

led effort to create high standards that States would voluntarily adopt, but the administration had different ideas.

In homes across America, parents are raising questions about what their children are being taught. In many cases, parents are hearing that local curriculum decisions have been driven by the Common Core education standards that most States adopted in a hurry under Federal pressure with little or no public input.

Decisions about what children are taught are best made on the local level as close to parents as possible. The Federal Government should not have overriding influence over State and local education decisions. Simply put, the Department of Education has incentivized and coerced States into implementing Common Core education standards. Some within our education community in Kansas have even called this practice a bribe.

The administration made it a criterion for States to adopt Common Core standards to have a reasonable chance to receive Federal funding under the multibillion-dollar Race to the Top Program and used Federal funds to develop Common Core-aligned tests. They have also threatened to withhold waivers from the onerous provisions of the No Child Left Behind Act if States do not adopt Common Core or similarly aligned standards and assessments. This is wrong.

For that reason, earlier this year, I reintroduced the LOCAL Level Act, S. 182, to explicitly prohibit the Federal Government's role and involvement in Common Core. My legislation would strictly forbid the Federal Government from intervening in a State's education standards, its curricula, and assessments through the use of incentives, mandates, grants, waivers or any form of manipulation. Simply put, my legislation will preserve State education autonomy.

A State will now be free from Federal interference in how to decide whether to use Common Core or any other type of academic standard. I am pleased the bill before us includes the language from my LOCAL Level Act and will, once and for all, end the administration's use of waivers to force or incentivize States to adopt Common Core standards.

It will end the Obama administration's—and, for that matter, any future administration's—ability to use any tool of coercion to force States to adopt Common Core or any set of standards at all, whether it is Common Core by another name or some new set of standards—period.

I thank Chairman ALEXANDER for including my language because I firmly believe it will prohibit the administration from finding additional ways to promote a State's adoption of Common Core.

I want to emphasize setting high standards for our schools, our teachers, and our children obviously is the right thing to do. But we will decide those

standards in Kansas, and those decisions will be made in other States as well. We need to get the Federal Government out of the classroom and return our community decisions back to where they belong—in the community.

If the Every Child Achieves Act becomes law, we can finally say goodbye to Federal interference in what we teach our kids in school. Chairman ALEXANDER has stated that with this bill, we have the first opportunity in 25 years to restore decision-making back to States, local school districts, superintendents, principals and teachers, local school boards, parents, and especially the students. He is right.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, I rise to express my strong support for the Every Child Achieves Act that is pending before the Senate. I want to commend Chairman ALEXANDER and Ranking Member MURRAY for working in such a great bipartisan fashion that brought this bill to the floor that will improve the quality of education for children across our country.

The Every Child Achieves Act puts States and local officials back in control of our local schools. As we heard from the Senator from Kansas, Mr. ROBERTS, his hard work on this bill also stops the Department of Education from conditioning Federal funding on the adoption of national standards like Common Core.

Importantly, this bill also makes sure parents and taxpayers continue to have access to important information about how the schools in their communities are performing. The Every Child Achieves Act deserves the Senate's support this week. Last week, the Senate unanimously adopted an amendment that will allow community school programs the flexibility to use Federal funds to pay for a site resource coordinator at their school or local education agency. This is important to the State of West Virginia. We have community schools. Community school programs provide important health, nutrition, and other key services for many of our West Virginia students who are, unfortunately, living in poverty.

The amendment passed last week will allow those programs to better coordinate with community partners to provide resources and support for our children in need. I was happy to work with Senator BROWN and my fellow Senator from West Virginia, Mr. MANCHIN, to see that that amendment passed.

I also want to talk briefly about a bipartisan amendment I introduced with Senator DURBIN—he spoke about it a few minutes ago on the floor—that takes important steps to create transparency for students and families. It does so by allowing students and parents to know the quality and progress of their schools as it relates to college readiness.

This amendment will require States and local educational agencies to in-

clude postsecondary enrollment data on the existing report card measures that are included in the Every Child Achieves Act. It also encourages the inclusion of data on postsecondary remediation.

