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## GOALS 2000: STIFLING GRASS ROOTS EDUCATION REFORM

### INTRODUCTION

The House and Senate soon will begin debate on the Clinton Administration's proposal to revamp the nation's public schools. But instead of giving principals and parents the encouragement they need to shake up the moribund, bureaucratic system, the Administration wants to add a new layer of federal red tape on top of the state and local regulation now stifling innovation.

This is curious, since many state and local governments have come to recognize that micromanaging public schools is not the way to improve standards. As a result, they are easing regulations on public schools, and empowering teachers, parents, and principals through school choice, site-based management, and reforms centered on school autonomy and decentralization. But S. 846 and H.R. 1804, the bills before Congress encompassing Clinton's "reform" proposals, would frustrate many of these positive steps with increased federal regulation of schools.

Instead of fulfilling his campaign promise to encourage local initiatives, as well as the testing of students and teachers to improve results, Bill Clinton's *Goals 2000* legislation would:

- ✓ Establish new federal standards on school spending and teacher salaries or "inputs";
- ✓ Increase bureaucratic control of American schools;
- ✓ Establish an intrusive federal role in education, leading to federal regulation of the way teachers teach, the way schools are organized, and how districts and states are run; and
- ✓ Create federal mandates that will force state and local governments to raise taxes and to reverse the recent trend toward measuring and elevating student performance and accomplishment.

The *Goals 2000* legislation, say Administration officials, codifies the National Education Goals developed in 1989 by President George Bush, the nation's gover-

nors, and a National Education Goals Panel. These goals were to be met by the year 2000.<sup>1</sup> But President Clinton's legislation replaces the focus in the goals on accountability for results and professional discretion for teachers with vague "opportunity-to-learn standards," which amount to new federal rules for teachers and schools. A new twenty-member federal panel, to be appointed by President Clinton and called the "National Education Standards and Improvement Council" (NESIC), will draw up these new mandates. *Goals 2000* gives this new national school board, which inevitably will be dominated by the educational establishment, a blank check to control and limit reform efforts.

Rather than trying to micromanage school districts, Congress would be wiser to enact legislation similar to the Parent and Student Empowerment Act, a substitute to *Goals 2000* sponsored by Representative Dick Arme, the Texas Republican. The Arme legislation would encourage states, with matching grants, to introduce such genuine reforms as school choice and site based management. And rather than adding federal regulation, the Arme legislation would make it easier for school districts to obtain waivers from federal rules.

*Goals 2000* discourages school authorities from testing students for knowledge and performance, increases the bureaucracy which is smothering public education, mandates new national rules which states must abide by to receive federal funds, mandates race-norming, and will force states and local school districts into court. It will not lead to reform. It will suffocate reform.

## WHAT IS WRONG WITH THE LEGISLATION

Rather than fostering innovation and tough standards of performance in the nation's public schools, *Goals 2000* would frustrate efforts already occurring. Specifically:

- 1) ***Goals 2000* discourages school authorities from testing students for knowledge and performance.**

While Bill Clinton promised during the presidential campaign to establish "tough standards" and a "meaningful national examination system," *Goals 2000*

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1 The goals were:

Goal 1: By the year 2000, all children in America will start school ready to learn.

Goal 2: By the year 2000, the high school graduation rate will increase to at least 90 percent.

Goal 3: By the year 2000, American students will leave grades four, eight, and twelve having demonstrated competency in challenging subject matter including English, mathematics, science, history, and geography; and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

Goal 4: By the year 2000, U.S. students will be first in the world in science and mathematics achievement.

Goal 5: By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Goal 6: By the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

does nothing to promote increased assessment of students' academic performance. The legislation does mandate that state assessment programs be certified by the NESIC. But even in the event that a state assessment program is certified, the state will be prohibited from using the assessment as a criterion for graduation, promotion, or other purposes for at least five years. Furthermore, *Goals 2000* prohibits states from testing "outputs"—commonly known as student achievement—until "inputs," such as per pupil spending and teacher salaries, are equalized between school districts throughout the country. This requirement will render the testing provisions meaningless.

