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With Bipartisan Support, Law on Expansion of Charter Schools Passes the House

By **SAM DILLON**

In a rare display of bipartisanship, the House approved a bill on Tuesday supporting the expansion of **charter schools**, the first part of a legislative package planned by Republicans to carry out a piecemeal rewrite of the main federal law on public education, [No Child Left Behind](#).

The **bill**, passed Tuesday by a **vote of 365 to 54**, tweaks an existing federal grant program that provides start-up money for new charter schools — currently about \$250 million— and adds some quality control provisions.

It had the support of charter operators as well as civil rights and school improvement groups. If passed by the Senate, it would replace the charter school provisions of No Child Left Behind, the sprawling school accountability law that President George W. Bush signed in 2002.

“This is an important first step in our efforts to improve current elementary and secondary education law,” Representative John Kline, the Minnesota Republican who heads the House education committee, said in a statement after the vote.

Earlier, Republicans and Democrats joined to beat back an amendment proposed by Representative Steve King, Republican of Iowa, that would have exempted charter schools, which are publicly financed but independently operated, from the law’s requirement that schools break out scores in reading and math for minority and disabled students and show progress in each group.

Congress has tried unsuccessfully several times in recent years to update No Child Left Behind, and the Obama administration has urged Congress repeatedly to act this year, threatening that it will give states waivers from the law’s most onerous requirements if it is not rewritten. But no bill representing a full rewrite has been introduced yet in either the Senate or the House. Many experts believe that with Congress deeply divided along partisan lines, reaching consensus on a thorough overhaul is out of the question.

Mr. Kline has instead promised to move several bills by year’s end, each updating provisions of the law about which he thinks that bipartisan agreement may be possible. The charter bill was the first

he has managed to bring to a House vote.

This year, Mr. Kline moved two other bills out of his committee. One strips several dozen federal educational programs from No Child Left Behind, and another would allow school districts new flexibility in how they spend the federal dollars the law provides. Those await House debate.

In addition, Mr. Kline has described a bill outlining new federal requirements on teacher effectiveness, and another that would rewrite the law's current school accountability provisions, and said he might introduce them this fall too. Those, however, would deal with the most hotly debated provisions in the law, and experts said passing them would be a long shot.

"This was the bipartisan one," said Michael J. Petrilli, a vice president at the Thomas B. Fordham Institute, a Washington research group. "The others aren't going to be bipartisan."

In the Senate, the Democratic leadership is working to rewrite the law with a single comprehensive bill, but has yet to release legislative language. Most people involved in the process say profound partisan disagreements will make it difficult for the two chambers to coalesce around a single rewrite, perhaps until after the 2012 elections.

Meanwhile, state and local educators are increasingly frustrated with provisions in the law that have labeled as failing tens of thousands of schools that have fallen short of yearly testing targets, with a 2014 deadline for 100 percent proficiency looming. Secretary of Education Arne Duncan has promised to waive those sections of the law for states that can demonstrate they are moving forward with the administration's school improvement agenda, which includes efforts to overhaul failing schools and to make teacher evaluations more rigorous.

Mr. Duncan's plans have angered Republicans, and Speaker John A. Boehner took a swipe at them [in a statement](#) congratulating Mr. Kline for moving his rewrite bills forward. "It's my hope that the administration will work with Congress on these measures, rather than acting unilaterally and undermining reform efforts," Mr. Boehner said.

The charter bill includes some quality control provisions. In the past, some charters that got started with federal money have collapsed or closed after a pileup of educational or financial irregularities. The new legislation requires states to withhold 10 percent of federal financing for improvements in the procedures by which they authorize new charters.

"What's different is this would allow us to replicate and expand the high-quality charters, those with a good track record," said Alice Johnson Cain, a vice president at the National Alliance for Public Charter Schools.

Representative George Miller, the ranking Democrat on the House Education committee, applauded the charter bill's passage but criticized the Republican strategy of a piecemeal rewrite of No Child Left Behind.

“It’s good, but it’s not enough,” Mr. Miller said. “Our next step should be a comprehensive reauthorization.”