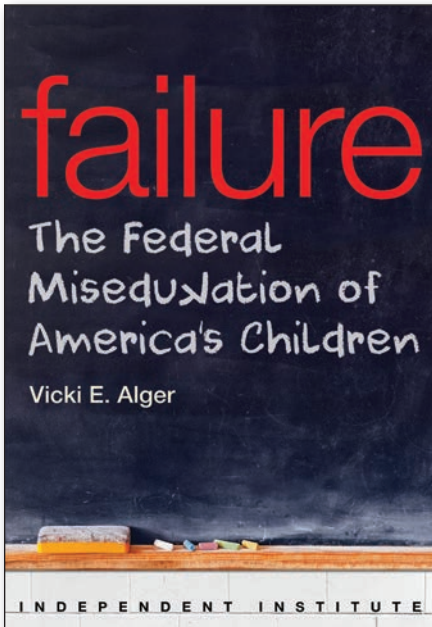


FAILURE

The Federal Misedukation of America's Children

BY VICKI E. ALGER

Book Highlights



- **The US Department of Education has failed to reach nearly every meaningful goal its advocates had promised in 1979 when the agency was created.** It has failed to improve academic performance. It has failed to provide better management of federal education programs. And it has failed to allow state and local governments to chart their own course. The department has, however, lived up to one promise: it has secured education's status as a "national activity." Consequently, education policy has become more contentious and politicized.
- **Despite huge increases in federal involvement in education, student performance in the United States has remained stuck at average levels since the late 1960s and early 1970s.** Results from the long-term National Assessment of Educational Progress—*a.k.a.*, the Nation's Report Card—show no meaningful improvements since before the US Department of Education was created. A 2013 study of federal No Child Left Behind mandates found that just one-third of all students were proficient or better in math (35%), while around one in five low-income and minority students scored proficient or above (21%). States tried to meet the federal mandates by lowering their proficiency standards and passing scores—just as they had done in the late 1980s in response to mandates for obtaining federal funding.
- **Bitter disputes between the federal government and the states are unavoidable so long as the feds are involved in education.** Those who opposed the creation of a US Department of Education turned out to be prophetic. No Child Left Behind, Race to the Top, and Common Core demonstrate that even when the agency gives the states "flexibility" to implement federal programs, compete for federal dollars, or meet national standards, the cost for them to pursue independent educational objectives can be prohibitive.
- **A key remedy for improving school performance is one that many in the educational establishment staunchly oppose: school competition and parental choice.** International comparisons reveal that schools that compete for students outperform schools that do not. Close to three-fourths (72%) of the nations that performed as well as or better than the United States on international assessments have higher proportions of schools competing for students. Parents in nine-tenths of those countries have more freedom to choose their children's schools—both public and private—than American parents.
- **The US government has no constitutional authority to involve itself in education—a view shared even by early advocates of federal involvement.** Even the most ardent early supporters of isolated federal involvement in education, including Presidents Washington, Jefferson, and Madison, insisted that absent a constitutional amendment, neither they nor Congress had any authority over education whatsoever. Proponents of federal involvement won the battle only after their stance changed from "It would be constitutional" to "It would be expedient."

496 Pages | 6 x 9 | Index
33 Figures | 23 Tables
Hardcover: \$49.95 | Paperback: \$24.95
ISBN: 978-1-59813-212-0 (Hardcover)
ISBN: 978-1-59813-213-7 (Paperback)

Independent Institute
100 Swan Way
Oakland, CA 94621-1428

Phone: 510-632-1366
Fax: 510-568-6040
Toll-Free 800-927-8733
Online: www.independent.org
Email: info@independent.org



Contents

Acknowledgments

United States Department of
Education Chronology

Introduction

PART I THE HISTORY OF THE US DEPARTMENT OF EDUCATION

1. When the Constitution Was Respected: Federal Hands Off Education
2. Early Steps Toward a Federal Role in Education
3. Twentieth-Century Proponents Make the Case for Federal Involvement in Education
4. With the New Department, a Larger and Larger Federal Role in Education
5. Federal Education Initiatives by Executive Order

