

**Produced by the LWVUS The Education Study: The Role of the Federal Government in Public Education**

# **The History Of Federal Government In Public Education: Where Have We Been And How Did We Get Here?**

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## **Where Have We Been?**

From the very beginning of our Republic, a well-educated citizenry was thought to be essential to protect liberty and the general welfare of the people. Even before the Constitution was established, the Land Ordinance of 1785 and the Northwest Ordinance of 1787 included responsibilities of the nation for an education system. Education has long been considered a national concern by the federal government. Through federal action, education has been encouraged and financially supported from the first Northwest Ordinance in 1785 to the present. Article 1, Section 8 of the Constitution granted Congress the power to lay and collect taxes to provide for the general welfare of the United States. It is under this “general welfare” clause that the federal government has assumed the power to initiate educational activity in its own right and to participate jointly with states, agencies and individuals in educational activities.

During the first century of our new nation, Congress granted more than 77 million acres of the public domain as an endowment for the support of public schools through tracts ceded to the states. In 1841, Congress passed an act that granted 500,000 acres to eight states and later increased land grants to a total of 19 states. The federal government also granted money, such as distributions of surplus federal revenue and reimbursements for war expenses, to states. Though Congress rarely prescribed that such funds be used only for schools, education continued to be one of the largest expenses of state and local governments so the states used federal funds whenever possible for education.

Two of our constitutional amendments played an important role in public education. In 1791, the 10th Amendment stated, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Public education was not mentioned as one of those federal powers, and so historically has been delegated to the local and state governments.

In 1868, the 14th Amendment guaranteed rights to all citizens by stating, “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens in the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.”

Included below is a brief historical overview of federal involvement in public education.

## **History of the Role of the Federal Government in Public Education: Timeline**

Event	Date	Explanation
Land Ordinance & Northwest Ordinance	1785/1787	Requirement of a system of public education to be established in each township formed under a specified formula. Regulated monies raised via taxes and selling or renting land.
Land Grants	1841/1848	Congress granted 77+ million acres of land in the public domain as endowments for support of schools. Federal government also granted surplus money to states for public education.
Early philosophy – first six presidents		Discussion of a national university and urging of federal involvement in public education. Seen as critical to preparation for citizenship in a republican form of government.
First Morrill Act otherwise known as the Land Grant Act	1862	Donated public lands to states to be used for the endowment to support and maintain at least one college with specific purpose of teaching branches of agriculture, mechanic arts and industrial education.
The original Department (Office) of Education established	1867	Began to collect data – information on schools and teaching that would help states establish effective school systems.
Second Morrill Act	1890	Gave the Office of Education responsibility for administering support for the original system of land-grant colleges.
Smith-Hughes Act	1917	Promoted vocational schools
Lanham Act	1941	Eased the burden on communities affected by presence of military and federal installations: payments to school districts.
Impact Aid laws	1950	
GI Bill	1944	Provided post secondary education assistance to GIs returning from World War II
George-Barden Act	1946	Provided funding for agricultural, industrial and home economics training for high school students
National Defense Education Act	1958	In response to Soviet Sputnik. NDEA included support for loans to college students in science,

		mathematics and foreign languages.
Elementary and Secondary Education Act	1965	Established comprehensive set of programs including Title I of federal aid to disadvantaged.
Title IX	1972	Prohibited discrimination in education based on gender.
Section 504 of the Rehabilitation Act	1973	Prohibited discrimination based on disability.
Department of Education cabinet level agency	1980	Recognized the important role of public education in our country.
Educational Testing Service (ETS) and NAEP	1983	Federal government transferred responsibility for administering the National Assessment of Educational Progress (NAEP) to ETS: the nation's report card.
Nation at Risk	1983	Report indicating that the USA was falling behind in education achievement.
President G.H. Bush	1989-1992	“Indian Education Bill of Rights” K-12 Drug awareness model Advisory committee on Hispanic education America 2000 education reform program Work began on national standards
President W. Clinton	1993-1999	Academics 2000 offered grant to states / local school districts for innovation. Teach for America.
President G.W. Bush	2001-2008	Reauthorization of ESEA –No Child Left Behind.
President Barack Obama	2009 -	President Obama's Blueprint for Reform – Reauthorization of ESEA. Race to the Top: Grants awarded to states with innovative ideas that accepted the Common Core Standards.

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