K-12 Education Subsidies

by Neal McCluskey

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Overview

Federal control over K-12 education has risen dramatically in recent decades. Congress has increased funding for the schools while imposing layers of rules and regulations on local school districts. Federal expenditures for K-12 education have soared from $12.5 billion in 1965 to $72.8 billion in 2008, measured in constant 2008 dollars.[1] The Department of Education funds about 150 aid programs, which come with an array of regulations that extend federal control over state education policy.[2]

While state and local governments have been happy to take federal funds, they have chafed at the mandates imposed by Washington. The No Child Left Behind Act of 2002, for example, provoked a backlash from the states because of its costly rules for state academic standards, student testing, and related regulations. An accumulation of federal rules has suppressed innovation and diversity in state education systems, while generating growing bureaucracies of school administrators.

Despite the near tripling of overall per pupil funding since 1965, national academic performance has not improved. Math and reading scores have largely gone flat, graduation rates have stagnated, and researchers have found serious shortcomings with many federal education programs. Experience has shown that federal funding and top-down intervention are not the way to create a high-quality K-12 education system in America.

Congress should begin eliminating funding for K-12 education, and ending all the related regulations. The states need to recognize that federal aid is ultimately funded by the taxpayers who live in the 50 states, and thus it provides no free lunch. There is no compelling policy reason for the federal government to be involved in K-12 education, and in the long-run America's schools would be better without it.

Origins of Federal Intervention

The first precursor to American public schooling was instituted in the 1640s, when the Old Deluder Satan Act created a partial public education system in Massachusetts.[3] The act—which required all settlements having at least 50 families to employ a teacher of reading and writing, and settlements of 100 or more families to establish a grammar school—sought to ensure that all residents were sufficiently literate to read the Bible so they could fend off the inducements of Satan.[4] Money to pay for teachers and schools could be raised either through tuition paid by parents or through public funds.[5] However, even this system was more centralized than many New England colonists cared for, and over the decades towns stopped abiding by the law.

Outside of New England, education was even more decentralized. In the South it was almost entirely a family affair; children were either taught in their homes or in a variety of private or community schools. In the ethnically and religiously diverse middle colonies, a wide variety of schools appeared, generally to serve the needs of the region's numerous religious denominations and largely free of government interference.[6]

The traditions established during the colonial period were little changed for nearly two centuries after passage of the Old Deluder Satan Act, despite the fact that in the intervening period the United States declared independence and established a new government under the Constitution.[7] In the American constitutional system, education is not a federal responsibility, and it is not included among the federal government's enumerated powers.

For more than a century after 1789, American elementary and secondary education evolved almost entirely within state boundaries. Within the states, however, there was increasing centralization in school administration and funding. By the early 1800s, the "common school" movement began to emerge. Supporters of the movement argued that mandatory attendance at free, government schools should be used to integrate America's increasingly heterogeneous peoples. By 1890 a majority of the states had compulsory schooling, and by 1918 all did.[8]

Over time, these schools began to be called "public" schools, and advocates pushed for greater centralization and bureaucratic control.[9] Consolidation of education continues today, with smaller districts being consolidated into larger ones, and states and the federal government seizing control from local governments for everything from teacher certification to curricula.

In 1867, Congress appropriated $15,000 for the creation of the Department of Education, largely in response to lobbying by the new

National Teachers Association, later the National Education Association.[10] However, the following year Congress downgraded the department to an Office of Education within the Department of Interior. The agency would not regain its departmental status until 1979.

In the early 20th century, the Office of Education was mainly tasked with collecting information about schools and teaching methods. The federal government funded very few grant programs of any type for state and local governments. That started changing with the New Deal in the 1930s. The federal government launched an array of temporary funding initiatives, such as programs for school construction and repair, the hiring of unemployed teachers, loans to school districts, and aid to rural schools.

