



Whiteboard  
Advisors

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## Education Insider

ESEA Reauthorization, Annual Testing, Title I, Student Data Privacy, and  
Income-Based Repayment

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February 2015

# Why Education Insider?

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An Insider Look At Education Policy From Leaders Across the Country



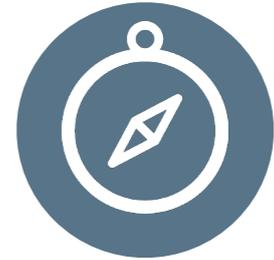
Survey Insiders



Analyze Results



Report Insights



Drive Action

## About Education Insider

*Education Insider* is a monthly report that uses a proprietary model to cut through the noise and provide real-time insights on national education policy trends, debates, and issues—from a small group of approximately 50-75 Insiders who are close to the process. We conduct a survey of these influencers, which includes their candid opinions and insights, to provide a unique perspective on K-12 and higher education. The views expressed do not necessarily represent the viewpoints of Whiteboard Advisors or any of its employees.

## Who Are the Insiders?

Influential leaders who are shaping federal education reform, including individuals who have served or are currently serving as key policy and political “insiders,” such as:

- Current and former White House and U.S. Department of Education leaders;
- Current and former Congressional staff;
- State education leaders, including state school chiefs and former governors; and
- Leaders of major education organizations and think tanks, as well as other key influentials.

# Executive Summary

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## A Look At Key Insights From Our Brief January Survey

### Data Snapshot

51% of Insiders believe that ESEA could be reauthorized in 2015.

Nearly two-thirds — 65% — of Insiders believe that the federal annual testing requirement is here to stay.

47% of Insider's believe that the proposed Title I portability changes will be in the next version of ESEA.

62% of Insiders believe a student data privacy bill will be in place before Obama leaves office.

When asked if the current income-based repayment program is sustainable, 56% said they were unsure.

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### ESEA Reauthorization

Insiders see an opportunity this year for ESEA reauthorization to take place. Their optimism is a significant shift in light of historical attitudes about ESEA reauthorization. In light of recent momentum, Insiders think a bill could be passed, but think election politics would inhibit action in 2016.

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### Annual Testing

Insiders overwhelmingly agree that federal annual testing requirements are unlikely to go anywhere in an updated ESEA bill.

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### Title I Funding

The current House version of the Student Success act includes changes to the Title I funding formula that would direct more money to rural districts. Nearly half of Insiders say the changes are *somewhat likely* to remain in a final ESEA bill.

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### Income-Based Repayment

A significant majority of Insider's say they are unsure about the sustainability of the current income-based repayment model, saying that it is likely that changes will need to strengthen the program.

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# ESEA Reauthorization

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## Insiders See A Small Window Of Opportunity In 2015 for ESEA Reauthorization

### Background

In the first quarter of 2015, we've seen a flurry of activity surrounding ESEA. House Education and the Workforce Committee Chairman John Kline (R—MN) has introduced H.R. 5, the Student Success Act, which went to markup on February 11. Senate HELP Committee Chairman Lamar Alexander (R—TN) has also released a “discussion draft.” Policy organizations in D.C. are beginning to weigh-in as well.

