

Tanya Domi:

Hi, this is Tanya Domi. Welcome to The Thought Project, recorded at the Graduate Center of the City University of New York, fostering groundbreaking research and scholarship in the arts, social sciences, and sciences. In this space, we talk with faculty and doctoral students about the big thinking and big ideas generating cutting edge research, informing New Yorkers and the world.

Tanya Domi:

David Bloomfield is Professor of Educational Leadership, Law, and Policy at Brooklyn College and the Graduate Center CUNY. Professor Bloomfield specializes in education law, school district management, school reform, and legislative matters. He is author of hundreds of columns and opinion editorials on K-12 education, including the book American Public Education Law, third edition, 2016. Earlier this year, city and state recognized Professor Bloomfield among the 2020 Education Power 100 in New York City. Welcome back to The Thought Project, David Bloomfield.

Tanya Domi:

Now that the non-transition Biden transition has begun, even though the Trump administration has yet to turn over the keys, the Department of Education, whoever ascends to the secretary's position, is likely to inherit a legal disaster zone that Betsy DeVos left in her wake. Frequently referred to as the most unpopular member of the Trump cabinet, the next Secretary of Education will inherit hundreds of lawsuits to deal with a mismanaged student loan program that left many people guessing on how to apply for loan forgiveness, if serving for the public good. And most likely will reverse the Title IX changes made by DeVos targeting trans student for special discrimination. She also failed to deliver COVID-19 aid to enable K-12 and colleges to reopen safely during the pandemic, despite the Trump call that all schools reopen regardless. So Professor Bloomfield, who are the leading contenders for this cabinet position?

David Bloomfield:

President Elect has promised that it would be somebody who has a teaching background. Normally, that's referred to as a former public school teacher. I think that that's an unnecessary restriction on who he gets to choose.

Tanya Domi:

But he made that promise really early, didn't he?

David Bloomfield:

He made it almost exactly a year ago at an NEA, National Education Association, candidates forum. But he stuck with it. But again, it seems that a teaching background might be good thing. But there are lots of other qualifications that are absolutely necessary that a former teacher might not bring to the table. There are enforcement responsibilities, there are legislative responsibilities and regulatory responsibilities. We need somebody who can fight the Washington ground game, and it's not necessarily so that the most qualified candidate is also going to have a teaching background. That's not the job.

Tanya Domi:

Yeah, it's a big department, and it's got a huge amount of money to manage and appropriate and run. And it does seem that the unions do have the inside track here. According to press reporting, it seems like he does want to hire somebody from the unions. And in the Politico profiling of likely candidates,

Randi Weingarten, the President of the American Federation of Teachers, which is also an affiliate with the professional staff Congress at CUNY, she's described as most likely to prompt the strongest Republican opposition on both policy and political grounds. What do you think about Randi Weingarten?

David Bloomfield:

Well, Randi is extremely competent and able with long experience. Her teaching background is somewhat questionable. She was installed in a teaching position for a few years by the UFT, so she would check that box. But she's a lawyer by training, by experience, and obviously a strong union leader. But the reality is the unions are going to have an inside track on whoever happens to be the Secretary of Education. They will have great influence at the White House, they'll have great influence in Congress, they'll have great influence at the Department of Education. They don't need to wave a red flag at Republicans, unless they want to, to have a former union leader, whether it's a leader of the NEA or of the AFT in the secretary's position.

Tanya Domi:

Okay, okay. Just to round off the list. Seems like Lily Garcia, who's a former president of NEA and who is currently an elementary school teacher, is considered one of the top picks too. I guess we're going to have to wait and see how Biden shows his hand and who gets the nod.

David Bloomfield:

That's right. But there are other candidates who, whether with teaching experience or not, could fill the role. Infante-Green, who's the current Rhode Island Education Commissioner, is a strong candidate. Katherine Layman, who is the former Assistant Secretary of Education under Obama, a great civil rights advocate and a strong position. So really, the field is open to the President Elect, and I don't know why he would restrict himself to an old campaign promise that does not necessarily hold as the best candidate for the coming administration.

Tanya Domi:

Oh, that makes sense. On his transition list, there's a few organizations called... Well, the Learning Policy Institute. Let's go back to a former candidate who's now on the transition team, and that is Linda Hammond-Darling. You just told me she took herself out of running. What's her profile and what do you know about her?

David Bloomfield:

Linda Darling-Hammond is a strong academic. I'm not even sure if she has public school teaching experience. She's been mentioned again and again and again. She was a top candidate before Arnie Duncan was given the secretary's job under Obama, and now she's leading the transition for Biden. I think there's some question as to whether she's going to be bold enough in her suggestions because she's just been around for a long time and has, in fact, been a proponent of high stakes testing, at least in the teacher certification area, with something called edTPA, a video high-stakes test for certification.

David Bloomfield:

So it remains to be seen not only who the secretary is, but what the agenda is. If you go to the Biden website, you'll see 17 itemized initiatives and a very expansive text on the agenda that's to come. So he's spelled out a lot of what the transition team is going to have to fill out in the next couple of months.

