



February 23, 2015

The Honorable John Kline  
Chairman  
Committee on Education and the Workforce  
2181 Rayburn House Office Building  
Washington, DC 20515

The Honorable Robert C. "Bobby" Scott  
Ranking Member  
Committee on Education and the Workforce  
2101 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Kline and Ranking Member Scott:

On behalf of the Foundation for Excellence in Education (ExcelinEd), I am writing in support of H.R. 5, the Student Success Act, which would reauthorize the Elementary and Secondary Education Act (ESEA). ExcelinEd commends the efforts of the Committee to update this critical law and believes the Student Success Act provides a strong foundation for a reauthorized ESEA.

ExcelinEd's endorsement of the Student Success Act, however, is contingent upon the extent to which the bill accomplishes the following:

- (1) continues to preserve the annual testing provisions under current law;
- (2) continues to reinforce state authority over education policy decisions, especially decisions regarding the adoption of particular academic standards or assessments; and
- (3) promotes options for students through Title I portability, support for charter schools, and support for state course access programs.

### **Preserve the Annual Testing Provisions**

ExcelinEd strongly supports the provisions under H.R. 5 that preserve the annual testing requirements in current law. We believe that maintaining these requirements ensures that students, parents, teachers, schools, and the public have honest, objective information on academic achievement. Annual assessments also identify struggling students and schools to make sure they receive the help and resources they need to be successful, upholding the promise of equity for all children. Finally, annual tests tell us if state and local policies and interventions are working and hold these states and localities accountable to the taxpayers who fund them.

ExcelinEd could not support a reauthorization bill that allowed states to "opt out" of annual testing requirements or replaced annual tests with "grade-span testing." We believe that grade-span testing would increase the stakes attached to individual tests and undermine the ability to calculate student academic growth, which is required for states to make equitable and fair accountability decisions that give schools credit for student learning.

### **Reinforce State Authority over Education Policy Decisions**

We support current provisions under the Student Success Act that set clear limits on the federal role in education. In particular, we endorse the expanded prohibition against federal "mandates, direction or

control” over states’ standards (including Common Core State Standards), curriculum, or assessments. We also support new limits on the Department of Education’s ability to issue waivers and regulations.

We believe these provisions will protect states’ future decisions about particular standards, curriculum, assessments, and other accountability elements from any appearance of federal coercion and ensure maximum trust in those decisions.

### **Promote Options for Students**

ExcelinEd backs choice measures designed to increase the availability of high-quality educational options and give parents the financial freedom to choose the best school and courses for their child.

Therefore, ExcelinEd asks the House to preserve H.R. 5’s Title I portability provisions, which would give states the option of empowering parents to use Title I funds to select the educational options that meet their child’s needs. But we also ask that H.R. 5 put Title I on a path toward full modernization, which should include not only full portability but also weighted student funding and Title I rewards for improving student outcomes.

ExcelinEd also backs provisions that would increase the availability of high-quality educational options for students. We support the “direct student services” provisions that would offer tutoring or public school choice options to students, though we ask that these provisions be expanded to include state course access programs. And we support the reauthorization of the federal Charter Schools Program, which would promote the replication and expansion of high-quality charter schools and encourage states to provide more equitable funding for charter schools.

Over the 14 years since ESEA was last reauthorized, the education landscape has undergone significant transformation, particularly with respect to the active role of states in education reform. ExcelinEd believes that the Student Success Act – as currently drafted – recognizes these changes and will help bolster state-based education reform efforts.

As you continue your efforts to reauthorize this historic piece of legislation, ExcelinEd looks forward to working with you and other Members to advance the Student Success Act while maintaining the critical provisions outlined above.

Sincerely,



Patricia Levesque  
Chief Executive Officer  
Foundation for Excellence in Education