



National School Boards Association

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NSBA ADVOCACY FOR PUBLIC EDUCATION

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Congress Turns Its Back on Education

It's time to hold legislators accountable for what they've done—and haven't done—for schoolchildren

By Michael A. Resnick

How Congress treats federal funding for programs like No Child Left Behind this year is vitally important to school boards for both educational and political reasons.

Educationally, school districts require additional funding for the resources they need to make adequate yearly progress in closing the achievement gap. Unfortunately, as the costs of complying with federal mandates like NCLB and the Individuals with Disabilities Education Act (IDEA) are rising, Congress is diminishing its commitment to increase funding for them.

That takes us to the political dimension. In this election year, school boards have an opportunity to improve the funding situation. Funding is the only nationally significant action that the 109th Congress voted on in K-12 education during its first session (2005) and is likely to vote on this year. That makes it the sole measure on which voters can hold lawmakers accountable for what they have done for America's schoolchildren over these past two years.

This issue of *Federal Action Alert*

shows how the 109th Congress turned its back on education during the first session, the action that is planned for the

advantaged students, is the main federal source of school district funding for NCLB.

“ In this election year, school boards have an opportunity to improve the funding situation. ”

current session, and the pattern that could occur for years to come. We also present action steps that you and your local school board can take to ensure that your senators and representatives support the students and local property taxpayers in your community.

The Title I Shortfall

The Title I program, which provides aid for improving the achievement of dis-

Chart 1 on page 3 summarizes the funding picture for Title I. The “Authorized” column shows how much money, in billions of dollars, Congress intended to provide for Title I annually when it passed NCLB. This amount does not reflect all the costs that will result from NCLB—only the portion Congress believed to be its necessary share.

Although Congress is not legally required to fund the program at the

INSIDE

3 Charting the shortfalls

5 A school board action plan

7 Responding to legislators' excuses

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About NSBA

The National School Boards Association is the nationwide advocacy organization for public school governance. NSBA's mission is to foster excellence and equity in public elementary and secondary education in the United States through local school board leadership. Founded in 1940, NSBA is a not-for-profit federation of state associations of school boards across the United States and the school boards of the District of Columbia, Hawaii, and the U.S. Virgin Islands.

About the National Affiliate Program

The National Affiliate Program extends NSBA's services directly to local school districts. School districts are eligible to join provided they are members in good standing of their state school boards associations.

About the Office of Advocacy and Issues Management

The Office of Advocacy and Issues Management implements NSBA's Action/Advocacy Agenda and carries out NSBA's lobbying efforts at the national level. By lobbying the Congress, the White House, and federal agencies, the office helps increase federal funding for local school districts and reduces costly federal mandates; helps improve federal education programs by making legislative and regulatory changes; local board members support; protects the governance role of school boards from congressional attack; and promotes the role of school boards as a key democratic institution in our country's education system.

authorized levels, it did make a promise to do so as a condition for passing the law. This agreement was reached by the White House and key leaders in Congress in order to obtain strong bipartisan support for NCLB's passage from other senior lawmakers who were adamant that more federal resources would be needed to meet the law's increased requirements for closing the achievement gap.

The "Appropriated" column shows how much Congress has actually appropriated for Title I since FY 02, when NCLB was enacted. While Congress' support for increasing Title I fell far short of the authorized level in FY 02 and 03, the percentage increases for those first two years were encouraging.

Subsequently, however, funding increases fell progressively and dramatically in each of the next three years, resulting in an actual cut in the FY 06 appropriations.

It's important to note that, due to Title I's various funding provisions and local demographic shifts in student population, this cut will produce gains for some school districts and larger-than-expected losses for others. Even in districts that gain, however, expanded enrollments and rising NCLB costs could still lead to a decline in per-pupil services.

Your school district hasn't felt the constraint of the FY 06 action yet, because Congress appropriates funds for Title I, like most education programs, one year in advance of the school year in which they will be used. The impact of the FY 06 appropriations will hit local school districts this fall, in the 2006-07 school year.

