



June 10, 2013

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Chairman Tom Harkin
Committee on Health, Education,
Labor and Pensions
615 Hart Senate Office Building
Washington, DC 20510

Ranking Member Lamar Alexander
Committee on Health, Education,
Labor and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Harkin and Ranking Member Alexander,

On behalf of the National Women's Law Center, an organization that for over 40 years has worked to expand the possibilities for women and girls in the areas of education and employment, family economic security, and health, we write in support of Senator Harkin's Strengthening America's Schools Act of 2013, and encourage the HELP Committee to move swiftly to further strengthen and advance the bill.

The bill reaffirms the federal government's critical and longstanding role in ensuring that all students in our country have equal educational opportunities. It takes important steps towards closing the wide and persistent achievement gaps between subgroups of students, including requiring states to set performance targets to improve achievement for all students and calling for accelerated progress for the students who are the most behind. It requires states and districts to focus most on their lowest performing schools, "dropout factories," and schools with the largest achievement gaps, and even schools that may be high performing overall will have to take steps to improve the achievement of any subgroups that do not meet their performance targets for two consecutive years. The bill encourages the consideration of student diversity in the development of charter schools, and includes magnet schools – which promote student diversity – as one of several "turnaround model" options for schools that do not improve for a long period of time.

The Center applauds the bill's improved provisions for cross-tabulated data reporting that take into account the ways in which the intersection of race, ethnicity, and gender play out for both boys and girls in school, to ensure that the needs of subgroups of boys and girls are not masked and interventions can be better targeted. The adoption of a standard "N size" of 15 for all data reporting categories is an additional positive development. These measures will ensure that student performance of smaller subgroups of students, like Hispanic boys or African American girls, are not masked in overbroad categories.

In addition, the Center is pleased about the addition of the Equity Report Card. The Equity Report Card will increase transparency on many important equity indicators that will allow members of the public to evaluate their schools and make comparisons between schools on indicators that were not previously reported. Key indicators include school funding, the enrollment of a school's graduates in higher education and the need for remediation among those graduates, access to AP and IB courses, and access to prekindergarten and full-day kindergarten programs.

The Center also commends the bill's important acknowledgement that pregnant and parenting students are an at-risk group whose needs must be considered by States and school districts as part of any effort to improve student achievement and graduation rates. The bill calls for the inclusion in State Report Cards of (non-personally identifiable) data on pregnant and parenting students and their outcomes (to the extent it is available, such as by self-reporting the way that single parent data is collected per the Perkins CTE Act) and calls on SEAs and LEAs to include in their plans a description of how they address the needs of pregnant and parenting students so they are enrolled in, attend, and succeed in school. This is critical; even though pregnancy and parenting responsibilities are leading causes of dropout among at-risk girls and boys, impacting not only them but also their children, our country's next generation of students, the educational needs of pregnant and parenting students have, for far too long, been overlooked by federal education policy.

The bill also promotes a positive school climate in which all students can learn and thrive. It includes strong measures to effectively address bullying and harassment in schools, including – at long last – harassment based on sexual orientation and gender identity. And it includes the long overdue Student Non-Discrimination Act, which will protect students from discrimination in public schools based on actual or perceived sexual orientation or gender identity and provide meaningful and effective remedies. It also includes measures that will help to curb excessive disciplinary practices that disproportionately push students of color out of school and fuel the school-to-prison pipeline, and provides schools with assistance to implement evidence-based practices, like Positive Behavioral Interventions and Supports, that have been shown to improve student achievement and graduation rates, reduce disciplinary incidents, reduce instances of school violence and bullying, and improve student engagement and teacher morale.

Additionally, the Center applauds the bill's requirement that funds granted for science and math improvements increase access to high-quality courses for girls and other students who are underrepresented in STEM fields. And although not an adequate substitute for the Women's Educational Equity Act that used to be part of ESEA, the Center is glad that the bill at least retains a grant program that includes, as an allowable use of funds, the promotion of gender equity in education and assistance of institutions with Title IX compliance.

We are pleased that the bill addresses early childhood, recognizing the importance of reaching children before they enter school. We believe it is important that there will be comprehensive standards in the early grades in addition to literacy and mathematics. It is

also a step forward to require that early childhood educators and the state's early childhood advisory council will be consulted on the State and local Title I plans. Coordination is also strengthened at the local level with Head Start and other community-based early childhood education programs.

To be sure, the bill is not perfect and we urge the Committee to take steps to strengthen the bill in the coming weeks. For one thing, we want the Committee to create an even stronger framework that will ensure accountability for the success of all students in our schools, including those who are most vulnerable. There are provisions related to the birth to college and career pathway that can be strengthened and the Center welcomes the opportunity to work with you on these improvements. Additionally, the bill does not include the High School Data Transparency Act (S. 217), which would require high schools to report basic data on the number of students in their athletics programs and the expenditures made for their sports teams. Requiring, in Title I, that all schools provide access to such data will enhance compliance with Title IX of the Education Amendments of 1972 and aid in the continued expansion of athletic opportunities for girls at the high school level. This is important because girls in high school still receive 1.3 million fewer opportunities to participate in sports than boys. Ensuring equal opportunities for girls in athletics is critical, as participation in athletics leads to better educational and employment outcomes and improved physical and mental health for women. Consistent with ESEA's emphasis on data transparency, this reauthorization bill provides an important opportunity to enact these high school athletics data provisions, which have long had bipartisan support in both houses of Congress. These provisions should be added by amendment during the Committee mark-up process.

In light of the barriers that girls of color and girls from low-income communities face in school, their alarmingly low graduation rates, and the resulting impact on them, their families, our communities, and our national economy, this bill is critically important. The Center looks forward to working with the HELP Committee to strengthen this bill and keep the ESEA reauthorization process moving forward.

If you have any questions, please feel free to contact Fatima Goss Graves or Lara S. Kaufmann at 202-588-5180.

Sincerely,



Marcia D. Greenberger
Co-President



Fatima Goss Graves
Vice President for Education & Employment

cc: HELP Committee Members