

114TH CONGRESS
1ST SESSION

S. 73

To prohibit the Federal Government from mandating, incentivizing, or coercing States to adopt the Common Core State Standards or any other specific academic standards, instructional content, curricula, assessments, or programs of instruction.

IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2015

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To prohibit the Federal Government from mandating, incentivizing, or coercing States to adopt the Common Core State Standards or any other specific academic standards, instructional content, curricula, assessments, or programs of instruction.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Local Control of Edu-
5 cation Act”.

1 **SEC. 2. GENERAL ESEA PROHIBITION.**

2 (a) IN GENERAL.—Section 9527 of the Elementary
3 and Secondary Education Act of 1965 (20 U.S.C. 7907)
4 is amended by adding at the end the following:

5 “(e) PROHIBITION OF FEDERAL GOVERNMENT MAN-
6 DATING COMMON STANDARDS, PROGRAMS OF INSTRUCC-
7 TION, CURRICULA, ASSESSMENTS, OR ACADEMIC STAND-
8 ARDS.—An officer or employee of the Federal Government
9 shall not directly or indirectly, through grants, contracts,
10 or other cooperative agreements under this Act (including
11 waivers under section 9401)—

12 “(1) mandate, direct, or control a State, local
13 educational agency, or school’s specific instructional
14 content or any specific academic standard, assess-
15 ment, curriculum, or program of instruction, includ-
16 ing through any requirement, direction, condition, or
17 mandate to adopt—

18 “(A) the Common Core State Standards
19 developed under the Common Core State Stand-
20 ards Initiative, any other academic standards
21 common to a number of States, or any specific
22 statewide or nationally recognized content
23 standards; or

24 “(B) any assessment, instructional content,
25 or curriculum aligned to, or based on, specific

1 academic standards, including any of the stand-
2 ards described in subparagraph (A);

3 “(2) incentivize a State, local educational agen-
4 cy, or school to adopt any specific instructional con-
5 tent, academic standard, assessment, curriculum,
6 commonality of standards or assessments, or pro-
7 gram of instruction described in paragraph (1),
8 which shall include providing any priority, pref-
9 erence, or special consideration during the applica-
10 tion process based on any specific content, standard,
11 assessment, curriculum, commonality, or program;
12 or

13 “(3) make financial support available in a man-
14 ner that is conditioned upon a State, local edu-
15 cational agency, or school’s adoption of any specific
16 instructional content, academic standard, assess-
17 ment, curriculum, commonality of standards or as-
18 sessments, or program of instruction described in
19 paragraph (1), even if such requirements are speci-
20 fied in section 14006 or 14007 of the American Re-
21 covery and Reinvestment Act of 2009 (Public Law
22 111–5; 123 Stat. 281) or any other Act.”.

23 (b) CONFORMING AMENDMENT.—Section 9527(a) of
24 the Elementary and Secondary Education Act of 1965 (20

1 U.S.C. 7907(a)) is amended by striking “curriculum, pro-
2 gram of instruction, or”.

3 **SEC. 3. PROHIBITION ON REQUIRING ADOPTION OF COM-**
4 **MON STANDARDS WITH RESPECT TO WAIV-**
5 **ERS.**

6 (a) PROHIBITION.—Section 9401 of the Elementary
7 and Secondary Education Act of 1965 (20 U.S.C. 7861)
8 is amended by adding at the end the following:

9 “(h) PROHIBITION ON REQUIRING CERTAIN STAND-
10 ARDS FOR WAIVERS.—

11 “(1) IN GENERAL.—The Secretary shall not re-
12 quire that a State, local educational agency, Indian
13 tribe, or school adopt, as a prerequisite or condition
14 for any waiver under this section, any specific in-
15 structional content, academic standard, assessment,
16 curriculum, or program of instruction, including—

17 “(A) the Common Core State Standards
18 developed under the Common Core State Stand-
19 ards Initiative, any other academic standards
20 common to a number of States, or any specific
21 statewide or nationally recognized content
22 standards; or

23 “(B) any assessment, instructional content,
24 or curriculum aligned to, or based on, any spe-

1 cific academic standards, including any of the
2 standards described in subparagraph (A).

3 “(2) EFFECT ON PREVIOUSLY ISSUED WAIV-
4 ERS.—

5 “(A) IN GENERAL.—Any requirement de-
6 scribed in paragraph (1) that was required for
7 a waiver provided to a State, local educational
8 agency, Indian tribe, or school under this sec-
9 tion before the date of enactment of the Local
10 Control of Education Act shall be void and have
11 no force of law.

12 “(B) PROHIBITED ACTIONS.—The Sec-
13 retary shall not—

14 “(i) enforce any requirement that is
15 void pursuant to subparagraph (A); and

16 “(ii) require the State, local edu-
17 cational agency, Indian tribe, or school to
18 reapply for a waiver, or to agree to any
19 other conditions to replace any require-
20 ments that is void pursuant to subpara-
21 graph (A), until the end of the period of
22 time specified under the waiver.

23 “(C) NO EFFECT ON OTHER PROVI-
24 SIONS.—Any other provisions or requirements
25 of a waiver provided under this section before

1 the date of enactment of the Local Control of
2 Education Act that are not affected by subpara-
3 graph (A) shall remain in effect for the period
4 of time specified under the waiver.”.

5 **SEC. 4. PROHIBITION IN RACE TO THE TOP FUNDING.**

6 Title XIV of Division A of the American Recovery
7 and Reinvestment Act of 2009 (Public Law 111–5) is
8 amended by inserting after section 14007 the following:

9 **“SEC. 14007A. PROHIBITION ON REQUIRING OR PREFER-**
10 **RING COMMON STANDARDS.**

11 “The prohibitions of section 9527(e) of the Elemen-
12 tary and Secondary Education Act of 1965 shall apply to
13 each grant awarded under section 14006 or 14007 in the
14 same manner as such prohibitions apply to a grant award-
15 ed under such Act.”.

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