

Congress of the United States
Washington, DC 20515

September 29, 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

The Honorable John Kline
Chairman
House Education and the Workforce
Committee
2181 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Robert C. "Bobby" Scott
Ranking Member
House Education and the Workforce
Committee
2101 Rayburn House Office Building
Washington, D.C. 20515

Re: Reauthorization of the Elementary and Secondary Education Act (ESEA)

Dear Chairman Alexander, Ranking Member Murray, Chairman Kline, and Ranking Member Scott:

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 core principles as you consider the reauthorization of the Elementary and Secondary Education Act (ESEA). These principles are critical to addressing the educational inequities within communities of color and historically disadvantaged communities, and we urge you to consider them as you proceed to conference.

The 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. Yet despite this original intent of the law, the current elementary and secondary education system is flawed. Many students, particularly those that the ESEA intended to protect, fall through the cracks. As such, 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 public education system. 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 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 equitably 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.

The reauthorization of ESEA 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 remain hopeful that continued bipartisan, bicameral collaboration will ensure the principles of the CAPAC, CBC, and CHC are embodied in any reauthorization of the ESEA.

Sincerely,



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



G. K. Butterfield
*Chair, Congressional Black
Caucus (CBC)*



Linda T. Sánchez
*Chair, Congressional Hispanic
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Danny K. Davis

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