

## Education Priorities

Congressman Danny K. Davis

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Congressman Davis feels strongly that education is key to a responsible, healthy, and vibrant citizenry. As captured by the Scottish politician Henry Peter Brougham, Congressman Davis agrees that, "Education makes a people easy to lead, but difficult to drive; easy to govern, but impossible to enslave." Given this perspective, he works to advance education for all students from birth through higher education.

### Early Childhood Education

Congressman Davis feels strongly that we must support children early in life to give them the foundation they need to grow into productive, healthy, and responsible citizens. To this end, he actively advocates for legislation to strengthen parent-child relationships and early childhood education for children from low-income families.

○ Home Visitation Programs. The new Patient Protection and Affordable Care Act law included \$1.5 billion for voluntary, evidenced-based, early childhood home visitation programs. For five years, Congressman Davis worked bipartisanly and bicamerally to establish these evidenced-based prevention grants to prepare our youngest citizens for success in school and life. The funding provides a critical opportunity for federal, state, and local communities to improve the health and well-being of children and families. Quality, early childhood home visitation is a proven and cost-efficient method to improve school readiness, well-being, and health for children and families. To be eligible for funding, States must take multiple steps to demonstrate that they have a quality plan in place that will be closely evaluated to ensure success, including: develop a coordinated system of home visiting and early childhood services; use quality, evidenced-based programs; and measure improvements in child and family well-being (e.g., reductions in injuries, neglect, family economic self sufficiency). Indeed, the new home visitation program is unique among federal programs in its emphasis on research to guide and evaluate its effectiveness. Given that Illinois is a national leader in providing and evaluating effective home visiting, these funds should help hundreds of children and families in Chicago and Illinois.

○ **Head Start.** Congressman Davis successfully advocated for many improvements to Head Start during the recent reauthorization of this pivotal program that prepares low-income children for school, including: maintaining the role of equal responsibility for parents in governing Head Start; ensuring that low-income families in high-cost-of-living areas such as Chicago do not lose access to this critical child development program; creating a program to recruit minority male teachers; increasing the emphasis on children's social-emotional well-being and mental health; incorporating the best practices from the field of home visitation into the Early Head Start program; and recognizing the expanding role of kinship caregivers in children's lives. In Committee, the Congressman also secured language opening professional development funds for online masters program, such as offered by the Erikson Institute in Chicago. However, this provision was not retained in conference.

○ **Preschool Expulsion.** Congressman Davis has a long-standing commitment to ensuring that students receive fair, appropriate discipline in school settings. Research shows that disparities exist in elementary and secondary education with regard to discipline of students by race/ethnicity. Research further indicates that this pattern of differential discipline treatment by race and ethnicity extends to prekindergarten. The Yale University Child Study Center conducted a study of almost 4,000 prekindergarten classrooms representing all 52 of the national state-funded prekindergarten systems. The research found that African-American students attending state prekindergarten programs were approximately twice as likely to be expelled as preschoolers of European descent. Further, boys were over 4½ times more likely to be expelled than girls. Boys from racial or ethnic minority groups were even greater compared to girls, indicating that being a minority boy is associated with tremendously higher likelihood of expulsion. Given that high-quality preschool programs improve school readiness and reduce racial/ethnic disparities in school readiness, preschool serves as a critical tool in reducing the racial/ethnic disparities in achievement in K-12 education. In his role as co-chair of the CBC Community Reinvestment Task Force, Congressman Davis has worked with CBC Education Leaders to lead efforts to address this disparity. An early step was to recommend that the Department of Education include variables to monitor the number of preschool children subjected to discipline methods within the Civil Rights Data Collection. Understanding whether and where excessive expulsion occurs is a critical first step to intervening quickly to reduce disparate discipline treatment. Congressman Davis will actively work in the next year to improve federal and state monitoring of disparities in discipline of preschoolers to encourage local education agencies to address this problem sooner rather than later. Delaying examination of disparities in this area could contribute to and potentially worsen unequal educational opportunities.