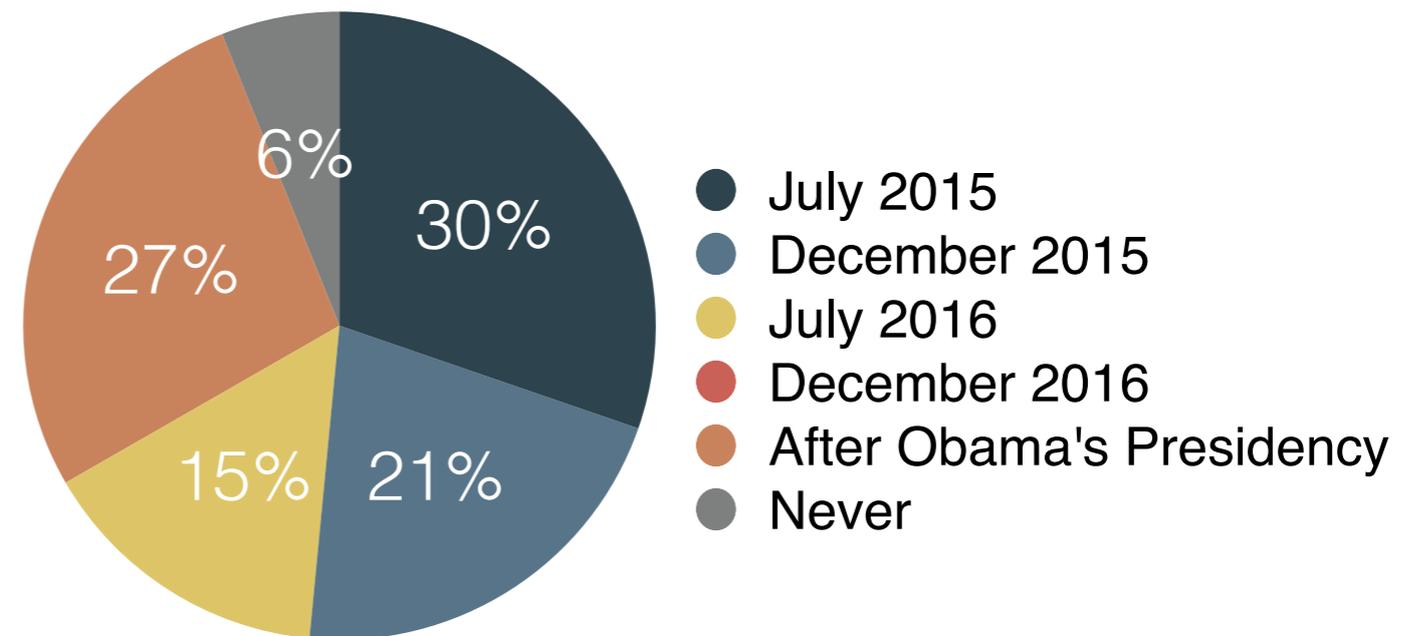
### Insiders Weigh In

In recent surveys, we've seen a slow uptick in optimism that ESEA could be reauthorized in 2015. It's interesting to note that most insiders see a small window of opportunity could close quickly. If Republicans and Democrats fail to reach an agreement quickly, it is likely that election politics in 2016 will make action on ESEA unlikely.

### By The Numbers

51% of Insiders believe that Congress could pass a bill to reauthorize ESEA in 2015. One-third (33%) either believe that Congress will not be able to reach an agreement during Obama's last term or that ESEA will be subsumed by other education laws.

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Q: By about when do you believe Congress will pass a bill reauthorizing ESEA?

# Congress & ESEA Reauthorization

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## Insiders Offer Comments On The Prospects For Free Community College

### Now or never?

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“While I shockingly picked July 2015, I still don't quite believe it. If everything comes together in the next month or so, I suppose it is possible -- if not, I think we aren't seeing anything during this Presidency.”

There is a window, but it is small. If it bleeds into 2016 it will die until after the presidential election. I think it has a 60% chance of getting done in 2015.”

“Either by year-end or not until another administration...”

“Committees are working at breakneck speed to get something done. It's possible two partisan bills could pass both the House and Senate. So I'd say the odds are high you see some action happen before the Fall and before Congress turns attention to the next election.”

“Both House and Senate are on track. Alexander and Kline are taking it seriously, Murray is an able partner, and there are no more reasons for delay.”

### Now or never? (cont.)

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“We'll see a reauthorized ESEA by July. Otherwise, House and Senate leaders there's no chance of getting a new bill with the budget (June) and presidential election (Sept.) starting to get all the attention.”

### The Skeptics

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“A bipartisan agreement is impossible.”

“Alexander needs a bipartisan bill...The House wants a more strident bill...Why does anyone think this is likely to happen? Even if the House softens under pressure from the states it's hard to see all the sticking points melting away.”

“There is nothing about the way this process is proceeding on the Hill that makes me any more confident the two Houses can actually agree on a bill the President would actually sign.”

