grades 3-8 and that data be disaggregated to show the performance of various student subgroups. In this, the House bill reflects both the Harkin-Enzi bill and what the Department of Education is pushing in its “NCLB waiver” process.
2. Frees states to write their own policies regarding the proper interventions for low-performing schools—the feds would no longer mandate that all low-performing schools adopt supplemental tutoring or public school choice at a federally mandated point in time. And unlike the Senate, the House would not try to dictate a particular set of federally selected school improvement strategies.
3. Sensibly insists that states develop academic standards that will have students ready for career or college by graduation, but drops the administration’s unfortunate effort to elbow its way into the (supposedly) state-driven Common Core effort.
4. Scraps NCLB’s ludicrously bureaucratic “Highly Qualified Teacher” provision, which sought to ensure teacher quality by insisting upon new paperwork requirements.
5. Scraps federal “maintenance of effort” requirements which have limited the ability of states to trim school spending even when it is prudent or appropriate. Indeed, maintenance of effort has frequently threatened to penalize states that seek to use innovative technologies or staffing arrangements to cut costs.
6. Offers new flexibility to states and districts when it comes to spending categorical funds. It would allow districts to transfer money aimed at one special population to another, while sensibly ensuring that dollars cannot be moved out of “Title I” schools (schools serving high concentrations of low-income students).

- CATO
[Splitting Hairs on the Cadaver](#)
“To my mind, however, both significant efforts are improvements over NCLB, ending many of its more absurd components. And the debates the bills are fomenting — more or less compulsion on teacher evaluations, firm progress goals or looser, and so on — are ultimately splitting hairs on a cadaver. The last nearly fifty years have shown that any federal involvement is doomed to failure, and the only rational response to that is to end Washington’s meddling.”
- The Brookings Institution/ Education Next
[Let the Education Dollars Follow the Child](#)
“...devolving recently accumulated federal power to the states—underlies recent reauthorization proposals for the Elementary and Secondary Education Act (ESEA) that allow each state to establish its own accountability system and that require teeth only for the very lowest-performing schools. It is unclear to us how releasing states and school districts from federal accountability and granting them maximum flexibility is anything more than a return to the status quo. It is the regrettable consequence of that approach that motivated increased federal involvement in the first place.”
- A broad coalition of 38 civil rights, education reform and business groups sent Chairman John Kline a letter describing the legislation as “undermin[ing] the core American value of equal opportunity.”

While most of the co-signers are liberal organizations, the U.S. Chamber of Commerce is also a signatory: [Letter here](#)

- Academic Paper in the *Journal of Policy Analysis and Management*,
[The Impact of No Child Left Behind on Student Achievement](#)

Committee’s Additional Resources

- [Part 1](#): New Republican Proposals Advance Education Reform
- [Part 2](#): Returning Responsibility for Student Achievement to State and Local Leaders
- [Part 3](#): Supporting Effective Teachers in Every Classroom
- [Part 4](#): Ending the Education Secretary's Overreach
- [Part 5](#): Reviewing the Facts

On Thursday, February, 16, the full House Committee on Education and Workforce will conduct a hearing on H.R. 3989, and H.R. 3990. The hearing is scheduled for 10:00 AM in room 2175 Rayburn ([Link Here](#)).

RSC Members on Education Reform

- [Rep. Coffman Op-Ed: Reforming Education: The Movie ‘Waiting for Superman’](#)
- [Rep. Roe Op-Ed: Quality Education Directly Affects Economic Growth](#)
- [Rep. Garrett Introduces Legislation to Return Education Policy to the States](#)
- [Rep. Garrett Op-ed: Education Policy is a Local Issue](#)
- [Sunset Caucus Update on Eliminating Ineffective and Unnecessary Federal Education Programs \(June 1, 2011\)](#)
- [RSC Outlook: Education and Workforce Training Policy \(May 2009\)](#)

Outside Commentary on No Child Left Behind and General Education Policy:

- CATO
[No Child -- And the Latest Lost Decade](#)
[School Czar Flunks Civics](#)
[No Compelling Evidence “No Child” Worked](#)
[Reality, Meet Education Policy. Education Policy, Please, Meet Reality!](#)
- Bill Gates
[How Teacher Development Could Revolutionize Our Schools](#)
- ALEC’s Report Card on American Education
[Report Card](#)

