

November 7, 2022

Dear Secretary Cardona and Director Rice:

Thank you for your continued leadership in fighting for essential federal resources in response to the persistent challenges students and schools, especially those most marginalized and vulnerable, are facing due to the COVID-19 pandemic. As the Biden-Harris Administration prepares your fiscal year 2024 (FY24) budget proposal, we -- the undersigned civil rights, education, and immigration organizations -- write to ask you to ensure that your continued emphasis on educational equity is reflected in the policies and funding levels the administration puts forward.

This budget proposal comes at a time when the nation's educational system is in transition. While the most acute aspects of the COVID-19 pandemic have ebbed, the need to fix the long-standing systemic flaws within our school systems that result in racial, social, and economic inequalities remains, alongside a requirement to make up for lost learning and development opportunities. The ESSER funds allocated within each COVID relief law are fundamental to ensuring states and districts are providing supports for students, educators, and families, especially those managing the effects of the pandemic and systemic oppression. There are already [several positive examples](#) of how these funds are being used in transformational ways, and we are eager to continue working with the Department as they assist states, districts, and schools as they use ESSER funds to combat the long-term effects of the pandemic.

Furthermore, students living in poverty, students with disabilities, students learning English, students experiencing homelessness, students in the foster care system, students who are incarcerated, students who are undocumented, Black and Brown students, Native students, and students who identify as LGBTQ+ have all faced and will continue to experience additional challenges navigating and flourishing within our educational system, and need to be prioritized when putting together next year's budget proposal. The proposals below are in response to those students experiencing, among other challenges: food insecurity, lost instructional time during the 2019-20, 2020-21, and 2021-22 school years, reduced availability of student supports and education services, inequitable access to learning resources, intermittent access to high-speed home internet, and homelessness, alongside ongoing systemic racial inequities. It is paramount that you propose additional investments that will advance racial, economic, and educational equity.

To that end, we urge you to include in the Administration's FY24 budget proposal, the following:

**Elementary and Secondary Education Act (ESEA) Programs:**

- **Triple funding for Title I, Part A.** As a part of this request, we encourage the Administration to:
  - Target Title I funds toward the highest poverty school districts. We recommend requesting that all of this funding be allocated through the Targeted Grant and Education Finance Incentive Grant (EFIG) formulas or another formula that is more targeted toward high poverty districts, and allocates at least as great a percentage of funds to school districts in the top two quintiles of poverty nationally as the Targeted and EFIG formulas; and,
  - Maintain current flexibility for districts in Title I uses of funds and refrain from requiring specific uses of funds.

- If not included in the final FY23 bill, include a \$100 million reservation to support states and districts in making their education spending more equitable, such as by establishing voluntary State School Funding Equity Commissions (additional explanation included below).
- **At least a \$1 billion increase for evidence-based school improvement activities** required under section 1003 of ESEA. This could be accomplished through the required state set-aside of Title I, Part A funds (if the Title I allocation is significantly increased, as we recommend above) or through a separate infusion of extra funding, on top of the Title I appropriation, for schools that states identify as in need of support under ESEA. Additional funding for school improvement will help to ensure there are sufficient resources to develop, implement, and sustain comprehensive, multi-year plans to address the increased needs of districts and schools serving students most impacted by the pandemic as states use their accountability systems to identify new schools, including those identified for Targeted Supported and Improvement (TSI) based on individual groups of students, for additional support. In particular, these funds can also be used to embed and sustain support services for students most affected by pandemic disruptions beyond the expiration of ESSER funding. We also encourage ED to help states improve reporting on the schools receiving 1003(a) funds and how the funds are used, as required by section 1003(i) of ESEA, so there is more transparent information on which students benefit from these resources and the evidence-based strategies schools are using.
- **\$3 billion for Title II, Part A of the Elementary and Secondary Education Act** to support local efforts to diversify the teaching workforce, advance teacher leadership, and provide high-quality teacher professional development – including support for high-quality induction and mentorship, and training in culturally responsive instruction, supports for English learners and students with disabilities, social and emotional development, restorative justice, and trauma-informed instructional practices.
- **\$400 million to support teacher leadership opportunities** through programs designed to provide high-quality mentorship, induction, and coaching programs, especially for those programs focused on supporting underrepresented individuals in the teaching workforce such as teachers of color and multilingual teachers, such as programs created through the Teachers LEAD Act (H.R. 7122/ S. 3881).
- **\$300 million to provide financial support for teachers pursuing in-demand credentials** in shortage areas, like special education and bilingual education, advanced certification like National Board Certification, and incentives for teachers with in-demand and advanced credentials to remain in the classroom. Research has demonstrated the impactful role of teacher qualifications on both teaching quality and student achievement.
- **\$40 million for the School Leadership Recruitment and Support Program** to increase student access to well-prepared and diverse school leaders.
- **\$2 billion for Title III of the Elementary and Secondary Education Act** to ensure funding reflects the growing number of English learners and recent immigrant students, supports parent engagement programs and