There was substantial resistance to these "temporary" measures from policymakers who worried that New Deal precedents would ultimately lead to the creation of permanent federal education subsidies.[11] A 1934 article on education in *Congressional Quarterly* noted that "federal subsidies have been opposed on the ground that they stifle local initiative, and are paternalistic, economically unsound, and unconstitutional."[12]

All those criticisms were valid, but education groups, such as the NEA, pushed decade after decade for new subsidies and the creation of a cabinet-level education department, and those goals were ultimately achieved.[13] Many bills were introduced in Congress between the 1930s and the 1960s to make permanent grants to state and local governments for K-12 schools. Advocates of subsidies pointed to unequal spending on schools in high- and low-income states, and they argued that the federal government could raise taxes more easily than the states.[14]

World War II and its aftermath provided another impetus for increased federal intervention. The Lanham Act of 1941 and a 1950 law authorized "impact aid" to compensate school districts for tax revenue lost because of the presence of federal facilities. Also, dozens of bills were introduced in Congress in the post-war years to finance local school construction in response to the post-war baby boom.[15]

Then the 1957 launch of the Soviet satellite *Sputnik* scared Americans into thinking that the Soviets were ahead in science, and it inspired an obsession to "fix" America's schools. For the first time, the federal government initiated curriculum and goal-setting policies, leading to passage of the 1958 National Defense Education Act aimed at increasing funding for mathematics, science, and foreign language programs.[16]

Rising Federal Intervention since the 1960s

The federal government's expansion into education grew by leaps and bounds during the 1960s. Federal education funding became a part of President Lyndon Johnson's "Great Society," which focused on anti-poverty and civil rights measures to ensure equal access to education. The 1965 Elementary and Secondary Education Act was landmark legislation, and it remains the nucleus of federal K-12 policy today.

The law's Title I was supposed to provide grants to schools in high-poverty areas, but it rapidly morphed into a broad-based subsidy program. From an initial focus on poor districts, Title I had expanded so much by the 1968–69 school year that it was subsidizing 60 percent of the nation's school districts. Today, Title I is the largest K-12 program, costing taxpayers more than $15 billion annually.

The 1965 act also created subsidies for teacher training, educational research, school libraries, textbooks, student literacy, school technology, and other items. The act even helped beef up state school bureaucracies directly with new "grants to strengthen state departments of education." A 1972 law created a slew of new federal education subsidy programs, as well as new education bureaus, institutes, and councils.

In 1975, the Individuals with Disabilities Education Act required states to ensure free public education to all disabled students, and it spelled out in great detail what services school districts are required to provide. The result has been massive bureaucratic costs and a "lawyers' playground" of legal battles between school districts and parents regarding what services schools must provide to meet federal mandates. Today, special education is the second largest K-12 program, costing federal taxpayers nearly $12 billion annually.

In 1976, the National Education Association endorsed Jimmy Carter for president, partly because of Carter's promise to create a Department of Education.[17] It was the first time the NEA had endorsed a presidential candidate in the more than a century of its existence, but the NEA had long supported the creation of a federal department. Indeed, NEA's website says that in 1867 it "won its first major legislative victory when it successfully lobbied Congress to establish a federal Department of Education."[18] In 1979, after a lobbying push by the NEA, the American Federation of Teachers, and other groups, Congress narrowly passed legislation to split a new Department of Education off from the existing Department Health, Education, and Welfare.

In 1980 Ronald Reagan was elected president promising to abolish the new Department of Education, calling it Jimmy Carter's boondoggle. In 1982, Reagan crafted a proposal to eliminate the department, but the proposal went nowhere on Capitol Hill. Reagan's efforts were further set back by the influential 1983 study, *A Nation at Risk,* written by a federal blue ribbon commission.[19] As *Congressional Quarterly* noted: "*A Nation at Risk* was such a hit that Reagan political strategists began using its call for higher education standards as an issue for the 1984 campaign. This new enthusiasm helped [Secretary of Education] Terrel Bell and others block efforts to abolish the Education Department."[20]

A Nation at Risk criticized the mediocre state of America's public school system, famously intoning that "if an unfriendly power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war."[21] The reportproduced a bout of national alarm on par with *Sputnik*, and it similarly resulted in spurring greater federal involvement. In 1984, the Republican Party dropped the elimination of the department from its platform.[22]

After Reagan, presidents vigorously promoted an expanded role for the federal government in K-12 education. President George H.W. Bush promoted the creation of "national goals" for the schools. Building on those ideas, President Bill Clinton signed into law the Goals 2000: Educate America Act to promote "national education goals." He also signed the Improving America's Schools Act, which required states to develop federally approved education plans coordinated with Goals 2000, and to adopt a regime of tests to ensure that students

made yearly progress. If states did not comply with these and other mandates, they would lose some of their federal education subsidies.

