

Amendment 3323 – Requires a “report card” on the effectiveness of Department of Education programs and spending.

As the federal government’s role in education has expanded, so has the focus on testing students to hold teachers and schools accountable for academic performance.

This amendment would focus some of that accountability on the Department of Education and Congress by requiring a public “report card” on the effectiveness of Department of Education programs and spending.

The FY 2008 Senate Appropriations Committee Report provides nearly \$63 billion for the Department of Education, including more than 173 member requested earmarks totaling \$64.5 million. The committee report accompanying the bill also recommends nearly \$430 million for employee salaries and \$3 million for building modernization at the Department of Education.

This amendment would simply increase transparency and accountability for how these funds are spent by both Congress and the Department of Education.

Just as the Department seeks to hold schools and teachers accountable for student performance, taxpayers, parents and students have the right to hold the Department and Congress accountable for the effective and efficient use of taxpayer dollars.

The Department of Education Report Card Would Provide Details on the Number of Federal Education Programs, their Effectiveness, the Qualifications of Those Administering Them, and How and Where Federal Education Dollars Are Being Spent

This amendment would specifically require the Department to issue a public report within the next year providing the following information:

- 1) The total number of U.S. Department of Education employees, including those whose salaries are paid by the Department but are employed by contractors or grantees of the Department;
- 2) The total number, and percentage, of such employees who have previously worked in a classroom as a teacher or a teacher's assistant;
- 3) Of the employees who have worked in a classroom, the average number of years of time spent as an instructor;
- 4) The total dollar amount and overall percentage of the Department of Education funding that is spent:
 - (a) in the classroom;
 - (b) on student tuition assistance;
 - (c) on overhead and administrative costs and expenses; and
 - (d) on congressionally directed spending items, including administrative costs of administering such earmarks.
- (5) A listing and the total number of programs run by the Department of Education and the total budget and most recent evaluation of each, noting if no evaluation has been made.

Currently Consistent Program Performance Data Does Not Exist

The Department of Education's Fiscal Year 2006 Performance and Accountability Report (PAR) states the Department administered and assessed 150 programs. However, the report only lists 139 programs. Furthermore, a FY 2007 Department of Education document entitled "Guide to U.S. Department of Education Programs" lists 215 programs administered by the Department.¹

The Office of Management and Budget's Program Assessment Rating Tool, or PART, performed reviews on 92 Department of Education programs in FY 2006, finding that 46 programs or 51.09 percent of the Department's programs were not able to demonstrate their effectiveness.²

¹ <http://www.ed.gov/programs/gtep/gtep.pdf>

² <http://www.whitehouse.gov/omb/expectmore/agency/018.html>

The Department of Education's FY 2006 Performance and Accountability Report (PAR) evaluated 64 key measures of the Department. At the time of publishing, the Department met or exceeded targets for 33 key measures, did not meet 15, and was awaiting data for the remainder.³ Therefore, the Department met targets for key measures only 51 percent of the time.

This amendment would require the Department to clarify and report on the number of its programs along with the budget and performance evaluation of each. This will help parents, schools and taxpayers hold the Department of Education accountable in a similar manner to how the Department seeks to hold schools accountable.

Congressional Earmarks “Choking” the Department of Education

The Fiscal Year 2008 Senate Appropriations Committee Report includes more than 173 member requested earmarks totaling \$64.5 million funded through the Department of Education.

The purpose and funding history of these earmarks is often hidden, and performance and outcomes of the projects or programs are not reported.

“The U.S. Department of Education is choking on congressional pork, struggling with mandates to spend” millions of dollars, the *Washington Times* has reported.

According to Susan Aspey, the department's press secretary, it is "a significant challenge to process and monitor all of these earmarks.”

The Washington Times found that “in addition to lacking enough staff to administer and oversee properly the large increase in directed federal grants, ‘Congress hasn't given us the authority to ask a lot of questions of earmark recipients,’ said Michael J. Petrilli, the

³ <http://www.ed.gov/about/reports/annual/2006report/report.pdf>

department's associate assistant deputy secretary for innovation and improvement.”⁴

On September 25, 2007 the Department of Education’s Office of the Inspector General released a report, “Final Inspection Report on the Inspection of Active Congressional Earmarks in Fiscal Year 2005,” noting a general lack of oversight in how earmarks further the Department’s mission and recommending that recipients of earmarks be held more accountable.

The OIG report identified 2,594 active earmarks in FY 2005. The total amount drawn down by these earmark recipients during FY 2005 was \$369,655,366. The total cost associated with administering active earmarks during FY 2005 was \$2,137,997. The cost includes but is not limited to pre-award activities, awarding, monitoring, close-out activities, and archiving. The total amount drawn down and the amount spent to administer active earmarks during FY 2005 was \$371,793,363.

The report noted:

“Oversight

“The Department experienced a significant increase in the number of congressional earmarks in FY 2005. In the two programs with the majority of earmarks, FIPSE and FIE, the number of earmarks increased 42.47 percent and the congressional appropriations related to earmarks rose 28.02 percent. Although the number increased significantly, Congress did not provide the Department with any additional funding for the costs associated with administering earmarks. In the Department’s 2005 Management Challenges, OIG reported the Department’s assertion that it does not have enough staff to administer and properly monitor the recipients of congressional earmarks.

“Mission and Goals

“...While earmarks generally appear to be aligned with the Department’s goals and objectives on an individual basis, they

⁴ George Archibald. “Education earmarks clog budget bill; Department faces 'challenge' to handle \$400 million in pet projects,” The Washington Times, January 9, 2005, page A3.

are not awarded on a competitive basis, and the Department is limited to evaluating whether the projects conform to the congressional language. The Department does not assess whether the earmark projects do or do not further the Department's mission. According to the Department, the diversity of the earmark projects assigned to the Department by Congress makes it difficult to measure the collective impact earmark projects have on the Department's mission.

“Recommendation

“We recommend that the Deputy Secretary develop a methodology to ensure that earmark recipients are held accountable for the Federal funds they receive.”⁵

This amendment seeks to address the OIG's findings by providing a more comprehensive understanding of the impact of earmarks on the Department's budget. This amendment would require the Department to disclose the percentage of its budget consumed by Congressional earmarks, including the hidden costs that are associated with administering these earmarks.

Whether Schools, Teachers or Federal Agencies, Parents Deserve Information About Those Who Are Educating Their Children

The federal government supports numerous surveys and tests of students every year to learn a wide variety of information, including family income, personal attitudes and behaviors, as well as standardized test results.

This amendment recognizes that the Department of Education employees are charged with administering millions of dollars in programs to states, cities, schools and local education officials and seeks to disclose more information about those faceless bureaucrats who are testing students and evaluating schools.

⁵ U.S. Department of Education, Office of the Inspector General. John P. Higgins, Jr. /s/ Final Inspection Report on the Inspection of Active Congressional Earmarks in Fiscal Year 2005. Control Number ED-OIG/I13H0004

The amendment would require the Department to report on the number of employees who will be paid by the \$430 million in salaries and expenses recommended by the Appropriations Committee. The amendment would provide Congress and the American taxpayers with an analysis of the employees at the Department, including average salary, average years employed by the Department, and average years of teaching experience.

Parents like to know information about the schools they are sending their children to and the teachers who will be educating them. They, likewise, deserve to know some basic information about the Department of Education and its employees that are increasingly playing a greater role in the classroom.