

August 3, 2011

The Honorable Tom Harkin  
Chairman  
Senate Committee on Health, Education,  
Labor & Pensions  
731 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Michael B. Enzi  
Ranking Member  
Senate Committee on Health, Education,  
Labor & Pensions  
379A Senate Russell Office Building  
Washington, D.C. 20510

The Honorable John Kline  
Chairman  
House Committee on Education  
and the Workforce  
2439 Rayburn House Office Building  
Washington, DC 20515

The Honorable George Miller  
Ranking Member  
House Committee on Education  
and the Workforce  
2205 Rayburn House Office Building  
Washington, DC 20515

The Honorable Arne Duncan  
Secretary  
United States Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202-1510

Dear Chairman Harkin, Ranking Member Enzi, Chairman Kline, Ranking Member Miller, and Secretary Duncan:

As Congress works to reauthorize the Elementary and Secondary Education Act (ESEA), we write to express our concern about potential changes to the law that threaten to weaken its accountability provisions. A reauthorized ESEA must ensure that *all* schools are held accountable for the achievement and progress of *all* students.

Like you, we believe that ESEA is in serious need of revision to incorporate the lessons learned from No Child Left Behind, including the need for drastically improved supports and interventions for states, districts, and schools that fall short of performance targets. However, these revisions must not come at the expense of holding districts and schools accountable for improving the academic achievement of all students.

More than *60 percent of public school students in the fourth, eighth, and twelfth grades* can neither read nor do math at grade level. Low-income students, minority students, students with disabilities, and English-language learners lag even further behind. These struggling students attend all types of schools, not just the very worst.

Despite this reality, many policymakers seem prepared to craft a law that eliminates federal accountability for the vast majority of schools in our country. We urge policymakers to ensure states set high standards for all students, establish aggressive but achievable goals for ensuring that all students in all schools meet those standards, take prompt meaningful action when those goals are not met by students overall or any one or more student groups, and continue to collect

and report data on student outcomes for all students and all schools. To do anything less — such as focusing simply on the bottom five or ten percent of schools, as some have proposed — would be to turn back the clock on a vital civil rights protection for our most vulnerable children. This is unacceptable.

We urge you to ensure that *all* schools are held accountable for the achievement and progress of *all* students. Don't let "95-percent-left-behind" be the answer to No Child Left Behind.

Sincerely,

50CAN: The 50-State Campaign for Achievement Now  
Alliance for Excellent Education  
American Civil Liberties Union  
Bazelon Center for Mental Health Law  
Center for American Progress Action Fund  
Chiefs for Change  
Children's Defense Fund  
Democrats for Education Reform  
Disability Rights Education and Defense Fund  
Education Equality Project  
The Education Trust  
Foundation for Excellence in Education  
Hope Street Group  
Lawyers' Committee for Civil Rights Under Law  
The Leadership Conference on Civil and Human Rights  
League of United Latin American Citizens  
Mexican American Legal Defense and Educational Fund  
NAACP Legal Defense and Educational Fund  
National Alliance for Public Charter Schools  
The National Center for Learning Disabilities  
National Council of La Raza  
National Urban League  
National Women's Law Center  
NewSchools Venture Fund  
Poverty & Race Research Action Council

CC: Members of the Senate Committee on Health, Education, Labor and Pensions  
Members of the House Committee on Education and the Workforce