

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent to speak for 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Thank you, Mr. President.

PUBLIC EDUCATION

Mr. CARPER. Mr. President, sometime later this afternoon we will take up legislation on which we have been working for the better part of the last month; that is, to define as best we can the role of the Federal Government with respect to public education in this country.

There are a number of points about which Democrats and Republicans or independents disagree. There are also a number of areas around which we can rally and around which we can agree. I want to take just a moment to address some of those points.

In this country, the role of the Federal Government for the last 30 or 36 years has been really to level the playing field for young people from especially disadvantaged backgrounds to make sure they have an opportunity to be successful when they walk into kindergarten at the age of 5. We do that through programs that provide nutritional support for children; programs to try to ensure that healthy babies are born; to try to ensure that children who can benefit from Head Start have a chance to be in that prekindergarten program; to try to ensure that children in the elementary years and beyond have the opportunity to get extra help in reading, if they need it; if they need extra help in mathematics, they will get that assistance, too; to try to ensure that we recruit some of the best and brightest young people to be our teachers; and to better ensure that not only do those teachers go to the wealthiest school districts in our country but they go to those districts in which the need is the greatest.

The Federal Government has for almost four decades sought to ensure that all children who enter our schools, whether they are in Delaware or the other 49 States, have a real chance to be successful.

There are 49 States in America today which have established rigorous academic standards, spelling out clearly what they expect students to know and be able to do. More than half the States today offer or require many of their students to take tests to measure the progress of those students towards their State's academic standards in

math, science, English, social studies, or a variety of other subjects. Almost half the States in America today have worked to put into place accountability systems. By that, we simply mean consequences for students who do well or do not do well; for schools that do well or do not do well; for educators who do well or who do not do well.

I think we agree here in our Nation's Capital between the Congress, across the aisle, and with the President that there is an important role for the Federal Government to play.

We agree that it is important for the Federal Government to infuse more resources into our schools. We agree that it is appropriate that those schools adopt rigorous academic standards—not standards we set in Washington but standards adopted in the 50 States—in core academic subjects such as math, science, English, and social studies.

We agree, first of all, on the idea of more resources. Some would have enormous resources and others more modest. We agree on the premise that more resources need to be invested.

Second, we agree on the need to invest those resources with more flexibility for the States, with greater flexibility for school districts and the schools.

This past week, during the recess, I was in several schools in Delaware. I will mention one of them, a little elementary school in the town of Seaford, DE, in the southwestern part of our State, roughly 100 miles from here—not even that as the crow flies.

In meeting with the school principal and a number of the teachers, they have a host coordinator who helps students succeed. That is a person who coordinates the efforts of 50 mentors in that school. That is a person who is there as a paid staff member from the Delaware department of—we call it the kids department. It is the department that represents families and provides services to families.

One of the things I heard in that visit is something I want to share with my colleagues today. This school takes money, raised by local school property taxes—they are local funds, and they receive State money and Federal money—and what they are about is trying to raise student achievement so that all the kids in that school will be able to read at grade level, write at grade level, do math at grade level, do science at grade level, or do better than that.

I was struck when I heard how West Seaford Elementary is using extra time/money to be able to provide the resources and the help that kids need to read better or do math better. I was struck how they are using title I money with some of the flexibility legislation that this body gave them under the education flexibility legislation adopted roughly 2 years ago.

I was struck to hear how the State's State employee from the kids department works at that school every day as the go-between for the school and a

family or families in crisis. This is a family crisis therapist who knows the social service network and knows how to take a family and a child who is hurting and get them the help they need.

The point I am trying to make is this—I have taken a long time to make it. When we set rigorous academic standards for schools—when we say to them: We expect you and your kids to reach those standards; we are going to give you more money—when we give them that money with more flexibility, we have a right to demand results. The States have a right to demand results. The school boards and the parents have a right to demand results.