## Elementary and Secondary Education

Congressman Davis believes that K-12 education needs strengthening in order for our citizens to enjoy economic well-being and for our nation to compete in the global marketplace. He is adamant that our education system should provide quality programming for all students regardless of gender, race/ethnicity, age, disability, or income. In addition to improving all levels of education, he feels strongly that we must target special attention to helping students whom the systems have not educated well. Further, he works hard to reduce the disparities that exist in education based on race, income, and ability.

○ **Elementary and Secondary Education Act:** As Congress has worked to improve the central legislation governing K-12 education, Congressman Davis has advanced multiple priorities, including: reporting of student data by gender and race/ethnicity; providing educational protections to foster children; maintaining the ban on segregation of students under

McKinney-Vento; promoting the equitable distribution of qualified teachers; creating innovative programs designed to improve education - such as site-based management and teacher residency programs that are successful in Chicago; promoting professional development in classroom management to address the over-referral of minority boys for discipline; developing an appropriate measure of the achievement gap; promoting textbook equity by having local districts report how current their instructional materials are; including the HOUSSE program that provides special education teachers an alternative way of gaining certification other than having a degree in each subject taught; and advocating for various provisions related to mental health. In his role as co-chair of the CBC Community Reinvestment Task Force, Congressman Davis has worked with CBC Education Leaders and education stakeholders to discuss ways to improve federal funding for high schools and to improve graduation rates, especially via the School Improvement Grants, as well as how to strengthen Title I funding. He consistently advocates that teacher evaluation efforts must engage teachers as a fundamental partner in setting up effective professional development and evaluation programs.

O Disaggregation of Data by Race and Gender. Congressman Davis believes that policymakers cannot adequately craft appropriate interventions to ensure success for all without understanding the success of various groups of students. One area in which he has led reform is in ensuring that educational data examines the intersection of gender with race/ethnicity, which current data systems often ignore. Attention to student progress by both race and gender is critical to understanding the success of students. For example, in 2006, an examination of public graduation rates in Illinois by race/ethnicity showed a rate of 49% for African American students. Breaking out the data by gender revealed a sizeable discrepancy between men and women - African-American men graduated at a rate of 42% compared to African-American women with a rate of 55%. The data in Chicago were more stark. African-American and Latino men had graduation rates of 30.8% and 39.6%, respectively, whereas their female counterparts enjoyed rates of 49% and 53.7%, respectively. Examining student progress by both race and gender together will provide a more detailed understanding of the key elements of student success (e.g., achievement, drop out, graduation rates, and other indices required by states and districts) so that educators and lawmakers can develop interventions tailored to the students most in need.

O Educational Equity. In his role as co-chair of the CBC Community Reinvestment Task Force, Congressman Davis has worked with CBC Education Leaders to ensure that education legislation passed by Congress includes critical adequacy and equity provisions related to protecting low income and minority students. The Elementary and Secondary Education Act made clear that States should address inequities in the distribution of highly qualified teachers between high- and low-poverty schools and as well as ensure that low-income and minority children are not taught by inexperienced, unqualified, or out-of-field teachers at higher rates than other children. Unfortunately, a decade after this requirement became law, students in high-poverty schools are still disproportionately taught by out-of-field and rookie teachers. For example, a recent report found that out-of-field teachers are almost twice as likely to teach core academic classes in high-poverty high schools than in low-poverty schools. Similarly, educators with neither a math major nor certification in the subject teach about one out of every four middle and high school mathematics courses in high-poverty schools. Given that these disparities put low-income students at a tremendous disadvantage, the Congressman has worked actively to require states to address existing inequities in the distribution of inexperience, unqualified, or out-of-field teachers consistent with existing law - whether through use of emergency education dollars or through regulatory changes or data collections by the Department of Education. Further, given that the economic recession has caused public education systems to dramatically reduce funding, Congressman Davis and his CBC colleagues have led efforts to ensuring that federal emergency education dollars are not supplanted for non-education purposes and that low-income and high-minority schools do not bear the brunt of any teacher layoffs.

