



FIRST FOCUS

CAMPAIGN FOR CHILDREN

February 25, 2015

Dear Representative,

On behalf of First Focus Campaign for Children, a bipartisan children's advocacy organization dedicated to making children and families a priority in federal policy and budget decisions, I write today **urging you to vote against passage of the Student Success Act (H.R.5)**.

As you know, the future strength of the nation's democracy and economy is dependent upon the investments made in children and youth today. The reauthorization of ESEA presents an historic opportunity to positively impact the lives of millions of children and families, fortify our democracy, and contribute to our future economic success. Unfortunately, in its current form, H.R. 5 would undo much of the progress we have made toward a more equitable public education system. As such, we urge Members to vote against it.

Please find below a list of provisions in H.R. 5 that, if unchanged, would hurt our most deserving students and families and subsequently negatively impact our future economic success:

Title I Portability: The original Elementary and Secondary Education Act of 1965 was a supports-oriented civil rights bill intended to close academic achievement gaps and ensure that every child has equal opportunity to succeed. Title I, Part A was that principle codified in policy, with formula grants for LEAs with high concentrations of poverty to make up for lower state and local education funding as a result of drawing funds from an area with a high concentration of poverty. Though never fully funded, by allowing LEAs to direct Title I funds to schools that need it most, Title I has had a positive impact on schools and their students.

While portability would, in theory, allow parents to make more decisions about where their children go to school, in practice it undermines the intent of Title I by taking away funds from already struggling high-need schools and taking away the ability of LEAs to make local decisions about how to use funds, all at a time when per-pupil spending across the country fell for the second year in a row, by nearly 3 percent from FY 2011 to FY 2012. Parents shouldn't have to endure school lotteries and waiting lists to have a good school close to home, and a fully funded, more equitable Title I, Part A that improves schools that need it most would help ensure that every student has access to an excellent education.

Title I Comparability: H.R. 5 does not address the comparability issue of per pupil funding between schools within the same district. The reauthorization of ESEA is an opportunity to amend Title I, Part A to remedy the inequitable distribution of State and local funds within the areas served by LEAs. A reauthorization bill should: (1) Reinforce the supplementary intent of funds made available under Title I of ESEA with "supplement, not supplant" language, ensuring these funds serve their original purpose of subsidizing the increased costs associated with educating students living in areas of concentrated poverty, (2) Address the statutory, regulatory, and enforcement weaknesses that undermine the role of the comparability requirement in ensuring comparability within school districts, (3) Require the inclusion of real teacher salaries in calculations of per-pupil expenditures, and (4) Provide sufficient transparency, accountability, and disclosure to allow parents, communities, educators, and district officials to ensure students have access to the resources they need to achieve at high levels.

Transferability & Flexibility of Funds: The case for transferability and flexibility is to create greater local control over education decisions and encourage local innovation, but the funding flexibility in H.R. 5 would likely lead to vital programs going unfunded at the expense of disadvantaged students, perpetuating inequity and negatively impacting educational outcomes for many children. Though they remain underfunded, Title I, Title III and VII, which address the needs of low income, ELL and Native American students, respectively, have contributed to closing achievement gaps for these students. Instead of pursuing flexibility by eliminating dedicated funding streams, ESEA should promote local flexibility by repealing burdensome one-size-fits-all mandatory spending requirements in school improvement and supplemental educational services.

Authorized Funding Levels: Funding levels in authorization bills send a message to appropriators about what funding level is adequate for a given initiative. For example, No Child Left Behind (NCLB) authorized funding for 2007 was over \$28 billion, a sign of the investment necessary to help schools meet the accountability standards in NCLB. Freezing funding in the aggregate through the 2021-2022 school year does not reflect need in states and districts.

Appropriations in FY 2015 for education are below FY 2008 funding, despite growing need for federal investment in education. The National Center for Education Statistics projects that public school enrollment will increase by more than 2.2 million students by 2022. Additionally, most states are currently still not funding per-pupil education at pre-recession levels, meaning too many children are losing the core resources necessary for an excellent education. For example, the Civil Right Data Collection (CRDC) reveals that 20 percent of high schools do not have school counselors while between 10 and 25 percent of high schools do not offer a full sequence of math and science education (e.g. Algebra I and II, geometry, biology, and chemistry).

This lack of resources is not for lack of need; the number of homeless students enrolled in school been growing consistently for years yet the federal government provides LEAs only \$50 per homeless student for support services, and for the first time more than 50 percent of students live below 185 percent of the federal poverty line. Children living in poverty and homeless children face significant barriers to a successful education, resulting in chronic absences, repeated grades, and high dropout rates for these students; low-income students are five times more likely to drop out of school than their middle class peers, while homeless students are four times more likely to drop out. Every student who drops out of school comes at significant cost to the country from lost tax revenue and decreased economic output. For example, one study found that the students who dropped out of the high school class of 2011 lost about \$154 billion in additional income over the course of their lives.

