



EDUCATION NEWS

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Looking Back on 2011: Unfinished Business in Washington, D.C.

Delivering his third budget since taking office, President Obama mollified most of the education community when he presented his suggested budget for Education to Congress in February of 2011. While in some respects the budget had the spirit of Washington's current zeitgeist for spending cuts, the cuts were relatively few, exhibiting the Administration's commitment to education.



Unfortunately, the House budget did not maintain the same level of financial commitment to Education, but rather proposed drastic cuts. In fact, the Congress failed to compromise on funding for virtually any areas of government spending and failed to pass a budget. As a result, while fiscal year 2012 began on October 1, 2011, Congress is currently -- at the time of this writing -- operating under a

continuing resolution (CR), which is what is often passed in lieu of a budget. The state of funding for education over the next few years remains very uncertain. The Supercommittee, which was conceived of to create a budget plan both houses of Congress could agree on, failed to meet this objective by its November deadline. Consequently, Education -- along with most areas of the federal government -- faces the prospect of

sequestration (across the board cuts) in 2013, unless Congress acts.

PELL

As part of the budget process, Congress has been in a protracted battle over funding for the Pell grant program (see article from our November 2011 edition, entitled,

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“Funding of the Pell Grant Program: A Super Important Decision for Supercommittee”). While Pell grants would be safe in 2013 should sequestration come about, in 2014 and beyond there is the risk of dramatic reductions in funding for Pell. LULAC, as part of the National Coalition for College Completion, has been part of an effort to “Save Pell.” Many low-income and working students would be seriously hurt by proposals in the House to reduce Pell spending. It is unclear as of this writing what the outcome will be.

ESEA

The last reauthorization of the Elementary and Secondary Schools Act occurred in 2001 with No Child Left Behind (NCLB). Congress was unable to pass an updated version of NCLB in 2007, when the last serious draft bill was developed. The Obama Administration released its “Blueprint for Education Reform,” in 2010, which provided a set of guidelines for administration priorities, and expressed

dedication to reauthorization of ESEA in 2011. Unfortunately, 2011 has come and gone and prospects for any bill – much less one that is good for Latino students, low-income kids, and students of color—are dim. The Chairman and Ranking Member of the Senate HELP (Health, Education, Labor & Pensions) committee, which has jurisdiction over the creation of the Senate’s education policy, did jointly write a bill that was presented in committee for mark-up. After considering and adopting numerous amendments presented by various committee members, the bill passed out of committee. It has a long way to go before it becomes law, though. It has to be voted on by the Senate at large (called “going to the floor”) and there has been much resistance from various education advocates regarding the bill’s current state (as of the beginning of December, 2011). At a hearing held in November on re-authorization of ESEA, Mr. Wade Henderson of the Leadership Conference spoke on behalf of a coalition of civil rights organizations – including LULAC – to voice the concern that the draft of ESEA under consideration failed to hold states and districts accountable for the academic achievement of all of its children, particularly those most disadvantaged and under-served.

Waivers

As a result of Congress’ slow movement on reauthorization of ESEA, and to address the concerns of states regarding the onerous requirements of NCLB, Secretary of Education, Arne Duncan, unveiled a plan to grant states waivers from certain parts of the law. This flexibility would be granted to states who agree to put certain systems in place and achieve the goals of the law in ways that are more considerate of individual state needs. The Department of will offer waivers to schools for the 2012–2013 school year and states have the opportunity to apply by February. Eleven states applied by the first deadline in November, and about 20 other states have indicated their intent to apply next month. LULAC is monitoring the waiver process and the applications of states that have applied. One of the requirements of states, in order to be granted waivers, is to get feedback from a diverse representation of stakeholders in the state prior to submitting the waiver and during the implementation phase. LULAC is concerned that states have not meaningfully engaged with members of the Latino community, who can provide input regarding the unique needs of our kids, despite indicating otherwise.

End of the year at the Department of Education: Civil Rights Guidance and Funding Disparities

Funding Inequity

For years education advocates have been fighting the battle of “supplement not supplant.” In other words, those who work on behalf of public schools and students have been trying to ensure that states uphold their legal obligation to use federal education dollars designated for low-income communities to add to (“supplement”) state funds for such districts, rather than replace (“supplant”) state monies with federal funds. According to Title I of the Elementary and Secondary Schools Act (ESEA), in order to receive the federal money for low-income schools, districts must establish a baseline of providing equal state and local funding to all schools. Despite being codified in federal law, this provision is not strictly enforced. The result, then, is that low-income schools that — for reasons supported by research — require more money to do the same job as more affluent ones, are not getting that additional money. In a country where almost half of all children live in school districts with high levels of poverty (source: U.S. Census), the consequences of such a practice can be seen in unequal student achievement.

