

**STATEMENT OF BETSY DEVOS  
SECRETARY OF EDUCATION  
BEFORE THE COMMITTEE ON EDUCATION AND THE WORKFORCE  
UNITED STATES HOUSE OF REPRESENTATIVES**

**May 22, 2018**

Chairwoman Foxx, Ranking Member Scott and Members of the Committee, thank you for the invitation to testify today. It is an honor to appear before this Committee to share an update on the work being done at the Department on behalf of America's students.

I must begin by commending you, Dr. Foxx, for your leadership on moving to reauthorize and reform the Higher Education Act (HEA) through the PROSPER Act. This is an issue where we share great passion to help American education catch up to the needs of today's – and tomorrow's – students. Unfortunately, in too many ways, the outdated HEA is holding our students – and by extension, our nation – back. The Administration is pleased the bill aligns with many of its own goals for HEA reauthorization. I look forward to working with each of the Members of this Committee, the broader House of Representatives and the Senate to advance meaningful HEA reform, and I know the president looks forward to signing a bill into law.

Today, I want to share an update on progress made this year and share a vision of where we want to go.

It can be easy to focus on the inputs into the education "system," but what truly matters are the achievements of individual students. There is too much time spent arguing over the means by which we provide education and not nearly enough time focusing on the ends.

I believe we can take significant strides toward addressing the current imbalance by returning power over education decisions back to those closest to the student.

**PROGRESS MADE**

**1. ESSA Implementation**

In 2015, you wisely passed legislation – the Every Student Succeeds Act (ESSA) – that intends to do just that. ESSA's overwhelming bipartisan message was clear: States and local communities, not the Federal Government, must lead the way on improving education for every student in America.

And it is my hope that, in turn, the States and local school districts will do the right thing and empower principals, teachers, parents, and local communities.

Our Office of Elementary and Secondary Education has worked with State Education Agencies (SEAs) to ensure their plans meet the law's requirements. To date, I have been

pleased to approve 46 plans. We are working with the remaining 6 States, and we hope to announce more approvals shortly.

ESSA was enacted to give states the flexibility and opportunity to address unique challenges. States must measure students annually in reading and math, for instance, but the law invites states to determine the standards, determine the instruments and find solutions for the rest. The student-centered funding pilot is another opportunity to innovate, one that enables money to follow children based on their needs – not buildings or systems.

The true test of ESSA will be how States, school districts, and schools turn their plans into action and embrace the flexibility the law allows. We look forward to monitoring the progress made and provide our support where appropriate.

## **2. Regulatory Relief**

In accordance with the President's Executive Order, the Department is also in the process of comprehensively reviewing current regulations and guidance to ensure they are relevant, necessary and in the best interest of students.

In K-12 education, the Federal Government provides less than 10 percent of the funding, but it mandates a crushing amount of regulations and paperwork. The regulatory burden is also significant in higher education. This oppressive burden affects educators and administrators at the K-12 and postsecondary levels alike, and often distracts them from fulfilling their true mission: educating.

In order to provide parents, educators, and students with more clarity, we are removing old regulations and guidance letters from the books, including the many rendered obsolete as you have updated and amended laws.

We have also begun rulemaking on two higher education regulations that were poorly designed: borrower defense to repayment and gainful employment. These rules must protect students from bad faith actors, but they must also treat both institutions and taxpayers fairly. These proposed rules are under review at OMB, and we expect to publish proposed rules for public comment soon.

In the coming months, the Department will continue its comprehensive review of regulations and guidance, notifying Congress and the public as appropriate.

To ensure fairness to all students, work to draft new proposed regulations on sexual harassment and misconduct is well underway. Schools must continue to confront these issues head-on, including the horrific incidents that all too often arise. There will be no more sweeping them under the rug. As I have said before and will say again, one act of sexual misconduct is one too many.

But the adjudication process at schools also must be fair and impartial, giving everyone – survivors, the accused, parents, and institutions – more confidence in its outcomes. As I

said when we announced the changes, the era of rule by letter is over. The consensus on the Right and the Left is that the prior Administration erred when it failed to engage the public through notice and comment rulemaking on this issue. The Department has never regulated on the issue of sexual harassment under Title IX since the Supreme Court ruled in 1999's *Davis v. Monroe County Board of Education*, relying instead on letters from unelected political appointees drafted behind closed doors. We're correcting that. This is a process, not an event. We plan to release a Notice of Proposed Rulemaking for public comment in the coming months.

Also in the coming months, we intend to announce negotiated rulemaking to address higher education regulations that limit opportunities for students, unnecessarily burden students, agencies and institutions, and stifle innovation in education.

