



December 10, 2009

Chairman Tom Harkin
Committee on Health, Education, Labor and Pensions
615 Dirksen Senate Office Building
Washington, DC 20510

Ranking Member Michael Enzi
Committee on Health, Education, Labor and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Harkin and Ranking Member Enzi:

On behalf of the nearly 100,000 bipartisan members of the American Association of University Women, I write to you today to provide our recommendations for reauthorization of the Elementary and Secondary Education Act. AAUW is grateful to have the opportunity to work with you to ensure that girls and boys of every age are afforded world-class public educational opportunities. We agree wholeheartedly with Secretary Duncan's assertion that "education is the civil rights issue of our generation."¹

AAUW believes that quality public education is the foundation of a democratic society. In 2002, AAUW joined in the bipartisan enthusiasm when the No Child Left Behind (NCLB) law—which reauthorized the Elementary and Secondary Education Act of 1965—was first passed, hoping the law would provide a remedy for ailing schools and low student performance. There are some good ideas in NCLB, such as increased teacher and school accountability, higher standards of achievement for student progress, supplemental service funds for low-income students, and public school choice for students who attend underperforming schools. In addition, AAUW worked hard for the inclusion of programs to serve girls' special needs and was successful in ensuring that NCLB included provisions to reauthorize the Women's Educational Equity Act; strengthen dropout prevention measures; protect girls from sexual harassment in schools; and increase girls' access to and interest in technology.

It has become clear, however, that there is a large difference between the ideals espoused in the law and the implementation and realization of program goals. While NCLB set lofty aspirations for public education, its poorly targeted punitive measures and the law's unfunded mandates have left many states and school districts in dire straits; in fact, NCLB has been underfunded to the tune of over \$85 billion since its inception—a figure local school boards cannot possibly supplant.² AAUW believes it is possible—and necessary—to maintain a commitment to high standards and greater accountability in our nation's public schools, but the federal government must develop measures that do not impose sanctions in a way that undermines success. As Congress and the administration begin to contemplate ESEA reauthorization, AAUW offers the following recommendations for strengthening the law's goals, improving its implementation, and making clear progress in closing the achievement gap:

Strengthening STEM Education: AAUW supports promoting and strengthening science, technology, engineering and mathematics (STEM) education, especially for girls and other underrepresented populations in the fields. In order to close the gender gap in the STEM fields, AAUW supports efforts that train teachers to encourage girls and other underrepresented groups

to pursue STEM careers, and recommends a grant program from which schools can cover a number of expenses including mentoring, after-school programs, summer programs and internships, field trips, etc. Moreover, ESEA should include science as a required area of assessment used to calculate Adequate Yearly Progress goals.

By measuring student performance and disaggregating data by gender, race, and socioeconomic status, we can obtain valuable information about student aptitude in science and better identify opportunities to improve girls' exposure to and achievement in science.

Requiring High Schools Sports Data Collection: AAUW believes that high schools should be required to report basic data on the number of female and male students in their athletic programs and the expenditures made for their sports teams. Access to such data will enhance compliance with Title IX and aid in the continued expansion of athletic opportunities for girls at the high school level. This is important because while girls comprise 49 percent of the high school population,³ they receive only 41 percent of all athletic participation opportunities, amounting to 1.3 million fewer participation opportunities than male high school athletes.⁴ Statistics have shown that girls thrive when they participate in sports and are less likely to get pregnant, drop out of school, do drugs, smoke, or develop mental illness.⁵

Supporting Reauthorization and Implementation of the Women's Educational Equity Act: This law was first enacted in 1974 to promote educational equity for women and girls, through the provision of funds to help education agencies and institutions meet the requirements of Title IX of the Education Amendments of 1972. AAUW strongly supports the principles of WEEA and full funding of this act, as well as the appropriate application of these funds to meet the goals of the program. Title IX remains a vital tool in providing equal educational opportunities and WEEA, when used properly, can provide critical technical assistance to schools as they work to comply with Title IX not just in athletics but in all educational programs that receive federal funds.

Creating Environments Free of Bullying and Harassment: The implementation of stronger policies to deter bullying and harassment will help to ensure a safe learning environment for all students. Almost a decade ago, AAUW's own research revealed that 83 percent of girls and 79 percent of boys reported having experienced sexual harassment, and over one in four students stated that harassment happens "often."⁶ More recent research shows that bullying affects nearly one in three American school children in grades six through ten.⁷ AAUW advocates passing legislation to better address bullying and harassment; these measures should include the Department of Education Office for Civil Rights' definition of harassment and identify the classes that are protected (including actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, and religion).

Decreasing the Use of High-stakes Testing and Using Multiple Measures: AAUW believes in holding schools accountable for demonstrating that they are meeting educational goals. However, it is both problematic and discriminatory to rely on tests as the sole indicator of student progress. AAUW is supportive of provisions encouraging the use of multiple measures of student achievement—including flexible and innovative growth models and tracking the same group of students over time to determine whether schools meet annual benchmarks and allowing schools to use a number of factors for determining Adequate Yearly Progress (AYP). AAUW joined more than 120 national education, civil rights and religious organizations in signing a statement stating that other key measures that demonstrate student achievement and progress should be explored and utilized.⁸ While these measures will provide more flexibility, accountability must not be lost in the process.

Closing the Achievement Gap Once and for All: The past fifty years have seen continued improvements in proficiency levels among both girls and boys across a wide range of subjects. However, the existence of an achievement gap continues to stand in the way of true educational progress for all. While AAUW's 2008 report, *Where the Girls Are*, showed girls' educational gains have not come at the expense of boys, the report also further illuminated large gaps in test scores among children of different races and ethnicities and among children from different family income levels. For instance, a majority of African-American and Hispanic 12th graders score below a basic level of proficiency in math, while a 23- and 24-point gap exists between students of lower-income and higher-income families in reading and math, respectively, at grades 4, 8, and 12.⁹ AAUW believes that a quality education is a civil right, and strongly supports efforts to close this persistent and detrimental achievement gap.

