

**United States House Committee on Education and Labor
Early Childhood, Elementary, and Secondary Education Subcommittee**

“Back to School: Highlighting Best Practices for Safely Reopening Schools”

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WRITTEN TESTIMONY

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Good morning, Chairman Sablan, Ranking Member Owens, Chairman Scott, and members of the Committee. Thank you for the opportunity to testify on best practices and opportunities to expand educational equity as states and school districts work to safely reopen schools.

My name is Denise Forte, and I am the Interim CEO of The Education Trust, a national nonprofit research and advocacy organization dedicated to closing opportunity gaps in education that disproportionately affect students of color and students from low-income backgrounds. As noted, I was also a Congressional staff member for 20 years, most recently as the Staff Director for the Education and the Workforce Committee under Chairman Scott, so it is truly an honor to be sitting before you today on behalf of The Education Trust. I am also fortunate to be the mother of two sons who attend public schools here in Washington DC who are experiencing firsthand the return to school after spending close to a year at home in virtual settings. Today, I am pleased to share with you The Education Trust's thoughts on how to ensure that as students return to school, we collectively use this opportunity to address the longstanding inequities that we know existed before COVID-19, support student and community voice and implement evidence based and equitable solutions.

In many places, students are returning to in-person learning for the first time since March 2020. States and school districts are utilizing the much needed funding that Congress provided to address the immediate needs of students, educators, and staff while also prioritizing the changes needed to address the disproportionate impacts of COVID-19 school closures on Black, Latino, and Native students; students from low-income backgrounds; English learners; students with disabilities; and students experiencing homelessness.

As students enter school buildings for the first time in many months, school district leaders and educators are working their hardest to meet the needs of students, families, and staff. But, too often, the politics, and not the science, are driving choices that are negatively impacting underserved students. We've all seen what happens when basic health protocols around social distancing, vaccines, and mandatory masks are not followed: COVID-19 wins and students and educational equity lose. But, even amid these challenges, we see leaders in places like [Nashville](#) and [Dallas](#) doing what is best for their students and not falling prey to partisan politics. They are working hard to provide in-person learning with scientifically supported mask requirements, access to vaccines for adults and eligible students, and proper social distancing and testing procedures.

Local leaders are able to do this work because of the resources provided by Congress. The American Rescue Plan (ARP) provides powerful, potentially transformative investments in programs that uplift children, students, and families. These funds help make in-person learning a reality, particularly in low-income communities and communities of color; to ensure districts have contingency plans should students or educators need to quarantine; and to address the social, emotional, and academic needs of students now and into the future. Without the American Rescue Plan, it would be impossible to see a near future where our students are both safely back in school buildings with a roadmap and a mandate to address unfinished instruction through effective, evidence-based practices. However, now is also the time for us to acknowledge that the pandemic's impact on student learning and well-being will last beyond the duration of the American Rescue Plan funds. States and school districts that take action now to plan for and build infrastructure to support unfinished learning will be critical.

The Education Trust has spent the last 18 months working with advocates from the civil rights, disability rights, business, educator, and parent communities to both center their voices in the recovery effort and to highlight the promising action some states and districts are already taking to advance equity. Today we are urging state and local leaders to take the following actions and ask members of Congress to assist them in implementing these strategies:

First, state and school district leaders must address the immediate needs of educators, students, and families.

The Education Trust recently conducted a [parent poll in New York](#) and found that parents overwhelmingly prefer that their children attend school in-person, even if that in-person schooling looks a bit different than normal. But, parents recognize that it's not time for a "return to normal" when it comes to in person learning. In particular, Black and Latino parents strongly believe it is unsafe to send their children to school without social distancing and masking, and many would opt for remote learning if it was an option. We also know that it's not just parents in New York [who feel this way](#).