Congressional Spin

In their home districts, some members of Congress are boasting that Title I was increased by 45 percent over the past five years. While that's true, it also is true that Title I was increased by just 8.5 percent over the past three years.

More to the point, *this* Congress should be judged on *its* record—not on the record of a previous Congress. And so far, that record has been a cut in the first session and potentially flat funding in this session.

But if Title I is level-funded in FY 07, how should a 45 percent increase be judged over what will then be six years? After all, that would still be an average increase of 7.5 percent per year. Here, three practical factors should be taken into account:

1. Apples to oranges. Comparing today's Title I funding with Title I funding in 2001 (the base year) may look like a

fairly good incremental gain over time. But that is a comparison between two very different programs. The old Title I does not contain all the NCLB mandates of the new Title I program.

2. A rising compliance bar. As time goes on, a higher percentage of students must be academically proficient; more schools will fall into new stages of improvement, such as restructuring; and other requirements of the law will have to be met, including testing all NCLB grades this year or providing all highly qualified teachers next year. As a result, compliance with NCLB's annually expanding mandates will bring on new costs for local school districts—increases that go beyond normal inflation.

3. The distraction factor. Finally, the further back in time a base year is selected to compare with current year funding, the more impressive even small increases appear. This is the case with Title I. Funding for the base year of 2001 was just \$8.8 billion, compared with the current funding level of \$12.7 billion. Increasing Title I funding today by only 4 percent would extend the cumulative increase over the base year's funding level by more than 50 percent. In other words, comparisons over a wide span of years exaggerate the value of a long-term increase and distract from current circumstances.

The IDEA Shortfall

The funding pattern for IDEA, the other major federal education mandate, resembles that of Title I. As Chart 2 shows, funding over the past five years has increased by a total of 67 percent. In the past two years, however, appropriations increased by less than 5 percent.

When IDEA was originally enacted 31 years ago, Congress recognized the significant increased costs communities would face and promised to fund the program at 40 percent of the average per-pupil expenditure rate.

Two years ago, IDEA funding reached about 20 percent of per-pupil expenditures, just half of the promised level. The remaining 80 percent was left for local districts to pay with whatever support the state provides. And now, as a result of Congressional underfunding in the past two years, the federal share has fallen to about 18 percent.

It is noteworthy that in 2004, Congress was so embarrassed by its historic underfunding for IDEA that it imposed annual funding limits on the program that are far below the 40 percent level. For example,

it lowered the authorized funding level for FY 06 from \$22.4 billion (the 40 percent level) to \$14.6 billion.

Congress intended these lower annual spending limits to serve as a schedule for increasing IDEA funding by more than \$2 billion each year to reach full funding at \$26 billion (the projected 40 percent level) by 2011.

Right from the outset, however, Congress failed to meet its promise to fund the new schedule. Within 12 months, the current Congress actually cut funding for IDEA for FY 06 rather than increasing funding by the \$4 billion called for in its schedule. (Like Title I, the constraints of the FY 06 appropriations won't be felt until the 2006-07 school year since IDEA is advance-funded.)

A Double Whammy

Taken together the combined Congressional shortfall in funding for Title I and IDEA (at the 40 percent level) is \$22.5 billion for FY 2006.

Even under the more modest IDEA funding cap, the combined shortfall is \$14 billion. Again, since both are federally mandated programs, the difference must be made up locally through property tax increases or cuts in other education services.

The FY 06 Outlook

What lies ahead for this year's appropriations bill? For Title I, the president's FY 06 budget plan requests that Congress level-fund local school district grants while adding \$200 million to help states implement local corrective action sanctions. The plan also requests increasing IDEA funding by \$100 million, or less than 1 percent.

Many other education programs would be level-funded under the president's budget. And 42 programs, totaling \$2.1 billion, would be totally eliminated. These include vocational education, tech-prep grants, Even Start, Safe and Drug Free Schools, and state educational technology grants.

Under the president's budget, part of the "savings" from this \$2.1 billion in cuts would go to create a new \$1.5 billion high school reform program. Of that amount, \$250 million would be used to extend NCLB testing to two more grade levels in high school. The other \$1.2 billion would be used by states, primarily as grants to support high school students at risk of dropping out.