# ESEA Reauthorization

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## Insiders Are Slightly Less Optimistic that President Obama Will Sign A New ESEA Bill

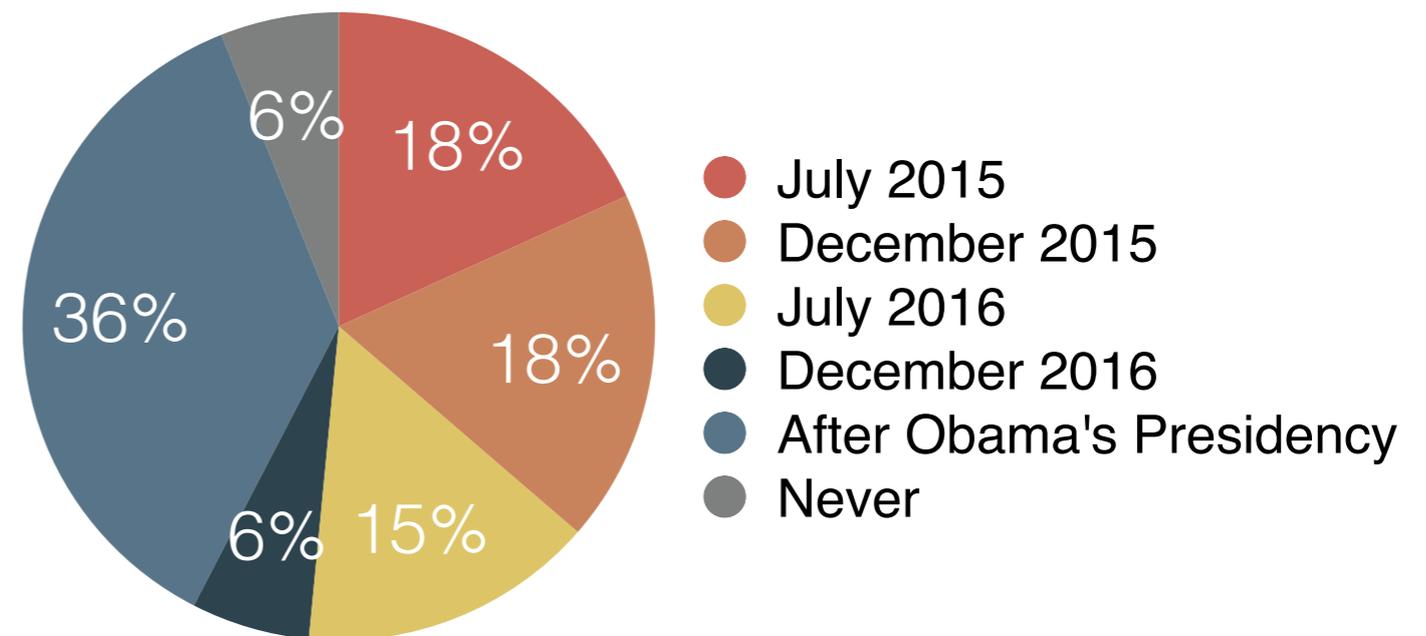
### Insiders Weigh In

In this survey, we asked Insiders to distinguish between the likelihood that Congress would pass a bill to reauthorize ESEA and the likelihood that that bill would be signed in to law. Generally, Insiders continue to see a window of opportunity for both scenarios over the next 18 months. However, the number of respondents who see action as likely *after* Obama's term in office moved from 27% to 36% when the question asked about the bill being signed into law. The numbers are on the side of reauthorization for now, assuming Republicans and Democrats find ways to reach agreements on key issues.

### By The Numbers

Just over half (51%) of Insiders believe that a final ESEA reauthorization bill could be signed in to law by July 2016. The number of Insider's who believe that a new ESEA law will not happen while Obama is just over a third a 36%.

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Q: By about when do you believe a final ESEA bill will be signed into law?

# ESEA Reauthorization

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## Insiders Offer Comments On The Likelihood Of A New ESEA Bill Becoming Law

### The Time Is Now

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“Either by December 2015 or not in this Administration’s lifetime...”

“ESEA is one of the few pieces of legislation that could serve as a "win" for the president.”

“[Assuming the conferenced bill is reasonable], it will be signed before the end of the year.”

### Politics Will Get In The Way

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“I believe Obama will veto the bill that Congress passes. Too little money. Too little for the Obama program. And too many differences.”

“No way Obama signs anything that will pass a Republican Congress. No chance Congressional Democrats sign onto anything that would pass a Republican Congress either.”

### Politics Will Get In The Way

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“Alexander won't be able to reach an agreement with Murray that satisfies those wanting to hand authority back to states. Alexander sends to the floor a bill similar to his original. It ends up with 60-64 votes. Conference with the House will be unable to produce a bill the President would sign and GOP is unable to get enough Democratic votes to override. ESEA dies.”