### **3. FSA Next Gen**

Perhaps no effort has a greater potential to positively impact postsecondary students directly than reforms being undertaken at Federal Student Aid (FSA). The Next Generation Financial Services Environment will be the most significant improvement to administering student aid in two decades. It will modernize FSA's approach to technology and customer service to provide a world-class experience and improve borrower outcomes. FSA will offer an integrated, and user-friendly online platform to provide students, parents, and borrowers a consistent and seamless experience from application through repayment. And FSA will offer a mobile app allowing students and parents to complete and submit the Free Application for Federal Student Aid (FAFSA®) on a mobile phone.

We will do even more to simplify and streamline the aid application and repayment process in the future, and I look forward to working with this Committee on ways to further improve the experience for students.

### **4. School Safety**

Our commitment to every student's success is one we must renew every day, but first we must ensure our children are safe at school. When evil visited Parkland, Florida, it shocked us. It angers us. And it pains us. We resolved to work so no such tragedy occurs again.

This Administration is committed to swift action to keep our nation's students and teachers safe at school. I'm pleased that Attorney General Jeff Sessions, Secretary Alex Azar and Secretary Kirstjen Nielsen join me in this effort.

Our work begins with the premise that the primary responsibility for the physical security of schools rests with states and local communities.

That's why the Federal Commission on School Safety is seeking input from local communities, students, parents, teachers, school safety personnel, administrators, law enforcement officials, mental health professionals, school counselors -- anyone who is focused on identifying and elevating solutions.

Many states and communities have already implemented their own home-grown solutions. Others haven't been particularly intentional about preparedness. We want to bring forward best practices and common sense solutions so every community and every school has access to information and resources to keep students and teachers safe.

### **WHERE WE ARE GOING**

This work is indicative of how we are approaching every major issue impacting students. They do not have the time for us to simply tinker around the edges. We must make bold, fearless changes that allow *all* students to pursue an education that meets their unique needs. Students deserve learning environments that are agile, relevant, exciting. Every student deserves a customized, self-paced, and challenging life-long learning journey.

That is why I challenge the Department and every teacher, school, parent, and leader in America to rethink school.

Rethink means that we must question everything, regardless of how difficult or politically sensitive it might be, to ensure that nothing we do limits students or leaves them unprepared.

It's past time to ask some of the questions that often get labeled as "non-negotiable" or just don't get asked at all:

Why are students grouped by age?

Why do schools close for the summer?

Why can't a student learn at his or her own pace?

Why are students limited based upon the faculty and facilities available?

We must also rethink education after high school not to be a singular destination, but a journey with a multitude of possible and valid paths to take. We must embrace that a modern economy and society demands a model of lifelong learning, where education does not end with the movement of a tassel. We must put to rest the notion that a traditional four-year degree is the only pathway to success. Students have no shortage of dreams and aspirations, and there should be no shortage of educational pathways to help them get there. If it is the right education for the student, then it is the right education. Period. We are working to expand high-quality options available for students, and we look forward to working with Congress to ensure that the recently proposed PROSPER Act addresses this need as well.

And finally, we must rethink the Department, acknowledging that education decisions always had been, and once again must be, addressed at the most local level possible. We have developed a reorganization plan to more efficiently serve students and the taxpayer. The Department must protect the rights of students, especially the most vulnerable, while empowering parents, teachers, and local leaders to identify the best ways to meet the unique needs of the students they serve.

These reforms are not rooted in a partisan ideology or designed to benefit one group over another. They are not part of a “privatization agenda” or even about a mechanism of delivery.

They are focused solely on students like the daughter of a Philadelphia mom named Shirley. Shirley lives in a tough area. Her daughter was afraid of being bullied by the kids in her neighborhood. The thought of going to her assigned neighborhood school terrified her daughter and that broke Shirley’s heart.

So Shirley signed up as a driver for a ride sharing company, working before and after her fulltime day job so she could afford tuition to send her daughter to a school that was a better, safer fit. In her case, that was a local Catholic school.

Exhausted and unsure if she could keep up the pace after a year of working multiple jobs, Shirley asked her daughter if she could try her neighborhood school. Her daughter immediately broke into tears.

“I don’t ask to be rich,” Shirley told me. “All I ask is for my children to have a better life than me. If that means I have to keep working three jobs, I’ll find a way. I have to do it for my girls,” she said.

And I know she will.

But no parent – *no* parent – should be left feeling helpless like Shirley. No parent should have to work three jobs in order to send their child to a school that is safe, to a school that works for them.

No student in America should ever be denied the equal opportunity to a great education.

Thank you again for the opportunity to share where we have been and where we are going. I look forward to working together in support of all students, and I will be happy to answer any questions you may have.

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