So what we have is a trilogy, if you will. There are more resources targeted to where they are needed, in programs that work. The money is given more flexibly to school districts which are empowered to use that money more flexibly, with literally teams of teachers, administrators, and parents deciding: Do we need another school counselor or do we need another reading specialist? Do we need to put a paraprofessional in a classroom, or a number of them? Or do we need to hire more teachers? Do we need to have a coordinator for a mentoring program or do we need to put that money into hiring a new science teacher?

Those are the kinds of decisions where I think, more often than not, schools will make the right decision. We have to give them that flexibility.

The fourth point on which I think we agree is that we should empower parents to have greater decisionmaking authority in the education of their children. There has been a lot of debate in this Chamber this year and in past years that part of what we ought to do is to give a voucher. They can take that voucher and send their children to a public, private, or parochial school. We are not going to do that this year. I understand it is being done on a limited demonstration basis, and it ought to continue in those places. There are other ways to empower parents to make choices for their children and they involve public schools. I want to mention two of them today.

One of those is public school choice. The other is the establishment of charter schools. I will start with the charter schools first. Charter schools are public schools. Charter schools are not private schools. They are not parochial schools. Charter schools are public schools. They are public schools in my State and in 35 or so other States, where the faculty, the administration, and the parents have been uniquely empowered to harness the energy of that education staff, to harness the energy and creativity of the parents, the administrators, and the community, to raise the level of achievement for the students.

They are given, in some cases, less money, at least for brick and mortar costs for their schools, than our other traditional public schools. In many

States they are given roughly the same amount of money to educate each child, at least in operating funds, as other public schools enjoy. But some amazing things have happened in charter schools in my State. One of them has failed and was closed after 1 year. The rest have not.

One of the schools, the charter school in Wilmington—the first charter school created with partnerships with a number of our major companies—has had the best high school results on the Delaware State tests of all 29 public high schools in our State for the last 2 or 3 years in a row.

We measure student progress in reading, writing, and math. If you look at the percentage of students at the Wilmington charter school who have a disadvantaged background, who are eligible for free or reduced-price lunch, it is under 20 percent, maybe even under 10 percent. It is a relatively middle-class, upper middle-class school. It attracts students from throughout northern Delaware.

There is another charter school in Wilmington, DE, in the middle of the projects called the East Side Charter School. The East Side Charter School does not have a 10 or 15 or 20 percent rate of poverty. Eighty-three percent of the students there are there on free or reduced-price lunches. It has the highest level of poverty of any school in our State. Yet the students who go to that school come early and they stay late. My sons will be finishing up their schooling this school year this coming Friday, June 8, a day to celebrate in our household.

Over at the East Side Charter School they do not finish on June 8. They do not finish on June 18 or June 28. They will be going well into July. Kids going to East Side Charter School not only start early and go late but they have a longer school year. They also wear school uniforms. The children's parents are asked to sign something like a contract of mutual responsibility where they agree to be part of their child's education, to give something back in terms of parental voluntarism at that school during the course of the year. The teachers and the administrators are freed up to be creative and innovative in ways that sometimes do not occur in some of our traditional public schools. They work in teams in ways that do not always happen in other schools, public or private.

Last year, when the State of Delaware gave its annual Delaware State math tests—we test kids in almost 200 public schools; testing them in reading, writing, and math—there was one public school in Delaware in which every child tested in math met or exceeded the State's standards in mathematics. It was the East Side Charter School.

If, in the East Side Charter School, with the highest incidence of poverty in my little State, every child can meet or exceed our State's standards in math, we can educate every child in this country to meet their State's

standards in math or reading or writing or other subjects.

We have to be smart enough to invest the resources; we have to be smart enough to make sure that schools have the flexibility to use those resources; we have to demand results; and we have to empower parents and teachers to be creative and innovative. Not every parent in our State chooses for their child to go to a charter school. The number of charter schools is growing and is playing an important role in our State.

Unfortunately, I would like to say, the charter schools in Delaware, and most other States, don't get the kind of capital support for brick and mortar for building a charter school or upgrading a charter school or renovating a charter school that inures to students in regular public schools. That is not the case. For those who have wanted to start a charter school in my State and in most States, they have to go out and borrow money, sometimes from a bank. Unlike a traditional public school which borrows money, the interest is tax free, which lowers the interest cost for those traditional public schools, when a charter school goes out and borrows money for its school, the interest on that loan is not tax free. The interest on that loan is taxable. The interest rate is higher.

