

RSC Outlook: Education and Workforce Training Policy

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While conservatives can agree with Democrats that our education system is in need of reform, many conservatives have serious concerns over an agenda proposed by Democrats that aims to increase federal involvement in state and local education. According to a recent [Heritage Foundation report](#), the “stimulus” and omnibus alone provided over \$101 billion to the Department of Education, which represents the largest education spending increase in our nation’s history. On top of that, the President’s budget calls for a total of \$75.4 billion in FY2010 – a 6.5% increase over last year’s level and a 27% increase over the FY2008 level (this includes Pell Grants which become mandatory under the President’s proposal).

Despite (and perhaps because of) this spending increase, higher education costs are still on the rise. On average, reading scores have shown little improvement. Many parents still do not have the ability to choose a school that best suits their child’s needs, and states and localities are being told by the federal government what is best for their school children. In light of these concerns, the RSC has prepared the following document highlighting a number of Democrat education and workforce training proposals likely to be considered in the 111th Congress.

Reauthorization of the No Child Left Behind Act (NCLB). It is possible that the 111th Congress will consider legislation to reauthorize NCLB. While Chairman Miller seems amenable to the NCLB Act on the whole, there are quite a number of Democrats who staunchly oppose the idea of reauthorization of the program as it exists now.

NCLB became law in 2002 with the goal to raise achievement levels by requiring the testing of students annually in 3rd through 8th grade, and then once between 10th and 12th grade in reading and math (science was added as a tested subject in 2007). Schools are measured by the increase in numbers of students who score “proficient” or higher on their state exams each year.

NCLB has been criticized by many conservatives as bureaucratic, costly, and an infringement on a state’s ability to address specific local and community needs. In fact, many argue that NCLB incentivizes states to lower their testing standards in order to achieve a higher level of proficiency on state tests (due to a requirement that all students achieve a proficient level of achievement by the end of the 2014 school year).

Some issues of interest to RSC members in the reauthorization of NCLB include:

- **School Choice**. Low-income individuals should be able to explore the option of sending their children to a private school of their choice, especially if their local public school is underperforming. NCLB does not give them this choice.
- **State Flexibility in Use of Federal Funds**. States and localities know best what their students need in the classroom. As such, they should be able to use federal money for programs that reflect the needs of their students. To achieve success, they need more flexibility in the way they can spend federal dollars. Many conservatives also support the idea of allowing states to opt out of NCLB and use the funds for the specific needs of the state. Congressman Pete Hoekstra (R-MI) introduced the A-PLUS Act, which includes that concept.
- **Teacher Quality**. NCLB required states to come up with a plan to ensure teachers of core subjects were highly qualified by the 2006-2007 school year (extended from the original deadline of 2005-2006). Because many members question whether the current qualifications are good indicators of teacher quality, some members, such as RSC Chairman Tom Price (R-GA), have suggested incentives like tax credits, loan forgiveness, and pay-for-performance to ensure teachers are properly qualified. Pay-for-performance would reward teachers and principals who demonstrate success in their schools.
- **Accurate Testing**. Due to the fact that schools are punished for failing to meet adequate yearly progress (AYP) for two consecutive years, many Republicans are concerned that this incentivizes states to lower standards so students do well on tests. The question also remains as to whether the current standard-based assessments are effective in raising achievement levels.
- **Individuals with Disabilities**. IDEA was reauthorized in the 108th Congress. Some conservatives have concerns with the way in which IDEA students are tested for NCLB accountability, and believe IDEA students should be given the opportunity to attend a school of their choice.
- **Limited English Proficiency (LEP) Students**. NCLB requires local educational agencies (LEAs) to annually assess the English language proficiency of their LEP students. This requirement has been criticized as lacking proper structure and guidance. Because there has been little policy guidance from the Department of Education to date on requirements for the assessments, many states and LEAs are left confused as to how to best serve their LEP students and how to administer tests and assessments.

NCLB has not demonstrated the improvements in educational outcomes that Congress expected when it was enacted in 2002. This reinforces the belief that more federal money and less state control do not lead to better educational outcomes. Should NCLB Reauthorization come up in the 111th Congress, it is likely that many conservatives will fight to make NCLB more flexible for states in hopes of producing better results for students.

