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House, Senate look to finalize education reform bill

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House and Senate lawmakers hoping to avert a government shutdown, pass a long-term highway bill and vote on Iran's nuclear ambitions this fall are squeezing in another item that has bedeviled Congress for years — settling on a bipartisan rewrite of the No Child Left Behind education law that can win over the White House.

Both chambers passed bills to revamp the law in July, sending it to a conference to hammer out differences on school choice and how deeply the federal government should be involved as it pushes states to assess their students.

Teachers, parents, students, school boards and politicians have pushed to rework the 13-year-old law and its heavy reliance on standardized testing, which critics say spawned a generation of public school students adept at test-taking but who never mastered the subjects themselves.

Replacing the law, however, has been difficult. Congress is already years late on reauthorizing it, as Republicans and Democrats were stymied on how far to go on school choice and local autonomy.

“It's kind of like the zombie law. It keeps on going and going like ‘The Walking Dead,’ but it has real-life consequences,” said Patrick McGuinn, a politics professor at Drew University in New Jersey who wrote a book on No Child Left Behind.

Both the House and Senate passed bills that would bar the federal government from forcing states to accept a set of educational standards.

“Clearly no matter what emerges it's going to dial back the federal role,” Mr. McGuinn said.

But the House goes much further in school choice, allowing public funds to follow children to any public or charter school their parents choose. Democrats oppose that, calling it a voucher system that drains money from needy public schools.

The House bill also would provide states with general guidelines about testing on reading and math.

But the Senate version goes further, telling states to evaluate students' chances of graduating high school and getting a job as they try to set their performance goals.

The White House threatened to veto the House version but has said it could live with the Senate bill. The administration also wants to see more help for the poorest-performing 5 percent of schools, and Democrats are likely to push for that in any final bill.

Michael Petrilli, president of the education policy think tank Thomas B. Fordham Institute, said Democrats will have a shot at moving the final bill to the left of the relatively moderate Senate version if GOP lawmakers truly are eager to turn the page on the George W. Bush-era law.

"I don't think it's a matter of reconciling the two bills, as much as it is, 'What needs to change to get the president to sign it?'" he said.

That probably means the House's portability provisions will have to go — a move that would earn more Democratic support and, combined with Republicans eager to prove they can pass a major education overhaul, will "put the bill over the finish line," said Neal McCluskey, director of the Center for Educational Freedom at the libertarian Cato Institute. He said that bill would likely still be flawed, but would be better than the No Child law.

The first step will be for House Speaker John A. Boehner to appoint members to the conference committee. A spokeswoman said there's no timetable for that.

The House negotiations will be led by Rep. John Kline, Minnesota Republican and chairman of the House Education and the Workforce Committee.

"Chairman Kline's primary goal has been and continues to be replacing NCLB with common-sense reforms that reduce the federal footprint, restore local control, and empower parents and education leaders to hold schools accountable," said Lauren Aronson, a House committee spokeswoman.

Leading conservative groups, though, say they're unlikely to get the type of bill they want, with even less of a federal hand in states' decision-making.

"It seems all but certain a final product, should it emerge from a conference committee, will be unacceptable to conservatives," said Dan Holler, spokesman for Heritage Action, a conservative lobbying group.