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SYMPOSIUM ON EDUCATION LAW

FOREWORD

RENAISSANCE IN AMERICAN EDUCATION: THE NEW ROLE OF THE FEDERAL GOVERNMENT

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Former U.S. Secretary of Education

Throughout history, education has played a critical role in shaping American society. Our children's dreams and aspirations depend largely on the educational opportunities we provide for them. A quality educational system will ensure a well-informed and enlightened electorate, an essential ingredient in today's richly diverse, democratic society. Additionally, American success in the international marketplace requires the constant development of our technological and managerial skills. This development can only be achieved through a nationwide effort to provide progressive academic programs of the highest quality.

In recent years, America's educational system has not been fulfilling this vital role. The past two decades have seen steady decline in student achievement, an alarming increase in violence and substance abuse in our schools, and much less emphasis on basic learning, with weaker school curricula, lower academic standards, and oversimplified textbooks.

These problems were brought to light two years ago with the release of "A Nation at Risk," the final report of an extensive review of American education by the National Commission on Excellence in Education. The Commission reported that while Americans could take pride in the historic accomplishments of our schools and colleges, "the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and a people."

The Commission noted, with alarm, that the average achievement of high school students on standardized tests had reached its lowest point in twenty years. Only a third of all seventeen-year-olds in the United States could solve a mathematics problem requiring several steps, and thirteen percent of those students could be classified as functionally illiterate. Although these problems did not occur overnight, the implications for the future were grave.

The release of that report proved to be a key turning point, reversing the decline of our educational system. Across the nation, Americans began to demand changes in our schools, from elementary and secondary levels to university doctoral programs. The quality of our educational system has now become a major concern of all Americans, and government leaders at the local, state, and federal levels have made the improvement of education a top priority.

This nationwide concern has prompted a major reform movement that is sweeping across the United States. President Reagan has called on state and local governments to reevaluate their educational systems and begin enacting long overdue reforms in teaching, administration, and curriculum. The response from the states has been overwhelming.

Today, every state in the Union has a full-time panel on education, compared with only a few in 1980. Forty-five states are revising school curricula to place more emphasis on teaching the basic skills. Forty-seven states are revising their laws regarding teacher certification, and thirty states are implementing master teacher programs. Nearly every state is considering some form of performance-based pay for teachers and career ladder programs.

Texas must be considered one of the leaders of the national reform movement. The Texas education reform package, passed in the summer of 1984, is one of the best enacted in recent memory. This type of affirmative action will help pave the way for similar programs and reforms in other states.

As Secretary of Education, I often traveled with President Reagan across the United States speaking out on the need for major reforms and improvements in education. The Department of Education has sponsored a number of major education forums and programs, bringing together the nation's top educators and government leaders to promote an exchange of ideas and views on improving our schools.

Perhaps most importantly, the Reagan Administration has sought to strengthen public education by reducing the federal government's role and returning more authority to the state and local governments. The United States Congress has found that "parents have the primary responsibility for the education of their children, and states, localities, and private institutions have the primary responsibility for supporting that parental role."¹ The role of the federal government has always been to supplement the efforts of state and local governments, not to displace them.

Unfortunately, over the last two decades the federal government has taken on an increasingly larger role in the educational process, and the results have been somewhat mixed. The number of federal programs devoted to education increased from twenty in 1963 to 120 today, and federal expenditures over the same period have increased 200 percent. Yet, in spite of this expanded federal role, student achievement, based on standard college entrance exams, has been steadily declining, reaching an all-time low in 1980.

The Administration recognized the problems created by this increased federal role and sought to return responsibility for the schools to the state and local governments. President Reagan encouraged those closest to the educational process—parents, teachers, school officials, state and local government leaders—to assume more control over the process and achieve real reforms that will make our goal of excellence a reality.

During my tenure as Secretary of Education, a common theme in our efforts to restructure the role of the Department of Education was to make federal education programs more effective by increasing their flexibility, granting more discretion to state and local administrators, and reducing unnecessary burdens imposed upon schools and the public. An excellent example of this was our effort to limit the number of federal regulations.

1. See 20 U.S.C. § 3401(3) (1982).

In recent years, there has been a proliferation of federal education regulations, many going beyond what is legally or administratively necessary. Such regulations are costly, not only in time and money, but in lost opportunities for useful adaptations and improvements at the state and local levels. In compliance with Executive Order No. 12291 and other efforts of the President to reduce the regulatory burden, the Department of Education went to great lengths to eliminate over-regulation in its programs and activities. As a result, many of the regulations today are more understandable, more flexible, and more effective.

In the past, Congress passed narrow legislation intended to address a single education problem. These single purpose programs—each with its own eligibility and application requirements and rules governing the use of funds—proved confusing and administratively burdensome, particularly for state and local educational agencies that participated in a number of such programs. By consolidating these narrow, restrictive programs into a single block grant to the states, the Department of Education achieved a much more efficient, and I believe a far superior, system of providing federal education aid. Under the block grant program, more public funds are being returned to the states with fewer federal strings attached.

There is a need for some federal involvement in education. The Department of Education can augment the state's efforts in a number of ways, such as conducting research and gathering statistical information, monitoring and articulating the evolving needs of educators, aggressively enforcing civil rights and equal opportunity laws, and funding financial assistance programs for needy students who might otherwise not have an opportunity to attend college.

Over the last several years, we have seen what I believe is an educational renaissance in this country, and the nationwide movement toward excellence is beginning to show results. This year, the average student scores on national SAT exams rose by four points, marking the second straight year SAT scores have risen after twenty-one years of steady decline. Although the average scores are still far below what they should be, we are seeing a definite trend develop that indicates our efforts are on the right track.

Through the combined efforts of parents, educators, state and local government officials, and yes, the federal government, we can return America's educational system to the level of excellence seen in the post-Sputnik period of the late fifties and early sixties. By tapping the

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creativity and common sense of the American people, we can implement the kinds of education reforms which will help guarantee a high quality education for our children for many years to come. A strong, high quality public education system is the cornerstone on which the future of our nation will be built. Together, we can make this goal a reality.