Nurse-Family Partnership Legislation. President Obama made it clear on the campaign trail that he would like to create an in-home nursing program for first-time

mothers. His proposal, outlined in the budget, would provide nursing care to low-income mothers-to-be, new mothers, and their newborns.

Many conservatives may be concerned that the program, as outlined in the President's budget, is a mandatory spending proposal, which means Congress will lose the ability to decide how much money to appropriate for the program on an annual basis. According to the President's budget, the program will cost \$8.6 billion over 10 years.

While conservatives and Democrats can agree that every mother and newborn deserves a healthy start, we disagree on what role the federal government should play in that start. This particular program will allow nurses acting on behalf of a government agenda to come into an individual's home to teach them how to parent. While well intentioned, the program expands government intervention into yet another aspect of family life.

Providing Resources Early for Kids (PRE-K) Act. The 111th Congress will likely see legislation that will create a new federally-run early education program. H.R. 702, the Providing Resources Early for Kids (PRE-K) Act (*Hirono, D-HI*) would create a new grant program to states "to enhance or improve State-funded preschool programs." Among other things, the states may use the funds for the following purposes: increasing the number of teachers with baccalaureate degrees in early childhood education; increasing the number of teacher aides and the number of program directors, teachers, and teacher aides with specialized training in working with children with limited English proficiency and disabilities; decreasing group size in classrooms; improving teacher-student ratios; and providing vision and hearing screenings and referrals, health and mental health screenings and referrals, parent involvement opportunities, and nutrition services. Each state receiving funds must submit a report to the Secretary of Education on how the funds are being used.

Many conservatives have asserted that it is not necessary to create a new federal program when Head Start and Child Care and Development Block Grants are already geared toward a similar goal. These programs, however, target low-income children while the PRE-K Act funds a universal program for all income levels.

Apart from these concerns, this legislation creates a government-run pre-K program that would force a government-approved politicized agenda on children; and while this program touts itself as optional, this could be a step in the direction of mandatory pre-K for all children. Thus, this would encourage government to substitute for parenting even earlier in a child's life.

Previous Action: In the 110th Congress, the House Education and Labor Committee marked up and reported the Pre-K Act on June 25, 2008, by a vote of 31-11. The 111th Congress has not seen action on the bill to date.

Education Begins at Home Act. Along the same lines of President Obama's Nurse-Family Partnership proposal, Congressman Danny Davis (D-IL) has introduced H.R. 2205, the Education Begins at Home Act of 2009. The bill directs the Secretary of

Health and Human Services (HHS) to make grants to states to establish or expand early childhood home visitation programs for families that are expecting a child or have pre-kindergarten children. The bill raises many of the same concerns as the Nurse Family Partnership by allowing individuals with a government-sponsored agenda to enter into a home to inspect the environment and “teach” a woman how to raise her child. As the minority views of the committee report from the 110th Congress stated, “It is always dangerous when the Federal government seeks to take on the role of the parent; thus, we must guard closely against Federal overreaching.”

Previous Action: The bill was reported out of the Education and Labor Committee during the 110th Congress but never received floor consideration.

Child Nutrition Programs Reauthorization. In June 2004, President Bush signed the Child Nutrition and WIC Reauthorization Act. The bill reauthorized the National School Lunch and Breakfast Programs, the Child and Adult Care Food Program, the Summer Food Service Program, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). Most of the programs are set to expire this Congress.

While no legislation has been introduced to date, it is possible that a reauthorization bill will include the following items:

- **An increase in reimbursement to schools due to increases in food costs.** Because there is data suggesting that some schools are paying for meals for the higher income students, many Committee Republicans have argued that until it is proven that this is not the case, the reimbursement rate for schools should remain the same.
- **National nutrition standards set by the federal government.** States already set nutrition standards for federal school lunch and breakfast programs.
- **Federal regulation of types of food sold in schools to all students.** Democrats would like to see that the sale of things like “junk food” be regulated. However, states and school districts are currently making the decisions of what to provide on their own. Many conservatives may argue that it is not the job of the federal government to determine what types of food a school should sell to its students.

