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The Department of Education's Daily Impact on American Students

Lilia Valdez

It is transparent that the federal government has not met its citizen's expectation in regard to education. It has prioritized other agencies and departments over education, and as a result of their inaction, it has affected lives of everyday Americans.¹ The responsibility of the government to make decisions affects the fifty states and their individual systems of education, which includes both public and private parties.² It is fair to recognize that it is difficult to design a program which caters to all. An understanding of the government's effect on education can be seen through looking at federal outlays for agencies such as the Department of Education.

The quality of early education is an area where the impact and ideas of each different Presidential Administration can be seen. This is evident through a program's structural elements, general features of the environment, teacher-student interactions, and the rating of an institution on quality and improvement systems.³ Policymakers are faced with the pressing decision about where to invest resources in educational programs and often when attempting to meet the needs of individuals, their initiatives are presented with the hope that decision makers will realize the need for equitable access to high-quality education programs.⁴ In addition to improvements that have occurred through public investments in early education, the actual programs which attempt to minimize the achievement gap between low and middle income students still do not see improvement directly or immediately.⁵

The closing of this gap is most evident through the Title I program, which was created through the Elementary and Secondary Education Act ("ESEA").⁶ Through its creation, the Act established federal subsidies for compensatory

¹ Ralph W. Kuncl, *Federal Underinvestment in Education Research*, 90 *ACADEME* 44, 44 (2004).

² *Id.* at 46.

³ Robert Pianta, Jason Downer & Bridget Hamfe, *Quality in Early Education Classrooms: Definitions, Gaps, and Systems*, 26 *THE FUTURE OF CHILDREN: STARTING EARLY* 119, 120 (2016).

⁴ *Id.* at 120.

⁵ *Id.* at 128 and 129.

⁶ Martin E. Orland and Richard Apling, *The Impact of Federal Compensatory Education Federal budget Changes on the Intensity of Services Provided*, 12 *JOURNAL OF EDUCATIONAL FINANCE* 122, 122 (1986).

education where federal money was supplied to local school districts who were attempting to provide supplemental services to educationally disadvantaged children from low-income households and neighborhoods.⁷ The effect of such a program is often measured through service intensity levels, which surveys the federal budget changes and how the fluctuation of grant money alters the degree of influence on the Act's educational goals.⁸ When looking at the totality of the circumstances, data shows that the effect of Title I is a conditional improvement on specific school sites and programs, not a general improvement of the American education system.⁹ As a result, improvement is not seen consistently but in waves through the use of the program.¹⁰ Programs such as Title I are often analyzed on a yearly basis and always disputed when the Federal Government creates its budget.

The federal budget is created by the three branches of government and tends to be a teeter totter between the Executive Branch and Congress.¹¹ This process involves the creation for the following year and its adjustments from the last year's numbers.¹² The fiscal year runs from October 1st to September 30th, but the federal budgeting committee attempts to pass its resolutions by April 15th.¹³ The federal budget is approached through a bottom-up process, with different executive agencies contributing to a certain part of the federal budget.¹⁴ The federal budget holds great importance and influence on individuals; which is most clearly seen through its impact on federal grants.¹⁵ Through both "grants-in-aid" and "state block" grants programs, educational programs are funded, and as a result the status of public schools is affected.¹⁶ The intensity of the program and its impacting power are greatly affected by changes in student enrollment.¹⁷ School districts with declining federal budg-

⁷ *Id.*

⁸ *Id.* at 126.

⁹ *Id.* at 132.

¹⁰ *Id.*

¹¹ Robert L. Meyers, Charles B. Rumburg, and Douglas A. Johnson, *The Federal Budget Process*, 11 RANGELANDS 247, 247 (1989).

¹² *Id.*

¹³ *Id.* at 248.

¹⁴ Gary Paquin, *The Federal Budget Process: Necessary Knowledge for Social Policy Education and Practice*, 34 J. OF SOCIAL WORK EDUCATION 401, 403 (1998).

¹⁵ *Id.* at 413.

