

January 24, 2012

The Honorable John Kline, Chairman
U.S. House Committee on Education and the Workforce
2181 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Kline:

The 38 undersigned organizations – representing a broad cross section of civil rights, disability, business and education organizations – write to firmly oppose the recently released draft of the Student Success Act, which would amend and reauthorize Title I and other parts of the Elementary and Secondary Education Act (ESEA). Together we represent parents, educators, employers, and millions of students with disabilities, low-income students, students of color, English language learners (ELLs), and the children of migrant workers – all boys and girls who, through education, are working to build bright futures.

All agree that ESEA must be updated. However, the draft bill is not an update; it is a *rollback*. It undermines the core American value of equal opportunity in education embodied in *Brown v. Board of Education*. Specifically, it abandons accountability for the achievement and learning gains of subgroups of disadvantaged students who for generations have been harmed by low academic expectations. The draft also eliminates performance targets, removes parameters regarding the use of federal funds to help improve struggling schools, does not address key disparities in opportunity such as access to high-quality college preparatory curricula, restricts the federal government from protecting underprivileged students, and fails to advance the current movement toward college-and career-ready standards. As a result, the draft would thrust us back to an earlier time when states could choose to ignore disparities for children of color, low-income students, ELLs, and students with disabilities. The results, for these groups of students and for our nation as a whole, were devastating.

The last time the federal government left accountability completely to the states, two-thirds decided to do nothing; only two states included the performance of individual groups of students in their systems. The rest took action in name only, setting targets too low or too vague to meaningfully drive student improvement. The students we represent cannot withstand the risk of Congress allowing states to return to old habits – aiming low and abandoning children deemed too difficult or inconsequential to educate. The draft, as written, would invite such a result.

This draft bill also would allow federal dollars to flow but require virtually nothing in return. This is bad for students and bad for taxpayers. Federal funding must be attached to firm, ambitious, and unequivocal demands for higher achievement, improved high school graduation rates, and progress in closing both achievement and opportunity gaps. Any reauthorization of ESEA must, at minimum, require states to set clear goals and provide instructional support so that all students receive an education that prepares them for success in college and careers.

We also believe ESEA should respect the important contributions and roles of all those responsible for providing public education: states, districts, schools, and teachers. This includes holding all responsible parties accountable, something the draft does not accomplish. And while the ESEA must continue to balance federal oversight and decisionmaking at the state level, it must ensure that the federal government retains its long-standing and crucial role in safeguarding equal educational opportunity.

We hope to work with you and the committee to address our concerns if this proposed legislation is introduced and moves forward. For additional information please contact Dianne Piche at Piche@civilrights.org or Kate Tromble at KTromble@edtrust.org.

Sincerely,

50CAN: The 50-State Campaign for Achievement Now
The Advocacy Institute
American Association of People with Disabilities
The American Association of University Women
American Civil Liberties Union
American Federation of Teachers
The Arc
Autism National Committee
Bazelon Center for Mental Health Law
Business Coalition for Student Achievement
The Center for American Progress Action Fund
The Center for Law and Education
Children's Defense Fund
Council of Parent Attorneys and Advocates, Inc.
Democrats for Education Reform
Disability Rights Education and Defense Fund
The Education Trust
Lawyers' Committee for Civil Rights Under Law
The Leadership Conference on Civil and Human Rights
League of United Latin American Citizens
MALDEF (the Mexican American League Defense and Education Fund)
Mental Health America
NAACP
NAACP Legal Defense and Educational Fund, Inc.
National Center for Learning Disabilities
National Council on Independent Living
National Council of La Raza
National Disability Rights Network
National Down Syndrome Congress
National Down Syndrome Society
National Urban League
National Women's Law Center
The New Teacher Project
Poverty & Race Research Action Council
Public Advocates
Southeast Asia Research Action Center
Stand for Children
U.S. Chamber of Commerce

cc. Honorable George Miller, Ranking Member, House Committee on Education and the Workforce