That is why it is critical that districts and schools have the resources and supports to provide safe, in-person learning through adequate testing and contact tracing; building upgrades to replace faulty and out-of-date ventilation; basic public health protocols such as mandatory masking, distancing, and handwashing; and access to the COVID-19 vaccination. We applaud Congress for providing critical funding for school leaders to take action in these areas in several COVID-19 relief packages passed over the last 19 months.

And while these investments will go a long way toward protecting our students and teachers from the pandemic and reopening schools -- education, public health, and community leaders must be proactive in engaging and building trust among educators and families who want safe, healthy and supportive schools for their students. Many families of color, especially Black families, have understandable [mistrust](#) toward our public school and health care systems. [Relational trust between school leaders, community members and parents](#) must be foundational in efforts to not only build a strong and safe school community, but also to [maximize student outcomes](#).

Second, states and school districts must ensure that funding is used equitably to address students' social, emotional, and academic development.

Beyond addressing the immediate physical safety needs of students, educators, and staff, we must do everything in our collective power to ensure that children reach their highest academic potential and overcome the devastating impact of over a year and a half of [unfinished learning](#). We know that the pandemic has exacerbated existing inequities. Remote learning is not a replacement for in-person learning. Black, Latino, and Native students had [less access](#) to devices and home internet service. Additionally, students of color more often had teachers with less support to execute online learning, parents whose jobs [did not allow for](#) telework or time to assist with schoolwork, and [more](#) socioemotional stressors than their White counterparts. This has contributed to disproportionate amounts of [unfinished learning](#) experienced by students of color.

Thankfully, Congress recognized the urgency to address this issue and allocated critical resources in the ARP to help. Ed Trust's [research](#) indicates, when implemented under the right conditions, there are two strategies that are most effective to accelerate learning: [targeted intensive tutoring](#) and [expanded](#)

[learning time](#). We also know that [strong, positive relationships](#) with teachers and school staff can dramatically enhance students' motivation, academic engagement, and social skills.

At the Education Trust, we believe that this investment will help narrow some of the opportunity gaps students are facing in this country. Some [states](#) have already begun this work. For example, Tennessee is using ARP funds to address unfinished learning through targeted intensive tutoring. The state's new [TN ALL Corps](#) program requires students to be placed in small groups of no more than 3 students for each adult, for 30-45 minutes a day, a few times a week. The state is also going to provide needs assessment and planning support for districts to ensure districts are able to maximize tutoring opportunities for underserved and prioritized groups of students. All Tennessee districts are required to complete a needs assessment to determine which students were disproportionately impacted by COVID-19.

Alternatively, [Massachusetts](#) has developed an "Acceleration Roadmap." The Roadmap provides an equitable framework for addressing unfinished learning and provides guidance on acceleration academies, summer school matching grants, summer acceleration, and college summer step-up programs. Massachusetts is focusing on implementing these programs in ways that affirm students' race, identity, home language, and unique abilities.

States should also create detailed guidance for districts and schools that identifies evidence-based strategies to accelerate student learning and include considerations for effective and equitable implementation. This should include: 1) high-quality statewide summative assessments to determine where to target resources and where learning must be accelerated; 2) high-quality professional learning opportunities for educators on [learning acceleration](#), [culturally affirming pedagogy](#), and [technology-enabled instruction](#) to ensure students have the opportunity to reach high standards; 3) strategies for leveraging [school-based teacher leadership](#), [distributed leadership](#), and innovative staffing models to provide supervision and support to tutors and teachers; and 4) investing in high-quality, culturally responsive instructional materials.

States must partner with, or encourage districts to partner with, community-based organizations who work to ensure all students, particularly students of color, students living in poverty, students with disabilities, English learners, students experiencing homelessness, students in the foster care system, students who are incarcerated, undocumented students, and students who identify as LGBTQ, have access to high-quality opportunities to learn and grow after school and over the summer.

But these opportunities to accelerate learning will only be successful if states and districts work to identify and proactively re-engage students who were not connected during interrupted learning. For example, [Colorado](#) launched an initiative to recruit, train, and place AmeriCorps members in school districts to reach out to students who have not been engaged in school this past year. Reengagement must also include a strong family engagement strategy that prioritizes building [trust, transparency, and capacity](#) between schools and families in order to accelerate and sustain student learning.