President George W. Bush greatly increased federal involvement with his 650-page No Child Left Behind Act of 2002.[23] State, local, and school officials have complained bitterly about the onerous new dictates of NCLB with respect to such items as statewide testing, annual progress measurements, teacher qualifications, public-school choice, and after-school tutoring.

Federal K-12 education spending—including spending in the Department of Education and other departments—has increased rapidly. Spending jumped from $12.5 billion in 1965 to $72.8 billion in 2008—a more than five-fold increase.[24] Between 2000 and 2008, real spending rose 34 percent. Measured another way, federal spending on K-12 education increased from 0.27 percent of gross domestic product in 1965 to 0.57 percent today.

Much of this spending is for the major state grant programs operated by the Department of Education. Here are the largest grant programs with outlay amounts for fiscal 2009 (excluding funding in the 2009 stimulus legislation):

- *Title I.* This is a $15 billion collection of programs, which includes general grants to school districts based on complex formulas, as well as funds for Reading First and Early Reading First. Title I is the main leverage the federal government uses to impose regulations on the states for standardized testing, teacher qualifications, reading curricula, and other items.
- *Special Education*. Special education programs authorized under the Individuals with Disabilities Education Act account for the second largest part of the department's budget at more than $12 billion.
- *Title II—Improving Teacher Quality State Grants*. These grants, which cost about $2.9 billion annually, are intended to improve the quality of the teaching force and principals.
- *21st Century Community Learning Centers*. A number of studies have found that this $1 billion program to fund enrichment activities is ineffective.

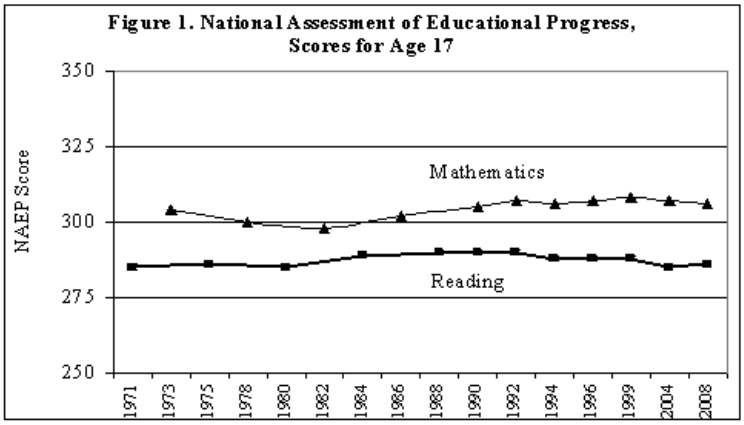
Some of the large federal K-12 programs outside of the Department of Education include Head Start in the Department of Health and Human Services, Indian education programs in the Department of the Interior, and various programs in the Department of Defense.[25]

Looking at overall K-12 spending by federal, state, and local governments, there have been large increases in recent decades. Total per-pupil expenditures have roughly doubled over the last three decades on a real, or constant-dollar, basis.[26] Those increases in resources, however, have not lead to substantial improvements in educational outcomes, as explored next.

Educational Outcomes Have Not Improved

Despite large increases in federal intervention since the 1960s, combined with large increases in funding by all levels of government, K-12 educational achievement has improved little. The most widely used measures of school achievement are scores from the National Assessment of Educational Progress, which are available back to the early 1970s.

Figure 1 shows average NAEP scores for 17-year-olds—who are the "final products" of the public schools. The average NAEP mathematics score rose just two points to 306 in 2008 from 304 in 1973.[27] The average NAEP reading score rose just one point to 286 in 2008 from 285 in 1971.[28] These scores are on a 500-point scale.



Source: U.S. Department of Education. The test was adjusted in 2004, which very slightly altered scores for 2004 and 2008.

Other measures show similarly poor achievement, or at least a lack of improvement. For example, the percentage of students who had completed high school within four years of entering ninth grade is 75 percent today, about the same as it was in the mid-1970s.[29]

How have things fared under the 2002 No Child Left Behind Act? It is difficult to isolate the effects of the law because numerous other changes might have affected recent school results, and no results with start and end dates closely reflecting the period during which NCLB has been in effect are available. With those caveats in mind, NAEP subject test (as opposed to long-term-trend data) and long-term data do not paint a particularly positive picture.

