

**Testimony Before the U.S. House Appropriations Committee, Labor, Health and
Human Services, Education, and Related Agencies Subcommittee
Hearing: “Federal Investments in Elementary Education”
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Chairman Aderholt and Ranking Member DeLauro, thank you for the opportunity to testify today. As a parent of two school-aged children and a product of traditional public schools, I’ve had a front-row seat to the challenges within the American education system. I currently serve as the director of the Defense of Freedom Institute’s Education Freedom and Parental Rights Initiative and host the *Freedom to Learn* podcast.

In the late 1990s, I was a legislative assistant for a former member of this subcommittee. When I worked here, only 31 percent of fourth-grade students and 33 percent of eighth-grade students were proficient readers according to the [1998 Nation’s Report Card](#). I wrote talking points for my boss lamenting the terrible National Assessment of Educational Progress (NAEP) scores and our embarrassing international rankings on the [Trends in International Mathematics and Science Study \(TIMSS\)](#).

As an Appropriations L.A., my days were spent meeting with organizations pleading for more funding. “Just give us more money—we know what is best for students” each association, union, and federal grantee would assure the appropriators and their staff. They got their wish: a reliable stream of ever-increasing federal education funding and steady employment for federally funded adults.



But where is the evidence that the federal funding benefited students? Federal funding for education has [soared](#) over the last few decades. Annual Title I funding has increased to \$18 billion, including a \$2 billion spike in recent years. The federal government funneled an additional \$190 billion in Covid-era [supplemental federal K-12 education funds](#) to states and school districts through the Title I funding mechanisms. Despite historically high federal education funding, students' academic outcomes are [historically low](#) and the [achievement gap](#) between high- and low-income students persists.

Our country is experiencing an undeclared crisis in education. As we address this important topic of federal education funding today, we must acknowledge that education is a state and local responsibility, and many responsible governors and state leaders are standing up to powerful union leaders and taking clear steps to address the crisis by investing in evidence-based literacy instruction, empowering parents with educational options, and overseeing institutions of higher education. We also must acknowledge the federal government has failed in its mission to help academically vulnerable students. I implore you, as appropriators and legislators, to recognize that the lobbyists' pleas for more funding only serve adults in the K-12 system. Please try something new: Empower states and empower families.

Academic Apocalypse

NAEP scores have been declining for over a decade and, after plummeting from 2019 to 2022, the 2024 scores continue to paint a grim picture. According to the [National](#)



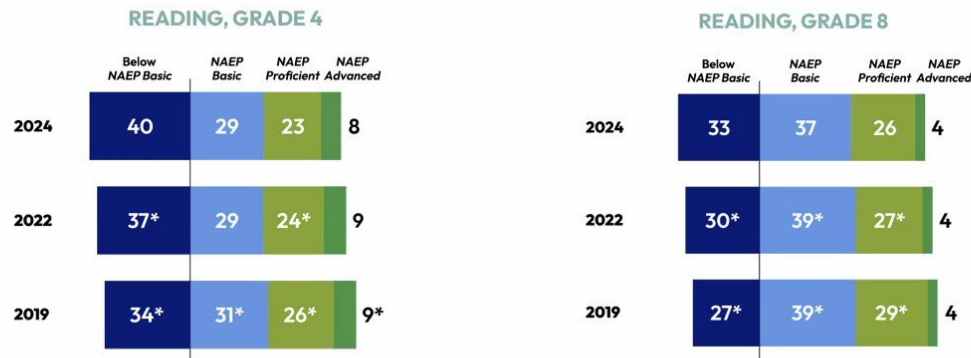
[Assessment Governing Board](#), “National scores are below pre-pandemic levels (2019) in ALL tested grades and subjects.” There is no state in the country where the majority of students are performing at grade level in math and reading.

American students’ scores have declined on both NAEP and TIMMS since I sat in the chairs behind you over a quarter of a century ago. NAEP scores started dropping about a decade ago and then nosedived from 2019 to 2022. Despite the vast sums poured into the K-12 system by the federal government for learning loss recovery, 2024 NAEP results for eighth graders revealed the lowest reading scores on record for the lowest-performing students and abysmal math scores for struggling students.

Alarming, 70 percent percent of fourth and eighth graders are not proficient readers, meaning they struggle to read grade-level stories and understand informational texts. Sadly, 60 percent of fourth-grade students cannot do math at grade level and only 28 percent of eighth-grade students are proficient at math. NAEP reports often focus on proficiency rates, but let’s zoom in on the truly alarming news: 40 percent of fourth-grade students lack *basic* reading skills (see graphic below) and [39 percent](#) of eighth-grade students lack basic math skills. Struggling fourth graders don’t know the difference between odd and even numbers and eighth graders can’t find the midpoint between two numbers on a number line.



More students scoring below *NAEP Basic*



*Significantly different ($p < .05$) from 2024.

SOURCE: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), Reading Assessment (Grade 4 and 8), 2019 to 2024.

According to *Chalkbeat*'s [analysis](#) of the 2024 Nation's Report Card results, “Lower-performing fourth and eighth graders posted the worst reading scores in over 30 years. In eighth grade math, the gap between the highest- and lowest-performing students was the widest in the test’s history.”

One final NAEP statistic: [2 percent](#) of black eighth-grade students in Milwaukee are proficient in math. 98 percent are not. These scores are heartbreaking.

Additional national and international tests tell a similarly grim story. [Analysis](#) of the NWEA MAP Growth test revealed that eighth graders are a year behind their pre-pandemic counterparts. Based on the historical performance of our public schools, these students will never catch up. The research team behind the [Education Recovery Scorecard](#), led by researchers from Stanford and Harvard universities, [found](#) that



students are continuing to lose ground and the cataclysmic learning loss is widespread. The researchers recently reported that “94 percent of elementary and middle schoolers live in districts that still have not returned to pre-pandemic levels in math and reading.”

