



Wednesday, July 13, 2011
Press Office, 202-226-0853

Rep. George Miller (D-CA) Opening Statement

WASHINGTON, D.C. – Below are the prepared remarks of U.S. Rep. George Miller (D-CA), the senior Democrat on the House Committee on Education and the Workforce for the markup of H.R. 2445, “State and Local Funding Flexibility Act.”

Thank you, Mr. Chairman.

The FECA bill and the Charter School bill we passed are examples of what can happen when the committee shares a common goal and works together in a productive, bipartisan way to achieve that goal.

Unfortunately, the next legislation before this committee is the complete opposite of that style of governing.

In fact, the *State and Local Funding Flexibility Act* undermines the core principals of equal protection that brought the federal government into education in the first place.

This bill is really a slush fund to school districts that would allow them to ignore the needs of poor and minority students, English Language Learners, migrant, neglected or Native American students.

This legislation would allow school districts to siphon away money specifically intended for these students and instead use that targeted funding for nearly any other activity allowed under the Elementary and Secondary Education Act.

Encouraging school districts to take money away from the 21 million low income or disadvantaged students who need Title I funding is a cut to the heart of our federal education system.

Allowing school districts to use federal dollars intended for poor students for something other than serving those students is morally reprehensible.

The Republicans will say their bill has a greater purpose in terms of flexibility. They've told us that this bill answers calls from school district for ways to spend unused money.

They've said that superintendents need more freedom in spending federal dollars.

They've said Washington bureaucrats don't know what's best for students.

And they've said the federal government places undue burdens on schools by requiring them to designate and spend money on certain populations of students.

At recent hearings I have heard my colleagues from the other side of the aisle waxing nostalgic for a time before the 1960's, when "so many government programs came into existence."

I think it is important before we look at this bill today, that we remember why the federal government got involved in education at that point in history.

The federal government stepped in when our schools were segregated, when black students and poor students were under-served and not receiving an equal education under the law.

The federal government, through historic court cases like *Brown v. Board of Education* and legislation like the Elementary and Secondary Education Act of 1965, said that if school districts weren't taking steps toward equal education, then the federal government would insist upon it.

This insistence upon equality has led to academic gains. In fact, since 1973, 4th grade reading scores have shown dramatic increases in both reading and math. Minority students have outpaced the increases of their peers.

But as much as these students have succeeded, unfortunately the achievement gap remains.

And that achievement gap is a threat to economic stability and a drag on global competitiveness.

Our top 10 percent of students perform equally with students from top countries. But the rest of our students, especially poor and minority students, fall behind their international peers.

These discrepancies are tackled in programs that target money to the students who need it.

These students face gaps in school financing. Unlike most other industrialized nations, the U.S. has inequitable funding structures at the local levels that the federal programs seek to remedy.

Instead of taking steps towards increasing equity, this bill takes steps toward increasing *inequality*.

These are children in our schools. They are not "burdens" as some of my Republican colleagues would have you believe.

Further, instead of empowering teachers, community leaders and families to make decisions on behalf of themselves and their students, this bill empowers the some of the very high level administrators who have allowed inequities to fester, and does so without any accountability.

Every Member on this committee agrees that schools deserve flexibility, but flexibility does not have to come at the expense of our children and the future of our country.

There's an old saying that if you don't stand for something, you'll fall for anything. Let me tell you what Democrats stand for.

We stand for flexibility that doesn't lose sight of accountability, equity and civil rights. We stand for data-based decision-making that creates greater efficiencies and reduces burdens for schools and districts. And we stand for an education system that supports all students and helps all students achieve at the highest levels, not just students in wealthy schools.

We won't stand for a back door dismantling of the federal role in education.

And we're in good company in opposing this bill – we stand with teachers, parents, the disability community, the civil rights community; the education reform leaders and urban district leaders.

Among the dozens of groups opposing this destructive legislation are:

- The Leadership Conference on Civil and Human Rights;
- The Council of Great City Schools;
- The National Council of La Raza;
- The Mexican American Legal Defense and Education Fund;
- Education Trust;
- Center for American Progress;
- Council for Exceptional Children
- The National Education Association; and
- The American Federation of Teachers.

When we began the bipartisan process last year to rewrite and fix No Child Left Behind, my focus was and has always been to pursue what is best for students.

This irresponsible legislation completely betrays that principle.

There is nothing bipartisan and there is nothing productive about increasing inequality for American school children or opening the door to civil rights violations.

I oppose this legislation and I hope my colleagues will join me.

<http://democrats.edworkforce.house.gov>

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