It is supported by dozens of organizations, including the College Summit, the Business Roundtable, and the U.S. Chamber of Commerce, because this amendment seeks to improve the education outcomes of our students.

Parents and students alike deserve to know they are being adequately prepared to enter and succeed in postsecondary education. Including these simple, easy-to-understand measures on State and local report cards will provide them with the information they need to make informed choices about their future education. Additionally, the data will help States and school districts target limited resources to the schools that need it most. This amendment was carefully crafted to avoid putting onerous and additional burdens on our schools and States. Nearly all States already have made the investments necessary to collect, link, and report this data. In fact, the majority of States are already reporting it. Currently, 40 States produce high school feedback reports that include postsecondary enrollment data. More than 30 States already include some measure of postsecondary success, such as remediation rates.

Adding postsecondary enrollment and remediation rates to existing report card measures included in Every Child Achieves Act would make sure students, parents, educators, and policymakers have access to critical information about how well our high schools are preparing students to enter and succeed in postsecondary education. The end result will be successfully restoring decisionmaking to those who know best—the students and their parents.

I urge everyone to support this amendment and also to support the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

STUDENT NON-DISCRIMINATION ACT

Mr. FRANKEN. Madam President, I rise to speak about the urgency of passing the Student Non-Discrimination Act, which takes the same protections that children have against discrimination on the basis of race and national origin and gender and disability, and it extends those protections to lesbian, gay, bisexual, and transgender children—LGBT children. That is it. It is a simple bill. It stands for the principle that LGBT kids have a right not to be bullied just because of who they are.

There are people who will say: What can you do to stop bullying? Kids will be kids. Boys will be boys. I don't think that is right. Because what we

are seeing in our schools today is not just teasing; it is not playground behavior. What we are seeing is more than just bullying. We are seeing discrimination. Let me explain what I mean.

If a Black child was referred to by a racial slur at school, would we say kids will be kids? If a Jewish student got beat up because he wore a yarmulke to school, would we wave it off and say boys will be boys? If a shop teacher told a female teacher she didn't belong in his class, would we be fine if the school just looked the other way?

No, we would not. In fact, there are Federal civil rights laws that are specifically designed to stop this kind of conduct. But if a gay child is relentlessly harassed by his classmates, if a principal tells a girl she can't go to her senior prom because she wants to bring another girl as her date or if a school stands by as teachers, students, and other administrators refer to a transgender child not as "he" or "she" but as "it," there is no law that was written to protect those children. Our laws fail those children, and that is just wrong. We can change that.

The bullying of LGBT children in our schools has reached epidemic proportions. More than 30 percent of LGBT kids report missing a day of school in the previous month because they felt unsafe. Nearly 75 percent of LGBT students say they have been verbally harassed at school, and more than 35 percent of LGBT students report being physically attacked. You cannot learn if you dread going to school. It has been estimated that, on average, LGBT kids comprise 40 percent of all homeless youth. To be sure, family rejection is a leading factor, but LGBT kids' inability to escape verbal harassment and physical attacks makes them drop out, which makes them much more likely to be homeless. That is unacceptable. Our children should not have to experience that kind of hate at school, and, as we have seen all too often, some of them just can't endure it.

A few years ago, I met a wonderful woman named Wendy Walsh, the mother of Seth Walsh, whose photo is next to me here. Wendy told me that Seth had endured years of anti-gay harassment at school in Tehachapi, CA. When he was in the fifth grade, other students started calling him gay, and as he got older the harassment became more frequent and more abusive. By seventh grade, taunts and verbal abuse were a constant part of Seth's day. Students called him faggot and queer. He was afraid to use the restroom or to be in the boys' locker room before gym class.

Seth had always been a good student, receiving A's and B's, but as the harassment escalated, he started to get failing grades. Friends reported that he became depressed and withdrawn. Wendy desperately tried to get school district officials to do something, but her pleas were brushed aside, and in

September of 2010, Seth hanged himself from a tree in his family's backyard. He was 13. Seth left a note expressing his love for family and friends but also his anger at the school.

