

February 6, 2012



The Honorable Tom Harkin
Chairman
Committee on Health,
Education, Labor and Pensions
United States Senate
Washington, D.C. 20510

The Honorable Mike Enzi
Ranking Member
Committee on Health,
Education, Labor and Pensions
United States Senate
Washington, D.C. 20510

The Honorable John Kline
Chairman
Committee on Education and
the Workforce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable George Miller
Ranking Member
Committee on Education and
the Workforce
U.S. House of Representatives
Washington, D.C. 20515



Dear Senator Harkin, Senator Enzi, Representative Kline and Representative Miller:

As state and local officials committed to sensible education reforms and constant improvements to the education systems that we govern, we write to offer our views and urge Congress to fix and reauthorize the Elementary and Secondary Education Act (ESEA) before the beginning of the next school year.

To an extent unprecedented in our recent history, state and local governments are answering the national call for education reform and doing the hard work of improving education systems in communities and local public schools across the nation. We are working together at all levels of government to develop and implement education reforms that seek to close achievement gaps and ensure that every student receives a world-class public education. In a time of limited resources, we are also working to promote efficient and effective government. Successful reform requires us to make difficult decisions, promote innovative ideas and take ownership over the education reforms that we pursue on the ground. Now, we need your leadership and urgency to fix and reform ESEA.

In order for the federal-state-local partnership in American education to succeed, state and local leaders must be provided greater authority to develop and implement education reforms that are designed primarily at the state and local levels and targeted to state and local needs. Recent history demonstrates that education reforms codified at the federal level without a deep understanding of state and local needs or the buy-in and support of practitioners in the field are likely to fail. Therefore, we urge Congress to remove those restrictive and unnecessary federal policies that limit innovation at the state and local level and hinder education reforms.

Current federal education policy focuses unduly upon compliance and federal directives rather than fostering and supporting true federal-state-local partnerships that allow state and local leaders to lead the way in developing and implementing authentic education reforms. The ultimate goal for all states and local school districts is to ensure all their students succeed in the classroom to become college-and-career-ready upon high school graduation and succeed in college and in their careers as productive, educated citizens. States and local school districts will not be able to accomplish this goal under the current law.



We commend both the Senate and the House for seeking to move forward on ESEA reauthorization legislation this year. We believe that a path forward on reauthorization exists, and urge you to move quickly to provide relief and support to state and local leaders and the students we serve. As you work to reauthorize ESEA, we urge you to adhere to the following principles:

- **Provide Greater Flexibility to State and Local Leaders:** We are committed to a K-12 education system that will ensure that all students graduate college and career ready; promote strong accountability and transparency; disaggregate data; utilize comprehensive and fair assessments; and support students, educators, and school leaders to succeed. ESEA reauthorization should recognize and value our leadership and capacity to make educationally sound decisions in the best interests of our students.
- **Increase Flexibility in Federal Funding:** The federal government contributes less than 10% to the cost of public K-12 education in our nation. Too much of this funding is distributed through programs that are not targeted to state or local needs and carry heavy compliance burdens for state and local officials. In order for federal funds to be used efficiently and effectively in classrooms across the nation, state and local leaders who best understand state and local student needs must be afforded greater flexibility to implement programs and policies that focus on our students' academic needs.
- **Recognize State and Local Budget Challenges:** The federal government should exercise greater consideration for waivers that reduce the threshold for maintenance of effort (MOE) requirements that attach to the receipt of federal formula funds. During difficult fiscal conditions and economic recessions that have limited state and local revenues available for education, it is simply not realistic to expect states and localities to hold funding constant in all programs. MOE mandates could severely curtail state and local authorities' ability to control the use of their own state and local tax funds, allocate resources based upon need, and redesign and support innovative reforms. States and local school districts understand best how they can effectively provide necessary educational resources to their students to ensure that they are successful in the classroom without the need for such mandates. Furthermore, ESEA reauthorization must refrain from shifting costs to state and local governments.
- **Streamline Federal Red Tape and Compliance Requirements:** Many federal rules related to the delivery of public education are unnecessarily burdensome upon states and localities and are not the most efficient use of limited education resources. The cost of compliance with federal paperwork requirements often outweighs the benefit to the public. We support a comprehensive review of federal compliance requirements, followed by decisive and quick actions by Congress and the U.S. Department of Education to act on the findings to streamline requirements and promote the efficient and effective use of education funds.
- **Streamline the Waiver Process:** The federal waiver process is an essential tool to provide state and local leaders with necessary flexibility and relief from rigid federal requirements. Currently, however, the processes necessary for states or localities to secure MOEs or policy waivers is often inconsistent, opaque, and significantly burdensome to state and local governments. Congress and the Administration must work to ensure that ESEA waiver processes show significant deference to state and local judgment, are transparent, and that waiver applications are considered and approved in timely and predictable manners.

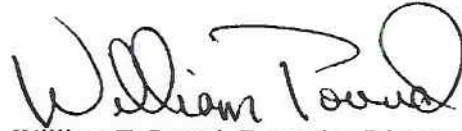
States, school districts and students need the certainty and transparency of a long-term ESEA reauthorization to ensure that all students, regardless of where they live, have the best opportunity to succeed. The ESEA waiver process currently underway at the Department of Education may work for some states in the short term, but it may not work for all states and is not sustainable.

We stand ready to work with you as you seek to approve legislation that would reframe the federal-state-local partnership. In doing so, Congress and the Administration will move education reform forward by supporting state and local innovation to ensure that our greatest economic asset – our students – are prepared for success.

Sincerely,



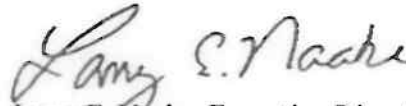
Dan Crippen, Executive Director
National Governors Association



William T. Pound, Executive Director
National Conference of State Legislatures



David Adkins, Executive Director
The Council of State Governments



Larry E. Naake, Executive Director
National Association of Counties



Anne L. Bryant, Executive Director
National School Boards Association

cc: The Honorable Arne Duncan, Secretary, U.S. Department of Education