



Authors of Every Child Achieves Act of 2015-Senators Patty Murray and Lamar Alexander (Credit: Senate.gov)

After the controversy over the Common Core national standards, the authors of the Every Child Achieves Act (ECAA), which is intended to reauthorize No Child Left Behind (NCLB), were careful to include language prohibiting the Secretary of Education from dictating a specific set of standards for public schools. However, ECAA also requires that a state align its academic standards to specific outcomes, which supersede any “prohibitions” and would ultimately force states into a uniform set of standards.

Title 1 of both NCLB and ECAA sets the requirements for state standards, assessments, and accountability systems --the framework on which the entire state education system is built. But a red flag appears at the very beginning of ECAA, which redefines the goal that states must achieve.

Under NCLB, the stated purpose of this section was “to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education **and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments.**” ECAA changes the stated purpose to this: “to ensure that all children have a fair, equal, and significant opportunity to receive a high-quality education **that prepares them for postsecondary education or the workforce without the need for remediation.**” [emphasis added]

Thus, while NCLB required that students become proficient on challenging state standards – whatever the state determined those to be – the ECAA purpose drops any mention of state standards and directly defines the goal that states must now achieve: preparation for “postsecondary education or the workforce.”

While the value of a standards-based education system can be debated, NCLB recognized states’ independent authority to set their own standards according to the demands of parents, teachers, and other stakeholders in the state. ECAA, on the other hand, prescribes that states set their standards to the expectations of postsecondary institutions and the workforce needs of specific industries. Under ECAA, then, the education system would be directed by the needs of big business and the state, not the people.

At 794 pages in length, ECAA painstakingly details many of the new possible federal requirements--except, of course, what is meant by “postsecondary education” or “the workforce.” This omission is to say the least odd, as the statute requires that every child be prepared to achieve it. The only hint is given in a new requirement in Sec. 1111(b)(1)(D), not found in NCLB, which requires states to align their academic standards to three criteria:

1. The entrance requirements, without the need for academic remediation, for the system of public higher education;
2. The relevant State career and technical education standards; and
3. The relevant State early learning guidelines, as required under the Child Care and Development Block Grant Act of 1990.

At first glance, the criterion for alignment to the entrance requirements of the system of higher education seems to indicate that “postsecondary” means a four-year college. Yet that isn’t the case. In fact, the higher-education system encompasses many different types of educational institutions, from competitive four-year universities to vocational programs. While the ECAA does not define a “system of higher education,” another federal statute (Title [20 of US Code Sec.1001](#)) broadly defines it as “public or non-profit education institutions” that “award degrees, diplomas, or certificates,” and includes:

1. A four-year college which awards a bachelor’s degree;
2. A two-year program that offers credits towards a bachelor’s degree; and
3. A program not less than one year that provides training for gainful employment in a recognized occupation.

So when ECAA requires aligning standards to the entrance requirements for “higher education,” which of the above does that mean? Much more clarity is needed, because ECAA also mandates in Sec. 1111(b)(1)(B) that “the standards required shall be the same standards that the State applies to all public schools and public school students.” In fact, it requires that the state “shall have such standards . . . which shall include the same knowledge, skills, and levels of achievement expected of all public school students in the State.” How could the same set of standards prepare all students for the knowledge and skills needed for such different postsecondary expectations?

That is going to be tricky, because obviously it is much more difficult to enter and succeed in entry-level courses at a selective four-year university than at a community college or a one-year occupational program, which have open enrollment.

The ECAA compounds the problem by requiring states to align the single set of academic standards to the “relevant State career and technical standards,” providing no guidance about which types of careers the standards should prepare students to achieve. Perhaps the absence of any specifics was intentional, to allow the parameters of “career and technical educational standards” to be defined, not by the states, but by the U.S. Department of Labor and U.S. Department of Education. And that’s exactly what these bureaucracies are doing under the recently reauthorized Workforce Innovation Act of 1998 now titled the Opportunity Act of 2014 (WIOA). WIOA defines Career and Technical Education to be: “organized educational activities that offer a sequence of courses that provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions.”

