



August 27, 2015

The Honorable Lamar Alexander
455 Dirksen Senate Office Building
Washington, DC 20510-4206

The Honorable Patty Murray
154 Russell Senate Office Building
Washington, DC 20510

The Honorable John Kline
2439 Rayburn House Office Building
Washington, DC 20515-2302

The Honorable Bobby Scott
1201 Longworth House Office Building
Washington, DC 20515

RE: California's Education Priorities – ESEA Reauthorization

Dear Senators Alexander and Murray and Representatives Kline and Scott:

The Association of California School Administrators (ACSA) and California School Boards Association (CSBA) applaud the recent passage of the Every Child Achieves Act (S. 1177) and Student Success Act (H.R. 5) as significant steps toward Elementary and Secondary Education Act (ESEA) reauthorization. On behalf of ACSA's nearly 17,000 school leader members and CSBA's nearly 5,000 locally-elected school board members, we are writing to share our joint priorities and recommendations for a final bill that will meet the needs of California's education community, including the more than 6.2 million students served by public schools throughout our state.

ESEA provides the backbone for much of the work done by educators, administrators, and policymakers in every community across the country. In the face of significant change -- such as the rapid diversification of many cities and towns, persistent economic pressures, growing workforce needs, and promising innovations -- ESEA should continue to serve as a driver of high expectations, as well as a backstop against inequity and persistent gaps in student achievement. We urge action to ensure passage this year of a balanced, bipartisan bill that promotes state and local education leadership, consistent with the latest research about student learning; strong accountability for results; and college, career, and civic-readiness outcomes for all students.

In particular, we recommend action to ensure that the next ESEA is in keeping with the priorities outlined below:

- **School Choice.** California's Open Enrollment Act allows the parent of a pupil enrolled in a low-achieving school to submit an application for the pupil to attend school in a district other than the district in which the parent of the pupil resides. While we are committed to providing school choice options to parents and students, we feel strongly that school choice policies should be mandated, designed and implemented at the state and local levels not through federal law. As currently

proposed, both the Title I portability and “direct student services” provisions of H.R. 5 should be rejected as they create even greater challenges for low-achieving schools and districts.

- **High-Quality Assessments.** Maintain the requirement established by both the Senate and House bills that state assessment systems include measures that assess higher-order thinking skills and understanding. Encourage the use of locally developed assessments in lieu of or in addition to state assessments, when states are satisfied that these systems are of sufficient quality and are designed to reduce, as appropriate, redundancy and the amount of instructional time devoted to assessments. To that end, we support both the innovative assessment pilot included within S. 1177 and the local assessment authority established in H.R. 5. Limit student participation in alternative assessments by maintaining the 1 percent cap included in S. 1177, but give states the authority to grant waivers when the cap is inappropriately restrictive given the circumstances in a particular school or LEA.
- **English Learners.** In California, more than 20 percent of K-12 students are English learners. Every day, our LEAs and schools work to meet the needs of students and families who speak at least 62 languages other than English. The next ESEA should continue to make the educational needs of English learners a strong priority; as such, we believe it would be a mistake to adopt the approach taken by H.R. 5 with the elimination of English learners as the focus of Title III.

We support the steps taken by both the House and Senate bills to require the inclusion of English learners, with reasonable accommodations, in state assessments. This should include, to the extent practicable, assessments in the language and form most likely to yield accurate and reliable information on what such students know and can do in academic content areas, until such students have achieved English language proficiency, consistent with the provisions of H.R. 5. Require the assessment of reading or language arts in English for English learners who have attended school in the United States for 3 or more consecutive school years, but, maintain the S. 1177 provision that would allow LEAs to decide, on a case-by-case basis, that a student’s assessment of reading or language arts should be administered in a language other than English for not more than two additional years.

- **Accountability.** Both H.R. 5 and S. 1177 take bold steps to give states and local districts responsibility for school accountability. In general, the S. 1177 requirements represent a more balanced approach. Require that states establish state-designed goals for all students and student groups that take into account the progress necessary for students to graduate high school prepared for postsecondary education and the workforce, including goals for academic achievement on state assessments and graduation rates. Require annual reporting on progress toward state-established goals, as well as the English language proficiency of English learners and other appropriate indicators of school quality and success. Require that all data be reported at least annually for every school, including data on all students in the school and every group of students, with appropriate exclusions for groups with only a small number of students.

The S. 1177 requirement of data cross-tabulation is without doubt based on the desire to make data more actionable; however, we question whether the burden of complying with this mandate will outweigh the benefit. In California, and likely every other state, student data is collected and made widely available in forms that allow users to conduct an array of analyses, including cross-tabulation.

- **School Improvement.** The Senate’s provisions should prevail here as well, including the requirement that states identify, at least annually, any schools that are in need of improvement, using accountability system measures of student achievement, graduation rate, and other measures that have been determined by the state with input from LEAs. Further require states to prioritize any such schools for support and intervention, and to make technical assistance available to LEAs in support of

their plans to use evidence-based strategies to improve schools. Maintain the requirement that states take action if any LEA is not fulfilling its responsibilities.

- **Support for Teachers, Principals, and Other School Leaders.** Maintain provisions found in both bills that are designed to better leverage resources supporting teachers, administrators, and other educators, including the promotion of job-embedded and continuous professional development, and the ability to use funds for high-quality induction programs. In addition, ensure that LEA plans under Title II are required to provide for the ongoing development of administrators whose responsibilities are to support teachers at multiple school sites *and* school-based administrators. Continue to allow, as both bills do, the use of Title II funding to support state and local implementation of educator evaluation systems, while ensuring that the use of any such systems be left to the discretion of states.
- **Education Technology and Innovation.** Maintain programs designed to expand the appropriate use of technology and innovative practices, including both the Schools of the Future program (H.R. 5) and the I-Tech program (S. 1177). Also, adopt the language of S. 1177 that would continue to fund the Education Technology State Grants program which provides critically needed resources for acquiring appropriate technologies, but also for equipping teachers and school leaders with the skills required to use technology effectively to support instruction, assessment, and decision-making.

In addition to the priorities detailed above, we support efforts to improve (not eliminate) Maintenance of Effort requirements and the Impact Aid formula, as well as the elimination of the 40 percent poverty threshold for Title I school-wide programs.

We have long taken the position that the Title I funding formula needs to be revisited and adjusted to ensure more equitable distribution and we appreciate the work that has been done on this issue in S. 1177. However, there needs to be more thoughtful analysis about the impact of the new formula on funding distributions within states and ensuring that there is a well-designed transition plan to minimize the disruptive impact on school districts, particularly small and rural districts that are likely to be impacted the most.

We also support the clarification and expansion of the allowable uses of ESEA funding for high quality early childhood education, so long as any new requirements to expand early childhood education services are accompanied by increased funding levels. In particular, many of our members would benefit from the early learning grants initiative which the Senate HELP Committee incorporated in S. 1177 through an amendment offered by Senator Murray and Senator Isakson.

Thank you for carefully considering our recommendations. We would be pleased to respond to any questions you or your staff may have about these ideas.

Sincerely,



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