**2) *Goals 2000* increases the bureaucracy which is smothering public education.**

*Goals 2000* creates a powerful new federal oversight body, the National Education Standards and Improvement Council, which will be charged with implementing the legislation. The Council will be chosen by the President, with no requirement of bipartisanship or balance. The bill gives control to the White House by requiring the National Education Goals Panel to nominate at least sixty people, from which the President will choose twenty.

The NESIC will function like a giant, national school board. Like most national boards, it will no doubt be dominated by established interests, not by grass roots reformers. The law requires the appointment of five professional educators, five education experts, five representatives of advocacy groups, and five representatives of business, industry, and higher education. Thus an unelected board chosen in Washington will be setting the framework for education policy in every school district in America.

**3) *Goals 2000* mandates new national standards which states must implement to receive federal funds.**

*Goals 2000* recreates the "school delivery standards," defeated by congressional lawmakers in last year's *America 2000* debate, and euphemistically labels them "opportunity-to-learn" standards. These new federal mandates will set national standards for spending, curriculum, teacher salaries, use of technology, instruction practices, and virtually everything else that a school has or does. According to the legislation, the areas to be regulated include state and local "curricula, instructional materials, technologies...the capability of teachers...access to professional training...the extent to which curriculum, instructional practices, and assessments are aligned..."<sup>2</sup> In other words, the NESIC's regulatory authority over state and local education is unlimited.

These standards will be drawn up by a consortium of interest groups chosen by the Secretary of Education upon the advice of the NESIC. This new bureaucratic body will determine what financial, physical, and human resources must be available at every school in the nation.



Though *Goals 2000* calls the national opportunity-to-learn standards “voluntary,” in practice the federal regulation of “inputs” will be mandatory since acceptance of the rules will determine a state’s eligibility for federal funding. Federal funds will be withheld from states failing to adopt the federal government’s “voluntary” standards. Specifically, *Goals 2000* would condition \$393 million in federal grants in fiscal 1994 on the development of state opportunity-to-learn standards, which the NESIC could then approve or reject. Further, *Goals 2000* is not viewed as an isolated piece of federal legislation by House Democrats or the Clinton Administration. Secretary of Education Richard Riley calls *Goals 2000* a “framework” for future education bills. House Democrats, not to be outdone, already have amended the bill to require states to specify corrective actions they would take if a school fails to meet these new standards before a state can receive any federal education money.

Such a requirement would affect the most important piece of upcoming federal education legislation, the Elementary and Secondary Education Act. This is scheduled for congressional reauthorization later this year. Included in the Act is the \$14 billion Chapter 1 grant program, which currently reaches approximately 90 percent of local school districts. Chapter 1 provides financial assistance to local school districts to help disadvantaged students. As an alternative to the current system, Education Under Secretary Marshall “Mike” Smith encourages conditioning federal aid on schools meeting the standards. Given the dependency of most states and districts on these federal funds, few, if any, would choose to resist the new federal regulations. And although Smith admits that previous research which attempted to correlate school inputs to school outcomes showed few significant relationships, the Administration evidently sees funding levels as the magic key to school improvement.

**4) Goals 2000’s new federal standards would force states and local school districts into court and force equalization of spending.**

The opportunity-to-learn standards were first introduced as “school delivery standards.” At a task force meeting on October 30, 1991, discussing these standards and establishing the National Council on Education Standards and Testing plan, one participant, attorney Jonathan Wilson, noted: “You can say that it’s voluntary, but it won’t be. I’m a lawyer...all I need from you to get me into court that I don’t have now is [school delivery] standards. Because I have got state law that constitutionally says that you have got to provide an adequate education, and the thing that keeps me from going to court is I don’t have a measure for what that is. You give it to me, and I’ll get things required—not voluntary.”<sup>3</sup> Believing that legislation was likely in 1992, he pictured the “opportunities” this presented: “I see this as the lawyer’s civil relief act of 1992. Just keep coming!”