O Graduation Rates. Congressman Davis believes that the dropout rate has reached epic proportions in our nation and especially in minority communities. Nearly one-third of all high school students do not to graduate every year, costing the U.S. economy billions of dollars in lost revenue. Approximately 2,000 "dropout factories" across the country produce more than 50 percent of the nation's dropouts, with poor and minority children disproportionately attending these institutions. Graduation rates for African American, Hispanic, and Native American students are significantly lower than those of their white peers. For example, only 48% of African American males and 58% of Latino males graduate from high school. The social, economic and human costs of high drop out rates pose a growing threat to the nation's economic stability and global competitiveness. For these reasons, Congressman Davis works to advance improvements in high school graduation. In collaboration with multiple Congressional leaders, Congressman Davis developed legislation to address the high school dropout crisis. The Graduation for All Act would help end this crisis by providing eligible school districts with competitive grants to help turn around their lowest-performing high schools, often deemed "dropout factories," as well as struggling, feeder middle schools. Districts receiving grants would be required to implement data systems to help better detect early warning signs of dropout behavior, (such as frequent absences or failing a course), use appropriate interventions targeted to student needs and monitor the impact of interventions so that they can be refined as necessary. Research shows identifying and addressing these patterns early on can help keep at-risk students in school.

O Accelerated Programs for Struggling Students. In addition to improving every school, Congressman Davis believes that we must intensively target middle and high school students who are struggling. Chicago and our nation cannot afford to let these students drop out. Rather than holding back our struggling students, we should re-double our efforts to help these students excel. Advancing the students without doing anything is not an option; we must recognize they are struggling and intervene effectively so that these students can succeed. The educational experts at Johns Hopkins have shown how critical Early Warning Data Systems are for identifying and intervening quickly when students first start to struggle with attendance, behavior or curriculum. CPS has developed strong data systems for improving the school safety. This base combined with the federal dollars to improve individual, longitudinal data systems to measure student growth are key to helping students early, not late. Further, Congressman Davis believes that CPS needs to strengthen and expand the programs that accelerate learning, such as acceleration academies, dual-enrollment, and work programs.

O School Safety. Congressman Davis recognizes the need for increased federal, state, and local efforts to improve the safety of our schools. The discussion of safety is intricately linked to school success, school climate, and drop out prevention. His legislation to improve graduation rates would provide a critical funding opportunity for Chicago's safety programs, given that the Chicago program uses individual data to identify and intervene quickly to help students at risk for dropping out and violence. In addition, Congressman Davis introduced legislation to amend the Safe and Drug-free Schools and Communities Act to include bullying and harassment prevention programs. Curbing bullying and harassment an integral part of the mission of the Safe and Drug Free Schools program. To reflect the evolving nature of threats to school safety, this bill would provide explicit definitions of prohibited bullying and harassment activities. It would also clearly outline a set of characteristics of a relatively new form of bullying that has been garnering considerable attention lately-cyberbullying and sexting. Under this legislation states would be required to submit data on the incidence and prevalence of reported incidents of bullying and harassment and on the perception of students regarding their school environment and school responsiveness to incidents of bullying and harassment. States would also need to provide an assurance that they would provide assistance to districts and schools in their efforts to prevent and respond to incidents of bullying and harassment. School districts would be required to indicate the performance indicators that they would use for bullying and harassment prevention programs and activities; they also would need to agree to provide annual notice to parents and students regarding the full range of bullying and harassment activities that would be prohibited. This legislation would promote teaching students about the consequences of bullying and harassment as well as training for teachers, administrators, and counselors on strategies to prevent bullying and harassment and to intervene effectively when such activities occur. Congressman Davis also strongly supports more comprehensive efforts to improve school

climate and behavior, such as through the Positive Behavior Interventions and Supports and the Social and Emotional Learning Program.