Schools can be a source of support and help children overcome these challenges by providing stability and important resources for children who face such challenges, such as guidance counselors and health clinics, but not without sufficient funding. The appropriate response to growing demand is to assist schools that are already under-resourced to better meet the needs of their students, and to ensure that children have access to the diverse range of supports they need to succeed. Funding levels authorized in a reauthorization of ESEA should reflect these needs.

Accountability Systems: While we do believe it is beneficial to let go of the punitive restrictions of Adequate Yearly Progress, we oppose any policies that potentially abandon accountability for the achievement and learning gains of subgroups of disadvantaged students. H.R. 5 also eliminates parameters regarding the use of federal funds to help improve struggling schools. As the bill does not permit the Secretary of Education to establish any criteria that specifies or prescribes any aspect of a state's accountability system, nor does it provide a definition for low-performing schools, it restricts the federal government from protecting underserved students.

FFCC believes that accountability should be based on multiple measures of not only student learning, but also indicators of school climate and resource equity. The latter factors have significant impact on student learning, and measuring them will contribute to closing achievement gaps and overall student academic success.

Paramount among the reasons for ongoing, stubborn gaps in educational achievement is lack of resource equity for each and every student. The Equity and Excellence Commission, a diverse group of education experts created by Congress to provide advice on the disparities in meaningful educational opportunities that give rise to the achievement gap, found that inequitable school finance systems mean that a child's opportunities are often a function of their zip code. Indeed, the CRDC reveals stunning gaps in access to the basic components that lead to academic achievement for students. For example, as stated above, 20 percent of high school students attend a school with no school counselor while between 10 and 25 percent of high schools do not offer more than one of the core courses in math and science. Additionally, students of color and English language learners attend schools with higher proportions of inexperienced teachers than their white and native English-speaking peers. To make matters worse, federal accountability systems require all schools and students to reach the same achievement levels despite unequal access to essential resources for educational excellence.

The Equity and Excellence Commission recommends that the federal government support states and districts in determining the cost of providing meaningful educational opportunities and high achievement and implement a system that will make those meaningful educational opportunities and high achievement to each and every student. Changing federal accountability standards in ESEA to include those resources that every child needs to succeed in school, such as specialized support teams, appropriate class sizes, up-to-date class materials, and support staff such as school counselors, as outlined in Representative Fudge's Core Opportunity Resources for Equity and Excellence Act (H.R. 193), would be a major step toward ensuring equity. By recognizing the ingredients necessary for an excellent education, ESEA should encourage and allow states to address the core issues facing too many students of color, students with disabilities, English language learners, and students from low-income families. Closing the access gap to essential resources will help close academic achievement gaps.

Promoting a Comprehensive Approach to Education Through School-Community Partnerships: Across the country, results demonstrate that when schools offer comprehensive, integrated student supports, student achievement improves. Last year, Child Trends conducted a rigorous review of research findings on integrated student supports and found that using integrated student supports: decreases grade retention and the likelihood of dropping out; increases attendance, math achievement, and overall GPA; is firmly grounded in child and youth development by recognizing the importance of whole child education; takes into account more of the factors that contribute to student success than other approaches; and produces a positive return on investment.

Reauthorization of ESEA should promote a shared, systemic, and comprehensive approach to education through integrating services and engaging families and communities. This collaborative framework will build community ownership for change and improve academic results for children and youth. But H.R. 5 lacks any provisions to target support for these efforts or even to support states in their own efforts.

A strong coalition including AASA, AFT, the Coalition for Community Schools, FFCC, NEA, CCS, PTA, United Way and YMCA has developed legislation sponsored by Representative Chu (the DIPLOMA Act, H.R. 495) that will meet the comprehensive needs of students as outlined above. The legislation helps communities meet their unique challenges influencing student achievement, including factors in and outside of school. States would receive funds by formula, do a needs-assessment and provide grants to local consortia consisting of school districts, community-based organizations, local businesses, institutions of higher education, local government, service providers, students, parents, and others. These consortia would engage families and the community in strengthening student achievement, coordinating existing services, and filling gaps in services ranging from tutoring and extended

learning to health care and social supports. An independent evaluation would be conducted to measure results and identify best practices. Provisions from this bill should be included in ESEA reauthorization to help schools address the unique needs of their students.

Highly Qualified Teachers: While we believe the current definition of Highly Qualified Teacher should be improved, we are opposed to entirely eliminating minimum federal requirements for teachers. H.R. 5 eliminates all baseline preparation standards for teachers, instead allowing states and school districts to focus solely on measuring teacher effectiveness once teachers are already in the classroom. We believe this is a grave mistake. Research shows that high need students are most likely to be taught by teachers who have not completed their training, have not demonstrated competency in their subject matter, and are inexperienced. This legislation will do nothing to change this reality, and may in fact make it worse. All students, especially low-income students, students of color, students with disabilities, English language learners, and students from high-need rural communities, deserve teachers who are profession-ready on their first day in the classroom. Related to the issue of highly qualified teachers, we are also concerned with the lowering of Title II (Teacher Quality) funds for students who are in poverty, especially during a time when we should be enhancing our highly qualified teacher workforce. Instead, reauthorization of ESEA should offer an alternative vision for the educator profession, with induction and mentoring programs for new teachers, and an emphasis on collaboration and professional development.