With the state's support, [districts should](#) engage a diverse and representative set of stakeholders to develop an equity-centered plan to use additional federal and state funding to implement evidence-based strategies to accelerate student learning and meet students' academic, social, and emotional needs. That plan should be based on student outcomes and other measures of student well-being to inform decisions about which schools or groups of students will be prioritized for accelerated learning interventions. It must include training and ongoing support to school leaders to implement accelerated learning strategies in ways that will positively impact students.

Beyond addressing unfinished learning, states and school districts must ensure all students have access to learn in an environment where they feel they belong, where they have their [identity affirmed](#), where they are engaged and have agency in their learning, and where they receive the social, emotional, mental, and physical supports they need to learn, develop, and thrive. Students from vulnerable and systematically neglected populations have faced and will continue to experience additional challenges that impede their learning due to the pandemic. State and district leaders should protect - and where possible, expand – funding for whole child supports, including funding for school counselors, psychologists, social workers, and other mental health providers, especially in high-need districts and schools. It is important to acknowledge that we shouldn't fall into the trap of funding academics or socio-emotional supports; it is critical to focus on both.

Third, states and school districts should collect and publish data on how ARP resources were used to address educational equity.

States and school districts can target the additional resources from the ARP to create safe and equitable learning environments by, for example, collecting and transparently reporting how districts and schools are spending ARP dollars. States should construct reporting systems and websites designed to provide clear and easily accessible information about how they and their school districts are spending relief dollars, including data on which groups of students are being supported by the funds. This can be done most easily by adding new fields to state longitudinal data systems (SLDS) to facilitate monitoring of these funds as a part of the regular data tracking process that states run annually.

Finally, states and school districts must ensure that funding is used to lay the foundation to address the inequities that were exacerbated by COVID-19.

States and school districts should also be looking beyond the immediate time period to lay the foundation for longer lasting structural change to address the inequities that existed before, and were exacerbated by, COVID-19.

Prior to COVID-19, our nation's education system was rife with inequities impacting students of color, students from low-income backgrounds, students with disabilities, English learners, and students experiencing homelessness. Given these inequities in opportunity and access, it is not surprising that we see different outcomes when we look at measures of [student learning](#) and [graduation rates](#).

States and school leaders also have an obligation to creating transparent and equitable contingency plans should in-person learning be interrupted, both now and in the future. The Center for Reinventing Public Education has [noted](#) that many of the largest school districts in the country continue to lack coherent plans for how a student will access learning should that student be required to quarantine, but that doesn't have to be the case. For example, [Houston Independent School District](#) has created a dedicated webpage for quarantined students. Students and families can request support, and the district will provide up to four hours of live instruction per day for up to 20 days – the maximum allowed under Texas law. States should support school districts by providing clear guidance on how districts can and must support students when in-person learning is interrupted, including how districts can use ESSER funding to support these students.

While the federal government's immediate support was needed to address the impact of COVID-19, particularly on low-income communities of color, states and school districts must use this opportunity to make systemic changes that will strengthen the infrastructure of education for the future. Funding from

the American Rescue Plan, alongside state and local funding, must be used by states and districts to advance equity in these areas in a lasting way, so that when the pandemic ends and emergency funding is exhausted, gains can be preserved:

Early Childhood Education

Educational inequities are so pervasive in our system that before students even [enter](#) kindergarten, young children of color, especially [those living in poverty](#), face particularly challenging barriers to high-quality early care and education. Up to [116%](#) of a low-income family's total income can be devoted to infant care, yet far too few families receive financial assistance to access it. Early Head Start provides access to [only 11%](#) of eligible infants and toddlers, and child care subsidies through the Child Care and Development Block Grant (CCDBG) serve a very small portion of eligible children of color: only [15% of Black children and 6% of Latino children](#). Even when states do fund high-quality preschool programs, access is often lower for [Black and Latino children, who are underrepresented](#) in several such programs.