“Getting a bill to the President's desk, that he's likely to sign, is a tough one because it lets a Democratic Administration take credit for overhauling NCLB. Plus, getting that kind of bipartisan bill is tough in this climate. My bet is lots of sound and fury signifying nothing until a new Administration, less committed to waivers, comes in and tries to put their stamp on the law.”

# Annual Testing

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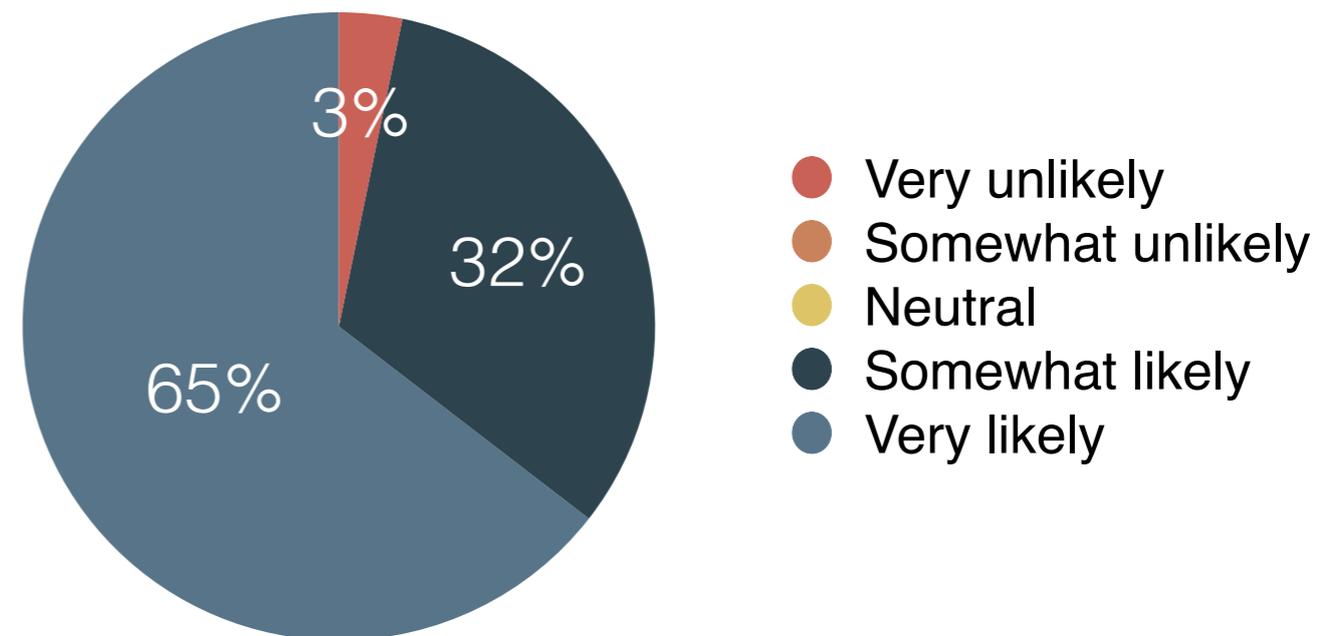
## Insiders See Annual Testing Sticking Around

### Insiders Weigh In

While most Insiders see annual testing as a political inevitability, a very small minority are hopeful that public opinion on this issue will eventually prevail, citing broad-based support from “the American people” for a smaller federal role in school accountability. That said, Congressional leaders appear to me in support of continuing with annual testing, and the Obama Administration has signaled its support for keeping the requirements in place. It’s interesting to note that this issue is perceived by a number of respondents as a negotiating tactic meant to distract from other, more controversial issues.

### By The Numbers

By a significant margin, Insiders believe that federal annual testing requirements are here to stay. 97% responded that the federal government is likely to continue to require testing in the next version of ESEA.



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**Q: In your opinion, how likely is the federal government to continue to require annual testing for accountability purposes in the next version of ESEA?**

# Annual Testing

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## Insiders Offer Comments On Federal Annual Testing Requirements

### An Apparent Consensus

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“When you look at the support in the House, and where Alexander is on the issue now, I think the odds are good that the provision will stay in place.”

“There is considerable bipartisan support.”

“That's the consensus position now.”

“There seems to be agreement for annual testing but with some caveats.”

