

Isaac, First in Senior Division

Since its establishment, the Department of Education's spending rate of 29.5 percent has risen three times as fast as other non-defense discretionary programs.¹ In 2016, the federal budget will provide over \$70 billion in discretionary spending and \$145 billion in mandatory funding to education.² Federal regulation of schools through the Department of Education is occurring in primary and secondary schools as well as in higher education; these extensive bureaucracies and education agencies drain federal funding to states and localities. Recently, the federal government has been creating various national education standards for student achievement and teacher qualification, causing 55 percent of the red tape in the education system.³ Not only is the overreach of the federal government depleting the national budget and stunting education development, but the federal government also does not have the constitutional authority to carry out these actions.

In 1965, Congress passed the Elementary and Secondary Education Act (ESEA) as part of President Lyndon Johnson's Great Society program to provide equal educational opportunities to all families, regardless of income.⁴ Congress reauthorized the ESEA in 2001 with the revised No Child Left Behind Act (NCLB), placing numerous restrictions on school districts.⁵ Detractors called the law an unconstitutional use of congressional spending power and an unreasonable unfunded mandate. Recently, President Obama signed another reauthorization of the ESEA: the

¹ Berthoud, Dr. John E., *Who Got It Right? What Proponents and Opponents of the Creation of the Department of Education Promised & Predicted*, The Alexis de Tocqueville Institution, January 18, 1996, p.11.

² "BULLETIN: U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE." *Bulletin of the Orton Society* 18 (1968): 117-18. Department of Education. Web. 31 July 2016.

³ Jacobson, James B., *The Restoring Local Schools Act*, The National Center for Home Education, 1995.

⁴ "Education." *Elementary And Secondary Act - Laws*, n.d. Web. 01 Aug. 2016.

⁵ Jefferson-Jenkins, Carolyn, and Margaret Hawkins Hill. "Role Of Federal Government In Public Education: Historical Perspectives." *LWV. LMW*, n.d. Web. 31 July 2016.