Juvenile Justice and Delinquency Prevention Act Reauthorization (JJDP A). In 1974, Congress passed the first JJDP A, which created grant programs and a new federal agency within the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP). The new federal agency was charged with overseeing new programs and coordinating the federal response to juvenile delinquency. The Act has three main components that are still intact today:

- Created a set of institutions within the federal government that are dedicated to coordinating and administering federal juvenile justice efforts;
- Established grant programs to help states set up and run their juvenile justice systems and;

- Required that states adhere to core mandates in order to receive the grants. While the JJDPA was reauthorized in 2002 under the 21st Century Department of Justice Appropriations Authorization Act, its main provisions expired in 2007 and 2008.

Many juvenile offender grant programs already significantly overlap with each other. A Congressional Research Service (CRS) [report on juvenile justice](#) states, “In effect, there are a multitude of federal programs throughout the government that deal with youth violence’s causes, its effects, and its ramifications. The amount of coordination that is occurring between the departments on these issues remains an open question.”

If the program is reauthorized, Congress will confront many issues regarding the function and success of the JJDPA. The Senate bill to reauthorize the program (S. 678) leans more toward using money for rehabilitation of juvenile offenders, while the House has a bill on juvenile justice grants that focuses on accountability and punishment (H.R. 1514).

D.C. Opportunity Scholarship Program. The D.C. School Choice Incentive Act of 2003 established the very successful Opportunity Scholarship Program (OSP) as the first federally funded school voucher program in the United States. The program currently aids approximately 1,700 low-income children by giving them scholarships of up to \$7,500 to attend private schools in the district. The DC OSP will not continue beyond the 2009-2010 school year absent congressional appropriations. President Obama, however, recently announced a request of \$12 million for the 2010-2011 school year to provide scholarships to existing participants so they can continue in school.

The program provides low-income families with an alternative to a failing or underperforming D.C. public school. Low-income families have relied on this money in the past and have reported overwhelming satisfaction with the program’s results. There were 200 new families that were offered scholarships for the 2009-2010 school year, but the offer was rescinded by Secretary of Education Arne Duncan who told these families that scholarships would not be made available to new students. Conservatives will continue to fight to reauthorize the program and to provide as many scholarships to students as funds will allow.

Previous Action: The Senate voted down an Ensign amendment (39-58) to the omnibus which would have reauthorized the program. Congressman Rodney Frelinghuysen (R-NJ) has introduced H.Con.Res. 70 expressing the sense of Congress to continue DC OSP.

No Child Left Inside. H.R. 2054, the No Child Left Inside Act, was introduced in April 2009 by Congressman John Sarbanes (D-MD). The bill would reauthorize the National Environmental Education Act (NEEA) of 1990 and create a new Department of Education grant program with a focus on expanding environmental education in grades K-12. Many conservatives may be concerned that the new grant program is similar to many other existing NEEA grant programs supporting environmental education projects and is an encroachment on state education policies.

Previous Action: H.R. 3036, the No Child Left Inside Act, passed the House of Representatives in the 110th Congress by a vote of [293-109](#). This year's bill has yet to see action in the Education and Labor Committee or on the House floor.

Workforce Investment Act (WIA). Created in 1998, WIA provides job training to unemployed and underemployed individuals. Most of the programs are administered through the Department of Labor's (DOL) Employment and Training Administration (ETA) through One-Stop Career Centers which provide job training, counseling, and help individuals find jobs. While the authorization for this program expired in FY2003, WIA programs still receive annual appropriations.

Title I of WIA includes job training programs such as: state formula grants for Adult, Youth and Dislocated worker employer and training activities, Job Corps, and Youthbuild. Other programs like the Adult Education and Family Literacy Act and the Rehabilitation Act of 1973 are authorized under different titles of WIA.

While no legislation has been introduced by Democrats to date, it is likely that this Congress will see a bill reauthorizing WIA that contains more protections for organized labor and less focus on the one-stop career centers that aim to address needs at a local level. To achieve this, Democrats would like to preserve union membership on the Workforce Investment Boards (WIBs). Under current law, local WIBs oversee the one-stop system which provides services for unemployed adults. WIBs are advisory bodies to the Governor of each state and are comprised of the Governor, members of the state legislature, elected local officials, representatives of states agencies, businesses and labor organizations. Democrats would like to see more influence from labor organizations on these boards.

Additionally of concern to conservatives, Democrats will likely block, and in the past have opposed, Republican-proposed revisions to WIA that would protect religious groups that wish to hire according to their religious convictions.

Note: This is not meant to be an exhaustive list of all the education/workforce training issues that will come up during the 111th Congress.

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202) 226-0718