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On “America’s Schools: Providing Equal Opportunity or Still Separate and Unequal?”
For the Committee on Health, Education, Labor and Pensions
U.S. Senate
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Thank you, Chairman Kennedy, Ranking Member Gregg, and Senators of the Committee for providing me the opportunity to lend my voice to the debate over the Federal Government’s role in improving our nation’s education system. I would like to especially take this opportunity to express my gratitude to Senator Christopher Dodd who has joined me among others in the fight to eliminate educational inequities and resource inadequacies in our nation’s public school system. It is a pleasure to testify before a committee that has recently worked so tirelessly to find the right mix of policies and resources in the “Leave No Child Behind Act” necessary to properly educate our nation’s young. While I applaud your effort as a first step in the right direction, it goes without saying that our work as education policymakers is far from complete.

Today, I am here as a sincere advocate for what I believe is missing, both in theory and in practice, from the approach taken in H.R. 1 to improving our public school system. To accomplish the goal of providing every student with a high quality education, we must act decisively to eliminate inequities that exist among public school systems within and among states. Therefore, I come here this morning, calling upon our nation’s leaders to make certain that all children, regardless of income level or place of residency, are provided adequate educational resources to become successful members of society. In order to accomplish such a

fundamental feat, we must require that our nation's public school systems provide all students seven essential elements for learning, which include:

- a) instruction from a highly qualified teacher
- b) rigorous academic standards
- c) small class sizes
- d) up-to-date instructional materials
- e) state-of-the art libraries
- f) updated computers
- g) qualified guidance counselors

Senators, we know that public schools work. They perform wonderfully, everyday, for millions of students and parents living in more affluent neighborhoods, where abundant resources are readily available and invested accordingly in order to assure that their children have access to a high quality education. Unfortunately, these same opportunities do not exist for the countless number of students attending public schools throughout our nation's rural and urban communities. Since a high quality, highly competitive education for all students is imperative for the economic growth and productivity of the United States, an effective national defense, and to achieve our historical aspiration to be one Nation of equal citizens, the call for dismantling separate and unequal State public school systems that subject millions of equally deserving and aspiring students to inferior education and guidance must not go unheeded.

Therefore, I am preparing to introduce legislation, entitled the "Student Bill of Rights," which seeks to remedy our country's current education anomaly, by holding States accountable for providing every student within their jurisdiction equal access to a high quality education. As the President's Commission on Educational Resource Equity found in 2001, "A high quality education is essential to the success of every child in the 21st century." To deny children such opportunities or access is, in essence, a denial of their basic right to become prosperous and competent adults, not to mention highly intellectual individuals. For it is education that provides

us with the values and skills necessary for living productive lives. If no child is to be left behind, then all children must be given an equal opportunity to compete. And that is the underlined objective of the “Student Bill of Rights”.

The “Student Bill of Rights” will require States to certify with the Secretary of Education that their Public School System operates on an equal statewide basis in terms of offering all students access to some of the scientifically proven educational inputs necessary to achieve high academic outcomes. For example, according to a report published by the National Science Foundation on “Women, Minorities, and Persons with Disabilities in Science and Engineering”, the unequal participation of minorities in science and mathematics education can be directly attributed to the differential access to qualified teachers, and differential access to resources and curricula emphasizing advanced science and math. Moreover, in the president’s State of the Union Address, President Bush addressed the importance of education reform by challenging America to “provide a qualified teacher in every classroom” as the first building block for real education reform. This same concept is embodied in my proposed legislation by requiring that States provide all students, suburban and urban alike, with instruction from highly qualified teachers in core subject areas of reading, mathematics and science. We will find that access to a fully certified teacher throughout the duration of a student’s learning experience significantly increases the chance of reaching the high academic standards put forth in The Leave No Child Behind Act.