○ **Teacher Development.** Consistent with the resolution approved by the American Federation of Teachers during 2010, the Congressman strongly supports developing the profession of teaching so that teachers receive the supports and career ladder opportunities that they have repeatedly requested. Installing critical support systems and opportunities for professional learning are very much needed - such as job-embedded professional development, mentoring, and induction programs. Congressman Davis agrees with the part of the resolution that indicated, "You can neither fire nor hire your way to better schools." Teachers are a fundamental partner in education reform, but educational reform must involve more comprehensive ideas than firing teachers.

○ **Civil Rights Data Collection.** In his role as co-chair of the CBC Community Reinvestment Task Force, Congressman Davis worked with CBC Education Leaders to send a letter to the Secretary of Education supporting expansion of the Civil Rights Data Collection, which was established to promote equal educational opportunities for all students. The letter indicated strong support the data enhancements related to discipline, including the addition of new variables, the refinement of existing variables to better capture students' experiences of a range of discipline tactics, and consideration of discipline experiences among all students and students with disabilities. Given that minority students, and minority boys especially, are disproportionately referred to special education and subjected to discipline procedures, the Congressman felt strongly that expanding the data collection to better understand the nature of the discipline used and for which students is a critical piece of the Civil Rights Data Collection. Further, the Congressman and his CBC colleagues note the need that the data collection allow researchers to examine the variables of interest based on the interaction of race/ethnicity with gender as well as out-of-field teaching.

#### Individuals with Disabilities Education Act (IDEA)

Congressman Davis believes strongly that all students deserve a quality education. He actively advocates to protect the interests of students with disabilities to make sure they have the resources and opportunities they need to excel in school.

○ **Racial Disparities in Discipline.** During the 2004 reauthorization of IDEA, Congressman Davis in collaboration with the Congressional Black Caucus successfully worked with Congressional leadership to include multiple provisions to examine and address the disproportionately high number of minority children, particularly African American males, who

experience disciplinary action and are unnecessarily or incorrectly referred to special education programs. Specifically, if a significant disproportionality exists, one of these provisions requires the state to direct the school district to reserve funds to provide comprehensive coordinated early learning services to serve children in the district, especially those children in groups that were overidentified. Unfortunately, regulations adopted by the previous Administration established requirements regarding significant racial discrepancy in such a manner as to make data collection and implementation of federal requirements completely ineffective in addressing the problem. The likely result is that very few school districts with significant disparities have had to reserve any federal dollars to remedy these problems despite clear Congressional direction to both assess and address racial disparities related to the overidentification of students with disabilities. Congressman Davis has raised on multiple occasions his concern related to certain policies within the Department of Education related to IDEA that appear to reduce the accountability of states and local school districts in addressing significant racial disparities in discipline and in meeting the needs of students with disabilities. He has communicated these concerns personally to the Secretary of Education and via letters to the Secretary in his role as co-chair of the CBC Community Reinvestment Task Force.