Videos on Education Reform:

- [Rep. Barletta Discusses Need for State Accountability Systems in K-12 Education](#)
- [Rep. Kelly on Supporting Effective Teachers in K-12 Schools](#)
- [Rep. Noem Explains Need for Increased Flexibility for K-12 Schools](#)
- [CATO’s Neal McCluskey explains the failures of No Child Left Behind](#)
- [FORA TV - Wendy Kopp and Malcolm Gladwell: Talk Education Reform](#)
- [Michelle Rhee on Education Reform](#)
- [Governor Chris Christie: A Moment to Seize](#)
- [Waiting for Superman](#) (2010)

Congressional Research Service Reports on Education Reform

- January 5, 2011
Rebecca R. Skinner, Specialist in Education Policy (rskinner@crs.loc.gov, 7-6600)
[The Elementary and Secondary Education Act, as Amended by the No Child Left Behind Act: A Primer](#)
- February 4, 2011
Erin D. Lomax, Analyst in Education Policy (elomax@crs.loc.gov, 7-9447)
[Assessment in Elementary and Secondary Education: A Primer](#)
- February 7, 2011
Rebecca R. Skinner, Specialist in Education Policy (rskinner@crs.loc.gov, 7-6600)
[Accountability Issues and Reauthorization of the Elementary and Secondary Education Act](#)
- February 3, 2011
Erin D. Lomax, Analyst in Education Policy (elomax@crs.loc.gov, 7-9447)
[State Assessments Required by the No Child Left Behind Act: An Analysis of Requirements, Funding, and Cost](#)
- December 21, 2011
Jeffrey J. Kuenzi, Specialist in Education Policy (jkuenzi@crs.loc.gov, 7-8645)
[Teacher Quality Issues in the Elementary and Secondary Education Act](#)
- January 18, 2012
Cassandra Dortch, Analyst in Education Policy (cdortch@crs.loc.gov, 7-0376)
[Elementary and Secondary Education Act Reauthorization: Data Options for the English Language Acquisition State Grants Formula](#)
- February 9, 2012
Rebecca R. Skinner, Specialist in Education Policy (rskinner@crs.loc.gov, 7-6600)
[Educational Accountability and Secretarial Waiver Authority Under Section 9401 of the Elementary and Secondary Education Act](#)

Relevant Committee Hearings:

- March 1, 2011
House Committee on Education and Workforce
[Education Regulations – Weighing the Burden on Schools and Students](#)
[Video](#), [TEXT](#)/[PDF](#)
- March 11, 2011
Subcommittee on Higher Education and Workforce Training Hearing
[Education Regulations - Federal Overreach into Academic Affairs](#)
[Video](#), [TEXT](#)/[PDF](#)
- March 15, 2011
Subcommittee on Early Childhood, Elementary, and Secondary Education Hearing
[Education Regulations - Burying Schools in Paperwork](#)
[Video](#), [TEXT](#)/[PDF](#)
- April 7, 2011
House Committee on Education and Workforce
[Education Reforms - Promoting Flexibility and Innovation](#)
[Video](#), [TEXT](#)/[PDF](#)
- June 1, 2011
Subcommittee on Early Childhood, Elementary and Secondary Education Hearing
[Education Reforms - Exploring the Vital Role of Charter Schools](#)
[Video](#), [TEXT](#)/[PDF](#)
- September 14, 2011
House Committee on Education and Workforce
[Education Reforms – Examining the Federal Role in Public School Accountability](#)
[Video](#), [TEXT](#)/[PDF](#)
- September 21, 2011
House Committee on Education and Workforce
[Education Reforms – Ensuring the Education System is Accountable to Parents and Communities](#)
[Video](#), [TEXT](#)/[PDF](#)
- November 8, 2011
Senate Committee on Health, Education, Labor & Pensions
[Beyond NCLB - Views on the Reauthorization](#)
- November 16, 2011
Subcommittee on Early Childhood, Elementary and Secondary Education Hearing
[Education Research - Identifying Effective Programs to Support Students and teachers](#)
[Video](#), [TEXT](#)/[PDF](#)

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