



February 25, 2015

OPPOSE H.R. 5:  
PROTECT THE NEEDS OF STUDENTS

Dear Representative:

On behalf of The Leadership Conference on Civil and Human Rights and the 47 undersigned organizations, we urge you to oppose H.R. 5, the Student Success Act, introduced by Chairman Kline. H.R. 5 undermines important federal protection for our nation's students, particularly children of color; children living in poverty; children with disabilities; homeless, foster, and migrant children; children in the juvenile justice system; children still learning English; and Native children. This bill is not a much needed update to the Elementary and Secondary Education Act (ESEA). Rather, it is a rollback to a time when the needs of students in underserved communities were ignored.

The Leadership Conference believes that the Student Success Act undermines the core American value of equal opportunity in education embodied in *Brown v. Board of Education*. Specifically, as was the case with the previous version in the last Congress, the bill abandons accountability for the achievement and learning gains of subgroups of disadvantaged students, who for generations have been harmed by low academic expectations. The bill also eliminates goals and performance targets for academic achievement; removes parameters regarding the use of federal funds to help improve struggling schools; fails to address key disparities in opportunity such as access to high-quality college preparatory curricula; restricts the federal government from protecting disadvantaged students; and fails to advance the current movement toward college- and career-ready standards. It also rolls back resources at a time when schools, districts, and states need adequate resources to address the needs of students, particularly as we ratchet up the momentum toward college and career readiness for all students.

In addition, the new H.R. 5 adds the so-called "portability" concept, which would divert much needed funds from the highest poverty schools and districts, and would undermine critical targeting of limited Title I funds. As a whole, the bill would thrust us back to an earlier time when states could choose to ignore the needs of 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 then, and would be devastating now.

States can do better and the federal government should ensure they do so. Federal funding must be fairly distributed and must be attached to firm, ambitious, and unequivocal demands for improvements in achievement, high school graduation rates, and closing of achievement gaps. We know that states, school districts, and schools seek a new law. However, the Student Success Act guts hard-won gains in the effort to ensure that all *students* — especially those who need the most help — get a high-quality education.

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We hope and believe that this is the beginning of a conversation and not the end. Although we cannot and will not support a bill that undermines the best interests of our students and our nation's future, we welcome the opportunity to build on the successes of and remedy the problems with ESEA. You will find attached to this letter Shared Civil Rights Principles for the Reauthorization of ESEA, signed by 30 diverse organizations. If you have any questions, please feel free to contact Liz King, Senior Policy Analyst and Director of Education Policy, at [king@civilrights.org](mailto:king@civilrights.org) or 202-466-0087, or Nancy Zirkin at [zirkin@civilrights.org](mailto:zirkin@civilrights.org) or 202-466-3311. Thank you for your consideration.

Sincerely,

The Leadership Conference on Civil and Human Rights

The Advocacy Institute

American-Arab Anti-Discrimination Committee

American Association of People with Disabilities

American Association of University Women

American Civil Liberties Union

American Foundation for the Blind

Association of University Centers on Disabilities

Autism National Committee

Autistic Self Advocacy Network

Center for American Progress

Center for Law and Social Policy

Children's Defense Fund

Council of Parent Attorneys and Advocates

Democrats for Education Reform

Disability Rights Education and Defense Fund

Easter Seals

Education Law Center

Education Post

The Education Trust

Gay, Lesbian & Straight Education Network

Human Rights Campaign

The Bazelon Center for Mental Health Law

Lawyers' Committee for Civil Rights Under Law

Leading Educators

League of United Latin American Citizens

Mexican American Legal Defense and Educational Fund

NAACP

NAACP Legal Defense and Educational Fund

National Center for Learning Disabilities

The National Council on Independent Living

National Council on Teacher Quality

The National Center on Time and Learning

National Congress of American Indians

National Council of La Raza

National Disability Rights Network

National Down Syndrome Congress

National Urban League



National Women's Law Center  
Partners for Each and Every Child  
Poverty & Race Research Action Council  
Public Advocates Inc.  
Southeast Asia Resource Action Center  
Stand for Children  
TASH  
Teach Plus  
TNTP  
United Negro College Fund