

**The Struggle for Federal Aid
To Elementary & Secondary Schools
An Introductory Essay
By Don Wolfensberger
Congress Project Seminar
On “Congress & the U.S. Education Deficit”
Woodrow Wilson International Center for Scholars
Monday, January 24, 2011**

The country keeps talking about—they want a moon shot, they want a Sputnik moment. Folks, this is it. Education is more gradual than a moon shot; but remember how the moon shot happened. It was free fellowships for the brightest people in this country to go to universities without borrowing money, without a job, just a focus on what this nation needed to land a man on the moon and bring him back. And we did it.

--Congressman George Miller

In 1957, the United States was shocked into reassessing its educational and national security preparedness after the Soviet Union successfully launched the first earth-orbiting satellite, “Sputnik.” That event jolted the U.S. into a crash program of educating more young people in science, math, and engineering and accelerating the country’s rocket technology development. Consequently, in 1969, the U.S. was the first country to successfully land men on the moon.

However, such “focusing events” of the magnitude of Pearl Harbor, Sputnik, or 9/11 are rare indeed, and Americans are otherwise reluctant to commit to large and costly projects. The epigraph to this essay was delivered by then Chairman George Miller of the House Education and Labor Committee at last September’s NBC-sponsored “Education Nation Summit.” Miller was simply being candid in cautioning his audience against thinking, hoping or waiting for another major event to propel this country into making vast new financial commitments to education.

Moreover, the slow progress in reauthorizing the Elementary and Secondary Education Act of 1965--already four years overdue--including its centerpiece “No Child Left Behind Act of 2001” (NCLB), underscores Chairman Miller’s observation about just how “gradual” changing, or even revising, education policy can be.

This essay is adapted in part from an earlier paper by the author, “The Evolving Federal Role in Education,” prepared for a Congress Project seminar on “Congress and Education Policy: ESEA at 40,” held on March 15, 2005, at the Woodrow Wilson Center and available at:<<http://www.wilsoncenter.org/events/docs/education-intro.pdf>>.

It is especially important, as the 112th Congress approaches this task, to keep in mind just how much electoral, fiscal, and economic circumstances can change the dynamics of the policymaking process. Both NCLB and the Administration's "Race to the Top" initiative of competitive grants for turning-around failed schools have encountered criticisms from elected officials and educators alike. Now, a new crop of freshman House Members includes some who question the constitutionality of a Federal role in education, want to abolish the Department of Education, and seem more set on cutting spending than considering what effects the cuts might have. At the same time, there is a growing realization in Congress and in the country that the U.S. is falling behind other industrialized nations in the global economy, and that improving education is critical to keeping this country competitive, productive and prosperous. These are some of the cross-cutting winds buffeting the Capitol as the new Congress gets underway.

This essay will explore the events and forces leading to the eventual enactment of the original Elementary and Secondary Education Act in 1965. As will be seen, many of the same questions and arguments were being raised then as now, and it would take skillful political maneuvering, time, patience and pressures from a variety of sources to ultimately achieve success.

The Push for General Aid to Education

The modern push for Federal elementary and secondary education aid began with the 1938 report of the Advisory Committee on Education, appointed by President Franklin D. Roosevelt. The committee documented the vast disparity in educational opportunity between the states and recommended that assistance be made available to the states in line with their varying needs. A bill to implement the committee's recommendations was introduced by senators Pat Harrison (D-Miss.) And Elbert D. Thomas (D-Utah) but never came to a vote.

The situation was exacerbated with U.S. entry into World War II as teachers left their jobs to work in defense industries, and the low educational standards and opportunities in many states were highlighted by large numbers of Selective Service rejections on grounds of illiteracy. This in turn gave the cause a "defense hook," as new legislation was again introduced by Senator Thomas of Utah, this time with Senator Lister Hill (D-Ga.). It was framed as a war measure, authorizing \$200 million a year until the end of the war to increase public teachers' salaries, provide for more teachers, and keep schools open for at least 160 days a year.