The State of Delaware issues bonds from time to time. We issue bonds not just for capital projects for the State, for roads and prisons and health facilities and other things, parks, but we also issue tax-exempt bonds to help raise the money for our public schools.

The State of Delaware provides anywhere from 60 to 80 percent of the capital costs for building and renovating schools in my State. When a charter school wants to go out and raise the money for its brick and mortar needs, the State of Delaware doesn't issue bonds. It does not pay 60 percent or 80 percent or even 6 percent of the capital costs for the charter schools. The same is true in almost every other State where there is a charter school.

Later during the course of the debate—not today but later this or next week—Senator JUDG GREGG of New Hampshire and I will offer an amendment that says, given the kinds of results we are seeing in charter schools in our States and other places, maybe there is an appropriate role for the Federal Government in leveling the playing field a little bit for capital costs for charter schools.

The other topic I want to discuss is public school choice. We introduced, statewide in Delaware, public school choice 4 or 5 years ago. Today any parent can elect to send their child to a public school not on their feeder pattern. We choose the public schools that our two sons attend in Delaware. Other States are moving to public school choice as well.

In S. 1, the legislation we will be taking up in a few minutes, there are real consequences for schools that fail to

make significant improvement for all kinds of students: rich, poor, male, female, disabled, nondisabled. We expect real improvement, real progress toward the academic standards those States have adopted. For States where a school fails for 4 years in a row to make real progress toward their academic standards, there are consequences which include providing real public school choice with transportation for those children in that failing school, allowing that school to be turned into a charter school, turning that school over to the private sector or the State has to take over the operation of the school. Yet we don't provide anywhere in our legislation help to the States, advice or assistance, technical assistance or otherwise, on how, if you have never had an experience with public school choice, you all of a sudden put in place a public school choice system in your State. Or if you have never started charter schools or your charter schools are struggling to get started, how do you help them get up and running so they can mirror the success stories I have talked about here today in Delaware?

Again, Senator GREGG and I will be offering an amendment later in the debate which would provide some help to States that haven't been thinking about public school choice but are going to have to under the legislation we are going to adopt and States that, frankly, haven't given any help on the brick and mortar capital side to charter schools. My State is as guilty as others that need to start doing that, particularly if we want to invest our money in what works.

I will close with this: There are a lot of important issues we will consider, whether the Republicans are in the majority or the Democrats. The most important thing we are endeavoring to do in this country today is to raise the level of achievement of our students. Those kids in our schools will some day in many cases go on to college. In most cases they will go on to work. It is important that when they reach that college or when they reach the employer or employers for whom they will be working, they have the ability to read, the ability to write, to think, to do math, and to use technology so they and their employers can be successful, and they can have the kind of life they want for themselves and their families.

It is not the role of the Federal Government to run our schools. That is the job of the local folks in the States and the schools and the school districts. Our job is to level the playing field. We have an opportunity, through the legislation we are again taking up this afternoon, to try to level that playing field a little bit and to invest the resources needed in our schools, particularly for kids struggling from disadvantaged backgrounds, to provide those resources more flexibly, to say, when we provide more money with greater flexibility, we want results; we are going to hold folks accountable for results, and

finally, to say we want to give parents more authority, to empower parents to choose more often than not the public schools they attend.

I will close with this: If I needed any proof that public school choice was going to work, I got it, literally, the week after I signed, as Governor of Delaware, public school choice legislation into law. I was in a forum where there were a number of school administrators talking amongst themselves. During the break, I overheard one school administrator say to another, about public school choice: If we don't offer what parents want for their kids, they will simply send their children to another school.

I said to myself: He has it. In our State, if we are not offering in school A what parents want for their kids, if they are offering it in school B, the child can go to school B and the money follows the child. The State appropriation follows the child. It infuses competition and market forces into our schools and other schools attempting public school choice in ways we never imagined possible. That is the potential. That is the hope of part of what we are doing today, this week, and later this month.