On subject tests, there have been very small gains in fourth-grade mathematics, with the average score rising from 235 to 240 (on a 500-point scale) between 2003 and 2007. However, the average score on this test increased much faster in the period *before* NCLB was fully implemented, rising from 226 to 235 between 2000 and 2003. In reading, the average score dropped slightly in eighth grade, from 264 in

2002 to 263 in 2007.

On the long-term-trends test, the closest start date to NCLB's 2002 enactment is 1999, so it is very hard to gauge changes for NCLB's time frame, much less the law's effect on those results. The greatest improvements between 1999 and 2008 were for 9-year-olds in mathematics, where scores rose from 232 to 243. Reading scores for that age also rose significantly, from 212 to 220. The final appreciable improvements were for 13-year-olds in mathematics, where scores rose from 276 to 281. For 13-year-olds in reading, in contrast, scores only rose a point, and for 17-year-olds reading and mathematics scores both dropped two points.

Aside from looking at overall test scores, an examination of the effectiveness of particular federal programs indicates generally poor results. Consider Title I, the core federal education subsidy program. In a recent book, education policy experts Marvin Kosters and Brent Mast concluded the following:

After more than thirty-five years of experience and numerous careful efforts to evaluate its performance, the evidence has failed to demonstrate that Title I programs have been systematically and significantly contributing to reducing disparities in achievement by improving the performance of its beneficiaries . . . Experiments by federal, state, and local authorities and major shifts in the emphasis of federal policy have all failed to bring systematic improvement.[30]

Or consider the Department of Education's Office of Innovation and Improvement, which has a budget of about $1 billion. OII claims to be "a nimble, entrepreneurial arm of the U.S. Department of Education" making "strategic investments in innovative educational practices."[31] But experience shows that the department hasn't been very innovative, notes Diane Ravitch, who headed up the OII's predecessor office in the 1990s:

We were always on the lookout for the latest thing, the newest innovation that would set the world of education on fire. Yet, in retrospect, it is hard to think of a single program that the department funded during that time that actually made a lasting contribution to the advancement of education . . . When I first heard the Department of Education had created an Office of Innovation and Improvement, I was less than enthusiastic. It is not because I oppose innovation, but because I have strong doubts about whether the federal government has the capacity to nurture effective practices. My impression, based on the last 30 years, is that the federal government is likely to be hoodwinked, to be taken in by fads, to fund the status quo with a new name, or to impose a heavy regulatory burden on those who seek its largesse.[32]

Misallocation and Bureaucracy

A basic effect of all federal programs is to redistribute income from taxpayers to the beneficiaries of programs. The more than $70 billion spent on K-12 education programs could have otherwise been retained by families and used for education or other private purposes. The higher are taxes, the less income families have to spend on private schools, tutors, or saving for college. Without federal involvement, each state and local government could decide the best use of public education dollars, whether reducing class sizes or implementing choice programs to incorporate private schools.

Federal intervention has long been supported on "equity" grounds, or redistributing funds toward less-advantaged schools. But studies have found that the federal government is not very successful at such redistribution, even if it were a good idea. When you compare a ranking of the states based on poverty rates with a ranking of per pupil federal K-12 financing, it reveals only a weak correlation.[33] In other words, states with high poverty rates typically get only slightly more federal funds than wealthier states.

Perhaps more importantly, federal funds are often offset at the state and local levels by reduced state and local funding. A statistical analysis by Nora Gordon of the University of California, San Diego, found that while Title I is supposed to steer money to poor school districts, the actual effect is quite different.[34] She found that within a few years of a grant being given, state and local governments used the federal funds to displace their own funding of poor schools. Thus, poor schools may be no further ahead despite the federal grant money directed at them. Other studies have concluded that Title I has not reduced the education funding gap between higher- and lower-income states.[35]

Aside from redistribution, the theory behind educational aid to the states is that federal policymakers can design programs in the national interest to efficiently solve local problems.[36] But involving the federal government focuses the educational policy discussion on spending levels and regulations, not on delivering quality services. By involving all levels of government in just about every policy area, the aid system creates a lack of accountability—when every government is responsible for education, no government is responsible.

The Department of Education has no teachers and runs no schools. Its purpose is to oversee 146 education grant programs, which are described in a massive department guidebook that is 490 pages long.[37] In 2008, the number of different grant and subsidy programs operated by the department included 34 for special education, 46 in its Office of Elementary and Secondary Education, and 8 in its Office of Educational Research.[38] As discussed elsewhere on this website, the department also runs dozens of expensive grant and subsidy programs for higher education.