resources in their home language, supports effective dual language learning models, and provides support for more teachers to attain their English Language Development or Bilingual certification and professional development for teachers of ELs through the National Professional Development program within Title III.

- \$5.3 billion for Title IV programs, including:
  - **\$2 billion in Title IV, Part A funding** for the breadth of academic, mental, physical, social, and emotional student supports and services, such as funding for school counselors, social workers, nurses, and nutrition programs, and for closing the digital divide. Additionally, the Department should help ensure the funding provided by the Bipartisan Safer Communities Act is allocated towards student support programs and staff, and evidence-based practices, not school “hardening”, through the exploration of proposing incentives and supports to assist states in implementing those evidence-based practices in high-need schools.
  - **\$1.8 billion in Title IV, Part B funding** to support 21st Century Community Learning Centers, which offer robust afterschool and extended learning time programs.
  - **\$500 million within Title IV, Part D for the Magnet School Assistance Program.** Research shows magnet schools support school integration and have positive academic and social outcomes for students, yet the Magnet School Assistance Program has been underfunded.
  - **\$1 billion for Title IV, Part F** for Full-Service Community Schools, which encourage coordination of academic, social, and health services through partnerships among public elementary and secondary schools, LEAs, community-based organizations, nonprofit organizations, and other public or private entities.
  - **\$120 million for the Fostering Diverse Schools program, as proposed in the Administration’s FY23 budget.** This program would provide planning and implementation grants to help communities foster diverse learning environments. In the FY2022 appropriations bill, Congress directed, in a bipartisan manner, the Department of Education to utilize ESEA Title IV-A’s capacity building and technical assistance reservation to support states and districts in their efforts to foster diversity across and within school districts. The funding through this reservation will likely not be sufficient to address the high degrees of racial and socioeconomic segregation in our nation’s public schools and we support more robust investment in the Fostering Diverse Schools program.

#### **Individuals with Disabilities Education Act (IDEA) Programs:**

- **\$17.4 billion for the Individuals with Disabilities Education Act, Part B,** which would provide a significant increase to programs and services authorized by IDEA and create a glide path for full funding.

- **\$300 million for IDEA, Part D personnel preparation program** to support the development of our nation's special education educators.

#### **McKinney-Vento Act's Education for Homeless Children and Youth Program:**

- **\$800 million for the McKinney-Vento Act's Education for Homeless Children and Youth (EHCY) program**, a program that has a long history of bipartisan support, to increase the identification of students experiencing homelessness, re-engage students, and address their academic, social, emotional learning, and basic needs. This is the same level of funding as provided in the American Rescue Plan (ARP) Act and would provide for continuity of ARP-HCY programming and services, particularly in LEAs that received direct funding to support students experiencing homelessness for the first time through ARP-HCY. Further, the FY24 budget should maintain the flexibility in the use of EHCY funds provided for in ARP-HCY, allowing for wrap-around services that meet the needs of the whole child and thus facilitate attendance, enrollment, and school success.

#### **Higher Education Act (HEA) Programs:**

- **\$1 billion for the Teacher Quality Partnership Grant Program** to support year-long, paid teacher and school leader residency programs and Grow Your Own (GYO) programs.
- **\$300 million in the Augustus Hawkins Centers of Excellence Program** to support comprehensive teacher preparation at programs at Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and minority-serving institutions of higher education (MSIs).
- **Double TEACH Grants from \$4,000 to \$8,000** so the program more effectively underwrites the cost of comprehensive preparation and lowers inequitable affordability barriers faced by students of color and students experiencing low incomes. To make the program more effective the loan conversion penalty should be removed, or reformed, and early educators should be made eligible for benefits.