“It's a sensible requirement, IF you get rid of the NCLB accountability system.”

### Complex Tactics

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“Most Members and staff are still committed to this. They're just going through the motions and using the issue to put the Minority on the defensive for negotiating purposes.”

“I think Sen. Alexander was smart to put this out there as a way to deflect attention from some of the other controversial provisions in his rewrite.”

### Congress Is Not Listening

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“Congress isn't listening to the American people on this. They clearly want the federal government out of the business of telling states when to test. Problem is, the D.C. echo chamber is just too loud and interested in keeping their toehold.”

# Changes to Title I Funding

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## Insiders Disagree About The Prospects for Title I Portability Changes

### Background

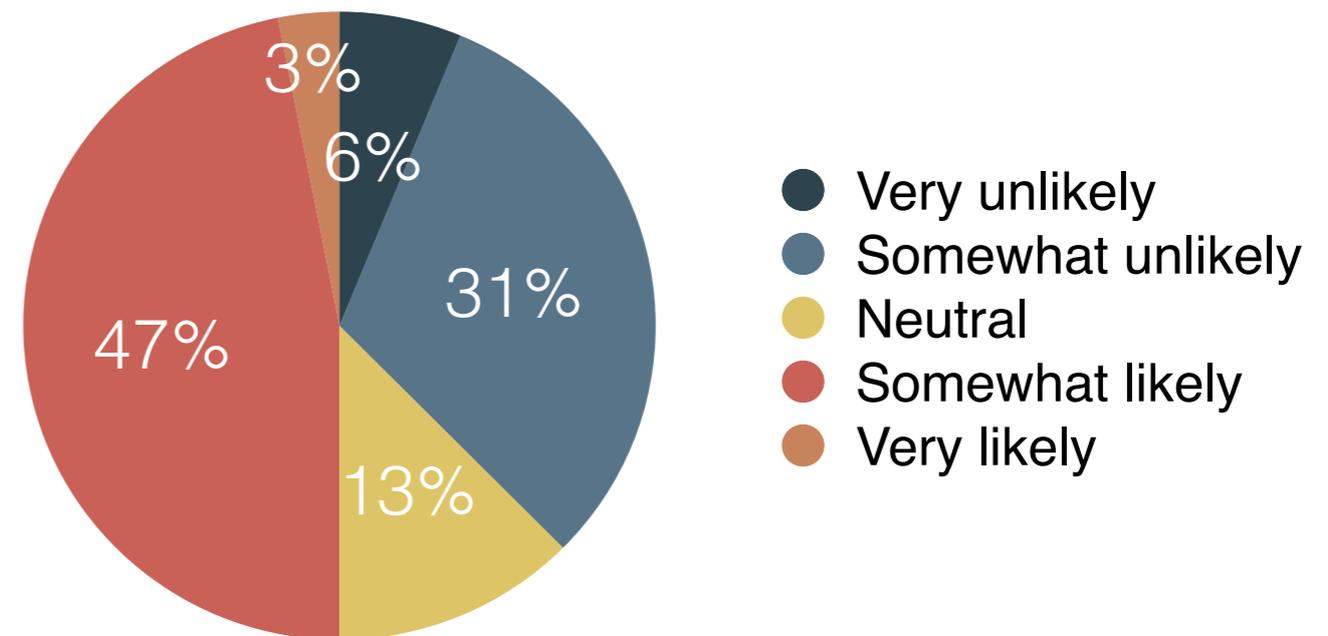
The current Title I funding formula “sends more money to school districts with high concentrations of poor children<sup>1</sup>,” meaning more dollars tend to go to large, urban districts. In the current version of the House Student Success Act, Republicans are pushing so so-called “Title I portability” which would allow dollars to go to pool children wherever they are, including rural areas facing similar challenges with lower concentrations of poverty.

### Insiders Weigh In

Insiders are somewhat divided on this issue, and few see either side as very likely or unlikely. Given Republican control in both houses, Insiders tend to see the more support for the revised formula, though deep political disagreement will not make this an easy change.

### By The Numbers

Nearly half (47%) of Insiders believe that changes to Title I funding that would direct more money to rural districts are “somewhat likely.” Conversely, just shy of a third (31%) think the change is “somewhat unlikely,” with 13% neutral or unsure.



