



HEARING SUMMARY

HOUSE OVERSIGHT AND ACCOUNTABILITY HEALTH CARE AND FINANCIAL SERVICES SUBCOMMITTEE HEARING ON AMERICA'S REPORT CARD: OVERSIGHT OF K-12 PUBLIC EDUCATION

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On January 30, 2024, the House Oversight and Accountability Health Care and Financial Services Subcommittee held a **hearing** on the oversight of K-12 public education. Yesterday's proceeding addressed the challenges affecting the country's K-12 public education system, including declining academic achievement and rises in chronic absenteeism. There were partisan disagreements over the causes of certain challenges facing schools: Republicans blamed extended school closures, lack of school discipline, and the pursuit of "woke" agendas, while Democrats pointed to systemic inequities like lack of funding and resources. Both parties agreed that targeted tutoring and increased learning times could be effective ways to help students recover, but questioned whether COVID relief funds allocated for these purposes were spent effectively. Republicans heavily criticized the lack of accountability and data around the nearly \$190 billion in federal pandemic relief funding for schools. In addition, there was heated partisan debate on issues such as school choice, diversity, equity and inclusion (DEI), social emotional learning (SEL) initiatives, book bans, and gun violence. While both parties acknowledged the serious academic challenges facing K-12 education, the hearing exposed fundamentally different perspectives on their root causes and how to adequately address them.

WITNESSES AND WRITTEN TESTIMONY

- **Ms. Virginia (Ginny) Gentles**, director, Education Freedom Center, Independent Women's Forum
- **Dr. Nat Malkus, Ph.D.**, senior fellow and deputy director of education policy studies, American Enterprise Institute
- **Ms. Denise Forte**, president and CEO, The Education Trust

MEMBERS PRESENT

Subcommittee Chair Lisa McClain (R-MI); Subcommittee Ranking Member Katie Porter (D-CA); Virginia Foxx (R-NC); Glenn Grothman (R-WI); Eric Burlison (R-MO); Alexandria Ocasio-Cortez (D-NY); Summer Lee (D-PA); Jasmine Crockett (D-TX); Eleanor Holmes Norton (D-DC); and Jared Moskowitz (D-FL).

OPENING STATEMENTS

Chairwoman McClain's opening remarks positioned the hearing as an examination of the K-12 education system in recent years. McClain remarked that educating children should be a bipartisan issue and the number one priority for the country. She acknowledged that during the pandemic, children and teachers were put on the backburner and that current culture wars have only exacerbated the problem. McClain emphasized the issue of chronic absenteeism and how prolonged school closures have contributed to it. Criticizing the continued investment in nonacademic programs to advance political agendas, she asserted the importance of going back to teaching core principles of learning. In addition, McClain commented that equity lowers the bar for equivalence, which has resulted in grade inflation, decreased disciplinary actions, and less advanced coursework offerings. To conclude, McClain suggested increased support for teachers and underscored the importance of providing them with the resources they need to teach students the fundamentals.

Ranking Member Porter expressed concern that her colleagues will be more interested in “pointing fingers” than fixing the problems. She acknowledged that the pandemic caused significant learning loss, but she underscored that many of the underlying issues challenges existed prior. Porter argued that the core issues contributing to schools’ struggles are deeply rooted in long-standing problems like insufficient funding and educational inequalities. She advocated for a unified effort to improve funding for K-12 schools, including competitive salaries for teachers. She concluded by imploring her Republican colleagues to look to the future and work collaboratively toward meaningful impact on the education system.

WITNESS STATEMENTS

Virginia Gentles spoke on behalf of the Education Freedom Center (EFC) at the Independent Women’s Forum (IWF), a non-profit organization that works to promote policies that advance people’s freedom, opportunities, and well-being. The EFC was established to expand educational options for students and parents, pushing for approaches including charter schools, vouchers, and education savings accounts, among others. Gentles expressed concern over the nation’s learning loss crisis, the influence of teachers’ unions, and what she considers to be the ineffective allocation of the \$190 billion in federal Elementary and Secondary School Emergency Relief (ESSER) funding. Gentles’ testimony cited research proving the negative impact lengthy school closures and disruptive quarantine policies had on American students. In addition, Gentles highlighted the lowering of academic standards in schools, which she attributed to school districts spending irresponsibly and teachers focusing too much on SEL and DEI initiatives. To emphasize her point, Gentles referred to recent National Assessment of Educational Progress (NAEP) results that found that “only 26 percent of eighth graders are proficient in math and 31 percent in reading” nationwide. As for solutions, Gentles urged policymakers to focus on student-centered policies, invest in expanding education options, and prioritize students' needs over culture wars. In addition, she called for an investigation into potential school district violations of federal obligations to

students with disabilities and emphasized the importance of investing adequately in the Individuals with Disabilities Education Act (IDEA) to support academic recovery.

