



The Every Student Succeeds Act: Common Core & State Standards

MYTH VS. FACT

MYTH: The Every Student Succeeds Act allows for federal involvement in state standards.

FACT: FALSE. The bill explicitly prohibits any federal involvement with State standards, including Secretarial approval or review of standards. State standards will once again be a state decision when the bill passes into law.

Language from the Conference Report:

Page 24 – Section 1111(b)(1)(G) and (H):

“(G) PROHIBITIONS.—

“(i) STANDARDS REVIEW OR APPROVAL.—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.

“(ii) FEDERAL CONTROL.—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

“(H) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standards adopted under this part before or after the date of enactment of the Every Student Succeeds Act.

MYTH: The Every Student Succeeds Act does not end the Common Core mandate.

FACT: FALSE. In **addition** to the prohibitions on federal interference with state standards, the bill includes specific prohibitions against any federal coercion or mandate on Common Core. Conservative organizations and long-time critics of the Common Core, including the Home School Legal Defense Association, support these bill provisions prohibiting the use of federal government dollars to incentivize states into adopting the Common Core. The law incorporates language from bills introduced by Sen. Pat Roberts and Sen. David Vitter that prevents the Secretary from reviewing state standards, interfering with state or local decisions about standards (or curriculum), or directing the supervision of any specific standards.

Language from the Conference Report:

Page 51- Section 1111(j):

“(j) VOLUNTARY PARTNERSHIPS.—A State retains the right to enter into a voluntary partnership with another State to develop and implement the challenging State academic standards and assessments required under this section, except that the Secretary shall not attempt to influence, incentivize, or coerce State—

“(1) adoption of the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States, or assessments tied to such standards; or

“(2) participation in such partnerships.

Page 312– Section 8526A(a) and (b):

“(a) IN GENERAL.— No officer or employee of the Federal Government shall, through grants, contracts, or other cooperative agreements, mandate, direct, or control a State, local educational agency, or school’s specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards), nor shall anything in this Act be construed to authorize such officer or employee to do so.

“(b) FINANCIAL SUPPORT.—No officer or employee of the Federal Government shall condition or incentivize the receipt of any grant, contract, or cooperative agreement, the receipt of any priority or preference under such grant, contract, or cooperative agreement, or the receipt of a waiver under section 8401 upon a State, local educational agency, or school’s adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards).”

MYTH: The Secretary of Education has the ability to require states to submit state standards for approval.

FACT: FALSE. A Secretary is prohibited from requiring states to submit their academic standards to the Secretary for review or approval in order to receive federal funding under the bill. They will only present evidence that they meet the letter of the law. The Secretary is explicitly prohibited from making states change any element of the state’s standards as a condition of approval.

Language from the Conference Report:

Page 40-41 – Section 1111(e)(1)(B)(ii):

“(e) PROHIBITION.—

“(1) IN GENERAL.—Nothing in this Act shall be construed to authorize or permit the Secretary—

“(B) as a condition of approval of the State plan, or revisions or amendments to, the State plan, or approval of a waiver submitted under section 8401, to –

“(ii) require a State to add or delete one or more specific elements of the challenging State academic standards;

Page 313 – Section 8527(d):

“(c) Prohibition on Requiring Federal Approval or Certification of Standards.—

“(1) IN GENERAL.—Notwithstanding any other provision of Federal law, no State shall be required to have academic standards approved or certified by the Federal Government, in order to receive assistance under this Act.

For more information about the *Every Student Succeeds Act* please contact Peter Oppenheim at peter_oppenheim@help.senate.gov or call 202-224-6770.