¹⁶ *Id.*

¹⁷ *Id.* at 131.

ets who largely depended on Title I are more likely to cut the amount of programs and levels offered to students.¹⁸

The creation of the federal budget is often seen as a bargain between different interest groups. This often leads to overspending, which negatively affects the individuals who receive the benefits of these grants or legislation.¹⁹ This creates a capital issue for governments of a larger size, because it prioritizes certain programs which become where its money is spent.²⁰ Further, spending fluctuates, both in the federal budget as a whole and through allocations for specific programs or ideas.²¹

In allocation of the federal budget, we see that the country is investing its time and money into future productive individuals through education and training of young people.²² Both education and training are essential for the development of individuals, and yet the spending of government allocations is often seen as consumption.²³ Educators, as advocates at the very basic level, can help clarify the difference between spending for consumption and spending to create productive capacity.²⁴ Similarly, they can raise critical questions about how resources are being allocated and express their firsthand experience as to whether the assumptions made by government individuals are accurate.²⁵ Currently, the American government is spending more on the cost of past failures than improvements that would assist in the possibility of future success.²⁶ The current climate of constraint can easily lead to lower rates of economic growth through a direct relation to personal income, tax revenues, and a downward spiral of inadequate investment in resources that would directly impact.²⁷

Each year, with the release of the new federal budget, the Department of Education also releases a summary of the federal budget.²⁸ This includes back-

¹⁸ *Id.*

¹⁹ Daniel Diermeier and Pohan Fong, *Bargaining Over the Federal Budget*, 36 SOCIAL CHOICE AND WELFARE: POLITICAL ECONOMY OF ELECTIONS AND BARGAINING 565, 566 (2011).

²⁰ *Id.* at 577.

²¹ *Id.*

²² Carol Frances, *Federal Budget Priorities: What's Wrong and Why Educators Should Work to Change Them*, 28 CHANGE 38, 39 (1996).

²³ *Id.* at 44.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at 45.

²⁷ *Id.*

²⁸ U.S. DEPARTMENT OF EDUCATION, FISCAL YEAR 2019 FEDERAL BUDGET SUMMARY AND BACKGROUND INFORMATION (2018).

ground information containing explanations for the decisions made.²⁹ With each federal budget release, President Trump notes the importance of educational choice and providing all families with equal educational opportunities.³⁰ The 2019 federal budget aims to reduce the size and scope of the federal role in education.³¹ As a result, states, communities, and parents are empowered and given control on the improvement and performance of schools.³² The 2019 federal budget does two things: first, it reduces the overall federal role in education; and secondly, it creates avenues for strategic investment to support and empower those involved. This will ensure future prosperity for all Americans.³³ Through its 2019 summary, the Department of Education made clear that it sees its role as one which supports the states and their school districts, while creating and providing high quality education to all individuals.³⁴ Overall, the Department, in its proposed federal budget, requests the maintaining of funds for essential “formula grant” programs (which support the nation’s neediest students), while also contributing to the President’s commitment to ensure that every child has the opportunity to attend a school that meets their specific needs.³⁵ This is accomplished through a particular emphasis on six major priorities, including, but not limited to, the investment of new programs, while still supporting those already in place.³⁶

The support of past programs can be a tool to measure the way in which future implementations will be supported. This impact is most evident in the Trump Administration’s goal to provide better choices to attend a high-quality school.³⁷ The President has stated his belief that children’s futures should not be determined by their parents’ incomes or zip codes, which would trap them in a system that places a higher priority on status quo than it does on student success.³⁸ The Department of Education believes this form of equity can be achieved by giving parents access to a wide range of high-quality education choices, including strong options in both the public and private sector.³⁹

²⁹ *Id.* at 1.

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.* at 2.

³⁷ *Id.*

³⁸ *Id.* at 3.