In an unpublished paper titled “Systemic School Reform and Educational Opportunity” presented at a September 24, 1992 conference,<sup>4</sup> now Under Secretary

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3 See minutes from the National Council on Education Standards and Testing, Implementation Task Force, October 30, 1991, pp. 72-73.

of Education Mike Smith made clear that he, too, contemplates so-called equity lawsuits:

While courts have struggled with the concept of equality of opportunity in school finance cases, as represented by states' equal protection clauses and phrases such as "thorough and efficient," there is typically no agreed-upon framework for understanding what equality actually means in practice....The determination of whether a student receives the kind of education required by many state constitutions could rest on whether the student is in a school that meets the school resource and practice standards.

Litigation to force equal spending currently is underway in roughly half of all states. If national input standards are established, suits in the other states would be sure to follow.

A lack of money is not the problem facing American schools. National Assessment of Educational Progress (NAEP), American College Testing (ACT), and Scholastic Aptitude Test (SAT) scores show that, if anything, the states with the lowest state and federal spending provide the best education.<sup>5</sup> Academic studies by economists Richard Vedder and Eric Hanushek similarly prove that more federal money, mandates, and regulation will not improve American education.<sup>6</sup>

## OPPOSITION FROM GOVERNORS AND EDUCATION GROUPS

The nation's governors recognize that the *Goals 2000* legislation will mean more federal interference in states' education policy. Carroll Campbell, the Republican governor of South Carolina, calls Clinton's shift in focus from concrete academic results to regulating inputs a "sea change" from what the nation's governors have been advocating. Campbell has long been closely involved in national standard-setting efforts, and calls *Goals 2000* a "massive federal intrusion into the local school systems."

Democratic governors understandably are more reluctant to criticize the President's initiatives. Even so, Colorado's Democratic Governor Roy Romer, who is chairman of the National Governors Association, signed a joint letter with Campbell, declaring that "...the bill ties all future federal education programs to standards, including the opportunity-to-learn standards, which are supposed to be voluntary in nature." The two governors went on to tell Clinton: "Many gover-

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4 The paper, written by Marshall "Mike" Smith and Jennifer O'Day, will be a chapter in *Designing Coherent Policy*, edited by S. Fuhrman and published by Jossey-Bass.

5 See the May 1993 issue of The Heritage Foundation's newsletter *Business/Education Insider* for data demonstrating this.

6 Richard Vedder, "Dollars and Educational Achievement: Ohio and the Nation," *Contemporary History Institute*, Ohio University, 1992; Eric Hanushek, "The Impact of Differential Expenditures on School Performance," *Education Researcher*, May 1989, pp. 45-51; John Hood "Education: Is America Spending Too Much?" *Cato Institute Policy Analysis* No. 126, January 18, 1990.

nors oppose this, and we urge you to correct this provision to clarify that future funding is not tied to the implementation of these provisions....In addition, while the bill is silent on the exact nature of the opportunity-to-learn standards, states must have some latitude in accommodating these standards to the differing needs and problems of local schools.”

Even traditionally liberal education advocacy groups have voiced opposition to the opportunity-to-learn standards. Albert Shanker, President of the American Federation of Teachers, has stated publicly that it is wrong to equate outcomes with resources because “those are two different discussions.” He continues that any new council attempting to establish the linkage between delivery standards and student performance “will be paralyzed and unlikely...to achieve its mission of certifying world-class [achievement] standards for students.”<sup>7</sup> And Arnold Fege, a lobbyist for the National Parent Teacher Association (PTA) argues that “This bill continues to be a top-down bill.” Fege stressed that school officials will be pressured to fit their curricula into national academic standards.<sup>8</sup>