PART II RESULTS TO DATE

6. Has the US Department of Education Kept Its Promises?
7. American Students on the International Stage: A Mediocre Performance
8. How the Top Performers Do It: Alternative Models from Across the Globe

PART III RETURNING THE FEDERAL GOVERNMENT TO ITS CONSTITUTIONAL ROLE IN EDUCATION

9. Ending, Not Mending, Federal Involvement in Education
10. Dismantling the US Department of Education, Brick by Brick
11. A Blueprint for the Next Thirty Years: Parental Choice
12. A Blueprint for the Next Thirty Years: Privatizing the Federal Role

Conclusion

Notes

References

Index

About the Author

Synopsis

For nearly 100 years the federal government left education almost entirely in the hands of state and local governments. Gradually, however, federal restraint gave way, culminating in 1979 with the creation of the US Department of Education—a sprawling bureaucracy with 5,000 employees, 153 programs, and an annual budget of approximately \$70 billion. What caused this dramatic transformation? Has it improved student performance? And how can we best ensure that America's schoolchildren will get the education they need for thriving in an increasingly technological, competitive global economy?

Education reform expert **Vicki E. Alger** takes up these questions in *Failure: The Federal Misedukation of America's Children*, an in-depth look at federal education policy that will both enlighten and enrage.

Federal involvement in education, Alger shows, has been an epic failure—a failure of myriad ineffective educational programs, a failure of massive wasteful spending, and a failure of the Department of Education to be a partner with state and local governments, rather than a boss. Fortunately, her rigorous assessment enables Alger to identify and articulate the best strategy for success—namely, decentralizing education policy by ending federal involvement, returning power to state and local governments, and implementing parental choice.

History

We can fully understand the federal government's involvement in education only by tracing its history. In Part I, Alger chronicles that development, from the nation's founding to the creation of the Department of Education, placing special emphasis on changes in attitudes about the federal role.

Prior to the mid-1800s federal involvement in education was marked by restraint. Although Congress and presidents tried repeatedly to change the government's role,

all agreed this would require amending the Constitution. But two profound shifts would help untie the federal government from its constitutional moorings.

One shift occurred at the national level, as proponents of a larger federal role began to emphasize its expediency, regardless of its constitutionality; here the Morrill Land Grant Act, signed into law by President Lincoln in 1862, set a precedent. Another shift took place at the state level, as advocates for disadvantaged children began to campaign for compulsory schooling for all; public education activist Horace Mann was pivotal.

In 1867 a new stage began with the creation of the US Education Department. Although it was soon defunded and its rank in the federal pecking order would change over the decades, the agency slowly grew. Momentum increased during the Progressive Era, as John Dewey and other intellectuals called for educational reform to promote their vision of social progress.

From 1908 to 1975, Congress considered more than 130 bills proposing the creation of a new department of education. By the end of the 1970s, a sprawling collection of more than 300 separate federal programs in more than 40 federal agencies, at a cost of \$25 billion, prompted calls for consolidation and coordination under one bureaucratic roof. President Carter made this wish come true by establishing the US Department of Education as the thirteenth Cabinet agency in the federal government.

The federal role in American education was at last made secure—a status confirmed by President Reagan's failure to eliminate the department during his tenure. Reagan's task force urged only that the agency be downgraded—a recommendation that failed to win the necessary support in Congress.

Subsequent administrations talked about education reform, but none ever considered scaling back the Department of Education. In 1989, President George H.W. Bush convened the nation's governors for a national

education summit, from which came six goals that would be enshrined in his America 2000 legislation in 1992. Congress defeated the bill, however, with Republicans opposing its national standards and Democrats objecting to vouchers. Despite the legislative impasse, federal education funding grew significantly under Bush.