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**Q: In your opinion, how likely are the House Republican's changes to the Title 1 formula, which would direct more money to towards rural districts, to be included in the final ESEA bill?**

# Title I Funding

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## Insiders Offer Comments On Proposed Changes To The Title I Funding Formula

### A Mixed Bag

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“It is hard to make changes to the Title I formula...”

“House members always think about their own district, and with gerrymandering, there are a lot of rural House members. Senate members are less likely to want to choose between rural and urban schools, since they represent both. In that case, inertia always wins!”

“Nobody really wants this outside a handful of people.”

“The outcry from the advocacy community will be huge. There's little trust that the very children Title I is focused on would continue to receive the lion's share of funds if we create a block grant model.”

“There needs to be an adjustment but is this the only one?”

# Student Data Privacy Act

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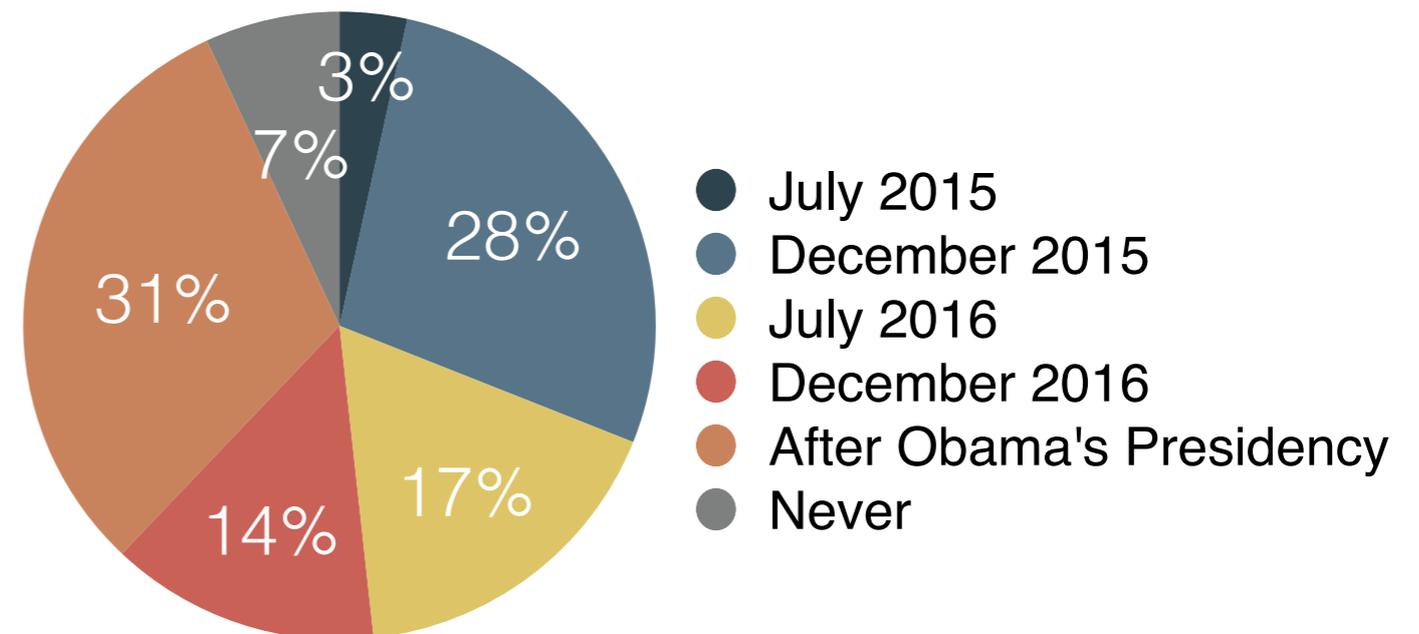
## Insiders Believe Student Data Privacy Is A Central Issue, But Split On Its Future

### Insiders Weigh In

While nearly all Insiders agree that this is a “front and center” issue, there is disagreement about how effective the White House’s approach to this issue will be. Some Insiders are concerned that the current proposal is too focused on holding education companies accountable and now focused enough on curtailing data sharing with the government. Many believe that whatever results from this debate will be a bill with no teeth—more of a symbolic gesture than effective policy.

### By The Numbers

While, early 4 in 10 Insiders don’t see action on this issue before Obama leaves office, but 62% believe that some version of a Student Data Privacy Act will be put into place in the next two years.



