Where Conservatives Should Lead on Federal Education Policy in 2021

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Key Points

- Conservatives have an opportunity to play a productive role in federal education policymaking. They have to do more than just say no.
- Early childhood education policy should center on family and work to make family life in America easier.
- Federal K–12 policy should focus on deregulating existing programs and broadening their eligibility to allow new and different providers to access federal funds.
- Higher education policy should diminish the power of existing gatekeepers and open the field for more innovation, with new means of ensuring that dollars are spent well.

When Jesse Helms served the people of North Carolina in the United States Senate, he reveled in his nickname, "Senator No." After Helms' time in office, Tom Coburn took up the mantle. Christened "Dr. No," with both James Bond wordplay and a reference to his previous career as an obstetrician, the Oklahoma senator similarly rejoiced in stopping government programs, jealously guarding the public purse, and questioning Washington's wisdom and ability to solve problems.

In education policy, conservatives have often been more identifiable by what they are against than what they are for. Ronald Reagan ran in 1980 promising to eliminate the Department of Education, and since then, numerous conservative politicians have stated they wish to do the same. At times, conservatives have been known to support school choice policies and accountability, but that has not been universal. (Look at all the deep-red states that lack any form of private school choice programming.[1])

Voters want policymakers to put forth a substantive vision of society and pursue policies to achieve it. Most of those policies, conservatives believe, should happen at the state and local level, but the federal government has a role to play.

Washington spends billions of dollars and superintends thousands of pages of regulations that fund and govern childcare facilities, K–12 schools, and colleges and universities. From the Child Care and Development Block Grant to Title I to the Pell Grant program, the federal government's education portfolio is substantial and offers opportunities for constructive input from conservatives.

While conservatives will find ample opportunity, as William F. Buckley famously said, to stand athwart history, yelling stop, and always have reason to express skepticism about the wisdom and competency of Washington, DC, bureaucrats, there are things they can do to make America a better place to live. As data presented below show, it is tough to raise children in America today. It is tough

to gain the skills and knowledge needed for a good job without accumulating debt. It can be made easier.

Our education system is the foundation of our society, democracy, and economy. If conservatives do not advance principles and policies to shape it, nonconservatives will.

In education policy discussions, we tend to divide the system into three parts: the time before students enter elementary school, the time they spend from kindergarten through high school, and the time they spend in college. This report looks at each period and offers principles and policies that conservatives at the federal level can and should pursue.

Early Childhood Education

One of the saddest statistics on American life today is the number of families that have fewer children than they would like. As the demographer Lyman Stone showed, American women, on average, report they have one fewer child than they would ideally like to have. (They have 1.8 but say they want 2.7.[2])

This should deeply trouble conservatives. As Russell Kirk argued in a 1977 lecture at Hillsdale College:

> The family always has been the source and the center of community. In the phrase of Edmund Burke, the family is the origin of "the little platoon we belong to in society," and it is "the germ of public affections." . . . Its essential function is the rearing of children. Those societies of the past and the present which we call good societies have been strongly marked by powerful family ties. These have been societies possessed of a high degree of both order and freedom. Societies in which the family has been enfeebled have been disorderly and servile societies—lacking love, lacking security.[3]

Why are families having fewer children and thus eroding the foundation on which our society is built? Lots of reasons, but a consistently reported factor is the cost of childcare.[4] Until children enter the public school system, traditionally around age 5, parents have to navigate a complex web of childcare and early childhood education providers. Programs are available to help low-income families, but they are a confusing patchwork of eligibility requirements and benefits.

In response to this and the educational disadvantages many children bring into the early elementary school grades, our friends on the left have proposed a raft of childcare and early childhood education programs. While noble in intention, many of these plans are nonetheless flawed because they stand to import much of the bureaucratization and credentialism (and its related costs and supply constrictions) from the K–12 system to early childhood education.

Here is one short example of how that looks. In addition to advocating for all 3- and 4-year-olds to attend an early childhood education center, many politicians say these centers must be "high quality." Who could be against high quality?

The devil is in the definition. The National Institute for Early Education Research, one of the most powerful organizations in the constellation of early education advocacy groups, sets 10 quality standards for early education providers. The most important for our purposes is the requirement that early childhood education classrooms are led by a teacher with a bachelor's degree and classroom assistants with specific certification in the field.[5] This will require millions of professionals to spend years in costly training programs (with a dubious connection to their effectiveness).[6] Those costs will be passed on to providers. The requirement will dramatically constrict who can be an early childhood educator, driving up costs with little evidence that it will improve quality.