#### **Data, Innovation, and Connectivity Programs:**

- **Fully fund statewide data systems, including the Statewide Longitudinal Data Systems (SLDS) program and the Workforce Data Quality Initiative (WDQI)**, so state and district leaders can address current and evolving information needs. Specifically, we urge the administration to invest at least \$100 million in the SLDS program and at least \$40 million in the WDQI fund. Funding provided should be allocated so states will be provided with funding to address immediate needs (such as incorporating pandemic-related data collections into statewide data systems) and provide grants for large-scale data projects (including modernizing and linking legacy data systems across early childhood, K-12, postsecondary, workforce, and health sectors, aggregating assessments, and opportunity-to-learn data into a single dashboard, and updating data security).
- **\$428 million for State Assessment Grants** to provide states with the resources necessary to adapt, improve, and

conduct critical student assessment activities, which are one necessary component of understanding how the pandemic has impacted student academic learning.

- **\$7 billion for the Emergency Connectivity Fund.** The [homework gap](#) is the digital divide that millions of children experienced pre-pandemic and will continue to impede learning without federal support. The Emergency Connectivity Fund (ECF) created under the American Rescue Plan has helped schools and libraries provide connections and devices for 13 million children to date. However, demand for the program has outpaced supply by over \$2 billion and the funding will be depleted by the end of the 2022-23 school year. Millions of children could lose the internet access that they need to succeed unless ECF is replenished.

#### **Career and Technical Education Programs:**

- **\$200 million for Career-Connected High Schools** to support the expansion of, and equitable access to, advanced coursework and pathways that lead to postsecondary credentials of value and ensure greater alignment between states' policies and systems for high school and higher education.

#### **Advancements to Funding Equity and Targeting Needs:**

- Closing the comparability loophole within Title I to ensure that low-income schools do not receive less funding than their more affluent counterparts and that such calculations are based on actual expenditures that include teacher salaries.
- Ensuring federal funds supplement and do not supplant state and local funds, and there is a meaningful way to ensure compliance.
- Addressing funding equity through ensuring states are in compliance with the FY22 requirements and FY23 requirements for (1) State Maintenance of Effort to ensure states do not disinvest in education; (2) State [Maintenance of Equity](#) to protect the highest-need districts from disproportionate cuts in state funding; and (3) District [Maintenance of Equity](#) to protect our most vulnerable schools from disproportionate cuts (including funding and staff).
- Providing incentives for states and districts, such as reserving \$100 million within Title I, to make their education spending more equitable, such as establishing voluntary State School Funding Equity Commissions to identify and address funding and educational opportunity equity gaps created by state funding formulas and policies regarding resource use; examining similar resource equity gaps within school districts. In addition, the Department of Education should initiate an annual report of K-12 education funding with state-by-state information on the adequacy, effort, and equity of K-12 education funding formulas. Such a report should also identify any areas of progress and include recommendations.
- Ensuring local community members, educators, families, and students are involved in determining how funds

are spent, programs are implemented, and a part of evaluation and accountability for those expenditures, including by undertaking robust monitoring and enforcement of community and stakeholder engagement provisions in existing laws such as the Every Student Succeeds Act and the American Rescue Plan.

**Resources for critical Department of Education operations:**

- Ensure the **Department of Education has adequate dedicated funding for the agency to monitor and enforce** the critical legal protections for students accessing their education, including under McKinney-Vento’s Education for Homeless Children and Youth Program (EHCY) (particularly at the state and local liaison levels), Title I and Title III of ESEA, the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act; and to properly exercise the mission of the Office for Civil Rights. Further, we urge the Department of Education to utilize funding to improve all existing data collection activities – which are key levers to monitor the implementation of critical legal protections for students – so data is collected effectively, reported timely, and available in a public and accessible manner.

We should remain focused on the nationwide efforts to combat the lasting effects of COVID, while also increasing our commitment to vital programs and systemic reforms. We ask that the Biden-Harris Administration’s FY24 budget proposal represent that continued commitment to students, educators, and families by including these impactful policy recommendations in the FY24 budget proposal.

Sincerely,

All4Ed

Center for American Progress

Education Reform Now

Learning Policy Institute

National Center for Learning Disabilities

Teach Plus

The Education Trust

SchoolHouse Connection

UnidosUS