The president's budget also calls for

\$380 million aimed at raising math and science achievement as part of his much larger American competitiveness initiative.

Will the president's budget proposal fly? In an election year, it's unlikely that Congress—including members of his own party—will vote to support the request to totally eliminate federal aid for popular programs like vocational education and safe schools.

What's more, the president's high school reform proposal is not being greeted with much enthusiasm. Congress is not about to extend NCLB testing and accountability to two new grade levels in an election year unless the basic flaws in the current program are fixed and funding

is adequate. And without other cuts, the program could not be funded without increasing the bottom -line for the education budget—which conservative members of Congress are not likely to do.

Finally, while the president's competitiveness initiatives have been favorably received, the larger question of funding them is currently unclear.

The Congressional Budget Process

After the president presents his budget proposal, it goes to Congress, which uses a two-step process to develop an annual budget:

- **Step one.** First, Congress adopts a budget resolution that establishes a

CHART 1: TITLE I FUNDING

	(in billions)			
	Authorized	Appropriated	% Increase	\$ Increase
FY02	\$13.50	\$10.4	18.1%	\$1.6
FY03	\$16.00	\$11.7	13.0%	\$1.3
FY04	\$18.50	\$12.3	5.5%	\$0.6
FY05	\$20.50	\$12.7	3.0%	\$0.4
FY06	\$22.75	\$12.7*	-0.2%	-\$0.03*
5-Year Total	\$91.25	\$59.8	45.1%**	\$3.87

Cumulative 5-year shortfall: \$31.35 billion

* FY06 data: Actual funding for FY06 is \$12,713 billion, a decrease of approximately \$27 million from the FY05 level of \$12,740 billion.
 ** Percent that current Title I funding exceeds FY01 funding (\$8.8 billion), the year before NCLB was enacted.

CHART 2: IDEA FUNDING

	(in billions)			
	Authorized	Appropriated	% Increase	\$ Increase
FY02	\$18.7	\$7.5	19.0%	\$1.2
FY03	\$19.4	\$8.9	19.0%	\$1.3
FY04	\$20.2	\$10.1	14.0%	\$1.2
FY05	\$12.4	\$10.6	5.0%	\$0.5
FY06*	\$14.6	\$10.6	-0.1%	-\$0.01
5-Year Total	\$85.3	\$47.7	66.9%**	\$4.2

Cumulative 5-year shortfall: \$37.6 billion*

* In 2004 Congress created an authorization funding schedule that lowered the maximum amount it could provide for IDEA in each year over seven years. At the promised 40% federal share for FY05 and 06, the cumulative 5-year shortfall would add about \$16 billion more to the above \$37.6 billion shortfall — for a total of \$53.6 billion.
 **Percent that current IDEA funding exceeds FY01 funding (\$6.3 billion), the base year for the 5-year comparison.

broad outline for making spending decisions. At this point, Congress decides what it expects to spend overall, how much revenue it expects to receive, and the size of the surplus or deficit for the year. It also sets broad funding targets for large "functions" of the budget. (For example, education is grouped with various other social services and domestic spending programs.)

then move to the whole House and Senate for passage—with their differences then worked out.

In this year's budget resolution, the budget committees generally went along with the bottom line deep cuts recommended by the president for the broad budget function that includes education. When the Senate version went to the floor, Sen. Arlen Specter, R-Pa., and Sen.

lion amendment comparable to the Specter/Harkin amendment, but it was defeated on a party-line vote. At this writing, action was pending on the House floor.

An Opportunity to Act

Regardless of the outcome of the budget process, lawmakers will still have several opportunities to restore their commitment to education. For example, when Congress acts to fund specific programs such as Title I and IDEA in the appropriations bill, the bottom line for education envisioned by the budget can be exceeded if Congress is willing to reallocate priorities from other areas of its \$2.8 trillion budget.

Final action on the appropriations bill is not expected before Labor Day—and perhaps not until later in the fall. That presents an important window of time between now and election day during which you can work to show your Congressional representatives how important Title I and IDEA funding increases are for the children, parents, business leaders, taxpayers, and other voters in your community.