Part of the challenge of advocating for “supplement not supplant” has been the dearth of data to demonstrate the apparent inequities; however, that changed temporarily with the conditions of the American Recovery and Reinvestment Act (ARRA) funds distributed to the states in 2009 (the Stimulus bill). Over 13,000 school districts submitted school-level expenditure data to comply with the terms of ARRA. Based on the data submitted (from a survey encompassing the 2008-09 school year), the report released by the Department of Education revealed that more than 40 percent of schools with low-income students spend less per pupil than other public schools in the same district. This was true for elementary, middle, and high schools. Given that federal monies only account for about ten percent of schools’ budgets, states and localities are significantly undercutting their fiscal responsibilities.

About fifty percent of school funding comes from the states and the remaining forty percent from local taxes.

Staff at the Department of Education indicated that a more comprehensive report would be released in the new year and, as such, the existing data should be interpreted cautiously. Nonetheless, the Secretary also indicated that the findings are not a surprise and that the current attempts in Congress to

In December of 2011, the federal Department of Education released two documents of particular note for low-income communities and communities of color. The first had to do with the distribution of education funds and the second about the permissible use of race as a factor in college admissions and school assignment at the district level.

reauthorize the Elementary and Secondary Education Act (currently known as No Child Left Behind) are even more urgent to correct these funding inequities.

Race Guidance

For most of this country’s history, children of color were segregated from their white peers in primary and secondary schooling and were excluded from admission to majority-white colleges and universities. While the Supreme Court and our civil rights legislation changed both of those realities from being legal practices, we have yet to achieve harmonious racial balance at any level of school in this country. At the dawn of integration, schools that may have been racially mixed, have, in many cases, seen de facto re-segregation due to housing practices, community

policies, unfair school assignment plans, and voluntary choices on the part of many parents. In some cases, school districts made efforts to alleviate this imbalance by taking race into consideration when assigning kids to school. Similarly, in an effort to remediate their historical practices and achieve a minimum degree of racial balance, many higher education institutions adopted practices of affirmative action in admissions. But both of those practices were greatly undermined by the interpretation of recent Supreme Court cases on the topic by the previous Presidential Administration. As a consequence, laws around the intentional use of race as a factor in school assignment and college admissions have functioned to impede the creation of racially diverse schools and colleges. Part of the problem has been that schools and colleges are afraid that using race at all will put them in violation of the law, so they have erred in the other direction. But that, as previously mentioned, is a fear derived from the guidance provided by the previous Administration and how it interpreted the Court’s rulings and outlined for schools how they might proceed. The current Administration, however, interprets the Court’s decision differently: guidance from the Department of Education, led by Secretary Arne Duncan and released in early December 2011, gives districts and colleges greater leeway regarding the acceptable consideration of race as a factor in designing policy.

According to this new guidance, achieving diversity is a compelling interest for colleges and universities and, as such, they may voluntarily consider race to further their efforts to achieve it. Furthermore, whereas the previous guidance indicated that institutions must implement race-neutral approaches to achieve diversity, the current directives from the Department of Education allow race-conscious approaches, if race-neutral ones are deemed to be “unworkable.”

The guidance offers some creative ways to achieve racial diversity without violating the precedent of the Supreme Court rulings

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Let's Get Digital

On February 1, 2012, the Alliance for Excellent Education — a D.C. non-profit that partners with LULAC on many of our education initiatives, as members of the Campaign for High School Equity (CHSE) — will be hosting its first annual Digital Learning Day. The day will represent the culmination of a year-long effort to bring education up to speed with the latest technology and create a national awareness campaign to celebrate innovative teachers and instructional strategies. LULAC encourages educators and other interested stakeholders to sign-up for Digital Learning Day at <http://www.digitallearningday.org/sign-up/>. For our part, LULAC is actively engaged in this work through our technology centers, more about which you can learn below.

Education Empowerment through Technology

In the fall of 2011 LULAC, in partnership with Time Warner Cable (TWC), hosted open house events in two of its newest Empower Hispanic America with Technology centers. The two sites have been partners of LULAC for over 5 years and, with a generous grant from TWC, the labs now have new equipment and business class high-speed internet, which is open to the

public for use free of charge. The technology centers are proof of the need to close the digital divide in underserved communities, as well as the high need of internet access for students. The two sites, LNEsc Kansas in Kansas City, MO and La Casa de Esperanza in Waukesha, WI, focus on education programs that benefit their respective communities.

LNEsc Kansas provides free literacy training to Elementary school students. The volunteers await the students for after school programs in which they teach them basic computer literacy and specific software

applications. The instructors also teach the students and their families how to perform scholarship and college research. Additionally, the students learn to utilize different websites and tools for test preparation. The center works daily towards closing the educational and economic gap that continues to exist in the Latino Community.

La Casa de Esperanza technology lab targets a different sector of education; the staff dedicates their efforts to assist young adults seeking to obtain a High School diploma.

