



December 7, 2015

THE EVERY STUDENT SUCCEEDS ACT (S.1177)

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organization to promote and protect the rights of all persons in the United States, we write to ask you to support the Every Student Succeeds Act (S.1177), which reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA). Originally passed on the heels of significant civil rights legislation, including the Civil Rights Act of 1964, **the ESEA is a civil rights law designed to raise achievement for students who are low-income, are of color, have a disability, are English Learners or are Native Americans.** Although there are areas of the Every Student Succeeds Act that fall short, we believe this bill is stronger for the most vulnerable students than the outdated No Child Left Behind and current ESEA waivers.

Since January, we have worked with a broad and diverse coalition of civil rights groups and allies to ensure crucial civil rights priorities were included in the rewrite of ESEA. We appreciate the hard work of our congressional champions and their staff and we praise the bipartisan, bicameral effort to come to a consensus on compromise language that is stronger than both Senate and House versions of the bill.

The Every Student Succeeds Act importantly maintains the requirements for college or career aligned state standards, statewide annual assessment (including the participation rate requirement and the cap on using alternate assessments based on alternate achievement standards to assess students with the most significant cognitive disabilities), the identification of and intervention in schools where all students or groups of students are struggling, disaggregated student achievement data, and goals for achievement and graduation rates. The bill also provides for meaningful inclusion of English Learners, as they are now a part of the Title I accountability system. In addition, the bill provides important data related to access to critical educational resources, including per-pupil expenditures, teacher quality and fair school climates. Lastly, the bill makes cross-tabulated data available, includes new requirements surrounding tribal consultation, requires action on resource equity, and despite unnecessary restrictions, retains secretarial authority to implement the law. These tools are necessary to ensure parents, communities, educators, advocates, and policymakers are able to give students an equitable and excellent education.

There are several important areas in which the bill falls short. The Every Student Succeeds Act's language on resource equity requires states to consider longstanding resource disparities but does not go far enough to address them in a meaningful way by holding states accountable for these disparities. Also, there is no requirement that disaggregated data must be reported within groups of Asian American Pacific Islander students.

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The Every Student Succeeds Act also cedes considerable responsibility to states. The hard-learned lesson of the civil rights community over decades has shown that a strong federal role is crucial to protecting the interests of underserved students.

Now, more than ever, access to a quality education makes the difference between economic self-sufficiency and the grip of poverty. Whether or not a child can read and do grade-level math, graduates from high school on time with a regular diploma, and is prepared for success in college and career has consequences that will be endured for generations.

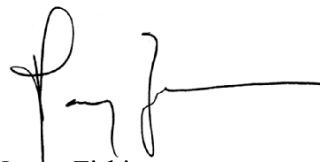
Should this bill become law, effective and inclusive implementation will be essential to protecting our students, and we will fight to make sure the interests of all students are represented in federal, state, tribal and local decision-making. We urge members to work with us in the implementation phase to make sure the process brings students, parents and communities to the table and is consistent with the stated purpose of this law and its history.

We ask you to support the Every Student Succeeds Act. If you have any questions, please do not hesitate to contact Nancy Zirkin, Leadership Conference Executive Vice President, at zirkin@civilrights.org, or Liz King, Leadership Conference Director of Education Policy at king@civilrights.org.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President