**Q: In light of the White House "handing the baton to" Reps. Jared Polis and Luke Messer on student data privacy, about when do you believe a federal law on student data privacy will be put into effect?**

# Student Data Privacy Act

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## Insiders Offer Comments On The Prospects A Student Data Privacy Act

### A (Somewhat) Positive Outlook

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“If the administration is working with the 2 of them, I think the odds of getting something done are decent.”

“This could be a banner year for a select few education bills. It is a hot topic and may have support on both sides of the aisle.”

“It either happens by December or after the Obama presidency. Nothing happens in 2016.”

“I think it will happen, and one more big data breach or scandal in the education sector and it will happen quickly...”

### No Teeth

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“This issue is very complicated. My money is on a fairly benign law that tries to appease privacy hawks and data crunchers while avoiding massive, unintended consequences by writing a bill that goes too far.”

### A Dropped Baton

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“The "baton" is a joke of principles masquerading as privacy protections. Just read through the details to see how much of a sham this actually is.”

“The Administration has a chance to lead on it and dropped the baton. Their bill only addresses progressive concerns about use of data with companies. It does nothing to address concerns by conservatives with sharing data with government.”

# Income-Based Repayment

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## Insiders Are Unsure About the Future of Income-Based Repayment

### Insiders Weigh In on IBR's Future

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“They will need to severely curb grad student loan forgiveness.”

“The data from the NY Fed is pretty damning about the cost and success of this program.”

“The problem is that Congress has punted on the tough question of reining in college costs. They'd rather pay for it on the back end through IBR than deal with costs on the front end.”

“The numbers don't work.”

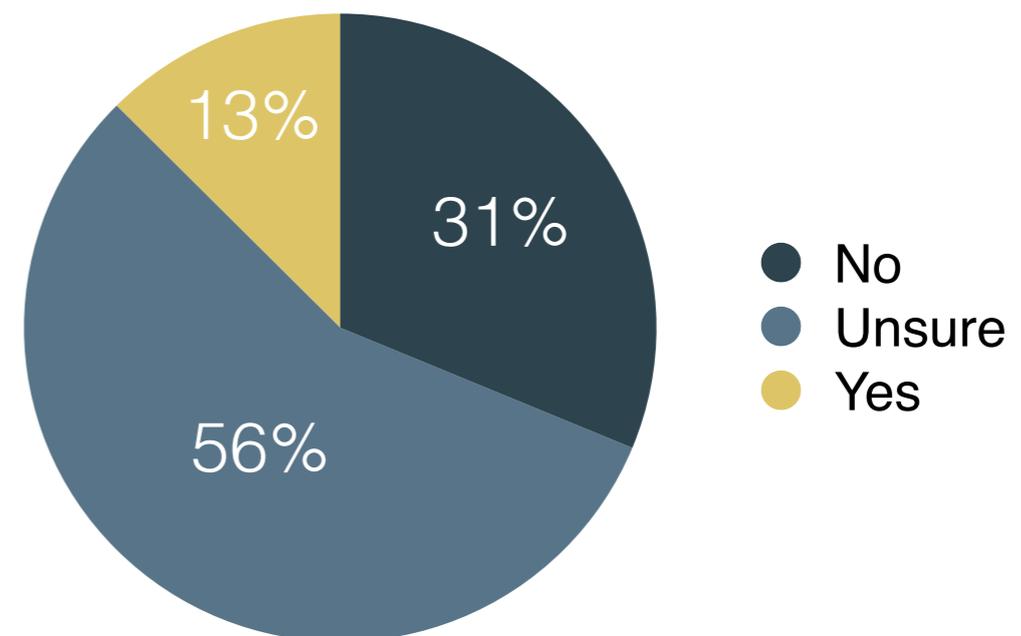
“Sometimes you need hard data to wake people up. Conservatives have been yelling about this reality for years to deaf ears. Maybe now folks will listen.”

“It was never designed to be sustainable. It was poorly drafted, the explosion is entirely predictable. And we cant afford it.”

### By The Numbers

56% of Insiders are unsure about the future of income-based repayment and believe that the current model will need to be tweaked in order to make it sustainable. 31% feel strongly that the current model will not work in the long run.

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**Q: Given the increase in participation in the federal Income-Based Repayment (IBR) program, in your opinion, do you believe the program is sustainable?**



# Whiteboard Advisors



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