

ESEA Update -- Score One Point for Liberty but Much Left to be Done!

The nation's most important education law, the Elementary and Secondary Education Act, or ESEA, was first passed in 1965 as part of President Lyndon Johnson's Great Society program. The purpose of the law was to provide additional funding for schools educating students in poverty. The dream was that by providing additional resources, opportunity would be equalized and there would no longer be educational "haves" and "have nots" in our nation. The law was to be reviewed and reauthorized every 8 years. Each time it was reauthorized it received a new name.

President Obama, after losing his Democratic majorities in the House and Senate was not able to muster support for reauthorization of the law, known at that time as No Child Left Behind. Instead of changing the law Obama's Department of Education used regulatory power tied to a host of financial carrots and sticks to force districts to move toward one national curriculum (The Common Core), a limited number of national standardized tests, and even teacher evaluation systems tied to the tests. If you were in the schools during those years you know that many teachers, parents, legislators and school board members became increasingly frustrated. It was viewed as a massive federal power grab. Even worse, the law did not do much to advance ESEA's original goal of equalizing educational opportunity.

Finally, after NCLB had been in place for 15 years, in December of 2015 a Republican House and Senate with bipartisan backing passed a reauthorized ESEA titled *The Every Student Succeeds Act*. ESSA made dramatic changes to NCLB, with the intent of returning control of public education to states and local school districts. Under ESSA, states are still required to assess student progress periodically, develop systems to rate the schools, and develop plans to improve schools, but have a huge amount of freedom to do each of these things in the way they think is best.

Over the past year it has been left for the Trump administration and Secretary of Education Betsy DeVos to implement NCLB and collect the first round of state developed school improvement plans. The plans have all been submitted, so it is time to assess whether the new law is working as intended.

The Thomas B. Fordham Institute is the first organization out with a comprehensive analysis of all state plans. Fordham's [Rating the Ratings report](#) looks at three different features of the state plans:

- 1) **Are the school rating systems easy for the public to understand?** Fordham rated 34 of the 51 state plans strong in this area which they said is, "a major improvement over the often Orwellian school ratings of the NCLB era."

- 2) **Do the state rating systems work to focus attention on improving the performance of all students?** On this category Fordham concluded, “The country is also doing much better in signaling that every child is important, not just the “bubble kids” near the proficiency cut-off.”
- 3) **Are the state rating systems fair to schools with large numbers of students in poverty?** You may remember that failing schools under NCLB seemed to be trapped, stigmatized and unlikely to ever make their way out of the “needs improvement” category. Fordham felt this was the weakest area of the state plans with 18 receiving strong marks and 24 medium. But again, they noted that what they saw in the plans, “is still an improvement over NCLB.”

It is encouraging to know that when it comes to improving schools Washington, D.C. does not have a monopoly on wisdom and fairness. After all, one would think that the level closest to those who care most about the students—their parents and teachers—would be the best place to do meaningful school improvement work.

Education Week has produced an [interactive map and summary of approved plans](#). Currently only seventeen states have approved plans so that is all they have included so far. On reviewing the summary table, it appears to me that the states have won the battle for control of public schools and turned back the NCLB federal power grab. Under ESSA there is a wide variety of approaches being taken among the approved plans. While some states continue to use vestiges of the former NCLB plan, even keeping some of the Common Core standards, state control is thriving. This should also be considered a win for the framers of the constitution. In their desire to protect liberty they wisely provided a double check against too much power accumulating in the federal government. They divided the federal government into three branches, Executive, Legislative and Judicial and also provided for strong state governments capable of standing against expansion of federal power at the expense of rights reserved for the states (including education) and individual liberty.

The framers of the constitution were not the first to see wisdom in providing people with the greatest amount of freedom possible. Throughout the pages of the Old Testament we see God advocating time and again for the freedom of his chosen people. It is only because of their sins that at times they were placed in captivity under tyrannical governments. In the New Testament we find Jesus sacrificed to free us from the bondage to our sin.

It is this bondage to sin that has made it so difficult to reach the original dream of ESEA – eliminating all inequality in educational opportunity. Fifty-two years of additional funding flowing from the federal government to schools in need has taught us that additional funding alone does not achieve educational equity. Educational equity depends on the individual efforts of local school teachers, administrators and school board members. Working in high poverty schools presents unique challenges, but we know that the Holy Spirit working in the hearts of Christian teachers is more than equal to the task.

Psalm 82 reminds us that equity and fairness for the disadvantaged is a Godly goal:

*God has taken his place in the divine council;
in the midst of the gods he holds judgment:
“How long will you judge unjustly
and show partiality to the wicked? Selah
Give justice to the weak and the fatherless;
maintain the right of the afflicted and the destitute.
Rescue the weak and the needy;
deliver them from the hand of the wicked.”*

Psalm 82:1-4

Let us pray that the return of school control to the state and local governments will be coupled with many Christian teachers, administrators and board members being called to these schools to ensure that the disadvantaged children in their classes, schools and districts receive the supports they need to achieve their God given potential.

Odds and Ends from Around DC

Latest Senate Tax Proposal Doubles Teacher Tax Deduction to \$500 – You may have heard that the tax proposals in the Senate and House would eliminate the \$250 tax deduction teachers can take for purchasing classroom supplies. But [the latest word from Education Week](#) is that the Senate has modified their proposal to double the deduction. Clearly this deduction might be key to holding on to a vote or two need to pass the tax bill. We won't know what happens until the bill passes, possibly in mid-December.

Prayers for the Wisdom and Grace for the President -- Ministry to State recommends for November this [prayer](#) based on Proverbs 16:14-15, *A king's wrath is a messenger of death, and a wise man will appease it. In the light of a king's face there is life, and his favor is like the clouds that bring the spring rain.*

CEAI is interested in your thoughts. Members are encouraged to enter comments below. Personal comments may be addressed to the author at JMitchell@ceai.org. John Mitchell is the Washington, DC Area Director for the Christian Educators Association.