

FEDERALISM ISSUE: DO COMMON CORE STANDARDS GO TOO FAR IN TAKING AWAY STATE AND LOCAL AUTONOMY IN EDUCATION?



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The Common Core Standards originated from an initiative written by former Arizona Governor and former chair of the National Governors Association Janet Napolitano.¹ Napolitano, as director of the NGA's Educational Policy Division, wrote an initiative that emphasized the need to better the workforce through improved math and science education.² From this initiative, Napolitano set up a task force which issued a report in 2008 with "international benchmarking" to "help states take the next steps towards ensuring that American students receive a world-class education that positions them to compete and innovate in the 21st century."³ In order to do so, the National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO), comprised of state school chiefs, governors and state commissioners from 48 states, two territories, and the District of Columbia, aimed to create standards which would "ensure that all students graduate from high school with the skills and knowledge necessary to succeed in college, career, and life, regardless of where they live."⁴ With major funding from the Bill & Melinda Gates Foundation, Carnegie Corporation, other foundations, as well as from state membership

dues from the CCSSO and the NGA, education consultants Jason Zimba and David Coleman began writing a series of "fewer, clearer, higher" standards based on a plan from the nonprofit, Achieve, and testing groups like the College Board and the ACT.⁵ Furthermore, several organizations, such as the National Education Association (NEA), American Federation of Teachers (AFT), National Council of Teachers of Mathematics (NCTM), and National Council of Teachers of English (NCTE), organized teachers to provide advice for the standards.⁶ States that adopted the standards would test on uniform standards in math and English. Overall, the Obama administration has claimed that it played no role in creating or requiring Common Core curriculum. In fact, Secretary of Education Arne Duncan has contended that "Not a word, not a single semicolon of curriculum will be created, encouraged, or prescribed by the federal government. We haven't done so--and we won't be doing so."⁷ Furthermore, it did not require that states adopt the Common Core Standards upon their creation in 2009.⁸

However, critics have argued that the process that brought Common Core about was less consistent with federalism than first appears, and was

actually dominated by quasi-official groups like NGA and CCSSO and Gates Foundation money rather than robust debate at the state level by elected state officials.⁹ Moreover, after creation of the standards in June 2009, the Education Department strongly encouraged adoption through tangible incentives.¹⁰ Three months later, in September, 51 states and territories expressed their support for the standards, with only Virginia, Texas, Nebraska, and Alaska never adopting the standards.¹¹ Each of the states that did not adopt the standards has implemented its own comprehensive state standards.¹² In July 2009, the Education Department designed the competition, “Race to the Top,” which promoted \$3.4 billion in grants for educational success within that year.¹³ States that implemented the Common Core standards increased their eligibility for the award, incentivizing Common Core adoption, and the deadline of the race catalyzed faster movement towards Common Core curricula and also Common Core-aligned testing.¹⁴ After the conclusion of this “Race to the Top” in September 2010, the federal government awarded further grants “to two state consortiums in a separate Race to the Top Assessment competition to develop new and better assessments aligned to the Common Core standards.”¹⁵ Obama went on to advocate support for this “Race to the Top,” which further entangled the federal government in the Common Core standards.

Along with the Race, the federal government began to provide No Child Left Behind waivers, relieving states from some NCLB requirements, in exchange for positive action on Common Core.”¹⁶ Kentucky’s state education commissioner complained that “the rush to implement the standards has also led to inadequate support for teachers, inadequate communication with our public and a major pushback from teachers who have connected Common Core with standardized testing.”¹⁷

This federal entanglement spurred great criticism, especially from conservatives.¹⁸ The 2012 and 2013 Republican National Committee Platform, emphasized “the need to repeal the numerous federal regulations which interfere with State and local control of public schools.”¹⁹ Furthermore, these documents denounce the Common Core as “an inappropriate overreach to standardize and control the education of our children.”²⁰ Following these statements as well as further backlash, many Republican-majority states considered repealing the

Common Core Standards, and Oklahoma, Indiana, South Carolina actually did pull out of the standards.²¹ After repealing these standards, Indiana Governor Mike Pence stated, “I believe when we reach the end of this process there are going to be many other states around the country that will take a hard look at the way Indiana has taken a step back, designed our own standards and done it in a way where we drew on educators, we drew on citizens, we drew on parents and developed standards that meet the needs of our people,” demonstrating Indiana’s support for a more localized education system.²² Similarly, Oklahoma Republican Jason Nelson co-authored the original Common Core repeal bill, explaining that Oklahoma citizens universally, “don’t like the idea of having to go to somebody outside the state to do what we think is in the best interest of the kids in our school system.”²³ In South Carolina, members of the state Board of Education were unhappy with the “federal takeover” of Common Core and have moved to a system where “the teachers, the administrators, the school districts...make the decision about the curriculum material they use” to pass the new South Carolina-specific standards.²⁴

Aside from the federalism issues, the Common Core Standards have been criticized for their content across the political spectrum by sources including the conservative journal *National Review*, the liberal journal *The New Republic*, key teachers unions, and the raunchy comedian Louis C.K.²⁵ After several state repeals and despite great controversy, forty-two states, the District of Columbia, and four territories are implementing these federal standards in their schools today.²⁶

THE CANDIDATES

As one might expect, given the diverse sources of national criticism, the Common Core Standards face opposition from both Republicans and Democrats. Republican presidential candidates tend to criticize the lack of state autonomy. Many Republican candidates argue that education policy should be set at the state and local level and are discontent with the extension of the Department of Education’s power over K-12 curricula.