Dr. Nat Malkus provided the Subcommittee an overview of research by the American Enterprise Institute (AEI) commissioned in the wake of the pandemic that analyzed school responses to COVID. AEI utilized a Return to Learn Tracker to monitor the weekly instructional status of over 8,500 school districts and used that data to reveal the impact of pandemic closures on student learning. Malkus emphasized how the pandemic had a substantial negative impact on student learning, resulting in rapidly widening achievement gaps. He criticized the federal government for lacking transparent data collection and oversight, particularly regarding the allocation of \$189.5 billion in ESSER funds. In addition, Malkus argued that school reopening decisions were more influenced by local politics than COVID case rates, exemplifying the heightened political polarization within the US education system. Rising from 15 percent to 28 percent during the pandemic, he asserted that chronic absenteeism is the greatest post-pandemic challenge facing public schools. To address this problem, Malkus suggested that there should be a combination of clear leadership from national and local leaders, meaningful supports for students, and consistent communication with parents and teachers.

Denise Forte provided an alternative assessment conducted by the Education Trust, a national research and advocacy organization dedicated to dismantling racial and economic barriers in America's education system. Forte began by highlighting the negative impact that the pandemic had on learning loss, especially the disproportionate effects that school closures had on students of color and those from low-income backgrounds. Forte pointed to the positive impact of relief funding provided by the federal government, while underscoring the critical need for additional federal and state investments to prevent budget cuts that could adversely affect students, particularly in Title I schools. Forte shared that EdTrust's research indicates two effective strategies to advance learning: targeted tutoring and increased learning time. In addition, Forte suggested that states implement complimentary policies such as high-quality statewide assessments, enhanced professional learning opportunities for educators, and investing in culturally responsive instructional material. Forte concluded that EdTrust was committed to assisting and supporting leaders in these efforts.

MEMBER QUESTIONS

Representative Grothman raised concerns about the decline in math scores, particularly among low performing students. He then asked about the potential negative impact on students when they consistently hear that their schools are underfunded. **Gentles** responded that there is a problem with consistently denigrating education. The discussion then shifted to DEI curriculum, with Rep. Grothman questioning if students are taught about the success of individuals from non-European backgrounds.

Representative Ocasio-Cortez responded to discussions of chronic absenteeism by highlighting the unique challenges faced by students in her district. She noted that high childhood asthma rates are one of the leading causes of absenteeism in the district and emphasized the importance of addressing the environmental and economic factors affecting students' health and ability to attend school. **Forte** agreed with Congresswoman Ocasio-Cortez, and added that research has indicated that healthcare, loss of employment in the family, and lack of technology accessibility significantly

impact a student's ability to engage effectively in school. In addition, Forte echoed the Congresswoman's sentiments about the importance of schools serving as a hub for essential services and support, particularly for students who lack resources at home.

Representative Burlison expressed his concern over the negative impact school closures had on student learning. He also asserted that education relief funding was not allocated efficiently and has been wasted on DEI initiatives. He questioned **Gentles** about the potential improvement in student outcomes through the expansion of school choice, to which Gentles responded affirmatively, citing over 200 studies that indicate positive education results from existing school choice programs. Rep. Burlison also inquired about the impact of school choice programs on teachers, with Gentles explaining that the fear among unions often stems from concerns about losing dues-paying members from the public school system. Gentles concluded by arguing that teacher salaries in areas with school choice programs tend to increase, benefiting everyone.

Representative Crockett began her questioning by asking if critical race theory was taught in school. **Forte** responded that it is not a part of K-12 education. Rep. Crockett also emphasized the importance of advocating for policies that keep educators safe, including addressing gun violence in schools. The Congresswoman highlighted the impact of poverty on students in her district, discussing the unique obstacles her students face and the importance of investing in children for the future of the country. Rep. Crockett concluded by underscoring the negative impact gun violence has on students' mental health and the need to prioritize children's well-being.