Class Size Reduction: The proposed legislation limits class size reduction efforts to 10 percent of Title II (current use is about 38 percent). Research indicates that students benefiting the most from class size reduction efforts are disadvantaged students in the early grades. By capping this funding, we are concerned that school districts will not be able to find funding to continue paying the teacher salaries that were previously funded through federal class size reduction funds. This would lead to a direct decrease in services for our most deserving students. Reauthorization should, instead, address this issue proactively by including provisions to: (1) Reduce class size, particularly in the early elementary grades; and (2) Create a continuum of small classes from kindergarten to third grade.

Reduce the Burden of Standardized Tests on Students: Since the passage of No Child Left Behind in 2001, an overemphasis on standardized testing has emerged. Intended as a way to measure academic achievement gaps between student subgroups (such as students of color and students from low-income families) and ensure that schools are improving, achievement on standardized tests has become the primary focus of SEAs, LEAs, schools, and teachers, all of which are burdened with harsh accountability measures tied to these tests. But measuring achievement gaps does not close them. In fact, measuring achievement gaps with standardized tests often only measures differences of opportunity for students, and an overreliance on standardized tests is a distraction or, at worst, a detriment to the more important goal of creating equal opportunity to high-quality education for every student by narrowing curriculum and sacrificing instructional time for test preparation.

H.R. 5 does nothing to ease the burden of standardized tests on students, teachers, and schools. Instead, at the very least, it should include provisions such as those in the SMART Act (H.R. 408), sponsored by Representative Bonamici, which would allow states to examine their use of standardized exams and how to reduce the number and improve the quality of tests given. H.R. 5 should also repeal the requirement that states test their students every year, as Representative Gibson's Student Testing Improvement and Accountability Act (H.R. 452) does, and find a low-stakes method of highlighting academic achievement gaps, such as expansion of the National Assessment of Educational Progress.

Early Education: H.R. 5 lacks a focus on early education or the creation of school improvement and professional development activities with early childhood development and education programs. With the reauthorization of ESEA, we have an opportunity to improve the early years of the education continuum – beginning with pre-kindergarten and continuing through third grade, which is essential to ensuring that every child is college and career

ready. Research shows that high-quality classroom experiences throughout this period of a child's life can lead to significant gains in achievement throughout school and improved outcomes later in life. Current policies are simply not enough to address this problem, and H.R. 5 also does nothing to change that.

Reauthorization of ESEA should instead offer comprehensive early education solutions. In addition to more focused professional development and a dedication to smaller class sizes and more collaboration time for teachers in the early years, ESEA should establish a new formula grant program to establish state-federal partnerships to increase access to high-quality, full-day pre-K for children living below 200 percent of the federal poverty level. This will help correct a glaring inequity in access to early education for children in America, put more children at equal starting place when they start school, and significantly help the country build a successful 21st century education system on the solid foundation provided by high-quality early childhood education for every child.

Education Children and Youth in Unstable Housing: Though homelessness for other populations has been declining, the number of homeless students enrolled in pre-K-12 schools has been growing, increasing 8 percent between 2011-2012 and 2012-2013, to 1.3 million students. Reauthorization of ESEA is an opportunity to help states and LEAs meet the needs of this growing population of students. Lack of funding to meet this unparalleled need has undermined the law's effectiveness and lead to under-identification of homeless students, increased school mobility, and gaps in enrollment. While there are some improvements to this program in H.R. 5 that we support, it does not increase authorized appropriations to meet the growing need. Reauthorization of ESEA should improve provisions addressing the educational needs of homeless children and youth and increases appropriations to meet the growing need.

Additionally, students in foster care face many similar issues as homeless students and should be afforded with the same rights and educational opportunities that homeless children have in a system that is tailored to the unique needs faced by children in foster care. ESEA should ensure that child welfare agencies have the full cooperation of state and local education agencies by placing requirements on state and local education agencies that both mirror and extend beyond those placed on child welfare agencies, and that these initiatives are funded appropriately to adequately serve both homeless children and children in the foster care system.

We urge you to vote against passage of the Student Success Act unless the issues above are addressed by amendments, and to vote for the substitute amendment to be offered by Representative Scott, which includes a number of the recommendations above. We look forward to working with you to ensure that our most disadvantaged students and communities are given the resources and support needed to provide an equitable education and ensure future economic success. If you have any questions please contact Kevin Lindsey, Director, Education Policy, at kevinl@firstfocus.net.

Sincerely,



Bruce Lesley
President