Congress of the United States
Washington, DC 20515

June 10, 2015

The Honorable Lamar Alexander
Chairman
Senate HELP Committee
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Senate HELP Committee
428 Dirksen Senate Office Building
Washington, DC 20510

Re: Every Child Achieves Act of 2015

Dear Chairman Alexander and Ranking Member Murray:

The Congressional Asian Pacific American Caucus (CAPAC), the Congressional Black Caucus (CBC), and the Congressional Hispanic Caucus (CHC)—also known as the Congressional Tri-Caucus—write to share our views on the Every Child Achieves Act, as reported out of the Senate Committee on Health, Education, Labor and Pensions (HELP) on April 16, 2015. While we oppose this bill in its current form, it is our hope and expectation that outlining our reauthorization principles and areas of concern will result in both robust dialogue and needed improvements to the bill as the deliberative process moves forward.

The Elementary and Secondary Education Act (ESEA) is a critical civil rights law intended to ensure that all children—regardless of their zip code, family wealth, background, English Language Proficiency, or disability—have the unequivocal right to an equitable education. While we applaud the current bipartisan bill as an important step toward remedying the flaws of current law through full reauthorization, the bill in its current form does not do enough to protect the historically disadvantaged and vulnerable students the ESEA is intended to serve. We strongly urge you to consider the following principles in order to improve the legislation and achieve reauthorization of the ESEA that eliminates, not perpetuates, persistent inequities within our nation's system of public education. Specifically, we believe the bill must be strengthened to:

1. **Hold states and school districts accountable for meeting the academic needs of all students.** Subgroup accountability must be strengthened to ensure that the academic performance of disadvantaged students is not masked by averages. States and school districts must be held accountable for the education of every child. The law must require timely state action to address inequities where they persist, with federal resources and support provided to the lowest performing schools, including those schools with low-performing student subgroups. Accountability for low-performing high schools, frequently referred to as "dropout factories," must be addressed and strengthened. The language must be improved to ensure that State-determined annual goals are consistent among all student subgroups; that interventions are required when the same student

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subgroup misses a state-set goal for two or more consecutive years; and that the use of super subgroups is expressly prohibited for the purposes of reporting and accountability. Lastly, any state-established threshold for student group size ("n-size") must be clear, transparent, consistent across subgroups, and uniform across states.

2. **Require school districts to equitably distribute resources and close the comparability loophole.** Reauthorization must address funding inequities in current law. Resources must be equitability distributed, specifically targeting the poorer schools and students that need it the most.

3. **Strengthen, make transparent, and enforce annual data collection and reporting.** Specifically, data collection must be cross-tabulated by gender, and be disaggregated by student subgroups, Asian American and Pacific Islander racial subgroups, and English language proficiency levels. Data must show student performance and must be available and accessible, including expressly requiring that translated resources be provided to families with limited English proficiency.

While the articulated concerns of the Tri-Caucus preclude us from supporting the bill at this time, we commend the committee for adoption of key improvements to the underlying bill that align with Tri-Caucus priorities to promote educational equity. Specifically, we are pleased with the adoption of:

4. **The Baldwin (D-WI)/Cassidy(R-LA) amendment to eliminate redundant and low-quality state and district assessments while empowering states to prioritize quality assessments that measure student performance and academic growth.** While assessment data is one important tool in diagnosing and addressing school and student challenges, the high-stakes nature of assessments must be replaced with a climate that fosters growth and support.

5. **The Murray (D-WA)/Isakson (R-GA) amendment to improve access to quality early childhood education for disadvantaged students.** In many disenfranchised communities, students enter school behind due to lack of access to preschool and pre-kindergarten. We believe that any reauthorization of the ESEA must prioritize access to early learning to prepare all students for success in elementary school and beyond. We look forward to building on the bipartisan success of this amendment to ensure improved access to high-quality early childhood education for all children, including children residing in U.S. territories.

The *Every Child Achieves Act of 2015* must further protect children of historically underserved communities—specifically, children of color, children with disabilities, and children in poverty—so that they can break the cycle of poverty and overcome socio-economic barriers for a brighter future. We cannot support the bill in its current format, especially considering the lack of crucial subgroup accountability language. We remain hopeful that continued bipartisan, bicameral collaboration will ensure the principles of the Congressional Asian Pacific American Caucus, the Congressional Black Caucus, and the Congressional Hispanic Caucus are embodied in any reauthorization of the Elementary and Secondary Education Act.

Sincerely,

Judy Chu
Chair, Congressional Asian Pacific American Caucus (CAPAC)

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Chair, Congressional Black Caucus (CBC)

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