

Chapter 11. Department of Education. Author: Lindsey M. Burke,

Director of the Center for Education Policy at The Heritage Foundation. Burke served on Virginia Governor Glenn Youngkin's transition steering committee and landing team for education, and sits on the board of the Educational Freedom Institute, and advisory board of the Independent Women's Forum Education Freedom Center.

Burke makes the conservative mission with public education clear in the opening line of this chapter: she calls to cut federal education – that is the end goal. A conservative president should sign into law a Department of Education Reorganization Act (or Liquidating Authority Act) to direct how to "devolve the agency as a stand-alone Cabinet-level department." She calls for sharply decreasing the DoED's authority and offices, shifting funding to states and local agencies, and transferring DoED's areas of responsibility to other agencies to control funds, student loans, and educational school choices where possible.

Broadly, Burke seeks to limit government support for secular, public education and increase space and funding for "not only 'traditional' liberal arts colleges and research universities but also faith-based institutions, career schools, military academies, and lifelong learning programs." She wants to allow states to opt out of federal education programs, and calls for rescinding the National Education Association's congressional charter, branding it a "radical special interest group that overwhelmingly supports left-of-center policies and policymakers."

Burke focuses discussion on the conservative platform of promoting parental rights to decide what their children are taught – over educators or school directors. She backs a federal Parents' Bill of Rights in "their right and responsibility to raise, educate, and care for their children." Proposals include redirecting federal education dollars, placed into a proposed "Education Savings Account" for each parent/family to spend on the school of their choice, funded by local and state taxpayers. Citing Arizona as a model, Burke writes, this step would "empower parents to choose a set of education options that meet their child's unique needs." She also calls for state block granting of federal education "without strings."

Burke also advocates pushing more students into apprenticeship and technical career programs, versus four-year "higher education establishments captured by woke 'diversicrats,'" while taking aim at the federal accreditation system that is too stringent. She also decries "equity" guidelines in the federal education department that, she argues, produce too much red tape and are too costly.

Finally, Burke calls for elimination of all Title XI and VI regulations related to gender and racial disparities, removing sexual orientation and gender identity (SOGI) and critical race theory (CRT) discussions in classrooms (*see below*). She wants a new Title IX rule to insist that "sex" is properly understood as a fixed biological fact, eliminating SOGI as a concept. On CRT, she states: "school officials should not require students or teachers to believe that individuals are guilty or responsible for the actions of others based on race or ethnicity."

Among proposals, Burke highlights five priority targets for regulatory reform:



- ✓ Charter School Grant Program Priorities:
 - o Rescind new requirements and lessen federal restrictions on charter schools. This would increase private, faith-based school choice
- ✓ Civil Rights Data Collection:
 - Eliminate the OCR's requirements to create and collect data on a new "nonbinary" sex category and end data collection on only male and only female athletic participation
- ✓ Student Assistance General Provisions, Federal Perkins Loan Program, and William D. Ford Federal Direct Loan Program Final Regulations:
 - O Completely reverse the current federal government student loan program and make government only a guarantor, not a direct lender -- loans should be treated as investments and provide a market return to lenders
 - o Establish a new federal corporation run by presidential-picked loyalists to run the student loan program and task Treasury Department to enforce loan collection
- ✓ Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Title IX):
 - Amend Title IX to include due process requirements for those accused of sexual misconduct
 - o Define "sex" to mean only biological sex recognized at birth
 - o Establish "sex" as a fixed biological fact by passing a new Title IX rule saying so
 - o Abandon Title IX redefining "sex" to mean "sexual orientation and gender"
 - Strengthen protections for faith-based educational institutions, programs, and activities
 - Assign political appointees to do a full (retroactive) review of all Title IX investigations related to gender identity and/or sexual orientation cases
 - Drop all such ongoing or pending investigations
 - Inform affected school districts they can drop such Title IX policy changes On racial disparities/ Civil Rights Act Title VI:
 - Review Title VI policies on school discipline and racial disparities; move away from lenient 'restorative justice' practices
 - End DoED and DOJ investigations of Title VI cases based on allegations of disparate impact by issuing a joint DoED-DOJ guidance directive on this
 - Clarify that Title VI of the Civil Rights Act does not include a disparate impact standard
 - Prohibit any federal agency from withholding services from federal or state agencies—that choose not to replace "sex" with "SOGI" in that agency's administration of Title IX
 - This includes K-12 schools with school lunch programs
- ✓ Assistance to States for the Education of Children with Disabilities, Preschool Grants for Children with Disabilities (Equity in IDEA):



- Rescind regulations that now consider race and ethnicity in the identification, placement, and discipline of students with disabilities
 - This step would curb "raiding special education funding to pay for CRT-inspired 'equity' consultants and professional development"

Other reforms include:

- √ Shift responsibility for education of "federal" children -- students in military families, D.C. residents, Native Americans -- to agencies serving these groups and expand education choice
- ✓ Reject gender ideology and critical race theory in civil rights education
- ✓ End both Executive branch and agency overreach of education policies
- ✓ Transfer federal funding for lower-income school districts to the DHHS's future Administration for Children and Families
- ✓ Block-grant and narrow funding to Historically Black Colleges and Universities (HBCUs) and tribally-controlled colleges
- ✓ Implement "risk adjusted" higher education outcomes data for colleges and schools to more carefully isolate the impact of educational quality versus socioeconomic status and other factors
- ✓ Reform The Family Educational Rights and Privacy Act (FERPA) to protect the privacy of student education records and boost parental rights and consent about disclosure of topics discussed privately with teachers, including:
 - o Use of puberty blockers, hormone treatments and gender-altering surgery
 - o Adoption of pronouns different from names /gender noted on birth certificate
- ✓ Do not require federal education employee or contractor to use a pronoun that does not match a person's biological sex if contrary to their religious or moral convictions

STC 2025 Commentary: Burke makes the conservative view on secular public education crystal clear: it is the enemy and the goal is to eliminate it, starting with a presidential decree to remove the DOE as a Cabinet-level department to reduce its power in the next administration. She makes little effort to mask the end goal of supplanting secular education with a Bible-driven curricula, and shifting public dollars to the private sector and Christian educational institutions. Hardline religious conservatives feel they are losing their children and traditional values to public schools and liberal teachers who champion secular and "radical leftist" "woke" values.

The call for eliminating equity and diversity initiatives (SOGI, CRT) reflects the specific fears they voice so loudly: the fact that America's youth are embracing broader conceptions of gender and sexuality, as well as women's rights, including reproductive rights, and that more white Americans than ever, including youth, are acknowledging that structural racism and white supremacy remain embedded in the tissue our nation as unfinished business. That is behind the political push for parental rights, echoed in this chapter.



Burke's proposals for reforming the educational sector make stark the deep white supremacy agenda of Christian conservatives, who are intent on halting and reversing progress made to tackle racial disparities and discrimination. That is visible in the call to cut funding for Block-grant and narrow funding to HBCUs and tribally-controlled colleges. White conservatives do not want America's youth to be taught about America's racist legacy or racial inequality, and they don't want to support more students of color going to college, or having a more level playing field in education, just like they don't want anyone telling their children it's okay to be gay, or allow a transgender child to use a bathroom.

Their racist agenda is also reflected in the paternalistic use of the term "federal" children to refer to Native American students, and children of military families, and the proposal to remove the DOE's authority over these students, while boosting parental rights and school choice. It's all about shifting authority and economic power away from public education to private schools where young people can be taught Christian and so-called traditional family values. And it pushes an educational agenda of whiteness by denying the need to teach Black and brown history and redress missing pieces of the social story of America.

If enacted, Burke's proposals would go very far to harm and limit federal funding for public education and advance theocratic education in its stead. The elimination of SOGI concepts and protections would erase public visibility and knowledge of LGBTQ+ lives, and likely increase, not decrease, intolerance and discrimination against children who identify as non-binary or transgender. Similarly, the call to ban CRT and the Title VI focus on racial disparities is more than a move to deny racism and racial harms and the responsibility of public education institutions to address these: it's a racist step in itself – a deliberate action to decrease the visibility of Black and brown people, voices, and communities, and to limit the exposure of America's public school students to a diversity of viewpoints.

The reversal of policy on student loans also has racist dimensions, given statistics that show that a majority of loan beneficiaries are low-income students of color. Burke's proposals would make it harder, not easier, for them to access money to go to college, with little forgiveness for loan defaults and stronger enforcement in collections.

In the bigger picture, then, Burke's proposals represent a profoundly anti-higher education, anti-public education, anti-diversity agenda. Under the guise of free expression, she advocates giving parents the power to censor classroom discussions and exposure to ideas different from their beliefs, especially on topics related to gender, race, women's rights, and American history. The result would be to reduce access to higher education at public institutions, and to narrow and control what America's students are taught – namely a very conservative, white-led, traditional Christian-based education.

Chapter 11 - Key Points:

- ✓ Cut DoED as a Cabinet-level agency, reorder chain of command, put loyalists in charge
- ✓ Redirect federal dollars to state and local governments, champion alternatives to liberal, higher education schools: private charter, trade, technical, and faith-based institutions
- ✓ Reverse Biden's student loan forgiveness program and crack down on loan enforcement



- ✓ Eliminate equity and diversity regulations in Title IX and VI rules (SOGI, CRT)
- ✓ Set up a Parental Savings Account program to fund parent's school choice; boost parental control of classroom discussions and disclosure of school information to parents