In spite of the longstanding prohibition against federal control of schools' or states' educational curricula and assessments, President Clinton revived and renamed America 2000 as Goals 2000. Coupled with massive funding, Goals 2000 was an offer the states couldn't refuse. Republicans and Democrats in Congress now vied with one another over who supported the most generous increases in federal education spending.

President George W. Bush's biggest contribution to education policy, No Child Left Behind, further strengthened the federal hand vis-à-vis the states. Despite its demanding testing, reporting, and choice requirements, studies found that it had not appreciably improved reading or math performance. The federal grip on education has further tightened during the Obama presidency, through the administration's promotion of Race to the Top and Common Core standards, and insistence on waiver authority.

Results to Date

In Part II, Alger offers a report card of the Department of Education, comparing its performance with its original goals. The results are sobering. On nearly every count the department has fallen short: Wasteful spending is rampant. Strings attached to federal funding have caused a political tug-of-war with the states. And American students have made little or no progress in reading, math, and science; compared to their peers in other countries, their academic performance is still average.

How do the world's top performing school systems operate? Alger looks at

schooling in Australia, Belgium, Canada, Chinese Taipei, Germany, Hong Kong, Hungary, Ireland, Japan, Korea, Macao, the Netherlands, New Zealand, and Singapore, focusing on institutional structure, national curriculum, national assessments, school autonomy, and parental choice. Two traits they share are a high degree of decentralization and a high level of competition among schools for students.

"At a time when American political leaders insist we must prepare students for an increasingly competitive global economy, it makes little sense to preserve a status quo that shields schools from competition—and success," Alger writes.

Returning the Federal Government to Its Constitutional Role

In Part III, Alger spells out a plan for decentralizing education, refunding tax revenue to the taxpayers, and returning the federal government to its constitutional role. She begins by articulating the core principle to guide such efforts: *End, don't mend, federal involvement in education.*

Abolition is essential because, Alger explains, a dysfunctional relationship between the feds and the states is virtually guaranteed in a system that was never designed to accommodate federal involvement in education. The failure to grasp the federal government's inherent limitations dooms even policies designed to give the states greater flexibility to meet federal goals, such as block grants, free rein for states to compete for federal dollars, financial incentives to achieve national standards, and national education tax credits or voucher programs crafted in Washington, DC.

How should abolition proceed? Alger would start with the immediate elimination of 19 non-program offices and divisions within the US Department of Education. This would generate savings of about \$14 billion, which would be returned to indi-

vidual taxpayers as a federal income tax reduction. Also, taxpayers would determine which, if any, programs would be preserved at the state level, resulting in a more constructive approach to education policy.

"Once control over education programs and funding is returned to the states," Alger writes, "lawmakers, taxpayers, and educators can work more closely together at the local level to better ensure clear education policy priorities customized to meeting the specific need of students in communities across the states—without all the chaos, cost, and upheaval of the previous decades of federal leadership in education."

Alger then shows how we might dismantle the Department of Education brick by brick, offering specific recommendations for each of the 125 educational programs administered by the US Department of Education's Office of the Secretary, Office of the Deputy Secretary, and Office of the Under Secretary.

As noted, parental choice has played a significant role in the success of top-performing students on international tests. Alger reviews parental school choice programs in the United States, from California's Alum Rock program in the 1970s to the federally funded DC Opportunity Scholarship program, as well as state tuition tax credits, privately operated public charter schools, and educational savings accounts (which decouple government financing and school management).

Alger concludes by looking at the role of privatization in education, especially for the financing of higher education. "Putting student loans in the hands of private lending institutions," she writes, "would do more than help students to achieve the education that matches their career goals. It would also tighten the reins on wasteful spending by postsecondary institutions and thus move to reduce the cost of higher education."

Praise for *Failure*

“Vicki Alger’s *Failure* is a timely and well-researched *tour de force* that should be read by anyone interested in promoting genuine educational reform in America.”

—**Donald A. Downs**, Professor of Political Science, University of Wisconsin

“The strongest pro-choice arguments for school reform—more power to parents and students—can be found in the pages of *Failure*. There is indeed risk in Vicki Alger’s prescriptions but no doubt about the deadly cost of inaction.”

