



Equity, Opportunity, and Inclusion for People with Disabilities since 1975

ESEA is a civil rights law that has been the nation’s greatest driver of greater equity in education.

Since its passage in the wake of *Brown v. Board of Education*, ESEA has been our nation’s driving force for educational equity. For the communities we represent—students of color, students with disabilities, Native students, English learners, and low-income students—a strong ESEA is vital to ensuring that states and school districts are living up to their obligation to provide a quality education to all on an equal basis—not just for the most privileged or wealthy.

The current Senate ESEA bill, the Every Child Achieves Act, betrays the law’s rich legacy and would weaken protections for the students it’s intended to serve.

The Every Child Achieves Act certainly makes progress on the abhorrent proposal in the House, but in its current state, it fails to live up to its promise as a civil rights law.

But the Every Child Achieves Act can be improved on the Senate floor with four fixes.

The civil rights community is working hand in hand with fair-minded Senators who want to fix this ESEA reauthorization so it expands the opportunities, resources, and outcomes for all students.

- **ESEA must hold schools and districts accountable when they leave vulnerable students behind.**

This proposal lets schools and districts off the hook from narrowing the massive gaps in opportunity and achievement for students of color, students with disabilities, Native students, low-income students, and English learners. Solving this educational crisis should be America’s number one priority to ensure a strong and vibrant future. Allowing schools to avoid responsibility for properly educating all students is effectively gutting the ESEA and undermining the law’s very purpose.

- **ESEA must provide the transparency and data that families and communities need to advocate for their children.**

Without a fix, this proposal would deny us the ability to know how girls and boys of color or with disabilities are faring in schools. It also fails adapt to the diversity of our nation’s children by lumping all Asian-American students together.

- **ESEA must require states intervene to correct the massive resource disparities that plague our nation’s schools.**

Districts that predominately serve students of color receive approximately \$1,100 less per student than districts that predominately serve White students.¹ This leads to our students being taught in substandard facilities by underqualified teachers using old textbooks and outdated technology. Many states have even under-resourced these schools and districts

¹ The Education Trust <http://www.edtrust.org/issues/pre-k-12/funding-fairness>

in defiance of their own state courts and constitutions. The current iteration of ESEA doesn't do enough to correct these disparities.

- **There must be proper oversight from the Department of Education to make sure that federal funds are used to protect vulnerable students.**

The proposal strips the Department of Education of its authority to hold states and districts accountable for the federal money they receive. Without a fix, there will be no accountability to make sure that funds serve the students that most need it.

Without these four fixes, the civil rights community will oppose the Every Child Achieves Act.

Without these fixes, this reauthorization would be a betrayal of ESEA's legacy as a civil rights education bill and it will be opposed by every major civil rights and disability rights organization. Ensuring a strong ESEA is our number one priority and we will not accept any reauthorization that turns back the clock on 50 years of progress.