I ask my colleagues, as we address the consequences for schools going forward in the future, if we are serious about empowering them to do public school choice, if we are serious about making charter schools a reality, keep in mind the legislation and the amendment to be proposed by Senator GREGG and myself.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

Mr. CARPER. I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDUCATION

Mr. CARPER. Mr. President, as we gather today in this Chamber, it is quiet. We have people here prepared to take down our words, but relatively few words are being said. We are on the threshold of a historic occasion here in the Senate, where the leadership, at least the majority, is about to pass from our Republican friends to the Democrats' side of the aisle.

While there are many issues about which there might be partisan disagreements, there are many issues on which there is bipartisan agreement. One of those is the education of our children.

Today, visiting our Nation's Capitol, coming to this Chamber and that on

the other end of the building in the House of Representatives, are the young and the old. In those groups of visitors to their Nation's Capitol are many schoolchildren. In many cases they are with parents and with teachers. They have come here to experience our Capitol, to experience the longest living democracy in the history of the world, the United States of America.

This Chamber was not silent just for a good part of this day but for much of last week as well, as we were in recess in observance of Memorial Day. In Delaware and in States across the country, on Memorial Day and during last week, we remembered and saluted and thanked our veterans who served in our Army, Navy, Air Force, and Marines, who in many cases sacrificed their lives in wars of the past century, and the two before that.

There is a document we are all proud of in this country called the Constitution. The Constitution of our Nation is the longest living written constitution of any nation on Earth. It was adopted on September 17, 1787, first by the little State of Delaware. As I like to kid my colleagues, Delaware for one whole week was the entire United States of America. Then we opened it up, and other States came in: Pennsylvania and New Jersey and Maryland and the rest joined us. Eventually there were 50 of us, and it has turned out well.

Mr. President, 213 years later we are going strong. Every now and then our democracy is put to the test. That democracy will be put to the test in this Chamber as we prepare for the passing of the torch from the current majority, Republicans, to the next majority, the Democrats.

One issue we will address later this afternoon, to take up again, is one we have been addressing for the better part of a month, and that is redefining the role of the Federal Government in the education of our children. While we have some disagreements in the margins, there is much about which we agree.

I say to all who come here today and in the days ahead to observe this debate, whether you happen to be from schools in Claymont, DE, or schools in Colorado or any other place, that we will endeavor to do our best to make sure the young people—very young people and those not quite so young—will have every opportunity to be successful in their schools and in their later endeavors, so when they walk across the stage and get that diploma and leave high school, it means they are ready to go on to be successful in college, careers, military, the private sector, public service sector—whatever they do—to be successful for their employers and, just as importantly, for themselves.

There is a meeting commencing this afternoon, after the Democrat and Republican caucuses. A number of Democrat and a number of Republican Senators were invited to the White House, presumably to meet with the President

and members of his administration to discuss education reform.

While the numbers have shifted here a bit in the Senate, what should not have shifted is our commitment to our young people and making sure the Federal Government plays a more appropriate role in the years ahead. As we infuse more resources into our public schools, as we provide greater resources to the public schools, we seek to hold those schools accountable for results, rewarding the kind of performance we want to see and, where it is not happening, to make sure we take steps and the schools take steps to get the kind of performance they want and need and we desire as well.

Finally, we must make sure, better than we did before, that we empower parents to make decisions, real decisions, meaningful decisions, about the education of their children in the public schools of America.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—Resumed

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Biden amendment No. 386 (to amendment No. 358), to establish school-based partnerships between local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Voinovich amendment No. 389 (to amendment No. 358), to modify provisions relating to State applications and plans and school improvement to provide for the input of the Governor of the State involved.

Reed amendment No. 425 (to amendment No. 358), to revise provisions regarding the Reading First Program.

Leahy (for Hatch) amendment No. 424 (to amendment No. 358), to provide for the establishment of additional Boys and Girls Clubs of America.

Helms amendment No. 574 (to amendment No. 358), to prohibit the use of Federal funds