—**Juan Williams**, Political Analyst, Fox News Channel; former Senior Correspondent, National Public Radio; author, *Eyes on the Prize: America’s Civil Rights Years, 1954–1965*

“American schools are among the most costly in the world. Yet U.S. students are among the mediocre achievers in math, science, and other subjects. In *Failure*, Vicki Alger explains why and how substantial improvements can be made.”

—**Herbert J. Walberg**, University Scholar and Research Professor of Education and Psychology, University of Illinois at Chicago

“This important book digs into the facts about low-school performance and counterproductive federal aid. Anyone who cares about America’s schoolchildren should read and consider *Failure* for its background information, critical analysis, and root-and-branch reforms.”

—**Williamson M. Evers**, Research Fellow, Hoover Institution, Stanford University; former US Assistant Secretary of Education for Planning, Evaluation and Policy Development



About the Author

VICKI E. ALGER is Research Fellow at the Independent Institute. She is also a Senior Fellow at the Fraser Institute, headquartered in Vancouver, British Columbia, and the Independent Women’s Forum in Washington, DC. She is president and CEO of Vicki Murray & Associates LLC in Scottsdale, Arizona.

Alger’s research focuses on education reforms that promote a competitive education marketplace and increase parents’ control over their children’s education. She is the author of more than forty education policy studies, co-author of *Lean Together: An Agenda for Smarter Government, Stronger Communities, and More Opportunities for Women*, *Short-Circuited: The Challenges Facing the Online Learning Revolution in California*, and *Not as Good*

as You Think: Why the Middle Class Needs School Choice, as well as associate producer of the documentary “Not as Good as You Think: Myth of the Middle Class School.”

Alger has advised the US Department of Education on public school choice and higher education reform. She has also advised education policymakers in nearly forty states and England, provided expert testimony before state legislative education committees, and served on two national accountability task forces. Alger’s research helped advance four parental-choice voucher and tax-credit scholarship programs in Arizona, as well as the state’s first higher education voucher, and she provided expert affidavits as part of the successful legal defense of educational choice programs for low-income, foster-care, and disabled children.

Alger’s research also inspired the introduction of the most school choice bills in California history—five in all—and her research was used as part of the successful legal defense by the Institute for Justice of the country’s first tax-credit scholarship program in the US Supreme Court (*Arizona Christian School Tuition Organization v. Winn*). Her research and commentary on education policy have been widely published and cited in leading public-policy outlets such as Harvard University’s Program on Education Policy and Governance, *Education Week*, and the *Chronicle of Higher Education*, in addition to national news media outlets, including *The Wall Street Journal*, *Investor’s Business Daily*, *Forbes*, *Fortune*, *Human Events*, *La Opinión*, *USA Today*, and *US News & World Report*. She has also appeared on the Fox News Channel, local ABC, CBS, NBC, and PBS affiliates, and news radio programs across the country.

Prior to her career in education policy, Alger taught college-level courses in American politics, English composition and rhetoric, and early British literature. She has lectured at numerous American universities, including the US Military Academy, West Point. Alger received her Ph.D. in political philosophy from the Institute of Philosophic Studies at the University of Dallas, where she was an Earhart Foundation Fellow. Alger lives in Arizona with her husband, David.

INDEPENDENT INSTITUTE is a non-profit, non-partisan, public-policy research and educational organization that shapes ideas into profound and lasting impact. The mission of Independent is to boldly advance peaceful, prosperous, and free societies grounded in a commitment to human worth and dignity.

Applying independent thinking to issues that matter, we create transformational ideas for today’s most pressing social and economic challenges. The results of this work are published as books, our quarterly journal, *The Independent Review*, and other publications and form the basis for numerous conference and media programs. By connecting these ideas with organizations and networks, we seek to inspire action that can unleash an era of unparalleled human flourishing at home and around the globe.