Tanya Domi:

Interesting observations by you, David. A lot of what Biden has proposed to do, including a dismissing \$10,000 of student loan debt relief during the pandemic, will require Senate approval. Although the department did enact a moratorium on student loan payments through the end of the year, that didn't require a congressional action. I think there's some legal room there to maneuver on some of the regulatory actions that the secretary can take. But what do you think about action on student loan debt in the early days of the Biden administration? And can he actually get a lot done on this without a democratic majority? Right now, it remains to be seen if the Democrats can get the majority. We have to wait out the two Georgia runoffs on January 5th.

David Bloomfield:

Forgiving student loan debt is important, not only to relieving students of horrible burdens that really hold the economy back. You can't buy a house because you have outstanding student loan debt, and that's an issue that's a favorite of the left. So Biden can do a great deal to show his progressive streak by having that student debt relieved legally. And in fact, a lot of that student loan debt is never going to come due because the students just don't have the money to pay it off. So we're in a crisis. Biden and the new secretary are in a position to help. The secretary has great powers to grant waivers in certain instances. And that will be used to the degree that it can be used on the student debt issue, which everybody agrees is an albatross around the neck of the United States economy.

Tanya Domi:

Absolutely. It's really about \$1.4 trillion in debt. The debt is greater than revolving credit card debt in America. It is a big drag on the economy. And if he were to dismiss more than \$10,000... There was a suggestion by Elizabeth Warren during the campaign of \$50,000 per student with debt. When you talk about doctors and lawyers, you're talking about six figures of debt that they carry. And even Barack Obama did not pay off his student loan debt, he and his wife did not pay off their student loan debts, until he published an award-winning critically acclaimed book as he moved into the White House in 2008.

Tanya Domi:

So moving on to Title I programs. These are the federal funds for schools with a high percentage of low income students. These funds pay for extra educational services to help at-risk students achieve and succeed despite their disadvantages. Biden's going to probably need a big bill here with a lot of money, given the challenges that is facing public education throughout the country. There was no funding for the pandemic. Really, no school in America has a budget line to deal with the purchase of PPE and cleaning their schools. Biden's going to need the Senate again to pass these funds. What do you think they will propose? I would think that they would propose two different kinds of budgets, depending on what happens in Georgia.

David Bloomfield:

That's right. Really, this all depends on what the Senate majority looks like. If there's a tie, then Kamala Harris gets to break that tie as the Vice President, and that will give the Biden administration and the American people a lot of wiggle room in terms of the money available to education and other pandemic related requirements. What Mitch McConnell will do is anybody's guess post-admission that they lost the presidential election. And I would expect some compromise. And what McConnell might demand in

return to increase taxes on the wealthy, which is really the necessary factor in all of this, is so far unknown.

Tanya Domi:

So I guess we're going to have to wait and see. But given all things that you know, David, you're a highly experienced education policy person. You've written a book on legal advising for schools, the laws about schools. But given all that you know, and you used to be the lawyer on the New York City Board of Education. It's a pre-existing organization that was here in New York city. You know a lot about it.

David Bloomfield:

A fun fact. I actually worked at Federal Office of Management and Budget in the education branch while I was in graduate school.

Tanya Domi:

How did I miss that? I didn't know that about you.

David Bloomfield:

Well, I actually keep it a secret because that was during the Reagan administration and David Stockman. So don't tell anybody.

Tanya Domi:

Okay. But hey, that's good that you knew about how the budget was put together and working on it. Biden's talked... There's been a lot of talk about a moonshot presidency. That Biden, he's got to think big, it's got to be strategic. And in that vein, what could a Biden administration do, aligning with that moonshot vision, for America's students, K-12 and even post high school? I know one of the programs he is proposing is community colleges to do a lot of trade training for people, and making it free, under \$125,000 per family. But what could he do in this moonshot presidency for education?

David Bloomfield:

The most important issue in American education, in American society, is in equity and diversity. And so what the new secretary, what the entire administration has to be addressing is those issues, both broadly and more narrowly, but importantly and crucially, in education. So that's why I like Katherine Layman as the secretary. She was the head of the Office of Civil Rights. She was the author of the Obama policy requiring districts to show their disciplinary data regarding black and Latinx students. She led the charge to require the recognition of LGBTQ rights. And enforcing laws already on the books, which DeVos tried to short circuit and Layman or some secretary needs to restore, is to make sure that students' rights are in the forefront. And that's particularly black and Latinx student rights, and LGBTQ rights in American education. And the student debt issue is obviously one that falls hardest on students of color. The Title I funding is crucial to the advancement of students of color. And so we need to have all hands on deck, comprehensive equity and diversity agenda. That's the moonshot.

Tanya Domi:

Well, I want to thank you for coming in today. This is a front burner issue. The press has already started, and you really know where the things are happening in terms of this cycle that's coming up for people in education in a Biden presidency. I want to thank you for coming in today.

This transcript was exported on Nov 18, 2020 - view latest version [here](#).

David Bloomfield:

Thank you very much. It's always a pleasure.

Tanya Domi:

Thanks for tuning into The Thought Project. And thanks to our guest, Professor David Bloomfield of Brooklyn College and the Graduate Center CUNY. The Thought Project is brought to you with production, engineering, and technical assistance by Kevin Wolfe of CUNY TV. I'm Tanya Domi. Tune in next week.