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Dozens in GOP Turn Against Bush's Prized 'No Child' Act

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More than 50 GOP members of the House and Senate -- including the House's second-ranking Republican -- will introduce legislation today that could severely undercut President Bush's signature domestic achievement, the No Child Left Behind Act, by allowing states to opt out of its testing mandates.

For a White House fighting off attacks on its war policy and dealing with a burgeoning scandal at the Justice Department, the GOP dissidents' move is a fresh blow on a new front. Among the co-sponsors of the legislation are House Minority Whip [Roy Blunt](#) (R-Mo.), a key supporter of the measure in 2001, and [John Cornyn](#) (R-Tex.), Bush's most reliable defender in the Senate. [Rep. Eric Cantor](#) (Va.), the House GOP's chief deputy whip and a supporter in 2001, has also signed on.

Burson Snyder, a spokesman for Blunt, said that after several meetings with school administrators and teachers in southwest Missouri, the House Republican leader turned against the measure he helped pass. Blunt was convinced that the burdens and red tape of the No Child Left Behind Act are unacceptably onerous, Snyder said.

Some Republicans said yesterday that a backlash against the law was inevitable. Many voters in affluent suburban and exurban districts -- GOP strongholds -- think their schools have been adversely affected by the law. Once-innovative public schools have increasingly become captive to federal testing mandates, jettisoning education programs not covered by those tests, siphoning funds from programs for the talented and gifted, and discouraging creativity, critics say.

To be sure, key lawmakers would like to reauthorize the law this year. Ranking Republicans on the House and Senate education committees are pushing for a renewal. And key Democrats, including [Rep. George Miller](#) (Calif.) and [Sen. Edward M. Kennedy](#) (Mass.), the chairmen of the House and Senate committees responsible for drafting an updated No Child Left Behind Act, are strong supporters, although they want large increases in funding and more emphasis on teacher training and development.

Still, [Rep. Peter Hoekstra](#) (R-Mich.), author of the new House bill, said the number of Republicans already backing the new measure exceeds the 41 House Republicans and Democrats who voted against the original legislation in 2001. Of the House bill's co-sponsors, at least eight voted for the president's plan six years ago.

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"President Bush and I just see education fundamentally differently," said Hoekstra, a longtime opponent of the law. "The president believes in empowering bureaucrats in Washington, and I believe in local and parental control."

As Congress considers reauthorizing the No Child Left Behind Act, the GOP rebellion could grow, conceded Rep. Howard P. "Buck" McKeon (Calif.), the ranking Republican on the House Education and Labor Committee and a key ally of the president on the issue. "It was a struggle getting it passed last time. It'll be even more of a struggle this time," he said.

Under Hoekstra's bill, any state could essentially opt out of No Child Left Behind after one of two actions. A state could hold a referendum, or two of three elected entities -- the governor, the legislature and the state's highest elected education official -- could decide that the state would no longer abide by the strict rules on testing and the curriculum.

The Senate bill is slightly less permissive, but it would allow a state to negotiate a "charter" with the federal government to get away from the law's mandates.

In both cases, the states that opt out would still be eligible for federal funding, but those states could exempt any education program but special education from No Child Left Behind strictures.

Sen. Jim DeMint (R-S.C.) said that advocates do not intend to repeal the No Child Left Behind Act. Instead, they want to give states more flexibility to meet the president's goals of education achievement, he said. As a House member in 2001, DeMint opposed No Child Left Behind when it first came to a vote, but he voted for it on final passage.

"So many people are frustrated with the shackles of No Child Left Behind," DeMint said. "I don't think anyone argues with measuring what we're doing, but the fact is, even the education community . . . sees us just testing, testing, testing, and reshaping the curriculum so we look good."

Parent unrest in places such as Scarsdale, N.Y., and parts of suburban Michigan could affect members of Congress. Connecticut has sued the government over the law, while legislatures in Virginia, Colorado and heavily Republican Utah have moved to supersede it.

Republican lawmakers involved in crafting the new legislation say Education Secretary Margaret Spellings and other administration officials have moved in recent days to tamp down dissent within the GOP. Since January, Spellings has met or spoken with about 40 Republican lawmakers on the issue, said Katherine McLane, the Education Department's press secretary.

"We've made a lot of progress in the past five years in serving the children who have traditionally been underserved in our education system," McLane said. "Now is not the time to roll back the clock on those children."

But so far, the administration's efforts have borne little fruit, Republican critics said.

"Republicans voted for No Child Left Behind holding their noses," said Michael J. Petrilli, an Education Department official during Bush's first term who is now a critic of the law. "But now with the president so politically weak, conservatives can vote their conscience."

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