



# **Leadership Conference on Civil Rights**

**1629 K Street, NW  
10<sup>th</sup> Floor  
Washington, D.C. 20006**

**Phone: 202-466-3311  
Fax: 202-466-3435  
[www.civilrights.org](http://www.civilrights.org)**

## **Testimony of Wade J. Henderson, President and CEO Leadership Conference on Civil Rights**

**Joint Hearing of the House and Senate Education Committees**

**“Elementary and Secondary Education Act Reauthorization: Improving NCLB to  
Close the Achievement Gap”**

**March 13, 2007**

Good morning, I am Wade Henderson, President and CEO of the Leadership Conference on Civil Rights (LCCR), the nation’s oldest, largest, and most diverse civil and human rights coalition, with nearly 200 member organizations working to build an America as good as its ideals.

I would like to thank Chairman Kennedy and Chairman Miller, Ranking Members Enzi and McKeon, and all of the Members of both the House Education and Workforce Committee and the Senate Health, Education, Labor & Pensions Committee for the opportunity to testify at this important joint hearing today.

The Leadership Conference is issuing a formal letter to the committees today regarding the reauthorization of the No Child Left Behind Act (NCLB) that includes both our core principles for education reform and policy recommendations for changes to the current law. I would ask that it be included along with the written version of my testimony in the hearing record.

I would like to use the remainder of my time before the committee today, however, to make a larger point regarding the future of NCLB. For almost a century now, the civil rights community has recognized that the twin pillars of American democracy have been the right to vote and securing equal educational opportunity for all Americans. In that regard, NCLB may be one of the most important civil rights laws that this Congress will address. For example, at its most basic level, its Adequate Yearly Progress requirement gives parents, students, teachers, and school administrators information on the progress of their schools, and ultimately seeks to break the cycle of failure that has continued to deny some children access to quality education.

We urge you to be guided by the following principles as you consider reauthorization. First, federal policy must be designed to raise academic standards. Second, those high standards must apply equally to all students, of all backgrounds. Third, schools should be held accountable for meeting academic standards. Fourth, there should be high quality assessments that are linked to academic standards. Finally, federal and state governments must ensure that schools,



particularly those in neighborhoods of concentrated poverty, have the resources they need to give all children the chance to meet those standards.

### **The *Brown* Standard**

By any standard, *Brown v. Board of Education* was the most important Supreme Court case of the 20<sup>th</sup> century. In *Brown*, the Court promised an equal education to all American children, and said of education:

It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. 347 U.S. 483 (1954)

Access to a high quality public education is still a fundamental right upon which all others depend; and yet 50 years later, the promise of *Brown* remains unfulfilled. Inequality is rampant by almost every measure. NCLB's test scores paint a bleak picture of the achievement gap, with virtually every state's white students passing state exams at a significantly higher rate than low income, minority, and language minority students. According to an Urban Institute study, the national graduation rate for white students is 75 percent – which is not high enough – but it is only 50 percent for African-Americans, 53 percent for Latinos, and 51 percent for Native Americans.

But the real crime is the opportunity gap. According to the National Center for Education Statistics, minority students are more than twice as likely to have inexperienced teachers. Research has shown that high poverty schools have a 50 percent higher rate of low scoring teachers. Low income, minority, and language minority students attend schools with far less funding; they attend larger classes that are more likely to be taught by out-of-subject teachers and in worse facilities; and have fewer and older books, as well as less access to computers, high-speed internet, and modern science labs.

### **Education Reform: The New National Challenge**

It was President John F. Kennedy, who in 1961 challenged Congress and the nation to reach the moon within 10 years. We did it in about eight and a half.

We have only one moon, and at the closest point in its orbit, it is still more than 200,000 miles from the Capitol dome. But we got there. There are more than 100 public schools within a couple of miles of the Capitol dome that failed to meet their proficiency targets under NCLB. We can accept no excuse for not getting to every single one of them, too – and every one like them in every city in America.



What we need is the same kind of national commitment to education that we gave to the space race. President Kennedy did not call the nation to action just to inspire us with a lofty goal. He was motivated by a real world challenge posed by a foreign policy threat. While we don't have Sputnik and the Soviet Union to galvanize us into action this time, we do have a pending social and economic crisis.

Declining literacy levels, changing demographics, and workplace restructuring are colliding to greatly expand inequities in wealth and opportunity and drive Americans further apart. Tens of millions of low-skilled adults will be competing for jobs, not only with one another, but also with workers with equal or better skills in low wage foreign economies. Over the next few decades, as older, better educated workers retire, they will be replaced by younger, less educated workers with fewer skills. If these challenges are not adequately addressed, these forces will limit our nation's economic potential and threaten our democratic ideals.

The scope of the problem is staggering and the consequences are only going to get worse. In a report issued last month called *America's Perfect Storm: Three Forces Changing Our Nation's Future*, the Educational Testing Service (ETS) detailed the confluence of the three trends – worsening educational inequities, demographic changes, and the continuing evolution of the economy – and the devastating impact they will have by 2030 if we do not dramatically change course.

Congress has found that virtually all children can learn at high levels. Everyone involved with education – starting this morning with the Members of Congress and the advocates at this table and in the seats; as well as teachers, principals, local school boards, state boards of education, local and state elected officials, and the President – must be held accountable for students reaching their full educational potential. The Leadership Conference will be organizing its coalition members and grassroots partners and employing its communications network, including [www.civilrights.org](http://www.civilrights.org) and [www.realizethedream.org](http://www.realizethedream.org), to continue beating the drum for education reform.

Moreover, it is going to take federal, state, and local cooperation. It is also going to take a lot of money – money measured by the size of the job to be done, not by how much we've spent in the past.

Almost everyone agrees that substantial additional resources are needed and that the shortfall has grown significantly since NCLB was passed – some say by as much as \$70 billion over the last six years. During the same six-year period, congressional budgets and appropriations have run up an enormous national debt that our children are going to have to pay off eventually, so those children have a pretty good claim that we should be investing a lot more in their education.

While the federal share of total education spending is only a down payment, federal leadership is crucial. This Congress has the opportunity to use the reauthorization of No Child Left Behind to boldly attack the entrenched inequities and failures within our educational system and try to head off ETS's perfect storm.



We cannot continue to provide the least education to the most rapidly growing segments of society at exactly the moment when the economy will need them the most. When 21<sup>st</sup> Century jobs require a science education, for how long will we continue to be the land of opportunity if we tolerate an opportunity gap where racial, economic, and linguistic disparities combine to make white students more than four times as likely as African-American and Latino students to have access to Advanced Placement science classes?

LCCR believes that access to a high quality public education is a civil right for all children and that in the tradition of the Civil Rights Act 1964 and the Voting Rights Acts of both 1965 and 2006, the No Child Left Behind Act can play an important role in making that right a reality. We look forward to working with Congress to strengthen the law and its implementation.

Thank you very much.

###