Making NCLB Funding Mandatory at the Authorized Levels: Research by the Center on Education Policy found that approximately 80 percent of school districts said they have costs associated with the law not covered by federal funding.¹⁰

Ensuring Adequate Physical Education Classes, and Ensuring Equity in Facilities and Equipment Access and Usage: Over the past 25 years, the percentage of overweight girls has more than doubled; currently, 16 percent of girls ages 6 to 19 are overweight, up from 6 percent in 1974.¹¹ Further, minority and low income girls have the highest rates of childhood obesity.¹²

Continuing to Offer Public School Choice and Flexibility: AAUW believes it is in students' best interests to be offered public school choice and flexibility, and schools should continue to encourage innovative programs and classroom techniques. Such flexibility and innovation, however, must be consistent with civil rights law, including Title IX, and public funds should only be used for public education, not private school vouchers.

Improving Teacher Training and Retention: AAUW believes there should be a highly qualified teacher in every classroom. NCLB reauthorization should include an expansion of programs that improve teacher training and retention.

Holding Schools Accountable: Schools should be held accountable for demonstrating that they are meeting educational goals, but only in such a way that it doesn't create a bigger problem than it seeks to solve. NCLB designates schools that fail to meet AYP as "low-performing" and provides sanctions against such schools. AAUW believes the federal government should offer incentives and assistance to struggling schools, rather than punishment, which only serves to further harm students.

Cross-Tabulating Data: AAUW recommends that data be cross-tabulated for state assessment systems, state reporting requirements, AYP goals, and graduation rate requirements. Having the most accessible, accurate and detailed information will encourage action specifically tailored to improve outcomes for those falling behind. School districts, educators, and policy makers cannot create the right solutions if they do not have the right data to truly know what segments of the population need help.

Expanding Afterschool Programs through 21st Century Learning Centers: After-school programs should be expanded to enrich the school experience and improve educational outcomes. One program vehicle might be the 21st Century Community Learning Centers; this could also be used to expand STEM programs—currently allowed as an option but given no real incentive.

Increasing Access to and Funding for Early Childhood Education: Providing a foundation of strong early childhood education will help improve and sustain achievement in later years. AAUW supports funding increases for Head Start and Early Head Start to ensure all children are prepared for school, as well as access to high-quality and affordable child care to ease the burden on working families and expand educational opportunities.¹³

For more than 125 years, AAUW has fought for educational equity and achievement in our nation's public schools. Reauthorization of ESEA represents a tremendous opportunity to make significant strides in this direction, and we are committed to putting our full resources behind this effort. AAUW looks forward to working with you on this significant legislation in the year ahead.

Sincerely,



Lisa M. Maatz
Director of Public Policy and Government Relations

Cc: Members of Senate HELP Committee

¹ U.S. Department of Education (September 24, 2009). *Reauthorization of ESEA: Why We Can't Wait*. Retrieved November 12, 2009, from <http://www.ed.gov/news/speeches/2009/09/09242009.html>.

² National Education Association. (February 4, 2008). *Funding Gap: No Child Left Behind*. Retrieved April 27, 2009, from <http://www.nea.org/assets/docs/fundinggap.pdf>.

³ U.S. Census Bureau, Current Population Survey. (2005). School Enrollment, Table 1. Retrieved April 7, 2009, from <http://www.census.gov/population/socdemo/school/cps2005/tab01-01.xls>.

⁴ National Federation of State High School Associations (NFHS). (September 18, 2006). *Participation in High School Sports Increases Again; Confirms NFHS Commitment to Stronger Leadership*. Retrieved April 7, 2009, from http://www.nfhs.org/web/2006/09/participation_in_high_school_sports_increases_again_confirms_n_f.aspx.

⁵ Women's Sports Foundation. (December 12, 2007). *Women's Sports & Physical Activity Facts & Statistics*. Retrieved January 16, 2008, from http://www.womenssportsfoundation.org/binary-data/WSF_ARTICLE/pdf_file/191.pdf.

⁶ AAUW Educational Foundation. *Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School*, p. 4 2001.

⁷ Members of the National Safe Schools Partnership (June 2007). *Bridging the Gap in Federal Law: Promoting Safe School and Improved Student Achievement by Preventing Bullying and Harassment in our Schools*. Retrieved on April 7, 2009, from http://www.glsen.org/binary-data/GLSEN_ATTACHMENTS/file/000/000/912-1.pdf.

⁸ National Education Association. (April 2008). *Joint Organizational Statement on 'No Child Left Behind' Act*. Retrieved March 3, 2009, from <http://www.nea.org/home/1400.htm>.

⁹ AAUW Educational Foundation. (May 2008). *Where the Girls Are: The Facts About Gender Equity in Education, 18-19*.

¹⁰ Center on Education Policy. (2006). *From the Capital to the Classroom: Year 4 of the No Child Left Behind Act*, 4. Retrieved December 30, 2008, from <http://www.cep-dc.org/data/global/nidocs/CEP-NCLB-Report-4.pdf>.

¹¹ Girl Scouts of the USA. *Girls & Overweight: Key Facts*. Retrieved December 30, 2008, from http://www.girlscouts.org/research/publications/original/g_s_key_facts_p1c.pdf.

¹² Ibid.

¹³ The Office of the President-Elect (2008). *Education: The Obama-Biden Plan*. Retrieved December 23, 2008, from http://change.gov/agenda/education_agenda/.