But it is not just that. Many programs that progressives propose are also biased toward providers outside the home. What about families that would prefer to keep their children at home? What about families that have different priorities for their children's development? They are left out.

Conservatives should offer a different vision. Conservative early childhood education policy should accomplish three things:

1. Provide relief for working families by subsidizing and promoting lower-cost early childhood education options,

2. Create nurturing and supportive childcare environments in partnership with employers and civil society, and

3. Directly support families to maximize their flexibility in finding workable childcare and early education options.

Conservatives should implement these principles in as straightforward and simple a way as possible. They should consolidate funding streams and unify eligibility criteria for public aid. It should be easy to identify those who qualify for a program and calculate their benefits. Dollars should not have to flow through layers of bureaucracy (with each taking its cut). They should go to parents and then providers as quickly as possible.

How might these benefits look?

One potential way to meet these goals is to create an education savings account (ESA) for every 3- and 4-year-old in America, along the lines of what Cara Stillings Candal proposed in her report for AEI's Sketching a New Conservative Education Agenda series, with the amount based on parental income.[7] ESAs—flexible-use accounts that allow parents to spend money on various education providers—encourage cost control, as less-costly options leave more money for parents to spend on other things for their children.

Allowing for this kind of flexible program would also require conservatives to prevent the overregulation of early childhood education providers. Organizations should be green-lit to receive ESA funds even if they do not require college degrees for their teachers. Religious organizations should be eligible too. Early childhood centers should be nurturing, safe, and tight-knit communities that work with parents to rear children, not cold government bureaucracies ticking boxes and filling out forms for regulators. Regulations to promote children's health and safety are, of course, appropriate and should be strictly enforced. But centers should have a wide latitude in what they teach children, how they teach it, and whom they hire to teach it.

But ESA accounts are not the only solution. In a 2020 *National Affairs* article, for example, Frederick Hess proposes expanding tax credits for spending on employer-provided childcare.[8] Currently, employers can take a partial tax credit of 25 percent (up to $150,000 in total credits), but that could be increased to encourage more employers to provide childcare for their employees. Providing on-site childcare could become part of the compensation package that businesses offer to attract employees. It would also be good for their balance sheets.

Conservatives should also consider allowing parents to access the money for themselves, should they desire to step out of the workforce to raise and educate their children full-time. Proposals to reform the child tax credit are not new in conservative circles,[9] and transitioning it to more of a child allowance than a tax refund has been hailed as a "family-forward" conservatism with broad support.[10]

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As an example of how some of these proposals might look, Sens. Mitt Romney (R-UT) and Michael Bennet (D-CO) proposed an expansion of the child tax credit to $2,500 per child that made the first $1,500 fully refundable and the next $1,000 phased in based on income. Or, it could look like the Fischer tax credit, a pilot program Sen. Deb Fischer (R-NE) sponsored in the 2017 Tax Cuts and Jobs Act that offered a partial tax credit to employers that provided family and medical leave. As Hess argues, this could easily be adapted to cover childcare or early childhood education expenses.[11] Of course, these proposals need scrutiny and design features that will not penalize work. They might also need to be larger to offset the lost income of a parent staying at home to educate his or her child.

In addition to allowing families to care for their children at home, using the tax code can benefit children earlier, as the costs of child-rearing do not start when a child turns 3. Rather than creating a byzantine early childhood support bureaucracy, conservatives should advocate for streamlined support given directly to families to use how they think is best.

K–12

The federal role in K–12 education is one of the most misunderstood elements of our nation's educational landscape. Even informed people are unsure how much the federal government contributes to K–12 education, how that money is contributed, what leverage the federal Department of Education has over those dollars, what they are allowed to be used for, and more. That makes rethinking the federal role harder.

But the guiding principle of conservative federal education policy is not complicated. *Conservative reformers should work to unwind decades of accumulated regulations so local actors can try new and different things*. Over the years, thousands of pages of regulations have piled up around how federal dollars need to be spent, who is eligible for them, and how that spending must be reported. This has created a sclerosis that continues to funnel federal support down the same predictable channels. Traditional school districts maintain a stranglehold on federal dollars, and institutions and organizations that know how to write the right kind of proposals get contracts from those districts to provide services. The i's get dotted and the t's get crossed, but billions of dollars go out the door with little evidence they are being put to their best use.