American students fall below the OECD average on the math portion of the Program for International Student Assessment (PISA). According to the [Hechinger Report](#), “American students scored 13 points lower than in 2018, equivalent to losing two-thirds of a year of education in the subject. These were the lowest U.S. math scores recorded in the history of the PISA math test, which began in 2003.” More than one-third of 10th graders are low-performers, meaning they do not know how to “compare distances between two routes or convert prices into a different currency.”

The U.S. is not providing students with a quality education and students are not prepared to be productive members of society. Our education system is robbing them of the future they deserve.

Federal Control Failed

The tsunami of alarming assessment results reveals that the U.S. Department of Education has utterly failed to fulfill its [mission](#) to “promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.” The Department’s failure to improve student outcomes was inevitable, as federal intrusion adds complexity and costs to state and local responsibilities. By imposing onerous regulations, burdensome reporting requirements, and a ceaselessly



shifting political agenda, the bloated and wasteful Department makes it harder for the people closest to students to do their jobs well.

The [Department of Education Organization Act](#) that passed in 1979 at the behest of the nation's largest teachers union, the National Education Association (NEA), resulted in the creation of the Department in 1980. Parents and classroom teachers didn't ask for a new federal bureaucracy. But NEA union leaders wanted to centralize and control education policy while increasing their influence over educational institutions.

Title I funding began flowing from the federal government to states and school districts sixty years ago as part of the 1965 Elementary and Secondary Education Act (ESEA). Title I was intended to improve “academic achievement of the disadvantaged,” but the program's formulas have become [increasingly complex](#), the monitoring requirements have burdened states and districts, and low-income students continue to struggle academically. Ensuring that all students have access to high-quality education is a worthy goal. Pretending that Title I has met that goal is foolish.

The federal government passed the Education for All Handicapped Children Act, currently known as the Individuals with Disabilities Education Act (IDEA), fifty years ago. The law also predates the creation of the U.S. Department of Education. As a mother of two complex and wonderful daughters who cried in her car after almost every IEP meeting, this topic is personal. There are more than 8 million children with disabilities in the country, and the challenges parents face navigating the bureaucratic and often



litigious IDEA process are infuriating. Academic outcomes for students with disabilities remain distressingly low.

During the emotionally charged and hyperbolic conversations over the future of the U.S. Department of Education, it will be important for legislators to reassure their constituents that federal IDEA provisions will remain in force regardless of the building that houses the federal workers who oversee the law. As IDEA has not been reauthorized since 2004, it is unlikely that Congress will update the law soon. That said, many parents of students with disabilities will tell you that the existence of IDEA and the mammoth bureaucracy that enforces the law has not guaranteed opportunities and outcomes for their child. Fortunately, a growing number of states are expanding education options so that parents can place their children in the education environments that best meet their needs.

Teachers Unions Harm Students

We must acknowledge the pernicious influence of school unions. The NEA pushed for an expanded federal role in education while undermining state and local efforts to improve educational outcomes for students. It is a well-established fact that union leaders insisted that schools remained closed for prolonged periods during the Covid era, and students' academic performance and emotional and social development suffered as a result. State and local unions exacerbated the nation's academic crisis by closing schools with strikes in [numerous states](#), eliminating afterschool tutoring programs in [Ohio](#), opposing science of reading training in [Indiana](#), skipping school in



[California](#) and [Michigan](#), insisting on a shorter school year in [New Mexico](#), and demanding more hiring despite steep enrollment declines in [New York](#).

Unions regularly prioritize protecting adults rather than students. The Defense of Freedom Institute's [Catching the Trash report](#) details how unions protect sexual predators in K-12 schools. Recent [coverage](#) of a Michigan union contract revealed that teachers can be drunk on the job four times before a union member can be fired. A union member caught selling drugs can't be fired until the second time.

Solutions

Policymakers must respond to the nation's academic crisis, rather than simply lament the [tsunami](#) of devastating performance results. Rather than pouring more money tied to strings into education, Congress can reshape the environment by trusting states to do what is best for students and educators. The [law](#) that created the Department acknowledged that "parents have the primary responsibility for the education of their children, and States, localities, and private institutions have the primary responsibility for supporting that parental role." The law also stated that "the American people benefit from a diversity of educational settings." States are increasing access to educational options and empowering parents by creating and expanding education freedom programs at an unprecedented pace. Homeschooling is legal in all states, 46 states and Washington, DC have charter school laws, and over thirty states provide K-12 scholarships or education savings account (ESA) programs.



Tennessee passed the Education Freedom Act earlier this year, creating the nation's fourteenth universally eligible school choice program. The program will offer education savings accounts to K-12 students in the state while prioritizing students from lower-income households. Initially, the state will provide 20,000 scholarships worth about \$7,075 each, and this program, like the others before it, will grow over time.

Federal funds can also be used to free students from schools that are failing to meet their academic needs. The President's [Expanding Educational Freedom and Opportunity for Families](#) executive order opens up opportunities to redirect federal funding so that it supplements state-based school-choice programs that allow students to attend schools that will best meet their academic needs.

Additional steps can be taken at the federal level to free up states and districts to direct resources in a student-centered manner. Combining federal education funding streams could reduce onerous and ineffective reporting and monitoring requirements and provide states with flexibility to provide students, rather than bureaucratic systems, with additional funding.

Conclusion

Pouring an ever-increasing amount of federal funding into a fundamentally broken K-12 system has failed. With [struggling students posting their worst NAEP reading scores](#) in three decades, the situation is more dire than when I was a 22-year-old congressional



staffer. Rather than capitulating to union demands, please prioritize students and direct federal education funding to meet their pressing needs.