The bill was debated for six days in the Senate until an the adoption of an amendment offered by Sen. William Langer (R-N.D.), specifying how states should spend their funds for white and Negro schools, led to an erosion of support among southern senators. Senator Robert A. Taft (R-Ohio) seized on this situation to offer a successful motion to send the bill back to committee. No further action was taken on the subject for the duration of the war.¹

However, as financial pressures began to build on state and local units of government following World War II with the influx of the baby-boom generation into the classrooms, the rigid resistance of many in Congress to any Federal role in local schools began to soften. In 1945, a bipartisan caucus for Support of Federal Aid to Education was formed by Congressmen Everett McKinley Dirksen (R-Ill.) and Jennings Randolph (D-W.Va.). Even conservative Republican Bob Taft of Ohio had a change of heart in 1946 and declared that America's schools could not provide an adequate education without federal assistance. Two years later the Senate passed a general education assistance bill sponsored by Majority Leader Taft, but the measure died in the House without further action, notwithstanding the fact that both parties' platforms had endorsed federal aid to education in 1948.²

Political scientist Richard Fenno, Jr., writing in 1961, recounts at length the tortuous and frustrating path of Federal education aid bills in the Congress since World War II: "Since 1945 alone, its committees have recorded 6.5 million words of testimony on seventy-seven different legislative proposals....The Senate has passed each bill debated in the postwar years—in 1948, 1960, and 1961," but "majorities have been extremely hard to achieve at those points in the House when they must be produced," in committee and on the floor.

In the most recent past, Fenno continues, the Education and Labor Committee "has reported out a bill six times." But they were blocked by the Rules Committee in three of those instances, and twice defeated on the House floor. On the one occasion in 1960 in which the House passed a bill, it was prevented by the Rules Committee from going to conference with the Senate.

Fenno concludes from this abysmal track record that, "the House has not performed conflict-resolving and consensus-resolving functions in the area of federal aid to education." And he summarizes the reason for this as, "the incredible complexity and sensitivity of the problems which comprise 'the' issue of federal aid—problems involving control of the educational system, aid to non-public (especially parochial) schools, and the survival of segregated schools."

While this might lead one to think it was a next to impossible nut to crack, the fact that the Senate was able to pass general aid bills on several occasions points instead to the particular individuals and institutions of the House as being responsible.³

While the Eisenhower Administration supported general school aid throughout the 1950s, it was never able to concoct the appropriate mix of leadership and compromise necessary for success. The forces of opposition in the House were too many and too varied. However, expectations rose when the new Kennedy Administration came to power in 1961 with its panoply of "New Frontier" programs aimed at getting the country moving again. Kennedy termed the education aid bill "probably the most important piece of domestic legislation" of 1961. In his first State of the Union Address to Congress he outlined the extent of the problem:

Our classrooms contain 2 million more children than they can properly have room for, taught by 90,000 teachers not properly qualified to teach. One third of our most promising high school graduates are financially unable to continue the development of their talents. The war babies of the 1940s are now descending in 1960 upon our colleges...and our colleges are ill-prepared. We lack the scientists, the engineers and the teachers our world obligations require.⁴

A month later Kennedy submitted a "Special Message to the Congress on Education," in which he laid out the specifics of his education program, tying it to the exigencies of national greatness. "Our progress as a nationour requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself ...all require the maximum development of every young American's capacity." The plan called for a three-year program of general Federal assistance to public elementary and secondary schools for classroom construction and teachers' salaries, construction of college and university facilities, new scholarship assistance to college and university students, and modernization of vocational education.⁵

The biggest obstacle to success was the issue of aid to private schools. Kennedy, the first Catholic president, was careful in his education message to point out that his proposal did not provide funds for private schools, "in accordance with the prohibition of the Constitution." But this in turn provoked a letter from the Catholic bishops opposing the bill and urging its defeat unless it included loans to private schools. However, Kennedy also opposed across-the-board loans to public and private schools on constitutional grounds. This stance threatened to turn 88 Catholic House members against the legislation, on top of existing opposition from Republicans and Southern Democrats.⁶

Consequently, Kennedy devised a strategy to send to Congress a National Defense Education renewal bill that included loans to private schools and grants to public schools for equipment for teaching science, mathematics, and foreign languages. The Administration would then ask for amendments to add more fellowships plus expanding aid to include the subjects of English and physical fitness. Congress in turn would add a Title III program of loans to private schools for construction of classrooms in which science, math, foreign language, English and physical fitness were taught. This would be justified on grounds it was for special "defense" purposes as opposed to being across-the-board private school aid. The Catholic bishops then sought assurances that the NDEA bill, with the newly added private school assistance, would be brought to the floor in tandem with the public school aid bill. Catholic Rules Committee Democrats James Delaney (N.Y.) and Thomas P. O'Neill (Mass.) voted with the Republicans and two southern Democratic members to withhold reporting the NDEA bill until the public aid bill reached the committee.