According to WIOA, the “current or emerging professions” that will determine the Career and Technical education standards will be determined by a “local workforce board” (not to be confused with a “soviet,” although the mistake would be understandable), most members of which must be business owners or CEOs from large corporations in the area, and at least 20% of which must represent the area labor unions. It is this unelected workforce board, not an elected school board or state department of education, that will develop the “career pathways” for secondary career and technical education. The local workforce board must base its recommendations for the specific career paths on the needs of established local and regional businesses – not the fledgling business being developed in a genius’s garage -- to provide these politically connected employers with workers who, on the taxpayer’s dime, have learned the specific skills of their industry. The local workforce board must submit its recommendations to the Governor who, in turn, will submit the state’s plan to the U.S. Secretaries of Labor and Education for approval.

WIOA was passed to “support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.” The ECAA is the companion piece to WIOA. Together, the two statutes marry the education system to the federal workforce system – WIOA requires the states to develop federally approved workforce plans, and ECAA requires state curriculum standards to be coordinated with those plans.

Although it could be considered worthwhile to train unemployed *adults* for the skills of “in-demand” jobs, note that CTE students can be as young as 14. If the “in-demand” career becomes obsolete by the time the student graduates, the system will have trained him or her right into unemployment. Giving all students a broad liberal arts education, at least until they near graduation, allows for self-determination and the opportunity for all children – not just the privileged -- to achieve the American dream. This is what has separated the United States from countries with centrally planned, stagnant economies where children are tracked into specific occupations at a young age, and class mobility is nonexistent.

But dismissing this concern, WIOA thus removes the authority from local school boards and the state department of education to develop career and technical education pathways (should they decide that such pathways are necessary and proper), and gives it to an unelected board whose recommendations must ultimately be approved by the federal government.

By requiring that states align their standards with these federally approved “career and technical education” standards, ECAA essentially ensures that states will adopt these minimal, non-academic standards for all students. A state’s decision to set the bar higher – to the expectations of a four-year college – would comply with criterion one (entrance requirements of undefined higher education) but arguably not with criterion two (career and technical education). And remember that the state is allowed to have only one set of standards (at least in math, English, and science) for all students.

Regardless of the ambiguity surrounding the goal of postsecondary education and the workforce, and the unlikelihood that a single set of standards and assessments could achieve it, the accountability system detailed in Sec. 1111(b)(3)(B) of ECAA requires every student to make progress towards meeting it. ECAA requires every state to set annual goals for students to meet this expectation based on their achievement on the state assessments and on high school graduation rates. The state assessments must annually measure and report not only the students’ progress toward meeting the state standards, but also if they are making the “progress necessary to graduate from high school prepared for postsecondary education or the workforce” -- even in third grade. Can’t have eight-year-olds unprepared for the assembly line.

If a school has a significant number of students who are not “on-track” to graduate prepared for one of these two ill-defined goals, the school can be identified for state interventions- similar to how schools were targeted under the Adequate Yearly Progress (AYP) requirements under NCLB. The goal is no longer simply to meet academics standards set by the state, but to ensure students are “on-track” to meet the expectations set by those who control the postsecondary system and by the interests of big business to support the national workforce system.

The question of ECAA’s federally mandated assessments is particularly problematic. How could a single state assessment based on the same set of standards accurately measure a student’s progress towards meeting the variety of expectations for different levels of postsecondary education and the workforce? And how could these results ever provide a valid or reliable indicator of teacher and school quality?

The only possible conclusion from all this is that the ECAA authors intend to lower the bar to include only the academic content shared among all of the different postsecondary educational institutions and the workforce. If students score at the higher level of achievement on the state assessment, they would be marked as meeting the postsecondary expectations. Conversely, those with poor scores would be marked as meeting workforce expectations. If this is the case, then a school could meet the accountability systems’ goal of having every child “on-track” to meeting postsecondary or workforce requirements by placing students into one of the two pathways based on the student’s level of achievement on an annual high-stakes test. No other explanation makes sense.

Before members of Congress vote on this legislation, they must think through this legislation by asking a few simple questions:

1. What would a single set of academic standards aligned to the expectations of a state’s higher education system, ranging from vocational education to a four-year university, and the workforce look like?
2. How would a single statewide test fairly assess students on their progress toward meeting at least two different goals?
3. How would they personally define readiness to enter postsecondary education or the workforce without remediation?
4. Are they comfortable with granting the US Secretaries of Labor and Education the authority to have the final say over what industries will determine the students’ Career and Technical education, which by default will set the math, English and science standards for all students?

Most importantly, members of Congress must do what they should do with every behemoth bill that is presented to them: Refuse to vote for it until adequate time has been allowed for analysis, and until all questions have been satisfactorily answered. In the case of ECAA, our children’s futures depend on it.