In addition to high quality instruction, access to rigorous Academic Standards, Curricula, and Methods of Instruction with respect to each school district in a State is unquestionably and fundamentally necessary if we are serious about eliminating the achievement gap between high performing school districts and those with less impressive academic scores. Students of all backgrounds need and deserve to learn a foreign language, physics, or calculus. Particularly, those students interested in attending an institution of higher education. Furthermore, the

number and type of advanced placement courses available in secondary schools should be comparable across local education agencies in order to give every child a fair opportunity to succeed. Unfortunately, there is nothing level about the educational playing field in America with regards to access to formidable curricula and methods of instruction.

The “Student Bill of Rights” recognizes the importance of educating all students, and specifically disadvantaged students in smaller classes. Numerous studies indicate that smaller classrooms allow for greater student to teacher interaction and more student centered learning. States should make a substantial effort to meet the 17 or fewer students per classroom guidelines, as recommended by the National Center for Education Statistics. My own State of Pennsylvania has one of the widest disparities in the Union on this score. While the average classroom size is 28 children in the City of Philadelphia, surrounding school districts not only boast class sizes of 21 students or fewer but also report higher academic achievement, which is not surprising given the levels of inequity. It is particularly regrettable that this problem continues in the field of education. Especially since the heart and soul of the American system of universal education is the desire to give all children the opportunity to succeed and to make the most of their talents. Not only is this fair to the children, but we know that we will all benefit from a more productive and cohesive society where all children have a chance to develop their abilities and participate in our economy.

Lastly, if we are serious about our partnership with State governments in the struggle to improve public education, then we must make certain that students living in lower income localities enjoy the same or comparable resources that have proven to be so beneficial for students in more affluent school districts. In addition to the principles mentioned previously, States should also make certain that they are providing all students equal and adequate access to updated textbooks and instructional materials; state of the art libraries and media centers; up to date computers; and qualified guidance counselors. Whether individually or collectively, each of these elements

make a unique contribution to the academic and educational development of a child. Failure to provide students with these educational compliments, which is indicative of the current state of affairs throughout our country, amounts to the perpetuation of a self-reinforcing distribution of opportunity in this country which is fundamentally unequal. Under such conditions, it is not startling to learn that the achievement gap between the poorest school district and the wealthiest school district students is becoming increasingly wider.

Senators, we can no longer allow children from economically distressed districts to be consigned to inferior education and unequal educational opportunities. If we want our federal dollars to be effective in helping students, we need to make sure that the state is not depriving them of the resources they need. Again, at minimum, students need instruction from a highly qualified teacher; rigorous academic standards; small class sizes; up-to-date instructional materials; state-of-the-art libraries; updated computers; and qualified guidance counselors. Unfortunately, these seven keys are missing, for the most part, from the most troubled public school systems -- small rural districts and large urban systems serving predominantly poor students, some of which spend at a rate higher than the national or their state average. Unlike wealthier districts, these LEA's inherit dilapidated, under-funded conditions with outdated instructional systems, inefficient operating systems, and no systems of accountability of any kind. I mention this not only to acknowledge that these intolerable conditions exist, but to assert that they must be addressed if we are to dispose of the radically differential educational achievement among districts in a State.

In closing, we are not alone in the view that resource equity is an important element in improving our schools. In fact, some 70 suits have been filed in over 43 states by school districts, along with parents and civil rights groups, claiming that not only do current public school funding systems perpetuate gross disparities in the resources that are available to districts of different wealth, but that they are also designed to meet minimum standards rather than providing the high quality, world class education our children need to compete in today's global economy. The

continual denial of States to provide children their due right to an equal and high quality educational experience is a blatant contradiction to the landmark ruling in *Brown v. Board of Education* which decreed that “the opportunity of an education, where the State has undertaken to provide it is a right which must be available to all on equal terms.” Thus, as disparities in resources and more importantly disparities in outcomes persist, it is clear that we have yet to fulfill our duty to the millions of children being educated in under-served, poorly staffed, and technology deficient State public school systems.

Thank you!