Justin Aaberg was a rising sophomore at high school in Anoka, MN, my home State. Justin played the cello. In fact, he composed music for the cello. His mother Tammy told people that he was a "sweet boy who seemed to always have a smile on his face." Justin came out to his mom when he was 13. In July of 2010, Justin hanged himself in his bedroom. His mother later learned from Justin's friends and from messages he left before his death that he had been the victim of incessant bullying at school. Justin was 15 when he died.

Carl Walker Hoover was a Boy Scout and a football player for his school in Springfield, MA. But starting in the sixth grade, the kids at Carl's school started to bully and harass him for "acting gay" or "acting like a girl" even though he didn't identify as LGBT. When Carl's mother, Sirdeaner Walker, learned about the harassment, she spoke to his principal, his teacher, and his guidance counselor repeatedly, asking the school to intervene. But in April of 2009, Sirdeaner found her son hanging by an extension cord on the second floor of her home. In the letter Carl left behind, he said he simply couldn't take it anymore. Carl was 11 years old.

Justin, Seth, and Carl's stories are not anomalies. They are just a few of the many tragic cases in an epidemic of school bullying against LGBT kids or kids who are perceived to be LGBT.

The bill we are debating this week is an education bill, a bill about taking the steps necessary to secure better and brighter futures for our children. It is our responsibility not just as Senators but as adults to protect children and to help them flourish. Children who are afraid to go to school can't get a good education.

Think about the children in your life—your son or your daughter, your grandchild or your niece or nephew—and what it must be like for a child in your life to get up and face the school day ahead not with excitement but with anxiety and fear, with dread and shame. This shouldn't happen in America. In America, we have passed laws that guard against harassment in our schools on the basis of race, national origin, sex, and disability, but LGBT students face bullying and intimidation without recourse.

This amendment would simply provide LGBT kids with the same legal remedies available to other kids under our Federal civil rights laws. It says that schools would have to listen when a parent calls and says: My child isn't safe, and then the school has to do something about it. It would ensure that LGBT kids have the same protections, not some of the same protections, as other kids.

This is not a revolutionary idea. In fact, more than a dozen States have al-

ready passed laws that protect students from discrimination based on sexual orientation and gender identity, and it is working. In States that have protections for sexual orientation and gender identity in schools, LGBT students report nearly one-third fewer instances of physical harassment and nearly half as many instances of physical assault as in States lacking these protections.

We have come incredibly far in our understanding of LGBT people in a very short period of time not just as a country but as a body. In 2013, by a vote of 64 to 32, the Senate passed ENDA, the Employment Non-Discrimination Act, which would prohibit job discrimination on the basis of sexual orientation and gender identity. It would prohibit firing someone or harassing them at work for being gay or transgender. It would protect adults.

Now it is time to protect kids and to put in place policies to ensure that a child of 11 or 13 or 15 is allowed to live their life and discover who they are—to discover that maybe they are a great cellist or a first-round NFL draft pick—without facing taunts and intimidation and physical violence in the school. It is our responsibility as a country and as a body to protect our children. I strongly urge my colleagues to do just that by supporting the Student Non-Discrimination Act and voting for it as an amendment to this bill.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

PROTECTING STUDENT PRIVACY ACT

Mr. MARKEY. Madam President, we do not have to look any further than the recent data breaches at the Government Office of Personnel Management, Target, Home Depot, Sony, Neiman Marcus, and countless others to know there are pitfalls to the rush to store our personal, sensitive data online. And there is no information more personal and more sensitive than that of school-aged children.

The business of sifting through and storing the records of grade school and high school students is growing as fast as students are. By collecting personal information about students' test results and learning abilities, teachers may find better ways to educate their students. We can help improve their test scores, improve academic achievement, and prepare students for the future.

The increased use of data analysis of student performance holds promise for increasing student achievement, but at the same time there are perils from a privacy perspective. Putting the sensitive information of students in the hands of third parties and private sector companies raises a number of very serious questions about the privacy rights of parents and their children. The information being collected is about students as young as 5 years old.