How can conservatives tackle this? It is best to divide federal spending on K–12 education into four buckets. The first and largest is spending on Title I. The second is spending on students with special needs through the Individuals with Disabilities Education Act (IDEA). The third is everything else the Department of Education funds, and the fourth is everything else the federal government funds in schools not through the Department of Education. Each can frame how we think about reforming the federal role in K–12 education.

Title I. The Department of Education's largest K–12 expenditure is Title I, a program that dates to the first authorization of the Elementary and Secondary Education Act during the Lyndon B. Johnson administration. It is designed to provide targeted federal support for low-income students. In 2020, the federal government spent just under $17 billion on Title I through the Department of Education.[12] On average, eligible districts receive around $1,200 per student annually in Title I funding.[13] Dollars are administered through a complex series of formulas that take into account a host of district conditions to determine eligibility and award amounts.

Title I is the best and worst of federal involvement in education. It is the best because it is designed to do what the federal government is good at doing—topping up what states and localities do with targeted funding. The federal government has access to huge amounts of money and can run deficits, so it can spend money to support needy children and communities in ways states and localities cannot. Title I is the worst because it has created a byzantine bureaucracy with rules and regulations that tie educators' hands and create administrative fiefdoms in the state and local education agencies that administer the funds. Conservatives should reform Title I by simplifying it, deregulating it, and broadening its eligibility to allow new and different models of schools to access it.

How could these new models look? They might include the microschools that Matthew Ladner profiles in his report for the Sketching a New Conservative Education Agenda series or the career development pathways that Bruno Manno describes in his.[14] They might include the schools that are rethinking the school day or year, as Holly Kuzmich argues they should.[15] Any of these models would benefit from greater regulatory and funding flexibility, and they are less likely to emerge at scale if school districts maintain a vise grip on federal funding.

IDEA. A 2016 article in the *Atlantic* begins, "I am in hell—or its equivalent. Specifically, I am in an IEP (Individual Educational Plan) meeting for my 14-year-old daughter, a special-education student in Prince George's County, Maryland."[16] That piece, "The Special-Education Charade," painstakingly describes how difficult it is for families to access the services that federal law says their child should receive. The federal government spends $13.9 billion annually on IDEA,[17] and while it generates mountains of paperwork, it is unclear how many students receive the services they actually need.

In some ways, IDEA is the paradigmatic example of the problems with federal policymaking. Its

intentions are noble. Its funding is substantial. But its ability to ensure that teachers do what the law says is minimal. In many cases, the only recourse disgruntled parents have is to sue the district for better treatment.

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Parents need more help. If the only arrows in their quiver are negotiating an IEP (in which they start at a disadvantage because the school stacks the meetings with experts and administrators) and then suing if they do not get what they want, then only a sliver of families can adequately hold schools' feet to the fire. Parents need the option to exit schools that are not serving their children and take the funding that has been appropriated to pay for their child's education with them. Making IDEA funding flexible and not tying it to a traditional district school is one way to help.

Everything Else the Department of Education Funds. The federal Department of Education operates several other substantial programs. Title II, which funds teacher professional development, costs more than $2.1 billion. Title IV, which funds academic enrichment and technology purchases, costs $1.2 billion, as does aid for after-school programs.[18] It was these programs and others that the Donald Trump administration repeatedly tried to cut in the budget drafting process. Congress (Republicans included) rebuffed the attempts.[19] Even though there is little evidence some of these programs are effective, cutting them is still unpopular.

If conservatives have to live with these funding streams, they can think about how best to structure how they are spent. The Coronavirus Aid, Relief, and Economic Security (CARES) Act provides a helpful template. The $3 billion that the CARES Act provided for the Governor's Emergency Education Relief Fund was used by several different governors to fund a diverse set of educational providers. Oklahoma Gov. Kevin Stitt used the money to grant one-time scholarships for private school students so they could stay in their existing schools, even if their parents had lost their jobs. Florida Gov. Ron DeSantis poured $30 million into the Florida Tax Credit Scholarship Program to support students and $15 million into grants to private schools to offset declining enrollment.