All these programs create intense bureaucracy at the federal, state, and local levels. One can look at budget data for particular programs to get an estimate of federal administrative costs. For example, the Safe and Drug-Free Schools program has administrative costs equal to about 8 percent of the value of grants handed out.[39] Those costs stay in Washington, and do not help school students.

The larger educational bureaucracies are in the state and local agencies that comply with all the federal regulations. For example, in 2008 the Department of Education estimated that 7.8 million hours of work would be needed for state and local education agencies to comply just with regulations governing Title I grants. That figure had increased from 2.9 million hours in 2003, mainly as a result of the No Child Left Behind legislation.[40] In many states, a majority of state-level education department workers are those administering federally funded programs.[41]

Federal education programs have also generated large lobbying and litigation activities, which are a drag on the U.S. economy. Consider, for example, that the National Education Association has a staff of 555 and a budget of more than $300 million.[42] The NEA influences

federal policy through publications, conferences, meetings with legislators, and contributions to candidates.

Aside from the broad-based groups that lobby for overall spending increases, there are many lobby groups focused on particular education programs in the federal budget, such as the National Head Start Association.[43] This organization, which as an annual budget of more than $5 million, pushes for increased Head Start spending every way it can, such as publishing a 16-page "Voter Participation and Lobbying Guide for Head Start Staff, Parents, and Friends."[44] The association even has its own Legal Advisory Service to provide legal training and legal guidance for the recipients of Head Start subsidies. [45]

Conclusions

Over the decades, policymakers have argued that various state, local, and private activities need federal intervention because they are "national priorities." A fact sheet from the Secretary of Education in 2005 begins: "The responsibility for K-12 education rests with the states under the Constitution. There is also a compelling national interest in the quality of the nation's public schools. Therefore, the federal government . . . provides assistance to the states and schools in an effort to supplement, not supplant, state support."[46]

This logic is flawed because there are few activities that the federal government performs that are not also priorities of individuals and state and local governments. One can call education a "national" priority, but that does not mean that the federal government has to get involved. That's because education is also a high priority of local governments and families. The states are free to learn new schooling techniques from each other, but there is no need for top-down control from Washington.

President Ronald Reagan made the following observation in a 1987 executive order on federalism:
It is important to recognize the distinction between problems of national scope (which may justify federal action) and problems that are merely common to the states (which will not justify federal action because individual states, acting individually or together, can effectively deal with them).[47]
Having high quality K-12 education is a concern of many Americans, but that does not justify having a federal Department of Education. Canada provides an interesting comparison. Like the United States, Canada is a high-income federation with an advanced economy, yet it has no federal department of education. Public education in Canada is of sole concern to provincial and local governments. Interestingly, that decentralized approach has resulted in substantial experimentation and innovation, including school vouchers, charter schools, and competing public schools. International education achievement data suggest that children in several Canadian provinces, and the nation as a whole, outperform U.S. students in reading, mathematics, and science.[48]

In the United States, the federal government has expended hundreds of billions of dollars on the schools, yet all it has to show for it is stagnant test scores, huge bureaucracies, and masses of federal regulations that smother local innovation. The federal government's poor track record proves how wise the Constitution's framers were to leave such local activities to the states. Federal meddling in education should be scaled down and phased out, and control should be returned to the states and, ultimately to the people.

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[17] Neal McCluskey, *Feds in the Classroom* (Lanham, Maryland: Rowman & Littlefield, 2007), p. 50.

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[26] U.S. Department of Education, *Digest of Education Statistics, 2008*, Table 181.

[27] U.S. Department of Education, *Digest of Education Statistics, 2008,* Table 131.

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[47] Ronald Reagan, Executive Order 12612, October 26, 1987, www.reagan.utexas.edu/archives/speeches/1987/102687d.htm.

[48] The 2006 Progress in International Reading Literacy Study included five Canadian provinces, and four outperformed the United States. The 2006 Program for International Student Assessment tested Canadians as a whole, and the nation finished far ahead of the United States in science, reading, and mathematics.

Cato Institute
1000 Massachusetts Avenue N.W.
Washington D.C. 20001-5403
Telephone (202) 842-0200
Fax (202) 842-3490