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(the Court's decision allows for some wiggle room, on which the current guidance capitalizes). For example, post-secondary institutions might partner with, or target, certain high schools or community colleges for preferential admission of their students, based on the school's demographics. At the K-12 level, the guidance suggests that a district might consider an alternate school model to merge schools with disparate demographics. So, for example, if one K-6 school serves predominantly low-income kids and students of color, while another K-6 school in the same district serves predominantly affluent white kids, the district might convert the schools so that one serves the early grades and another the later grades.

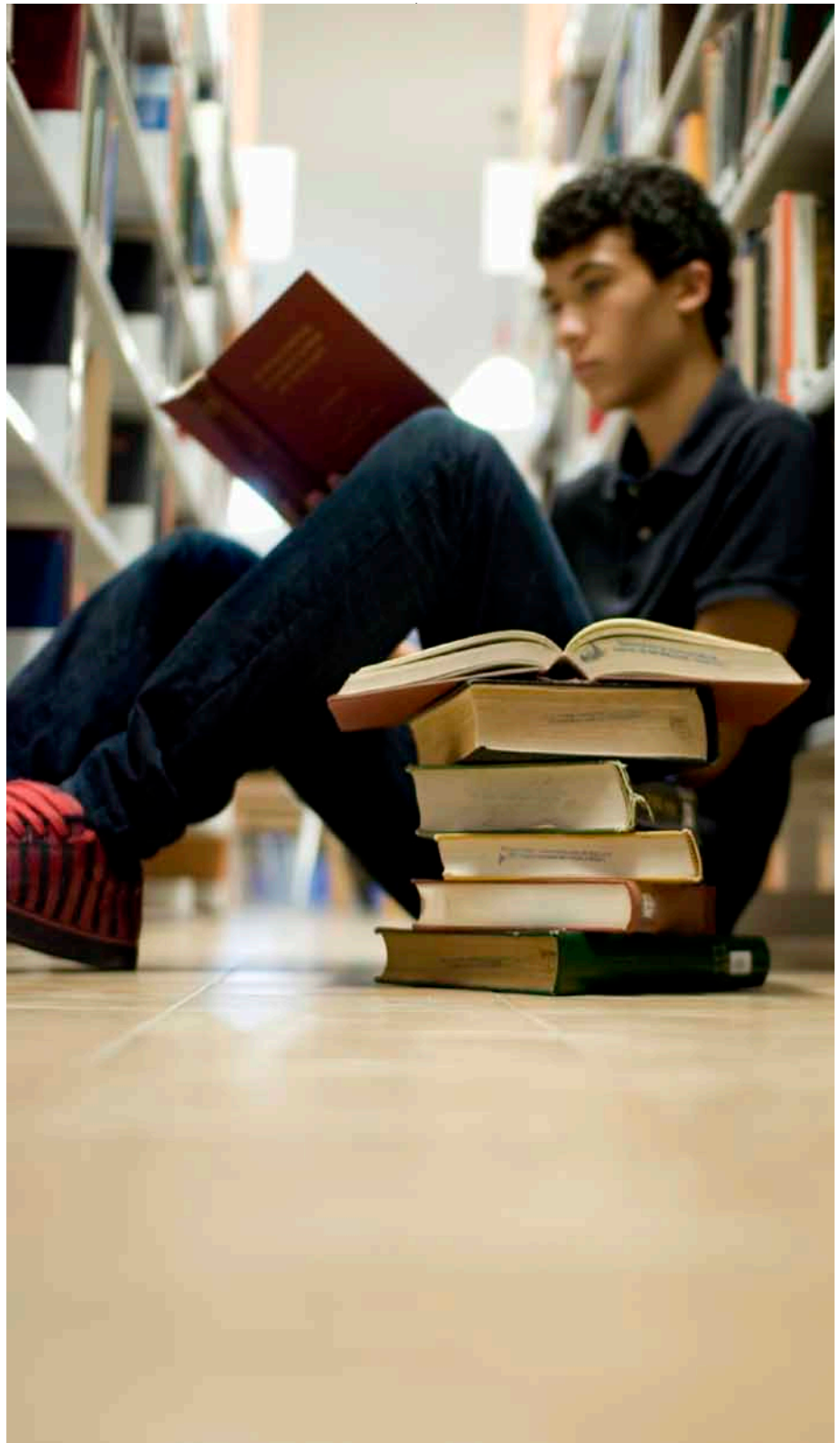
It is much too soon to determine whether or not this guidance will have a demonstrable effect on school districts' or post-secondary institutions' racial diversity and, ultimately, student achievement, but it signals that institutions that value diversity and wish to achieve it can justifiably consider race.

Let's Get Digital

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The students who attend this site participate in a Youthbuild program. The program assists the students with resume building, GED testing, job applications, research of employment opportunities and basic computer skills. La Casa de Esperanza aims to provide at least 45 minutes of internet access to any clients who require computer access.

LULAC is very excited to promote education via technology access in the most underserved communities in our nation. We look forward to all the students we can assist in any of our 55 technology sites, as well as all the accomplishments these two sites will continue to achieve.



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