AASA Statement on Federal Appeals Court Ruling Against No Child Left Behind Law

January 9, 2008

Contact:
Amy Vogt
Communications and Media Relations Manager
703-875-0723
avogt@aasa.org

ARLINGTON, Va. – The American Association of School Administrators, the professional organization for school superintendents and other school system leaders, today issued the following statement on the Jan. 7 federal appeals court ruling against the No Child Left Behind Law:

"On Monday, Jan. 7, the Sixth Circuit Court in Cincinnati ruled that the No Child Left Behind Law violates the U.S. Constitution by requiring states and school districts to use state and local funds to meet the requirements of the federal law.

"This ruling is an important step toward making the federal role in education commensurate with federal funding.

"AASA congratulates the National Education Association and the eight school districts that filed this lawsuit against NCLB in 2005 and that won an important victory yesterday. AASA was the only national education association to file an amicus brief on behalf of the eight school districts and the NEA. There has been enormous pressure on education organizations to go along with the flaws in NCLB because it had a bipartisan birth. AASA was the first organization to see that the flaws in NCLB would render it unworkable on the ground, where our members are charged with efficient and effective operation of schools.

"The Sixth Circuit Court agreed with the plaintiff school districts when it ruled that Congress overstepped the boundaries of the spending clause of the Constitution when it failed to properly inform states of the cost of entering into a contract with the federal government to implement NCLB. Previous Supreme Court precedents held that states and communities could not be forced to pay for federal programs they had applied for if Congress and the federal government failed to make clear the complete cost of federal programs.

"It is an established fact of law and government that the federal government has no direct responsibility for operating public schools. States and local school districts are responsible for raising the $450 billion needed to educate the 50 million students in 14,300 school districts. The $450 billion raised by states and communities dwarfs the $14.028 billion appropriated for Title I of NCLB. If Congress wants to control the direction of public education, it will have to follow the plain language of Section 9527 of NCLB and provide the funds needed to implement its mandates."

About AASA
The American Association of School Administrators, founded in 1865, is the professional organization for more than 13,000 educational leaders across the United States. AASA’s mission is to support and develop effective school system leaders who are dedicated to the highest quality public education for all children. AASA’s major focus is standing up for public education. For more information, visit www.aasa.org.