Due to the critical nature of Congress' funding decisions this year—including the election-year message it sends for future years—NSBA is launching a special campaign, which will be presented in further detail in special mailings and on our website as events unfold.

Holding Congress Accountable

Out on the campaign trail, it should

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NSBA's position is that Congress should live by its commitments first, fund its mandates first, and invest in the education of children first.

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This budget resolution is developed by the House and Senate budget committees, which send their recommendations to the floors of their respective chambers where they can be amended and voted upon. The two measures are then sent to a joint committee of both bodies to reconcile the differences between them.

• **Step two.** Once the broad targets are set, the House and Senate appropriations committees determine how the funding will be distributed to each area and how much will be spent for each program. The recommendations of those committees will

Tom Harkin, D-Iowa, offered an amendment to add \$7 billion to that bottom line.

The amendment was adopted by an overwhelming 73-27 vote, which will enable the appropriations committee to restore funding to FY 05 levels. (Many programs were cut last year.) There will be some opportunity for high-priority programs like Title I and IDEA to get minor increases, but not at the levels that are needed.

In the House Budget Committee, Rep. Rosa De Lauro, D-Conn., offered a \$7 bil-



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not be good enough for members of Congress to say that Title I was increased by 45 percent over the past five years. The record of the first year of this two-year Congress—the record members are running on—was to cut both Title I and IDEA.

How much better must the 109th Congress do in its second year?

Is it good enough for members of Congress to be proclaimed pro-education simply because they oppose the political cover provided by the president's proposal to eliminate popular programs—or support mere token increases for Title I or IDEA?

In view of the authorized funding levels for these mandated programs, what is the standard by which your member of Congress should be held accountable for his or her support for education? Given last year's cut, would a 4 percent increase this year (an annual average of 2 percent for this Congress) be satisfactory?

NSBA's position is that Congress should live by its commitments first, fund its mandates first, and invest in the education of its children first. We advocate that Title I and IDEA should each be increased by \$2.5 billion this year. This would amount to an average annual increase of a little over 9 percent for the

two programs combined over the two-year period of this Congress.

Some lawmakers may argue that Congress must address other priorities. Let's examine these other priorities, starting with the need to hold down overall federal spending.

The federal budget was about \$2.7 trillion last year, and Title I and IDEA combined accounted for less than 1 percent of the total. A \$2.5 billion increase for each of these programs would amount to less than 0.2 percent of the entire federal budget. As important as these increases are to education, they would get lost in the "rounding of the rounding" of the total federal budget.

But what about other priorities that may have held down education spending? Last year, Congress enacted a five-year, \$286 billion highway program that was widely criticized for handing out pork—such as \$500 million for two "bridges to nowhere" to serve only a couple of dozen people. Were each of these highway projects so important that Title I and IDEA had to be cut?

Congress recently passed a \$70 billion tax cut that primarily benefits people with incomes in the upper 1 percent of all taxpayers—particularly those with incomes in the seven-figure range. Should just some

of that \$70 billion have been directed to future education investments for our youth?

Some lawmakers will say they had to trim the budget in other areas (including education) to pay for hurricane relief. But the 109th Congress set its low priority for education funding long before Hurricane Katrina struck on August 29. Earlier in the year, it passed legislation calling for an increase of less than 1 percent each for Title I and IDEA. So, when Congress imposed an across-the-board reduction to offset hurricane relief, it actually produced a cut in both programs from the previous year's levels.

As the funding needed to support the war in Iraq and hurricane relief presumably wind down, how much of the savings will go to deficit reduction, how much to education, how much for other purposes? The answer will largely depend on what your school board and others do to persuade your member of Congress to restore its promised funding for education.

Where will education's voice come from in local communities if not from local school boards like yours?

Michael A. Resnick is associate executive director for advocacy and issues management at NSBA.

What You Can Do

An action plan for getting your school board's message out

Congress has broken its promise to support the education of America's schoolchildren. That's especially true of the 109th Congress, and the trend is getting worse. How can local school boards get the message across that restoring promised funding for programs like Title I and IDEA really does matter?