Recent [research](#) from The Education Trust, ZERO TO THREE, and the National Center for Learning Disabilities found that infants and toddlers and their families across the U.S. missed out on critical early intervention services during the pandemic. Black and Latino babies have long had inadequate access to these vital services for supporting a healthy environment for the whole family. The pandemic has worsened these inequities, and urgent support is needed to give babies a strong, healthy start.

The Build Back Better Act contains substantial investments to provide greater access to affordable, high-quality child care for families with children under 6 years of age and to high-quality pre-K programs for three- and four-year-olds by investing in capacity building, wages for educators, child care subsidies to help families afford quality care, alongside a needed extension of the transformative, fully refundable Child Tax Credit to 2025. The Education Trust is excited to see decisive action to [close the gaps in access to high-quality early childhood education](#) impacting Black and Latino children. These improvements to early childhood education would help millions of families meet their monthly child care needs and support healthy child development for our youngest learners.

Ensure Equitable Funding

Though money alone cannot address the deep and systemic opportunity and access gaps our students face, it is a critical resource that [research shows](#) increases graduation rates and wages and reduces adult poverty, especially for students from low-income backgrounds.

Unfortunately, data from [across the country](#) demonstrates that school districts with the most Black, Latino, and Native students receive [roughly \\$1,800, or 13%, less per student](#) in state and local funding than those serving mostly White students, and states and districts spend approximately \$1,000 less per pupil on students educated in our nation's highest poverty districts than on those educated in the lowest poverty districts. These inequities persist even amidst growing public awareness of inequitable state and local funding formulas and legal decisions that have declared such systems unlawful.

In the near term, states must protect education budgets by maintaining or increasing state spending on K-12 education, ensuring that districts equitably distribute additional funding to schools, and, as

required by the ARP's Maintenance of Equity provisions, ensure that high-need districts and schools do not shoulder a disproportionate share of any education budget cuts or layoffs.

While additional infusion of federal funding provides a bit of breathing room, this is also the perfect time for states to [consider and make additional changes](#) to inequitable state and local funding systems. For example, states can update funding formulas with equity in mind to ensure funding is going where it is needed most instead of relying on outdated funding systems that perpetuate patterns of racial discrimination. Additionally, the Department of Education should continue to provide technical assistance to states to ensure resource equity provisions in the Every Student Succeeds Act are being implemented to the fullest extent possible. Finally, Congress should also support and incentivize states to do this essential work.

Access to Strong and Diverse Educators

Although [research shows](#) that teachers are the primary in-school factor driving student success, students of color and students from low-income backgrounds are less likely to have access to strong, consistent teaching than their White and higher-income peers. Additionally, while over [half of all students](#) identify as students of color, [only 20 percent of teachers are teachers of color](#). While all students benefit from having racially diverse teachers and school leaders, research clearly demonstrates that students of color who [have had teachers of the same race](#) do better academically and are more likely to graduate from high school and attend a four-year college. [Black teachers are also more likely than White teachers](#) to have high expectations and [less likely to use exclusionary discipline](#) against Black students.

States and school districts can use funding from the ARP, as well as state funds, to invest in proven strategies for recruiting and retaining a well-prepared, diverse workforce. These strategies could include, for example, building systems to make educator diversity data visible and actionable to stakeholders, adopting rigorous program approval standards to compel teacher preparation programs to recruit and graduate candidates of color, and providing funding and guidance for districts and/or educator preparation programs to set goals and invest in strategies to increase the racial, ethnic, and linguistic diversity of their educators. One underutilized strategy for increasing the racial diversity of the teacher workforce is to recruit and prepare those who have experience working in [after-school or out-of-school programs](#) to enter the teaching profession.