Governors and state education agencies need more flexibility to spend these funds on the organizations and institutions that are going to use them best. Perhaps teacher professional development funds would be better spent if they were put in ESA-like accounts for teachers to decide how to spend. Rather than what their school or district thinks is best, teachers could decide what opportunities would aid their professional development. The same is true for after-school and tutoring programs. Parents have a better idea about how best to help their children and should have more control over how those dollars are spent.

The federal Department of Education should remember it has two key powers that few actors in education have: the power of convening and the bully pulpit. Several authors in the Sketching a New Conservative Education Agenda series offered ideas about ramping up civics education, making schools safer, promoting individual agency and upward mobility, and making schools more joyful places for students to learn.[20] The federal government has a limited ability to make this happen from Washington, but it can convene people in our nation's capital and around the country to talk about these topics, highlight schools and educators that are succeeding, and call out schools that are not.

Everything Else the Federal Government Funds in Schools. Numerous other federal programs intersect with schools, including two large ones: the National School Lunch Program and Head Start.

The National School Lunch Program subsidized lunches for 29.4 million children in 2019 for $14.1 billion.[21] Head Start serves around 900,000 students for $9 billion.[22] In both cases, much is laudable, but there are also some notable frustrations. A 2014 Government Accountability Office report found that students were opting out of the school lunch

program because changes to the nutritional content of meals made them taste terrible.[23] School districts, tired of the food waste, then opted out of the program, reasoning they could operate more efficiently and effectively on their own.[24] Head Start has been criticized for decades but got its largest dose of skepticism in 2012, when, four days before Christmas, the Barack Obama administration released a massive, high-quality study of the program that found any positive benefits faded by third grade.[25]

We do not have the time or space to litigate all the issues surrounding these two programs, but they do highlight reform opportunities. That $9 billion in Head Start funding could go a long way into paying for the other early childhood proposals listed above. Similarly, the deregulatory approach that would benefit federal education dollars would also benefit federal school lunch spending, allowing the people who run cafeterias to decide how to balance nutrition, taste, and cost.

Higher Education

American universities are in crisis. The returns on a college education are shrinking.[26] The price of a college education is rising.[27] Admissions scandals have embarrassed prestigious institutions. Far from universities being bastions of free speech and inquiry, example after example of them shutting down speakers or punishing professors for stepping outside the prevailing orthodoxy continue to pile up.[28] Student debt abounds.

Universities are important institutions. Conservatives dismiss them at their peril.

What should conservatives stand for in higher education? I propose three principles.

1. **Rigor.** Graduating with a bachelor's degree should mean something. Individuals who have a college degree should write clearly and effectively. They should have a command of history, science, art, and literature.

2. **Continuity.** The university, in the highest sense, is about cultivating and conserving human knowledge. Universities should be dedicated to preserving what we have learned, sharing that with the next generation, and expanding what we know.

3. **Flexibility.** A traditional college education is not for everyone. But for those looking for better work opportunities, some education after high school is required. We should work to have various paths for people pursuing different goals to gain the knowledge and skills they need for success.

Conservatives can play a role in turning around both the performance and public opinion of universities. The Sketching a New Conservative Education Agenda series proposed three polices that are worth considering.

The Three-Year Degree. Michael Poliakoff, president of the American Council of Trustees and Alumni, argues that students need the option of a focused, fast-track degree. His solution is a three-year degree. Rather than allowing students to meander through courses of dubious value with questionable connections to anything they are trying to achieve, Poliakoff argues for a different approach. Students would begin their studies with a standardized 27-credit-hour core curriculum that includes "formal expository writing, literature, a college-level mathematics course, a natural science course, an economics course, a survey in US history or government, and three semesters of a foreign language."[29] After that, students have 63 credit hours (translating to 21 three-hour courses) of major-specific work, more than enough to gain subject mastery. This is accomplished with six standard semesters of 15 credit hours each.

A three-year degree would have the obvious benefit of costing less than a four-year degree, but it would also push universities to think about what they do. What courses are they offering? Why are they offering them? What do students need to know to be successful? Are students getting that? Are they spending a lot of time and money and not walking away with a commensurate amount of knowledge?