Here is a simple action plan that you and your school board may wish to consider in this pre-election season:

1. Get the facts together.

Talk to your superintendent about taking part in NSBA's funding campaign and developing a fact sheet to support your advocacy, using data that shows such impacts as these:

- The difference between what your school district will receive in Title I and

IDEA funds and what it should have received. (See the box on page 6 for an approximation if actual figures can't be developed.)

- The programs you had to cut or the amount by which local property taxes had to be raised to cover the federal shortfall.

- Any reduction in the number or percentage of Title I eligible students or schools that you expect to serve next year or the year after compared with this year.

- Any reduction of Title I and local funds that will actually go to the classroom next year or the year after as a result of increased sanctions or new NCLB requirements.

- The number of students in your schools who are eligible for Title I but are not being served. Also show how student achievement is rising for Title I stu-

dents who are served and the expected growth if all eligible students could be served.

- The rise in NCLB-related costs due to new programming, such as summer school, that needs to be put in place as the AYP bar rises; new NCLB mandates, such as highly qualified teachers; NCLB sanctions; and normal salary increases and inflationary costs.

- The number of students in special education programs served by your district, along with the average per-pupil expenditure for special education. Also compare your district's share of total costs for special education with the amount of federal funding received.

2. Develop your message.

It's essential to communicate this funding picture to your representative and sen-

ators—and to the public to whom they are accountable. While NSBA will be providing information as the session unfolds, it is important to publicize the factual foundation now.

Consider using the following points to establish a context for presenting your data:

- In effect, Congress' failure to fund the mandates of Title I and IDEA amounts to a federal tax on your local community. That federal tax will be paid by local homeowners and businesses and by students who will be denied other services to offset this funding shortfall.

- Students who face the greatest academic challenges will be at greater risk of failure if they don't receive the additional educational assistance these programs help provide. Their failure to succeed today will be a cost to society for decades if they become less-productive citizens or require public assistance.

- When Congress does not meet the cost of its federal mandates, all students suffer as nonmandated subjects and services are tapped to pay for mandated pro-

grams. This comes at the very time we are seeking to raise student achievement and increase America's global competitiveness.

- We are all concerned about the federal deficit, but to oppose increased aid to education on those grounds misrepresents the minimal budgetary impact involved. A \$2.5 billion increase for Title I and IDEA each would amount to less than 0.2 percent of the federal budget.

- This is a debate about national priorities, and education should be a priority. As a deficit reduction policy, lowballing education funding deprives the students of the very asset they will need—their education—to pay off the debt they will inherit from other decisions this Congress is making.

3. Convey your message.

- Write to your member of Congress laying out the local impact of the FY 06 shortfall and the impact on your district if funding remains flat yet another year, as would be the case under the funding bill Congress is currently considering. Where

possible, support your point with data and anecdotes.

- Ask for a specific increase of \$2.5 billion each for Title I and IDEA, which would average out to a moderate 9 percent annual increase for the two-year period of this Congress—far short of the promised levels.

- Pass a formal resolution of your school board and send it to your representatives and senators.

- Explain to the editorial board of your local newspaper the negative impact of the federal funding situation on education and local property taxes. Write letters to the editor and op-ed articles, and seek time on local radio and cable shows to educate your community about the situation.

- Promote letter-writing campaigns by individuals and local organizations and business groups, such as the Chamber and Commerce. Ask them to go on record with their members of Congress to support your federal funding goals.

- Contact the League of Women Voters and other groups that sponsor candidate forums and ask that federal aid to education be included as an issue when they schedule primary and general election debates.

See www.nsba.org/fundnow for sample letters to Congress, op-ed articles, and school board resolutions.

4. Watch for NSBA's e-mail alerts.

Throughout the year, NSBA will be issuing e-mail calls to action to your school board's National Affiliate Advocacy Network representative. These calls-to-action will keep your board abreast of key education votes that will take place over the coming months.

