

Dear *[Representative/Senator _____]*:

Advocates for Public Education Policy (A4PEP) would like to **request public education policy changes to the Every Student Succeeds Act (ESSA) that adversely affect state policies.**

A4PEP is a 501c3 non-profit dedicated to promoting public education policies that work for all students. Our work includes efforts to:

- Influence change regarding ineffective and detrimental federal and state education policies.
- Promote policies that are proven to be effective in supporting the academic and social growth of all students.

The accountability system in the federal law ESSA is built on the use and results of standardized tests. This accountability system has created a punitive “high-stakes” system that is neither effective nor equitable. Ratings of schools and districts, as well as the consequences for “low-performing” schools and districts, are all tied to test scores. Colorado state law has extended the punitive nature of this accountability system by making teacher evaluations dependent on test scores.

While the intent of ESSA is to raise student learning by using standardized tests as a measurement of student academic performance, this policy is flawed. Testing over and over again does nothing to raise student achievement. In fact, studies have proven that the level of performance on standardized tests is directly linked to the socio-economic level of students. Punitive policies are then forced on low-performing schools, which only hurt the most economically disadvantaged student populations.

Meanwhile, the needs of our students soar and impact test scores. In 2000, 27% of Colorado’s students qualified for free or reduced lunch, an indicator of poverty, and in 2019, this number was 41%. Of those who qualified for free or reduced lunch in 2019, 89% were students of color.

Consequently, large disparities in academic performance continue to exist with regard to race/ethnicity and economic disadvantages. The disparity also exists for students with special needs, because the federal Individuals with Disabilities Education Act (IDEA) is severely underfunded. The focus on test scores also draws resources away from students’ behavioral health challenges and only exacerbates the inequities caused by the pandemic.

When “success” is measured by test scores, teachers are pressured to teach to the test, not to the students. This leads to a “narrowing of the curriculum” as schools are forced to focus on the two subjects (language arts and math) that are the entire basis for determining school and district ratings. In Colorado, teachers of all subjects are evaluated based on test scores in only these two subjects.

Testing of students is big business. Pearson, a lead test provider, made \$5 billion in 2013 alone from selling tests to states. It also spends multiple millions of dollars lobbying for continued and even increased standardized testing. Colorado spent \$36 million for the 5-year contract with Pearson for the standardized tests required by ESSA.

The money to pay for testing comes out of the state public education budget. Colorado's school funding is already \$2,700 per pupil below the national average. Our schools and districts also spend a great deal of time, labor, and additional money on administering the tests and on the teacher evaluation system that is based on them. The continued use of expensive, low-value standardized tests gives profits to the testing corporations and drains funds from the classroom.

We believe that the accountability system based on standardized tests has failed. Promises of student growth have not been delivered, segregation is greater than it has ever been, and teacher morale is at its lowest. The growing "opt-out movement" shows that public trust in the efficacy of such a system is waning.

Under ESSA, the federal government mandates to the states certain requirements which must be followed. Therefore, if real change is to happen, Congress – which holds the power to affect Colorado's public education policies – must change ESSA.

A4PEP respectfully proposes the following policy changes to federal law:

- Move away from using standardized tests as the sole indicator of learning.
- Allow for the implementation in the state's accountability system for alternative measurement tools, such as performance-based assessments and portfolios.
- Instead of identifying schools in need of comprehensive support and improvement based on the lowest 5%, allow the states to use a percentage of students in categories such as these:
 1. Free and reduced lunch (poverty level)
 2. English language learners
 3. Special needs requiring IEPs (Individualized Education Plan) or 504 plans
 4. Homelessness
 5. High rates of mobility
- Remove the punitive options for "targeted" schools (such as closure or conversion to charter schools) and provide more supports and resources for struggling schools and districts.
- Allow proven, evidence-based options for "targeted" schools such as the neighborhood community-school model and sustainable programs that are community-based.

In times of crisis, opportunities for change arise. **We are asking Colorado's Congressional delegation to act now for systemic change to the flawed educational accountability system under ESSA by introducing legislation to address the aforementioned proposed policy changes.**

Public education is the bedrock of our democracy, and its success lies in the hands of our policymakers. If we are to remain a nation which strives for equality and fairness, Congress must address the failed accountability policies hampering our public education systems.

Respectfully,

Advocates for Public Education Policy

A4PEP Board of Directors: Dr. JoAnn Fujioka, Sen. Evie Hudak, Dr. Edward Krug, Hon. Sue Marinelli, Sen. Michael Merrifield, Rep. Judy Solano, Manuel Solano, esq., and Sen. Sue Windels