In addition, the Build Back Better Act contains substantial investments to grow and diversify the educator workforce. These investments in the Augustus Hawkins Centers, which allow for increased clinical learning at HBCUs and MSIs, and dedicated funds for "Grow Your Own" teacher pathway models, are critical components of a comprehensive strategy to ensure all that the front of our classrooms resembles the students sitting in our classrooms.

Access to Equitable Learning Environments

Though a majority of school districts and schools report they are working to support the social and emotional learning of students, too often these efforts focus on "fixing kids" instead of creating

equitable learning environments that allow children to thrive. [Social, emotional, and academic development](#) must be implemented through an equity lens that considers the context in which students live and the societal realities (e.g., racism, homophobia, sexism) that impact students' development.

Prior to the pandemic, in [38 states](#), the schools that serve more students of color and students from low-income backgrounds have fewer counselors per student than schools that serve fewer of these students. That puts already underserved students at a disadvantage when additional social, emotional, and academic supports are needed to help students succeed. States and school districts can use funding from the ARP to hire additional school counselors, mental health providers, social workers, restorative justice coordinators, and other student support staff.

Additionally, despite evidence showing that Black students do not misbehave more than other students, Black students are disproportionately excluded from learning through the use of suspensions, expulsion, and arrests – even in [early learning settings](#). According to the [Civil Rights Data Collection](#), though Black students comprise only 15% of school enrollment, they account for 40% of students who receive an out-of-school suspension, 35% of those expelled, and 36% of students who were arrested at school.

In the near term, states and school districts can prohibit the use of suspensions and expulsions for minor offenses, use ARP funding to move away from policing in schools and to support restorative practices, and, in the [19 states](#) where it is still allowed, ban the use of corporal punishment. Now, more than ever, we should be doing everything we can to keep students in school, rather than excluding them. It's also critical that states and school districts prohibit the use of exclusionary discipline practices in virtual learning settings, such as blocking students from virtual learning platforms or suspending their school email accounts, for minor offenses (e.g., dress code violations). These changes can shift the longstanding inequities students have to accessing safe and equitable learning environments.

Beyond encouraging and supporting state and local action to ensure all students have access to equitable learning environments, Congress has the opportunity to take action to address these inequities by passing several bills, including the Counseling Not Criminalization In Schools Act (H.R. 4011) and the Ending PUSHOUT Act (H.R. 2248), that provide resources to create more inclusive discipline policies, to provide professional development to educators, and to invest in more student support staff (e.g., counselors, mental health providers, etc.). Congress should also pass the Protecting Our Students in Schools Act (H.R. 3836) to prohibit corporal punishment and seclusion, and severely limit exclusionary discipline and restraint.

Equitable Access to Advanced Coursework

The Education Trust's analysis of data from the [Civil Rights Data Collection](#) and the [Common Core of Data](#) shows that Black and Latino students are denied opportunities to enroll in advanced coursework in elementary school, middle school and high school even though we know that students of color can succeed in these courses. For example, students who attend schools with the lowest percentages of students of color are about [1.5 times as likely to be enrolled](#) in eighth grade algebra as students attending schools with the highest percentages of students of color.

[States](#) must set clear, measurable goals to advance student access to and success in advanced coursework, use data to identify barriers that prevent students of color and students from low-income

backgrounds from enrolling in these courses, invest to expand opportunities in schools with the greatest need, expand eligibility and increase access so Black and Latino students have a fair chance to take advanced coursework, and provide sufficient support for students to prepare for and succeed in this coursework.

Congress can support states and school districts in this effort by passing the Advanced Coursework Equity Act (H.R. 2765), which would establish a grant program for states and districts to address equity gaps through instituting equitable enrollment mechanisms, increasing enrollment in advanced courses, covering the costs of advanced coursework exams and materials for students from low-income backgrounds, and preparing and supporting educators to teach these courses, all while setting clear and measurable public goals to achieve.