In addition to our e-mails, you can stay informed about pending legislation by visiting NSBA's advocacy website (www.nsba.org/advocacy), which includes weekly highlights; by calling our telephone hotline (800-609-NSBA); and by reading the NSBA editorials in *School Board News*. ■

FIGURING THE SHORTFALLS

A simple two-step formula can help your school district staff approximate the shortfall in FY 06 for Title I:

1. Multiply the amount in Title I dollars you received in the 2005-06 school year by 1.79.

2. Subtract your current funding from the total.

(This formula is a general approximation based on local grants being at about 56 percent of full funding of the federal commitment.)

The president's budget request will basically level-fund Title I in FY 07. If Congress allows that request to stand, the spread between the promised funds and the actual funds will widen because more money is promised—\$25 billion, up from \$22.75 billion. At level funding, Congress would be reducing its commitment to 50.8 percent of the amount promised. In other words, the amount you should receive in FY 07 should be about twice what you are receiving this year.

For IDEA, like Title I, an approximation using national data can be used (again recognizing that the funding formula will produce local variations). Here the shortfall in the funding bill

passed in December would be little more than one half of the 40 percent federal share promised. In other words, your district's shortfall for FY 06 is more than what it received.

Even with the new funding cap, school districts will receive less than 73 percent of the \$14.6 billion that was promised for FY 06. Under the cap for FY 06, your district should receive an amount equal to multiplying your current year's funding level by 1.38 (or a 38 percent increase).

Under the cap, for FY 07, your district should receive an amount equal to multiplying your current year's funding by 1.6. However, if Congress follows the president's budget request to provide a \$100 million increase, then your district's shortfall would be about 1 percent less than the difference between the amount you should receive and the amount you did receive last year.

Providing an approximation of federal revenues promised and not delivered—whether using this approach or one more appropriate for your school district—can help frame the issues and make a real difference to the students in your schools.

SEE HOW THEY VOTE

Do you know how your Senators and House members voted on education funding in the 109th Congress? Please check NSBA's website at www.nsba.org/fundnow for an explanation and a listing of key votes.

How to Respond to Congressional Dodges

What to say when legislators make excuses or oppose increases in education funding

Members of Congress can be fairly clever about avoiding accountability if they oppose education funding or really don't care about it. Here are 10 common dodges and suggested ways you and your community can address them:

Dodge 1: I would have supported education, but the way the bill came up I wasn't given a chance to vote for increases.

Response: Most members of Congress don't sit on the funding committee, but you can ask your representative what he or she did to persuade committee members to support education. What did your representative do to sponsor a floor amendment, or to vote for someone else's amendment?

Dodge 2: We have a limited number of days this year to consider legislation. Let me explain to you how the budget process works and what happened this year. The leadership did not support increases.

Response: Members of Congress were not sent to Washington to be observers or storytellers. Rather, they were elected to represent (and advocate) their community's priorities and values. While the story is important, it's more important to find out what your member of Congress actually did to support education.

Dodge 3: We had to deal with the deficit and the war in Iraq—there wasn't enough money left for increasing education.

Response: K-12 programs account for a mere fraction of the total federal budget—just 1.5 percent—so increases in education funding wouldn't even show up in the rounding of the total budget. Congress wouldn't have to give up many pork barrel projects (such as last year's "bridge to nowhere") or fund quite as much tax relief for the upper 1 percent of the population in order to restore promised funding for education.

Dodge 4: The president has proposed deep cuts in education by eliminating 42 programs and keeping the funding basi-

cally level for big programs like Title I and IDEA. I am opposed to eliminating all those programs and believe some additional funds should go to Title I and IDEA.

Response: In effect, the president's budget provides political cover for



Think what we could do if all eligible students received Title I services—and at the level they need.



Congress to lowball education for yet another year. The standard for measuring a lawmaker's support for education should go beyond such givens as opposing the elimination of popular programs or supporting token increases.

Dodge 5: When Congress established the authorized funding levels for Title I and IDEA, it created a goal, not a legal obligation, for the federal government to actually provide funding at those levels.

