

Choosing Sides on ESEA Reauthorization – While Teaching Continues

Last month *Washington Education Watch* focused on the announcement by the US Department of Education that waivers to many of the requirements of the Elementary Secondary Education Act (ESEA), currently known as the No Child Left Behind Act, would be made available to states that applied and met certain conditions. To date 41 states have indicated their intent to request waivers.

The ink was barely dry on the new regulations before Congress bristled at the proposal. Representative John Kline, Chairman of the House Education and the Workforce Committee, quickly issued a press release stating, “While I recognize the sense of urgency to reform current law, the Department of Education should not be granted the sweeping authority to bypass Congress.” Taking matters one step further the Senate Education Committee, after years of inaction on ESEA, suddenly took up a bill sponsored by Sens. Tom Harkin, D-Iowa, and Mike Enzi, R-Wyoming, to reauthorize the law. Harkin and Enzi would like to see their bill passed before the beginning of the year to make the administration’s waiver procedure unnecessary.

Many advocacy organizations see the Harkin-Enzi bill as a vehicle to secure the changes that they want to ESEA and have issued public statements in support of the law. Education blogger Alexander Russo noted that organizations such as the National Association of Charter School Authorities, Magnet Schools of America, and Teach for America have all weighed in supporting the legislation. However a host of advocacy groups also came out with an official [statement](#) in opposition to the bill based on what they see to be weak accountability measures that would do little to support minority and disadvantaged students. Signers to the opposition statement include the American Civil Liberties Union, League of United Latin American Citizens, National Association for the Advancement of Colored People, National Center for Learning Disabilities, and the U.S. Chamber of Commerce.

The passage of Harkin-Enzi out of committee on a 15-7 bipartisan vote indicates that it may make it out of the Senate – then what? The House has much different ideas about how to fix the serious problems of ESEA and has been working on individual pieces of legislation that would reform narrow aspects of the law rather than adopting the Senate’s approach to move one large omnibus piece of legislation. (Harkin-Enzi as introduced was 860 pages.) So the entire process is looking chaotic and it is difficult to see how a bill could come out of this and make it to the President’s desk. But that is typical for Congress and the chaos could set the stage for a conference committee in which a few members of the House and the Senate, behind closed doors, strike a deal on ESEA that schools will live with for another 5--10 years.

What does all this mean for you and your students? Fortunately, as long as you continue to get up each day and do your best to teach, your students will be insulated from many of the negative effects of the chaos and possible directions a new federal education law may take.

However the shape of the law may have a major impact on you and how much you can enjoy and thrive as a teacher. If the new law adds even more regulation, evaluation and assessment it is

likely that more of your time will be consumed with implementing the law rather than teaching and that does wear you down. Clearly most of the involved Senators, Congressmen, administration officials, lobbyists and advocates are sincere individuals who believe that if they can get the changes they advocate into federal education law it will improve public education. However these players do not act out of a belief that the overwhelming number of teachers and school administrators are doing the best they can, given the condition of our culture, to instill in children a healthy work ethic and respect for authority while also imparting essential knowledge.

Unfortunately federal legislation and regulation don't just add cumbersome and time consuming tasks to your day. Federal programs and mandates also at times contribute to the undermining of your authority and promote aspects of our culture that insulate individual students and families from shouldering appropriate and reasonable responsibilities. Without a doubt the most important relationship that any student has is with his or her parents. While some education law attempts to promote parental involvement, the erosion of the doctrine of *in loco parentis* which endorsed the teacher as an essential partner with their parents in raising their children has blunted the important role of teachers as purveyors of moral values and precepts. This doctrine eroded over several decades as the rights of children were elevated. Law suits were taken up in which students were able to tie the hands of the schools in matters of discipline and teachers were restrained in their ability to express their personal beliefs. At times it seems that we will never return to a culture where a real partnership between parents and teachers can be the basis for wise decisions about the education of individual children. But through prayer and hard work our culture and your role as a teacher and can be restored.

“... if my people who are called by my name humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven and will forgive their sin and heal their land.” 2 Chronicles 7:14, ESV

As the reauthorization of ESEA moves forward – or stalls – CEAI will be watching for aspects of the law that could hinder or restore your important role as a partner to parents in raising their children. We are praying for the necessary changes and we will keep you informed.

If you have thoughts or comments on NCLB or other aspects of federal education policy please share them with us. You can address your thoughts and comments to WashingtonWatch@ceai.org.