



To: Interested Parties
From: Heritage Action for America
Date: February 11, 2015
Subject: NCLB Reauthorization Proposals: Missed Opportunities for Conservatives

As the House and Senate consider a reauthorization of No Child Left Behind, lawmakers should not let the opportunity pass to advance a bold conservative vision for education policy. For far too long, the federal government's expansive reach into education has gone unchecked. Now is the time for Congress to restore federalism in education, empower parents and students instead of bureaucrats and unions, and remove archaic obstacles that have prevented true opportunity for all.

Moving forward, there are five principled criteria that Congress should meet in any reauthorization of the Elementary and Secondary Education Act (ESEA), currently known as No Child Left Behind (NCLB). These include the following:

An A-PLUS Approach. For years, the Academic Partnerships Lead Us To Success Act (A-PLUS) has been the leading response to the onerous provisions of No Child Left Behind. No ESEA reauthorization should move forward that does not include language that allows states to opt out of all the programs that fall under NCLB, along with the law's mandates, and utilize those dollars for any lawful education purpose under state law.

Reduction of Federal Footprint. Congress should take the opportunity to finally start eliminating the redundant, ineffective, and federally inappropriate programs embedded within No Child Left Behind. No reauthorization should move forward that does not at a minimum eliminate all competitive grant programs and all associated funding that goes with those programs.

True Title I Portability. Congress should ensure that any reauthorization includes language that would allow states to exercise genuine Title I portability, enabling dollars to follow students to public, private, and charter schools of choice. This is a much-needed reform that would better meet the needs of low-income children and empower parents to help give their child the best education possible.

Elimination of Federal Mandates. While draft versions of the House and Senate bill have eliminated some federal mandates such as Adequate Yearly Progress and the Highly Qualified Teacher provision, it is incumbent upon Congress to end all federal mandates. This means not creating new mandates, such as a federal growth model requirement and maintaining others such as federal testing mandates.

Strengthen Prohibitions on National Standards and Tests. The adoption of Common Core, a set of national standards and tests that will define the content taught in public schools across the country, has been heavily incentivized by the Obama administration. Despite existing prohibitions against federal meddling in curriculum, the administration has used a combination of waivers from NCLB and grants to encourage state adoption. Any reauthorization must have language preventing Washington from prescribing standards, tests, or curricula, and should further explain that states that exit Common Core will not be penalized for doing so.

House Education and the Workforce Committee Chairman John Kline has introduced the Student Success Act, and Senate HELP Committee Chairman Lamar Alexander has authored an ESEA reauthorization discussion draft. [According](#) to Lindsey Burke, The Heritage Foundation's Will Skillman Fellow in Education, both proposals fall short:

“The two proposals offered by the House and Senate Education Committees fail to adequately limit federal intervention in education and do not put policy on a path toward restoring state and local control of education. They also fail to offer options to empower parents, such as enabling states to make their Title I dollars portable to public and private schools of choice. Bold reforms are needed, and they are missing from the current legislative efforts to deal with No Child Left Behind. Policymakers should empower states to completely exit the 600-page law in order to begin the process of devolving education authority back to states and localities, and, ultimately, families.”