Response: Talking about authorizing levels at this point begs the question of the adequacy of the increase your member of Congress does support. Further, the authorized funding levels constituted a serious promise to fund costly mandates to meet crucial educational needs. The promise for No Child Left Behind funding was made just four years ago, and the promise for IDEA funding was renewed less than two years ago. Did your member vote for that legislation? What is your representative doing to see that Congress honors its promises?

Dodge 6: If states released all the federal money they are holding, funding for programs like Title I and IDEA would be substantially increased.

Response: Most of the money in the state pipeline results from releasing funds

on a quarterly basis—not holding funds beyond the end of the year. Consistent with federal law, states do retain a small percentage of funds to help smooth out variations of funding from year to year at the local level. But releasing those funds would provide only a one-time benefit.

When NCLB was originally enacted, more funds were retained at the state level, but that was due to the federal government's delay in providing guidance for states on making local grant awards for new or significantly revised federal programs. That federally generated problem doesn't exist now.

Dodge 7: Current Title I funding levels are more than enough to meet the cost of implementing NCLB. And besides, NCLB isn't a mandate.

Response: The cost to implement NCLB's administrative requirements, such as testing, implementing data systems, and issuing report cards, may not be greater than the Title I grants many school districts receive. But the Title I grants come at the cost of reducing federal and local dollars to the classroom to cover these costs. That transfer of Title I and local money out of the classroom will increase as the cost of administrative mandates rises and federal funding stays stagnant.

Further, the real cost of NCLB involves putting in place such initiatives as reduced class sizes and summer school. These initiatives are not specifically mandated, but they operate as mandates because many schools will need to invest in them to meet NCLB's student achievement requirements.

So long as the states accept federal funding (which, as a practical and political matter, they must do), NCLB is a mandate for local school systems. Even if local school districts opt out of Title I, they must still meet the federal NCLB requirements placed on their state, such as testing students, issuing report cards on adequate yearly progress, and meeting

NCLB's requirements for highly qualified teachers.

Dodge 8: Schools don't need more money to raise student achievement, but they do need more accountability and the will to better educate the most academically challenged students. As soon as schools start making more progress, we'll appropriate more money because we will then know the money will be well spent. (Variation: Test scores are rising and funding has been flat over the past few years, which proves that more money isn't the answer.)

Response: When it comes to fighting wars or providing for health costs, money makes a difference. Education is no different. Providing more funding only after the results improve is not the way wars are won or epidemics are overcome.

Recent math results from the National Assessment of Educational Progress (NAEP)—also known as the nation's report card—show progress for all students, especially those at the lower end of the student achievement spectrum. President Bush attributes this progress to NCLB. If we can make some progress with current funding (at 56 percent of

the authorized level), think what we could do if all eligible students received Title I services—and at the level they need.

Dodge 9: Since NCLB was enacted, funding for Title I and IDEA was increased by 45 percent and 67 percent, respectively. We have done our part to fund those programs.

Response: What Congress did previously is not relevant to what it's doing this year or what it did last year. As long as these mandates remain underfunded in terms of their cost—and in terms of its promise to fund its stated share—Congress is failing the schoolchildren and taxpayers in their local communities.

In the case of IDEA, the nationwide costs related to the law now exceed \$55 billion annually. The \$10.6 billion Congress provided last year is substantially less than the \$12.4 billion it promised just one year earlier when it renewed the program. It is also substantially less than the \$14.6 billion that will be needed to fulfill the promise for this year or the \$22 billion needed to meet the original promise to pay 40 percent.

Meanwhile, enrollments are expanding,

and the cost of services—which frequently involve health care and new advances in technology—is rising sharply. Further, under the mandate of NCLB, additional services will need to be provided to ensure that students with disabilities can meet the same high academic standards as other students.

Dodge 10: Too much IDEA funding is being spent on lawyers, bureaucracy, and high-cost private placements to merit more money from Washington.

Response: These are among the costly requirements that Congress mandated when it enacted the law and every time it reauthorized the law—most recently in 2004. School districts are doing exactly what Congress mandated them to do. To do otherwise would produce even more litigation. ■

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