Even though the Education Committee complied with this scenario, Delaney joined with the two southern Democrats, Judge Howard Smith (Va.) and William Colmer (Miss.), and all five Republicans, to table the bills. Three other Rules Committee southern Democrats, Carl Elliott of Georgia, Homer Thornberry of Texas, and James Trimble of Arkansas, were reportedly ready to vote to table the NDEA bill had it come to a separate vote. Speaker Sam Rayburn's successful effort earlier in 1961 to expand the Rules Committee to include two Democrats more sympathetic with Kennedy's programs was still not enough to dislodge the bills. Nor was Kennedy any more successful in the following two years of his Administration in enacting general public school aid (though other pieces of his education program were enacted in 1963).⁷

It would not be until the presidency of Lyndon Johnson, a former school teacher and master legislative craftsman and strategist, that the school aid cause would take on new life and finally be enacted into law in 1965 as a centerpiece of Johnson's Great Society program. Johnson succeeded where Kennedy had failed, not by resurrecting the "defense" hook, but by tying education aid to his "anti-poverty hook." The 1964 Civil Rights Act had removed racial discrimination in the schools as an element to be dealt with in education legislation. Title VI of the Act provided for cutting off funds for any federally assisted program that discriminated based on race.

With the Civil Rights Act and much of the anti-poverty program already on the books in 1964, Johnson came before the Congress in his State of the Union message in 1965, listing as the first item on his national agenda “a program to ensure every American child the fullest development of his mind and skills.” Specifically, Johnson proposed a new program of assistance to students from low-income families:

Every child must have the best education this Nation can provide. Thomas Jefferson said that no nation can be both ignorant and free. Today no nation can be both ignorant and great. In addition to our existing programs, I will recommend a new program for schools and students with a first years authorization of \$1,500 million. It will help at every stage along the road to learning....For the primary and secondary school years we will aid public schools serving low income families and assist students in both public and private schools.⁸

On January 12, Johnson followed-up his State of the Union address with a special message to Congress entitled “Toward Full Educational Opportunity” with requests for education programs totaling over \$8 billion in fiscal year 1966--twice the education budget as when Johnson became president in late 1963. “Now this is a large expenditure,” Johnson observed in a videotaped message released to the networks with the submission of his message to Congress, “but it is a small price to pay for preserving this nation, for saving our free enterprise system, and for developing our country’s most priceless resource, our young people.”⁹

Johnson may have been given to Texas-style hyperbole at times, but his rhetoric was calculated to catch the attention of Congress as much as it was the public’s. “Poverty has many roots,” Johnson said in his education message, “but the taproot is ignorance.” Johnson’s strategy to use the poverty, equal opportunity hook not only appealed to Americans’ sense of fairness and shame, but was also a clever way to avoid the religious issue that had dragged down previous efforts. By emphasizing that Federal assistance would go to school children in needy areas and not to schools, the religious issue was largely avoided while the issue of deprived children, rather than schools, was pushed to the forefront. Thus private schools were able to share in some of the federally aided services through special programs such as shared-time projects and educational television.

The idea of “compensatory education” for economically depressed students was a breakthrough concept that enabled the president to succeed where others had failed in the

previous two decades. The ideas for the Administration bill came from a report by a presidential task force headed by John Gardner, then president of the Carnegie Corporation and later in the year to become Johnson's Secretary of Health, Education and Welfare. Johnson had laid the groundwork with various interested groups before sending his message to Congress, including the National Education Association, which previously had opposed any aid to private schools, and with Catholic and other groups.

It didn't hurt either that the 1964 elections, which Johnson won in a landslide over Republican presidential candidate Barry M. Goldwater, brought a whole raft of new Democratic members to Congress. In the House, the Democratic majority increased from 258 to 295 members, while Republican ranks shrunk from 176 to 140 members. The House moved swiftly on the Administration proposals, with the Education and Labor Committee reporting the elementary and secondary education aid bill by March 8, and the full House passing the measure on March 26, 263 to 153 (with most Republicans and southern Democrats voting against, but with Johnson's new phalanx of Goldwater-babies carrying the day). The Senate quickly followed suit by passing the bill on April 9, 73 to 18.

As cleared for the president's signature, the ESEA bill provided a total of \$1.3 billion in general aid to the nation's elementary schools for the first time ever. Most of the funds in the Act were contained in Title I which provided compensatory instruction for basic skills for children in areas of high poverty. Title II of the Act provided library books and textbooks to elementary and secondary schools and substantial aid to parochial schools. Title III provided grants for educational innovations at the local level, while Title IV established federal research and training facilities for education, and Title V was aimed at strengthening state education departments.