Equitable Access to Nutrition

Over the past year and a half, we have learned that, at its core, food insecurity is also a racial justice issue. Even before the pandemic, people of color were [disproportionately](#) surrounded by food deserts, and two in five [Black and Latino households](#) (nearly 40%) with children struggled to put food on the table. This issue worsened as the pandemic wore on; last fall, an Education Trust-New York poll found that [40% of parents](#) skipped or reduced the number of meals they consumed personally because of the pandemic.

In response to the growing issue of hunger in America during the pandemic, the Pandemic Electronic Benefits Program (P-EBT) was created to [provide essential benefits](#) to over 8 million families with children, [lifting at least](#) 2.7 to 3.9 million children out of hunger. The Department of Agriculture expanded eligibility for the Supplemental Nutrition Assistance Program (SNAP) and increased maximum benefits. And since the recent [Child Tax Credit payments began](#), the number of families reporting they do not have enough to eat dropped by 3.3 million. As a result, unlike in past recessions, food insecurity [did not increase](#) overall between 2019 and 2020.

The provisions included in the Build Back Better Act recognize the need to invest in removing structural barriers for students and families. The bill would expand and extend Summer EBT, expand student eligibility for school meals, enable more students who participate in Medicaid to automatically receive free or reduced-price meals, and create a Healthy Foods Incentive demonstration pilot. We must build on the successes of the government's response to the COVID-19 pandemic over the last year to ensure all students have sufficient access to quality and nutritious food.

Access to Home Broadband

Prior to the pandemic, as many as [16 million students and 400,000 educators](#) lacked access to home Internet and/or proper devices to pursue their educational goals. This lack of access hindered their ability to communicate, study, and complete assignments. The pandemic resulted in millions of students who were on the other side of the digital divide, especially students of color, students from low-income backgrounds, and/or rural students, unable to continue their education.

The Build Back Better Act provides an additional \$4B for the Emergency Connectivity Fund to ensure that students can get the home internet access and devices they need to do homework and fully participate in their educational experiences. This builds on the \$7.1B allocated in March, most of which has been applied for by schools, and gets us closer to the investment needed to fully close the digital divide. Ensuring this funding is included in the final version of the bill is essential to maintaining the progress we have made in home connectivity for students during the pandemic.

Conclusion

In closing, we must recognize that Black, Latino, and Native students, students from low-income backgrounds, students with disabilities, English learners, and students experiencing homelessness were already facing gaps in educational opportunities before COVID-19. Evidence has shown us that these gaps have only worsened over the last year and a half.

New data suggest that some of the fears Black and Latino parents had about virtual learning are valid – their students have experienced unfinished learning. Thankfully, Congress recognized the urgency to address unfinished learning and allocated vital resources in the American Rescue Plan to help. Schools and districts are already starting to use those resources to accelerate learning, and we hope they continue to do so in ways that are evidence-based, and targeted to those who need it most.

At Ed Trust, our research points toward two ways to accelerate learning that are most effective: [targeted intensive tutoring](#) and [expanded learning time](#). We also know that [strong, positive relationships](#) will be fundamental to reengaging students in learning and school activities.

Beyond directly addressing unfinished learning, the American Rescue Plan provides vital resources to make in-person learning a reality, particularly in low-income communities and communities of color; to ensure districts have contingency plans should students or educators need to quarantine; and to address the social, emotional, and academic needs of students now and into the future.

It is incumbent upon state and district leaders to use these resources in equitable ways to address the needs of underserved students and to close the opportunity and access gaps that existed prior to, and were exacerbated by, COVID-19. We at the Education Trust look forward to assisting and supporting leaders in this work.

Congress and the administration also have a continual role to play in working with those state and district leaders, providing guidance and technical assistance, and conducting oversight as those ARP plans are implemented. Furthermore, there are several additional legislative steps Congress can take to buttress the recovery effort, consolidate the gains made and best practices employed, and restructure the system to make it more equitable in the long term, beginning with passing the Build Back Better Act into law. We at the Education Trust look forward to assisting and supporting federal policymakers in this work as well.

Thank you for the opportunity to speak with you today. I look forward to taking your questions.