Chair McClain inquired about the specific usage of ESSER funds and their measurable outcomes. **Gentles** discussed the difficulty in obtaining specific data from states and districts but noted that a significant portion of the funds went to labor costs, such as pay raises and permanent staff, and only a small percentage was spent on tutoring or extended school learning. In addition, **Malkus** highlighted the lack of guardrails and reporting requirements for the funds. **Forte** added that not all the money has been spent yet and pointed out that summer learning and tutoring is a labor cost.

Ranking Member Porter focused on addressing chronic absenteeism and learning loss due to the pandemic. Porter shared personal experiences as a parent in California, a state that has focused a lot on these issues. **Malkus** discussed the need for more resources and widespread cultural change in the US education system. Ranking Member Porter also inquired about successful programs, pointing to [tutoring program assistance in Virginia](#) and the [Colorado AmeriCorps initiative](#). **Forte** highlighted an effective tutoring program in Tennessee and various other successful community-based programs throughout the country. She concluded by emphasizing the need for enhanced professional learning opportunities and the importance of responsible adult involvement in the learning process.

Representative Lee expressed frustration with committee members focusing on culture issues such as CRT and wokeness. Rep. Lee outlined the factors she believed were most relevant to poor school performance, including racist funding policies, redlining, and predatory lending that have locked marginalized students into underfunded school systems. She entered an [NPR article](#) into the record showing that 76 percent of parents are happy with their child's schooling and stated that the culture war issues take attention away from real issues (i.e., language barriers, lack of technology and funding). To this point, she praised the universities in her district for the

technological support they provided underserved children during the pandemic. Rep. Lee questioned **Forte** on what the major factors harming children's education were and advocated for innovative technology and more funding for marginalized students.

Representative Foxx raised concerns about increased antisemitism. **Gentles** discussed some examples of antisemitism, however she admitted there are currently no statistics on this issue. Foxx then asked **Malkus** to compare the Department of Education's efforts on funding student loan forgiveness verses dealing with learning loss. Malkus stated that the data he has tracked showed that student loan forgiveness has received a great deal of focus from the department when compared to “the leadership we need on chronic absenteeism.” The representative suggested that the term “student debt transfer” should replace student “loan forgiveness.” Lastly, Rep. Foxx asked Malkus how many students should be meeting grade level proficiency standards, to which Malkus described the complexity of the question. He emphasized that higher school achievement is better and that government leaders should strive to improve the education system’s culture and return to a pre-pandemic baseline.

Representative Norton began her time discussing the rise of book bans and diminishing free speech in the classroom. She probed **Forte** on how these issues may be disengaging and distracting students from learning. Rep. Norton then entered a **RAND** report into the record, detailing educator experience with discussing political and social issues in the classroom, with many reporting they had been directed to avoid certain issues. Rep. Norton disparaged the vague nature of bills limiting classroom discussion, declaring that these bills imposed a chilling effect on teachers by preventing them from identifying what they can legally teach.

Representative Moskowitz discussed the rise of antisemitism at postsecondary institutions and additionally highlighted an arguably evidence-based approach to reopening schools early in Florida. Citing European and American schools that closed for longer periods of time, Moskowitz emphasized the negative impact that school closures had on students. Rep. Moskowitz then pivoted to school safety in the context of school shootings. He detailed certain Florida state laws that were passed to address gun violence, particularly safety concerns around the structural design of school buildings. He then called on his colleagues to continue prioritizing policy impacting school safety, pointing to the Congressional Bipartisan School Safety and Security Caucus he launched in May 2023 with Rep. Tony Gonzales (R-TX), the US Congressman representing the city of Uvalde.

CLOSING STATEMENTS

Chair McClain thanked the witness panel and declared that improving K-12 test scores is a bipartisan cause, with broad agreement on what the most effective actions are, such as tutoring and extended learning. McClain reflected on the distinct education issues examined during the hearing by her colleagues, including absenteeism, grade inflation, mental health, and accountability. She then stated that spending taxpayer money responsibly on education is critical, and that the lack of guardrails for ESSER funds represents what she considers to be a failure of the federal government. She then reiterated the importance of advocating for children and a quality education system for all learners and thanked the witnesses again before adjourning the subcommittee.

A recording of the hearing is available [here](#).