

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

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April 13, 2015

The Honorable Lamar Alexander  
Chairman  
Committee on Health, Education,  
Labor, and Pensions  
United States Senate  
Washington, DC 20510

The Honorable Patty Murray  
Ranking Member  
Committee on Health, Education,  
Labor, and Pensions  
United States Senate  
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, applauds your effort towards reauthorizing the Elementary and Secondary Education Act (ESEA). While there are several remaining key issues of concern that the Chamber would like to see addressed as the legislative process moves forward, the "Every Child Achieves Act of 2015" reflects a truly bipartisan effort and encompasses many of the provisions the Chamber has long insisted be part of any effort to reauthorize ESEA.

In January, the Chamber provided comments on Chairman Alexander's draft proposal. Many of the issues highlighted in that letter have been addressed with the recently released draft; on other issues we strongly urge you to consider our recommendations as noted below to further strengthen and improve this critical legislation.

**High Academic Standards and Assessments for All Students**

The Chamber supports the requirement that states adopt challenging academic standards and the clarification that states demonstrate, and not simply provide an assurance, that these standards are aligned to higher education entrance requirements and career and technical education standards.

Although the Chamber remains a strong advocate of the Common Core State Standards (CCSS), which have been adopted by most states, the decision to adopt such standards must continue to remain at the sole discretion of individual states. The provision in the initial discussion draft and retained in this updated draft would ensure these decisions continue to be made at the state level.

The Chamber strongly supports provisions included in the "Every Child Achieves Act of 2015" that would retain the current law requirement for annual, statewide assessment of all students in grades 3-8, and at least once in high school, in both reading and math, and assessment

of all students in science at least once, each, during elementary, middle, and high school. Annual assessments are critical to providing transparent, objective, and timely information on student achievement and growth to parents, educators, the business community, and the public. This measurement tool not only ensures schools and teachers are better able to target resources to improve student achievement, but also provides parents with timely and reliable information to make decisions regarding charter school and school choice options.

Instead of including the draft bill provisions that would allow for the use of local assessments, this compromise includes an opportunity for states and districts to pilot statewide assessments locally, while ensuring the integrity of a statewide accountability system. This change is a positive improvement from the discussion draft.

### **Rigorous Accountability for All Schools**

The Chamber supports the provisions on state-developed accountability systems in the “Every Child Achieves Act of 2015.” In particular, the inclusion of provisions that would require states to establish goals for all students and subgroups of students, as well as including the progress necessary to meet those goals, is important to ensuring that students are prepared for postsecondary education and the workforce.

The provisions that would require that academic achievement on the state assessments and high school graduation rates be used as “substantial factors” in the accountability system; require the accountability system be based on indicators for all students and subgroups of students; and require states to annually identify and meaningfully differentiate between schools based on those indicators are all significant steps forward from the discussion draft.

However, these provisions should be strengthened even further. It is important to require academic indicators be the “primary” factors in identifying and differentiating among all schools and ensure that *all* schools be identified in cases where students or individual subgroups are not meeting the state defined goals.

It is also not enough for states to simply identify schools with student achievement and success gaps. These schools must be required to take meaningful steps to address such issues. Again, this compromise bill would make important strides in this area, but the Chamber supports further strengthening. Specifically, the bill should ensure that local educational agencies develop and implement evidence-based intervention and support strategies for all schools identified by the state.

The Chamber also supports the provisions that would require states to monitor the implementation of school interventions and take steps when such interventions are in need of improvement.

However, the bill could be improved by expanding provisions related to public school choice, which currently allows, but does not require, local educational agencies to provide all students enrolled in an identified school with the option to transfer to another public school. Public school choice should be a requirement, not simply an option on the part of school districts. In fact, the Chamber urges you to consider strengthening this provision even further to include private schools, online learning, and free tutoring. While the Chamber supports the

additional flexibility provided under this compromise with respect to states and local agencies establishing their own interventions, ultimately, students must be provided far more opportunity to move to schools, including charter schools, better able to meet their academic needs.

### **Transparency**

The “Every Child Achieves Act of 2015” includes important provisions with respect to providing information to parents and the public on the quality of education at the state, district, and school levels. Specifically, the Chamber supports provisions that include new reporting requirements that would give parents a clear understanding of their state’s accountability system.

In addition, this bill would provide more information related to the professional qualifications of teachers, principals, and other school leaders, making it clear how inexperienced teachers, teachers with emergency credentials, teachers teaching out-of-field, and teachers who have been judged by the state as not effective are distributed among schools. These reports would also include information on per-pupil expenditures of federal, state, and local funds for each school and district in the state. Ultimately, increasing the transparency of this information would help inform parents as they make critical choices in their child’s education, as well as help inform the community on how taxpayer money is being spent.

### **Taxpayer Accountability**

Finally, the Chamber continues to support various provisions that would eliminate and consolidate numerous existing federal education programs in order to provide more flexibility with federal funds. This consolidation, along with the provision limiting the Secretary of Education's conditional waiver authority, are in line with other Chamber regulatory and government reform efforts.

While there are still areas of the “Every Child Achieves Act of 2015” that need strengthening, the Chamber supports the Committee’s efforts to move a bipartisan reauthorization. America needs an ESEA reauthorization, and the Chamber looks forward to working with the Committee as this bill continues to move through the legislative process. Thank you for your consideration of our views.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

R. Bruce Josten

cc: Members of the Committee on Health, Education, Labor, and Pensions