## HOW GOALS 2000 MANDATES RACE-NORMING

In addition to regulating public schools, *Goals 2000* would encourage the controversial practice of “race-norming.” Title IV of *Goals 2000* contains a seemingly innocuous provision designed to “stimulate the development and adoption of a voluntary national system of skill standards and certification to serve as a cornerstone of the national strategy to enhance workforce skills....”<sup>9</sup> This “system of assessment and certification of the attainment of skill standards...shall—(D)utilize certification techniques that are designed to avoid disparate impacts (which, for the purposes of this subparagraph, mean substantially different rates of certification) against individuals based on race, gender, age, ethnicity, disability or national origin....”<sup>10</sup>

What this language essentially means is that scores of vocational skills tests will be adjusted to ensure that no one group receives higher scores than another. This race-norming, also known as “within group percentile conversions,” is the practice of adjusting the scores of employment tests and setting up separate percentile rankings for each minority group. Apart from discriminating against the applicants who actually do receive the highest scores, race-norming, in effect, renders the certifications meaningless because an employer will have no way of knowing how one job candidate really performed when compared with the applicant pool as a whole. Moreover, if any one racial group in an area does perform below the average level for another group—perhaps for sociological reasons or because of inferior schools—that difference is covered up by race-norming, making it less likely that the cause of the difference will be addressed.

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7 Bruno V. Manno, “Deliver Us From Clinton’s Schools Bill,” *The Wall Street Journal*, June 22, 1993, p. A14.

8 “Education Groups Support Goals 2000, But Want Changes,” *Education Daily*, April 26, 1993, p. 1.

9 Title IV - National Skill Standards Board, Section 401.

10 Title IV, Section 403(b)(2)(D).



## AN ALTERNATIVE TO *GOALS 2000*

If Congress hopes to inspire education reform, lawmakers would be wiser to pass a bill similar to the Parent and Student Empowerment Act, introduced as a substitute to *Goals 2000* by Representative Dick Armey, the Texas Republican, but defeated in committee. This alternative legislation is based on the National Education Goals originally agreed to by the governors. The Armey substitute authorizes a five-year program of federal matching grants, phased out by the fifth year, amounting to a total of \$400 million per year to applying states to encourage real reform efforts. The Armey legislation provides financial assistance to the states to develop such reforms as school choice, merit and model schools, and site-based management. The substitute bill also frees up school districts to innovate by permitting waivers of federal red tape, subject to the Secretary of Education's approval.

The Armey legislation emphasizes bottom-up reform and measurable results, not merely increased spending. It prohibits use of its funds for activities that do not directly help students to learn. It enhances parents' right to protect their children from intrusive psychological testing and sex surveys and recognizes the right of parents to determine who can view their children's school records.

The substitute bill does not create new, expensive bureaucracies like the National Education Goals Panel, the Education Standards and Assessment Council, or the National Skills Board, the new organizations established in *Goals 2000*. Nor does it enhance the power of bureaucrats, enabling them to block real reform, by creating such regulatory devices as opportunity-to-learn standards, national content standards, or national work force skills standards.

## CONCLUSION

Education historically has been the responsibility of American state and local governments. Even today, the federal government provides only six percent of the funding for kindergarten through twelfth grade education expenses. This compares with 47 percent from the states and 47 percent from the localities.<sup>11</sup> Parents know well that public education is most effective when it is held accountable to the local community and parents. H.R. 1804 and S. 846, however, presume that the way to improve education is to give Washington more say over each school.

American schools will improve only if federal and state governments stop burdening the schools with regulations and social engineering and instead give teachers, parents, and schools the freedom they need to experiment and change. Flexibility and innovation are key elements of genuine educational reform, not centralized and rigid federal rules. Many states already are on course for reform. *Goals 2000* would slow down this momentum for change, suffocating it in red tape.

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11 U.S. Department of Education, *Digest of Education Statistics 1992*.

The alternative Arney legislation, by contrast, would encourage states to adopt true reforms such as school choice, merit and magnet schools, and site-based management. It would decrease bureaucratic red tape at the national level and encourage states to return control of education to local school boards, school districts, parents, teachers, and principals in *Goals 2000*. The increased bureaucracy and federal mandates in *Goals 2000* will not encourage education reform.

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