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September 15, 2015

U.S. House of Representatives
Washington, D.C. 20515

Dear Representative:

On behalf of the League of United Latin American Citizens (LULAC), the nation's oldest and largest Latino civil rights organization, I write to express great concern with the lack of critical language related to the issues of accountability, resource equity, data disaggregation, and federal oversight in both the House and Senate passed bills aimed at reauthorizing the expired No Child Left Behind Act.

As written, both the Senate-passed, *Every Child Achieves Act*, and the House-passed, *Student Success Act*, lack critical civil rights protections and fall short of the original intent of the Elementary and Secondary Education Act (ESEA). In particular, without strong subgroup accountability, better data, resource equity, and federal oversight language, these two bills do a great disservice to Latino children and nation. LULAC urges Congress to use the conference process to address these critical issues and ensure that final education legislation meets up to the civil rights legacy of the Elementary and Secondary Education Act.

Consistent with our civil rights colleagues, LULAC believes the following issues need to be improved as the bills are consolidated in conference:

1. ESEA must hold schools and districts accountable when they fail to meet targets for Latino students and English learners.

The current versions fail to require schools to intervene when a particular subgroup of students is not performing well. In addition, states must also provide opportunities for improvement in schools with low graduation rates. These provisions are necessary in closing the achievement gaps for Latino students. This is an important civil right component that should be added to the ESEA.

LULAC asks Congress to ensure that language similar to the Murphy-Booker-Warren-Coons-Durbin Accountability Amendment #2241 be incorporated into the final version of the ESEA bill. A new ESEA must prepare all students for postsecondary success or careers. The academic needs of all students matter. States must be required to identify schools where all students or groups of students are not meeting goals and to intervene in ways that raise achievement for students not meeting state standards.

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2. ESEA must require state intervention when there are disparities in access to educational resources.

Districts that predominately serve students of color receive approximately \$1,100 less per student than districts that predominately serve White students. The stark disparities in funding result in less access to effective teachers and under-resourced schools.

LULAC asks Congress to ensure that language similar to the Kirk-Reed-Baldwin-Brown Resource Equity Amendment #2161 be incorporated into the final version of the ESEA bill. Every child deserves to attend a school that has adequate resources for learning in the 21st century. The ESEA must require states to intervene and correct the massive resource disparities that plague our nation's schools.

3. ESEA must provide additional data disaggregation.

Any final legislation out of conference, must include language that ensures the access to and dissemination of key data on how girls and boys of color or with disabilities are faring in schools and better provide for data disaggregation of key groups, like Asian-Americans. The ESEA must provide the transparency and data that families and communities need to advocate for their children. LULAC asks Congress to ensure that language similar to the Warner-Gardner Cross-Tab Amendment #2249 and the Hirono-Kelley AAPI Data Amendment # 2109 are incorporated into the final version of the ESEA bill.

4. ESEA must allow for a robust federal role to protect vulnerable students.

The ECAA must protect students by allowing the Department of Education authority to hold states and districts accountable for the federal funds they receive. Without proper authority, there will be no accountability to make sure that funds serve the students that most need it.

5. ESEA must expand bilingual services and support for ELs

LULAC supports language included in the Senate bill that would expand bilingual services and support for English learners. LULAC supports the Senate passed language for Title III in the *Every Child Achieves Act* which includes language championed by Senators Feinstein, Cornyn, and Gardner that adds bilingual professionals and linguistically responsive materials to the list of permissible sub grantee activities in Title III.

We appreciate your consideration of these priorities as Senate and House work together to consolidate the *Every Child Achieves Act* and the *Student Success Act* in conference. Please feel free to have your staff reach out to Luis Torres, LULAC Director of Policy, at latorres@lulac.org should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Roger C. Rocha Jr." in a cursive script.

Roger C. Rocha, Jr.
LULAC National President