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October 28, 2015

The Honorable Michael Burgess
U.S. House of Representatives
2336 Rayburn House Office Building
Washington, DC 20515

Dear Representative Burgess:

On behalf of the Association of Texas Professional Educators (ATPE), a member-owned, member-governed professional association of more than 100,000 Texas educators, we are writing to express our views on HR 5, the Student Success Act, and S. 1177, the Every Child Achieves Act of 2015. As the House and Senate continue conference negotiations on their respective bills, we urge you to weigh in with the Committee and House leadership on the importance of passing a comprehensive ESEA reauthorization bill this year. A reauthorization bill is critically needed in order to restore more control at the state and local level and end the waiver process, which leaves states, districts, and schools without long-term and permanent solutions to the burdensome and unrealistic requirements of NCLB. We hope that you will also take into consideration our concerns regarding the Title I portability language in HR 5.

ATPE appreciates Congress's commitment to reauthorize the Elementary and Secondary Education Act (ESEA) during the 114th Congress and applauds the overall objective of both bills to provide more state and local control. While it is important to ensure necessary protections are maintained and the federal role of government to promote equal access to education remains a focus, this move toward local control is important in states like Texas where the student population, student needs, and overall education landscape differs significantly from other states throughout the nation.

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Texas's request for a waiver renewal under ESEA was conditionally approved and the state was placed on "high-risk status" due to the state's unwillingness to accept demands by the Department of Education (ED) that we give up local control in the area of teacher and principal evaluation. If Texas does not meet these ED demands by Jan. 2016, Texas will face possible sanctions or is at risk of having its waiver revoked. Without action from Congress to reauthorize ESEA this year, Texas school districts will lose essential funding flexibility and our students and schools will be labeled as failing under the outdated policies established under NCLB.

As you continue to push for reauthorization, ATPE encourages you to reject the inclusion of the Title I portability language in HR 5 (also referred to as the "state option"). This language will lead to unintended consequences that negatively impact a high number of students with the greatest need. Focusing funding on individual students would divert funding from schools that serve students living in high concentrations of poverty and students who struggle the most to keep up with their peers in more affluent schools. Any final reauthorization bill must continue to concentrate federal dollars on student populations most likely to generate the highest return on investment associated with increased educational attainment among larger groups of at risk and educationally disadvantaged students by ensuring that Title I funds are not diluted under a "state option."

As the House and Senate continue their work on a final conference ESEA bill, we urge Congress to get a bill passed this year and encourage you to weigh in with the Committee to remove the portability language in the final bill. ATPE appreciates your consideration of the concerns we have addressed above and look forward to working with you to pass a comprehensive ESEA reauthorization bill. Please do not hesitate to contact us if ATPE may provide any additional information during the reauthorization process.

Thank you for your continued leadership on education issues in the U.S. Congress.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cory Colby', written in a cursive style.

Cory Colby
State President