

Alliance for Excellent Education ♦ League of United Latin American Citizens
National Indian Education Association ♦ National Urban League
Southeast Asia Resource Action Center

April 10, 2015

The Honorable Lamar Alexander
Chairman
Committee on Health, Education,
Labor, and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Committee on Health, Education,
Labor, and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

The undersigned civil rights and education reform organizations urge you to make low-performing high schools, including high schools run and operated by the Bureau of Indian Education, an important focus of the Elementary and Secondary Education Act (ESEA) reauthorization. While we appreciate the bipartisan effort underway, we are very concerned that the bill under consideration by the Senate Committee on Health, Education, Labor, and Pensions lacks meaningful subgroup accountability and does not require intervention in high schools that fail to graduate one-third or more of their students. As the ESEA reauthorization process continues, we urge you to ensure these policies are included in the bill upon final passage by the Senate. Attached is specific legislative language that we call upon you to include.

ESEA is fundamentally a civil rights law. Without strong subgroup accountability, ESEA will be ill equipped to carry out its core purpose of supporting an equitable education for all students. Under the ESEA Flexibility policy administered by the Department of Education, 14 states and territories lack accountability for the graduation rates of traditionally underserved students. Specifically, these states either do not require interventions and support based on the graduation rates of student subgroups, or they include subgroup graduation rates for such a small portion of their overall accountability index that low subgroup graduation rates are unlikely to trigger interventions and support. Nearly 30 percent of African American and Native American/Alaska Native students, nearly 25 percent of Hispanic students, and nearly 40 percent of English Language Learners, do not graduate from high school on time, if at all. In light of state accountability policies that overlook traditionally underserved students, ESEA reauthorization must ensure that students receive evidence-based support if a subgroup misses state-set annual graduation rate goals for two or more years.

Moreover, there are 1,235 high schools across the nation that fail to graduate one-third (or more) of their students. These high schools predominantly, and disproportionately, enroll traditionally underserved students. In 12 states, Hispanic students comprise 30 percent or more of the students in these schools. In four states, American Indian/Alaska Native students comprise over 90 percent of the students in these schools. The disparities for educational opportunity are clear for the more than 1.1 million students attending these low-graduation rate high schools:

- 40 percent of students are African American, even though African American students make up less than 15.7 percent of the overall K–12 public school student population;
- only 26 percent of students are white, even though white students make up 51 percent of the overall K–12 public school student population; and
- 70 percent are students from low-income families, even though students from low-income families make up 50 percent of the overall K–12 public school student population.

In order for the nation to meet the goal of college- and career-readiness for all, high schools with exceptionally low graduation rates must receive resources and reform in order to improve. ESEA reauthorization must set a minimum standard that no high school should fall below and require high schools that fail to graduate one-third (or more) of their students to implement comprehensive, evidence-based reform.

Thank you for your consideration. We look forward to working with you to ensure that ESEA reauthorization maintains education as a civil right for all students.

Sincerely,

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Support for Underserved Students and Low-Graduation Rate High Schools

Section 1114, School Identification, Interventions, and Supports, is amended as follows:

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- Line 7, delete “and”;
- Line 14, insert new section (iii) as follows:

“(iii) include –

(aa) the lowest-performing schools, including any high school that has a graduation rate at or below 67 percent for two or more consecutive years, or an extended year graduation rate that is determined by the state and higher than 67 percent, and

(bb) schools identified for other reasons, including any school with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B)(i) for two or more years.”