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[Education](#)

## **Legislatures taking state education into their own hands**

By [Lyndsey Layton](#) August 2

The backlash against the Common Core has prompted lawmakers in at least 12 states to get more involved in setting their own K-12 academic standards, injecting politics into a process usually conducted in obscurity by bureaucrats.

In several states, legislators have placed new restrictions on state boards of education, which typically write and update academic standards. In others, lawmakers have opened up the development of standards to greater scrutiny, requiring that proposals receive public vetting.

And in Oklahoma, which has embarked on an extreme makeover of its standards process, lawmakers passed a law that lets them rewrite any standards they don't like.

Oklahoma lawmakers in May voted to scrap the Common Core State Standards, the national academic standards that were set to take effect in the coming school year, which begins there in two weeks. The legislature sent its state board of education back to the drawing board with directions to write entirely new standards by 2016.

"It's just completely an overreaction for state legislatures to believe they can develop and manage and implement academic standards," said Reggie Felton of the National School Boards Association, which represents school boards around the country and opposed the changes in Oklahoma. "They don't have the technical capacity to do that." Politicians shouldn't set academic standards, Felton said.

"The greater concern is that various organizations, through their own lobbying efforts or simply because they have the right money behind them, will influence these members," he said.

Academic standards lay out the [skills and knowledge](#) that students are expected to learn by the end of each grade. Standards are adopted at the state level, while decisions about curriculum — how to teach and the materials used — are usually made by school districts.

State boards of education, whose members are often appointed but sometimes elected, usually consult educators and subject matter experts as they craft academic standards. But state Rep. Jason Nelson (R), who co-wrote the new Oklahoma law, said academic standards always have been political, and his legislation makes the process more democratic.

“When you set education standards, you’re saying what children are required to learn through certain lenses,” Nelson said. “It’s obviously going to be political. What’s different with this law is that we’re allowing the voice of the public to be heard.”

To Douglas Reed, an associate professor of government at Georgetown University, the legislative Common Core backlash in the dozen states has a common undercurrent. “It’s a populist reaction to the Common Core,” Reed said. “Some politicians are tapping into that and grandstanding, but there is a real concern among folks that they were left out of the [decisions to adopt the] Common Core. There’s a real legitimacy argument.” Wisconsin lawmakers tried to pass a similar bill in April, but efforts stalled after the state’s schools superintendent campaigned against it, calling it “craziness.”

“This bill would hand over what is taught in our schools to partisan politics,” Superintendent Tony Evers wrote in a public plea. “Beyond the Common Core, are we ready for our legislators to debate and legislate academic standards related to evolution, creationism, and climate change when they take up the science standards? What about topics like civil liberties and civil rights, genocide, religious history, and political movements when they take up social studies?” Nelson swatted away the suggestion that the changes in Oklahoma invite politicians to meddle in classrooms.

“It seems like we all want to get a No. 2 pencil out and write our own set of standards, but the reality is, I don’t think that will happen,” Nelson said. “For one thing, they have to say what’s wrong with the standard and make the argument, and both houses have to pass any changes by a joint resolution, and the governor has to sign it.”

Oklahoma Rep. Ann Coody (R), a former teacher, said the shift in power from the board of education to the state legislature is wrong-headed.

“The vast majority of us are not former educators,” said Coody, a Common Core supporter. “We all think we know how to run education because we went to school. Well, there are definite ways to teach, definite ways to learn, and those who spend their lives learning it and practicing it ought to be the ones we rely on for this.”

The changes in Oklahoma and elsewhere come amid criticism that the public was excluded from the processes that led 45 states and the District of Columbia to adopt the Common Core standards in math and reading by 2010. In most cases, the Common Core was adopted by agreement in each state among the governor, chief state school officer and state board of education.

“Legislators were just totally left out of it when the states first adopted the Common Core, and that was a mistake,” said Kathy Christie of the Education Commission of the States, a nonpartisan organization that monitors state education policy. “And this is the reaction.”

Several states are now taking pains to include the public in the creation of new standards or the modification of the Common Core.

State officials in Oklahoma have suggested a new process in which any Oklahoman can help write academic standards by joining a web of multiple, overlapping committees that is so complex, the state drew [a flow chart](#) to describe it.

“One of the chief complaints from parents about the Common Core was that it was an out-of-state process and didn’t include parents and educators from Oklahoma,” Nelson said. “This is the opposite of that. We’re allowing everyone to be part of the process.”

But the state board of education, which includes several members who unsuccessfully sued to block the Common Core repeal law on the grounds that legislators lack the legal power to write academic standards, has criticized the new process as cumbersome.

“It’s like something out of Rube Goldberg,” said Daniel Keating, a member of the state board of education.

Even some critics of the Common Core think Oklahoma’s new method is too inclusive. “We’ve swung the pendulum all the way in the other direction to make sure we’ve talked to everyone and their dog,” said Jenni White, president of Restore Oklahoma Public Education, an anti-Common Core lobbying group that fought the standards and helped write the new law. “I do think if you have too many cooks in the kitchen, you end up with a conglomeration that may not be too good to eat.”

Indiana and South Carolina officials also have repealed the Common Core, which was scheduled to be fully enacted with the school year that starts soon.

[Critics](#) in those Republican-controlled states argued that signing onto Common Core national standards meant losing state control over public education and that the standards amounted to federal overreach.

The federal government has no official role in the Common Core. It [originated](#) as a bipartisan effort by a group of governors and state education officials as a way to inject some consistency into academic standards, which have long varied wildly across states. The creation of the Common Core was [largely funded by the Bill and Melinda Gates Foundation](#).

The Obama administration does support the Common Core and gave \$360 million to groups of states that are writing new Common Core tests. It also used Race to the Top, its competitive grant program, as an inducement, saying that states adopting “college and career ready” standards had a better chance of winning federal dollars under the program. Most states understood that phrase to mean the Common Core.

In Oklahoma, where all 77 counties voted against Obama in 2012, any hint of support from the Obama administration was enough to energize opposition.

“It’s time to end the federal tyranny and say, ‘We want Oklahoma education for Oklahoma students,’” state Rep. Gus Blackwell (R) argued on the floor of the legislature.

According to Daniel Thatcher, an analyst at the National Conference of State Legislatures who has been tracking the issue, 12 states passed 14 laws since 2013 that change the way state academic standards are adopted. In most cases, the laws add the number of people who must review and approve of new academic standards, he said.

In Missouri, for instance, instead of repealing the Common Core, the legislature passed a law that requires the state board of education to create “work groups” to review the standards and report findings to the speaker of the House and the Senate president. In North Carolina, a new law creates a panel including appointees of the governor and legislative leaders to review the Common Core standards and report to the legislature. And in Utah, lawmakers now require the state board of education to publicize potential standards on its Web site, invite public comment and hold three public hearings in different regions of the state.