Republican candidate Donald Trump criticized the Common Core Standards as “a disaster” in his announcement speech, maintaining, “education has to be local.”²⁷ In fact, Trump has

considered the eradication of the entire Department of Education, contending, “I may cut the Department of Education. I believe Common Core is a very bad thing” in an interview with “Fox News Sunday.”²⁸

Republican candidate Ted Cruz has likewise referred to himself as “emphatically opposed” to the Common Core Standards, arguing that education should be mandated at the local level to ensure parents can play a large role in directing their children’s schooling.²⁹

Similarly, Republican presidential candidate Marco Rubio has denounced the Common Core Standards on the basis that they distanced parents from their children’s education. Rubio’s campaign has released a statement explaining, “On day one, Marco will issue an executive order directing federal agencies to stop any and all activity related to implementing or encouraging Common Core.”³⁰ Rubio has argued that the Common Core Standards “coerce states” to adhere to these mandates, which he argues is not as successful as “empowering parents, local communities, and the individual states.”³¹ Furthermore, Rubio has denounced Common Core as “unconstitutional,” in particular citing concerns of federalism.³²

Republican candidate Ben Carson has comparably argued for “local control” of primary and secondary education.³³ Carson has denounced Common Core, arguing, “our education system must be run by involved parents and engaged teachers and principals,” further asserting, “any attempt by faceless federal bureaucrats to take over our local schools must be defeated.”³⁴ Indeed, Carson contends that education should be directed as close to the home as possible, “the best education is the education that is closest to home, and I’ve found that, for instance, homeschoolers do the best, private schoolers next best, charter schoolers next best, and public schoolers worst.”³⁵ Carson notes that “Common Core is not school choice. I do believe in standards, but those standards obviously are set by standards parents and people who do homeschooling or they wouldn’t be doing so well.” He asserts that by moving education to the state and local level, public schools will better be able to compete with more individualized education.

Republican presidential candidate and governor of New Jersey Chris Christie has criticized the Common Core recently after several years of implementing the standards in New Jersey. He argues that each state should have “its own unique

set of standards that are better than the Core... New Jersey parents and teachers [should] be the driving force behind the establishment of standards in our state.”³⁶ Christie has further criticized the federal implementation of Common Core, saying “as Washington has increased its control over our students’ education, our children have fallen further and further behind their peers around the world.” Rather, Christie advocates that particularly in education, “the people closest to the problem are usually...the best equipped to find the solution to that problem. They are the ones who are most invested.”³⁷ Although there are reasons to doubt Christie’s claim that “Common Core has been eliminated in New Jersey,”³⁸ Christie has ordered that New Jersey’s Common Core system be reviewed, and the New Jersey Department of Education has called for changes in Common Core as a result.³⁹

On the other hand, Republican Presidential Candidate Jeb Bush has been a longtime supporter of the Common Core Standards, although his enthusiasm for these standards has waned recently. In the decade prior to the Common Core Standards, Bush led a successful educational reform as governor of Florida and has always advocated for the use of some type of system of standards.⁴⁰ He was a notable supporter of Common Core when it was unveiled, and frequently spoke and wrote favorably about it.⁴¹ Yet, during the presidential campaign, he has stressed that educational standards “should not be federally driven,” rather “the commonality [of the standards] is not as relevant as the highness of them.”⁴² Bush has also called Common Core “poisonous politically” and says he is, rather, in support of a change of rigorous standards, “state-created, locally implemented - where the federal government has no role in the creation of standards, content, or curriculum.”⁴³

Republican presidential candidate and governor of Ohio, John Kasich has also advocated support for testing standards, yet he believes those standards should be implemented at the state and local level. While Kasich has adopted the standards as governor of Ohio, he has also enacted laws that he claims “defend against the threat of federal intrusion” and has emphasized that “he would call on states to develop, adopt, and maintain their own rigorous standards.”⁴⁴ Kasich believes that students need “high expectation—especially in math and English.”⁴⁵ Yet, he also believes that “education is a state and local issue and should not be micro-managed by

the federal government.”⁴⁶ Kasich emphasizes that Common Core standards were designed and created by governors, educators, and experts to improve K-12 education, and therefore should be imposed on students but controlled by states and communities.⁴⁷

On the Democratic side, there appears to be more support for Common Core, although candidates still see fault in the policy. Democratic presidential candidate Hillary Clinton has not taken a clear stance on the Common Core Standards; however, she has spoken in favor of a “common core” that each community can determine the best way to reach.⁴⁸ As a New York senator, Clinton voted for No Child Left Behind, and she advocates for “a core of learning that we might expect students to achieve across our country, no matter what kind of school district they were in, no matter how poor their family was.”⁴⁹ She has also denounced the politicization of Common Core as “very painful” and “really unfortunate.”

Similarly, Democratic candidate Bernie Sanders has not taken a clear position on Common Core. In 2015 Sanders voted against an anti-Common Core budget amendment which gave states the ability to pull out of the Common Core Standards and which prohibited the federal government from “mandating, incentivizing, or coercing” any state from adopting the Common Core Standards or any other federal education mandates.⁵⁰ Furthermore, Sanders’ home state of Vermont has adopted the Common Core Standards, and he has supported the Elementary and Secondary Education Reauthorization Act (ESEA), which creates standards to maximize opportunity for all Americans.⁵¹ In 2011, he advocated that this act “eliminates the ‘adequate yearly progress’ requirement so that there is less pressure to ‘teach to the test’” and “supports states, like Vermont, that have adopted the Common Core Standards so students are taught the skills they need to be in college and career ready,” while also giving “greater state and local flexibility, allowing many of the most important decisions affecting our schools to be made by Vermonters and not the federal government.”⁵² Furthermore, Sanders voted in support of the 2015 version of the ESEA reauthorization, Every Child Achieves Act, which “includes provisions prohibiting any federal involvement in the Common Core State Standards and limiting federal involvement in other areas of education.”⁵³

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