³⁹ *Id.*

These decisions are made with the hope that there will be an increase in the number of students who have access to school choice.⁴⁰

The objective of accessibility is supported through proposals of shifting national debate surrounding educational reform away from buildings, systems, and schools to an emphasis on individual students.⁴¹ One proposal suggest allocating \$500 million dollars for new “opportunity grants,” which expands school choice for low-income families.⁴² The creation of such a program would allow for states to provide scholarships that would permit students from low-income families to transfer to private schools of their choice.⁴³

There is also a great focus placed on elementary and secondary education, as the Administration is well aware that the Elementary and Secondary Education Act is influential to states and school districts.⁴⁴ The reauthorization of the ESEA further emphasized these ideas, which goes to shows that the primary responsibility for creating, improving, and sustaining the public education system still lies within the states and its local districts.⁴⁵ In the 2019 federal budget, the Administration requested to maintain funding for what are deemed essential formula grant programs.⁴⁶ These serve as the foundation of the ESEA and go on to express the focus on disadvantaged student groups.⁴⁷ The focus remains on these groups of students due to the struggles they may face when trying to meet challenging state academic standards, graduating high school, and transitioning successfully to life after the K-12 experience.⁴⁸ This group of students often includes individuals who have disabilities, who are homeless, who come from low-income families, who have learned English as a second language, and who are Native American.⁴⁹ The focus is not misplaced on these students, however, the Administration has established different programs which help to deliver opportunities to students from multiple backgrounds.⁵⁰

One of the largest changes seen here is the awarding of Title I grants to local education agencies. These actions allow for supplemental education fund-

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.* at 8.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

ing to programs that provide extra academic support to help students meet challenging state academic standards, which is prominent in impoverished areas.⁵¹ This distribution would also create an accountability system for outside programs under ESEA, and as a result would use outside programs to emphasize the responsibilities of both states and school districts.⁵² The hope is that measuring student academics, performance, and school improvement would lead to progress while closing achievement gaps and providing all individuals with a high quality education.⁵³ Through the expansion of Title I funds, states will also be more encouraged to support outside educational options for disadvantaged students, while also permitting individuals the ability to transfer out of their current school and into a different programs.⁵⁴

The Administration's goals are also relayed through the proposal of "opportunity grants." These programs would significantly increase options for families to choose to send their children to public or private entities.⁵⁵ This would allow for a higher focus on the unique needs of students on an individual basis, with an emphasis on students from low-income households and those attending low-performing schools.⁵⁶ The distribution would be accomplished by two components, Scholarships for Private Schools ("SPS") and Open Enrollment Grants ("OEG").⁵⁷ A SPS would work as a competitive grant, given to either state-based entities or non-profit organization currently operating under private school voucher programs.⁵⁸ The grant would last for up to five years, with the hope that a private school choice is validated and the opportunity is expanded to others.⁵⁹ On the other hand, an OEG would create competitive awards for local education agencies.⁶⁰ Upon its arrival, programs would operate with a newfound "flexibility for equitable per-pupil funding" pilot programs.⁶¹ The hope of this change is that student-centered programs would be supported and encouraged, differentiating funding based on student characteristics while also offering students more funding on a per-pupil basis.⁶²

⁵¹ *Id.* at 9.

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.* at 10.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

An adjustment as such would make performance data easily accessible to parents and empower school leaders to use funds to address needs with flexibility.⁶³

The creation of said programs is often seen as a positive contribution in theory, but in practicality may be perceived as a way for the federal government to further control departmental allocation and state spending. Though the enforcement of the Every Student Succeeds Act (“ESSA”), which places restrictions on the federal government’s ability to influence state and local decision making about education, the Department of Education’s ability to change the flow of federal funds allots the government some power to change the way in which states and their schools are run.⁶⁴ The disbursement of funds, which is bound by rules and regulations promulgated by prior Administrations, creates more funding through enforcing higher regulations.⁶⁵ Furthermore, the intent of the government, though again practical in theory, does not seem to reflect the long-term impacts in which they are attempting to succeed.⁶⁶ The definition of a public education is evolving through each Administration, which directly reflects the reality of the federal government’s impact on education.

⁶³ *Id.*

⁶⁴ Tina Cheuk and Rand Quinn, *Dismantling the Wall Between Church and State: The Case of Public Education*, 100 THE PHI DELTA KAPPAN 24, 26 (2018).

⁶⁵ *Id.* at 27.

⁶⁶ *Id.*