

January 26, 2015

The Honorable Arne Duncan
Secretary of Education
400 Maryland Avenue SW
LBJ Education Building, 7W311
Washington DC 20202

Dear Mr. Secretary:

As the United States Supreme Court said in 1954 in *Brown v. Board of Education*—and your department’s Office of Civil Rights affirmed just four months ago in a Dear Colleague letter—education is “a right which must be made available to all on equal terms.” As I indicated to you when you issued the Title VI guidance, I was excited, hopeful, and grateful. While we may not agree on some things, we certainly agree that a world-class public education should be accessible to all students in America.

The potential reauthorization of the Elementary and Secondary Education Act (ESEA) is a unique opportunity to move closer to that vision. It is my hope, that you will join me in calling for a new generation accountability system that includes an “opportunity dashboard” of quality school indicators to fulfill America’s promise of equal opportunity for each student.

After twelve years of No Child Left Behind (NCLB) implementation, which has included scores of regulatory adjustments and two rounds of waiver processes, I am pleased to hear universal agreement from lawmakers in Congress, the President, and you that the law must be re-crafted. You know my views about the overuse and misuse of standardized tests and their corrupting influence on the quality of teaching and learning in our schools, so I will not take time to restate them here. I want to focus on an area where I think there is agreement.

The evidence shows that NCLB has not closed achievement gaps, nor has it been the catalytic mechanism to turn around all of our nation’s struggling schools. Instead, students and communities still experience a system that delivers unequal opportunities and uneven quality to America’s children based on the zip code where they live. One of the most important flaws of NCLB is that it failed to create any mechanism that would help address the inequity of opportunities and resources for students across this country.

This time around, we must do better. We need a new generation accountability system that includes an “opportunity dashboard”—indicators of school quality that support learning. Specifically, states and districts should be required to collect data on resources, supports, and programs—disaggregated by NCLB’s current student population groups—related to students’ access to:

- Advanced coursework (AP/IB, dual enrollment)
- Fully qualified teachers (no loopholes, no shortcuts)
- Specialized instructional support personnel (school counselors, nurses, psychologists)
- High-quality early education programs
- Arts and athletic programs, and,

- Community support services like health care and wellness programs.

Such a dashboard should also include disaggregated student graduation rates among other factors that might be included.

An opportunity dashboard will provide far greater transparency to parents, communities, and policymakers about the kinds of supports students truly need to improve learning and serve the whole child. This dashboard will also reveal gaps in some of the basic components of a high quality, well-rounded education that prepares each student for college and/or career.

A newly reauthorized ESEA should include a requirement that states, in their applications for ESEA funds, report their “opportunity dashboard” data, as well as attest that they have developed--through a public input process of all stakeholders--an “opportunity and equity plan” to remedy the inequities revealed in the opportunity dashboard. We understand that these inequities did not develop overnight and that it will take time to remedy them. But we must start now. Parents, educators, and local communities want to be involved and empowered to work together to find solutions that help students.

In addition, federal financial incentives should also be provided to encourage states to develop, adopt, and implement equitable financing mechanisms that provide funding sufficient for every student to meet state content and performance standards. As you know, this was a recommendation of the Excellence and Equity Commission, and we believe ESEA reauthorization provides the ideal opportunity to enact it.

The confluence of societal and economic factors today provides a challenging landscape to achieve the promise of *Brown v. Board*. The level of income inequality that exists today means that fewer and fewer parents can afford high quality early childhood education or the kinds of out-of-school support and opportunities that are so important to accelerating learning. The inequitable systems of school finance at the state level and the property tax-dominated system at the local level exacerbate local schools’ ability to fill the gaps in what students need. More than 16 million students are living in households below the official poverty threshold (an income of \$23,850 for a family of four). And more than half our public school students are now eligible for free- and reduced-price meals. The record number of students living in low income households requires the system to respond with more holistic supports like wrap-around services and other whole-child supports.

Mr. Secretary, I remember teaching students in a homeless shelter. I remember what I saw in their eyes. When half of American children are now living in low income families, I believe we have more than just the fierce urgency of now to act. I believe we have a crisis of opportunity to solve. The outcome of this ESEA reauthorization – and stakeholders’ implementation of it – could shape the future of this country and our economy for decades to come. Let us join together in this reauthorization of ESEA to develop a smarter, new generation accountability system that includes an opportunity dashboard of key indicators of school quality so that we may fulfill at last America’s promise of equal educational opportunity for all our students. I look forward to discussing this concept with you.

Sincerely,



Lily Eskelsen García
NEA President