As Poliakoff points out, there is no federal requirement that a bachelor's degree takes four years or 120 credit hours. The issue is with accreditors, which control access to federal aid. The federal government has given them this power and can alter it. The federal Department of Education could make clear, through a "Dear Colleague" letter or other federal guidance, that, for federal aid,

universities can offer a 90-hour three-year degree of the form Poliakoff proposes.

Hybrid College. What if our higher education system were less rigid? Hanna Skandera, former secretary of education for New Mexico, offers a vision of how a more flexible, student-centered system might look. She calls it "hybrid college." A hybrid college would have in-person and online offerings, wraparound supports such as childcare and transportation, and career counseling and work experience to place graduates in good jobs. Such a school would save money on facilities and faculties and spend it on support services, counselors, and coaches. The plan is flexible, efficient, and aligned to employer expectations.[30]

Given the changing profile of higher education students, who are less likely to be footloose and fancy-free 18- to 22-year-olds and more likely to be working adults, flexibility and support will be necessary for them to succeed.

What role can the federal government play in fostering such arrangements? Its primary tool to support college students is the Pell Grant program, on which it spends almost $30 billion annually.[31] Skandera argues for regulatory flexibility, so Pell Grants could be used on short-term programs so adult learners and other episodic higher education students could more easily access government support.

Another potential funding stream, with some regulatory flexibility, is the Workforce Innovation and Opportunity Act (WIOA). It provides, through the Department of Labor, more than $10 billion annually to workforce training programs serving more than 20 million Americans.[32] Allowing hybrid college programs to qualify for WIOA funds could help adult learners who need to retrain and upskill.

Third-Party Credentialing. Michael Horn of the Clayton Christensen Institute warns conservatives looking to reform higher education, "Even as they create space for innovation in higher education, conservatives should be wary of simply writing a blank check to new entities and programs absent some accountability around the value delivered."[33]

Traditionally, policymakers have looked to accreditors to ensure quality, but much like Poliakoff and Skandera before him, Horn is skeptical that accreditors can accurately and fairly evaluate new educational models. Horn proposes that third-party organizations create valid and reliable assessments of key skills and competencies and that the federal government fund innovative higher education models based on student performance on these assessments. Schools would have total flexibility in how they prepare students, and there would be separation between the institutions that prepare students and those that assess them, but the funding would be tied to performance, not attendance.

By empowering accreditors as the gatekeepers to billions of dollars in federal aid, the federal government has ossified higher education and fostered regulatory capture by existing interests.

Horn does not call for a complete overhaul of federal student aid. Rather, he argues that the Department of Education should create a "parallel path" to the Title IV student aid funds it administers and allow organizations to opt in. Students could still use Pell Grants, Stafford loans, and any other federal assistance, but payment would be contingent on student success.

Poliakoff, Skandera, and Horn share their prescription for federal action: Loosen accreditors' stranglehold on the nation's higher education institutions. By empowering accreditors as the gatekeepers to billions of dollars in federal aid, the federal government has ossified higher education and fostered regulatory capture by existing interests. If we want schools to look different, by offering shorter and more focused degrees, blending instruction and support, or focusing on preparing students to demonstrate their competency on outside exams, accreditors will have to create the space. The federal government holds all the cards here. It is the federal government's money. It should use that leverage to promote the kinds of change Poliakoff, Skandera, and Horn propose.

Conclusion

Conservatism in the third decade of the 21st century is trying to chart a course through numerous crosscurrents. It is unclear in the post-Trump years which factions of the conservative coalition will emerge with more influence and which will fade in relevance.

In a world of more active policymaking, conservatives of all stripes can offer one key perspective. Unlike wide-eyed idealists who see all things as possible, conservatives recognize that there is no such thing as a free lunch and that everything comes with trade-offs.

Trade-offs are real and important. Increasing funding for government-run pre-K programs, for example, might mean millions more children receive a good early childhood education. It could also mean nongovernment providers will be squeezed out, narrowing the options available to families. If the government-run option is not successful, it will have cannibalized its competition and will decrease the overall quality of the early childhood education system. Repeat this with all the policy proposals, and the point becomes clear.

Regardless of the political contours over the near and medium term, the fundamental conservative predisposition toward caution, prudence, and carefulness has a productive role in policymaking. Conservatives should not shy away from making their views known.

About the Author

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Notes

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