Johnson signed the Elementary and Secondary Education Act (ESEA) into law on April 11, 1965, in a one-room schoolhouse in Johnson City, Texas where he had been a student as a four-year old. In signing the bill, the president commented on the long fight for elementary and secondary education assistance:

For too long, political acrimony held up our progress. For too long, children suffered while jarring interests caused stalemate in the efforts to improve our schools. Since 1946 Congress has tried repeatedly, and failed repeatedly, to enact measures for elementary and secondary education.¹⁰

Johnson went on to hail the measure as “a major new commitment of the Federal Government to quality and equality in schooling,” and predicted that those who supported the measure in Congress would “be remembered in history as men and women who began a new day of greatness in American society.” He said the bill would “bridge the gap between helplessness and hope for more than 5 million educationally deprived children,” put into their hands more than 30 million new books, reduce the time lag in bringing new teaching techniques into the classrooms, strengthen the ability of state and local agencies to bear the burden and meet the challenge of better education, and “rekindle the revolution of the spirit against the tyranny of ignorance.”¹¹

Conclusions

The enactment of the Elementary and Secondary Education Act 46 years ago this April was not the final stage of Federal involvement in education by any means, but did mark a turning point in establishing the government as a full partner in identifying and addressing a national problem. One is left with the question of why it took Congress so long to pass something that seemed to have bipartisan consensus for 20 years before it was finally enacted. As Richard Fennno points out in his case study of the issue from 1945 to 1961, the problem was the House and not the Senate. The so-called conservative coalition of southern Democrats and Republicans still controlled that Chamber and it was not disposed to new federal involvement in what was considered a very basic responsibility of state and local governments--the education of America's children. As Secretary of Health, Education and Welfare Abraham Ribicoff put it when the 1961 bill did not succeed: “They expected a miracle and I couldn't produce a miracle. It was impossible to bring together a majority for a bill when most members didn't want one.”¹²

Fennno has a slightly different take on the subject:

The problem is not that a majority of representatives have not wanted a federal aid measure or could not be persuaded to want one. The problem is that an overall majority—or a federal aid consensus—cannot be obtained at any one point in time for any one legislative proposal.

And Fennno continues:

...any federal aid majority must be compounded of many submajorities. Different submajorities will be needed to resolve essentially different conflicts—that is to say, conflicts on different issues, in different decision-making units, at different points in time, and in different sets of society-wide circumstances. Furthermore, each submajority must be both flexible and cohesive—flexible enough to permit

agreement with other submajorities and cohesive enough to make that agreement an asset in legislative maneuver.¹³

Fenno's study was completed two years before Lyndon Johnson became president in 1963, and four years before ESEA was enacted. But it reads as a prescription for Johnson's successful strategy in pulling together a disparate group of submajorities, or factions, both within and outside Congress, to resolve different conflicts. Moreover, Johnson had in his favor a different set of "society-wide circumstances" in the wake of the Kennedy assassination with heightened public awareness of racial, social, and economic disparities and injustices. Fenno's conclusion, in 1961, was as contradictory yet predictive as it could be: "A new, stable House consensus remains as far from—yet as close to—realization as ever."¹⁴

Endnotes

1. "Chronology of Education Legislation, 1945-1964," *Congress and the Nation, 1945-1964*, Volume I (Washington: Congressional Quarterly, Inc., 1965), 1201-1202.
2. Ibid, 1202-03.
3. Richard F. Fenno, Jr., "The House of Representatives and Federal Aid to Education," in *New Perspectives on the House of Representatives*, Robert L. Peabody and Nelson W. Polsby, editors (Chicago: Rand McNally & Company, 1963), 195-96.
4. John F. Kennedy, "Annual Message to the Congress on the State of the Union," January 30, 1961, *Public Papers of the Presidents of the United States, John F. Kennedy*, 1961 (Washington: U.S. Government Printing Office, 1962), 22.
5. "Special Message to the Congress on Education," February 20, 1961, *Public Papers of the Presidents of the United States, John F. Kennedy*, 1961, 107-111.
6. *Congress and the Nation*, Volume I, 1210-11.
7. Ibid, 1211-1212.
8. "Annual Message to the Congress on the State of the Union," January 4, 1965, *Public Papers of the Presidents of the United States, Lyndon B. Johnson*, 1965, Book 1 (Washington: U.S. Government Printing Office, 1966), 5-7.
9. "Recorded Remarks on the Message on Education," January 12, 1965, *Public Papers of the Presidents of the United States, Lyndon B. Johnson*, 1965, Book 1, 33-34.
10. "Remarks in Johnson City, Tex., Upon Signing the Elementary and Secondary Education Bill," April 11, 1965, *Public Papers of the Presidents of the United States, Lyndon B. Johnson*, 1965, Book 1, 413.

11. Ibid.
12. Fenno, 234.
13. Ibid, 234-35.
14. Ibid, 235.