○ **Appropriate Funding.** Congressman Davis has concerns related to purported verbal guidance issued by the Department of Education in the spring 2009 that allowed school districts that fail to meet requirements under IDEA to reduce the amount of their local and state spending on students with disabilities. Under IDEA, if a school district receives a federal allocation within any fiscal year that exceeds the amount received in the previous fiscal year, the law allows the district to reduce its maintenance of effort by up to 50 percent of the excess. Given the potential negative consequences of reducing funding for students with disabilities, the law requires that the district must meet requirements of IDEA, including targets in the state performance plan, in order to reduce its local spending. This restriction is necessary to protect students with disabilities, given that the local reduction of maintenance of effort becomes permanent. The increased federal IDEA funding made available by the American Recovery and Reinvestment Act coupled with the guidance issued from the Department allowed state education agencies to exercise greater flexibility in defining whether a school district met the requirements necessary to reduce funding spent on students with disabilities. For example, in Illinois, changes in the state determination criteria allowed 159 school districts that were "needing assistance" under IDEA to suddenly be "meeting requirements" under the law, allowing these districts to reduce their funding from 2009 and beyond, dramatically reducing current and future investments in disability services. We understand that Illinois is not alone in reducing funds in these ways. The Congressman worked with the Congressional Black Caucus Community Reinvestment Taskforce to address this supplantation of IDEA funds. In a letter to the Secretary of Education, the Congressman and his CBC colleagues raised concerns that, rather than requiring districts that have failed to provide basic protections for students with disabilities to use the Recovery funds to improve their services for students with disabilities, the flexibility provided by the Department's purported verbal guidance allowed states and districts to reduce spending on children with disabilities and to ignore problems related to how they treat minority children with disabilities. The Secretary of Education did take important steps to understand the criteria that states are using to determine compliance with IDEA by requiring states to report the reduction in maintenance of effort, including information on districts required to address disproportionality with coordinated early intervening services. Further, the Secretary sent letters to the chief state school officers urging them to maintain high standards for students with disabilities and to avoid using the flexibilities afforded by the law to reduce spending for students with disabilities when a district is currently not meeting basic requirements of the law. The Congressman will continue to work to understand the effects of the Department's guidance and to redress the reductions in funds and services to students with disabilities moving forward.

## Higher Education

Congressman Davis understands that a college degree is a primary path to economic security. He consistently advocates to improve the access and affordability of higher education for all students, especially for people who are underrepresented in higher education, including youth from low income families, minority men, former foster youth, and individuals in prison.

○ **Predominantly Black Institutions.** Congressman Davis has championed the recognition of and funding for Predominantly Black Institutions (PBIs). PBIs represent an increasing cadre of four-year and two-year institutions that serve as the access point for a growing number of urban and rural Black students whose family and financial situations limit their ability to gain access to college in many states. Chicago has many PBIs, including: Chicago State University, Malcolm X College, Harold Washington College, Olive-Harvey College, Kennedy King College, East-West University, Robert Morris College, South Suburban College, and Prairie State College. Congressman Davis successfully created dedicated three critical programs for PBIs that provide critical institutional support that will contribute to the expansion of institutional capacity and an historic increase in college opportunities for black students by enhancing the access for low-income African American and other minority students to higher education. One program centers on undergraduate education, one on graduate education, and one on improving the ability of PBIs to offer STEM education as well as to improve educational opportunities for minority men. In addition, Congressman Davis advocated vigorously for the provisions within The Patient Protection and Affordable Care Act that made the largest investment ever in our nation's minority-serving institutions with \$2.5 billion over 10 years. For example, the law provides \$150 million over the next 10 years for competitive grants for PBIs to strengthen the capacity of these schools to attract, retain, and graduate students.

○ **Private Student Loan Bankruptcy Fairness Act:** Since 2008, Congressman Davis has advanced legislation to restore fairness in student lending by treating privately issued student loans in bankruptcy the same as other types of private debt. In 2010, Congressman Davis and Congressman Steve Cohen (D-TN) introduced the Private Student Loan Bankruptcy Fairness Act. This bill advanced in two key ways this year, with a hearing in April and passage by the Subcommittee on Commercial and Administrative Law in September. Without any hearings, in 2005 Congress made private student loans by for-profit lenders extremely difficult to discharge in bankruptcy even after meeting the restrictive criteria for bankruptcy, treating private student debt in the same manner as debts for criminal penalties and back taxes. This 2005 change gave special federal protections to for-profit lenders, penalized borrowers for pursuing higher education, and provided no incentive to private lenders to lend responsibly. Private education debt is no different than other consumer debt; it involves private profit and deserves no privileged treatment. This bill will protect student borrowers seeking to improve their lives with education by restoring the bankruptcy protections that existed prior to 2005.

○ **Paying for Higher Education.** Congressman Davis recognizes that federal investment in education is critical to improving education for students. Given the high costs of a college education, Congressman Davis believes that strong federal investment in education is necessary, via direct investments (such as grants and loans) and via tax incentives.

· **Pell Grants.** Congressman Davis firmly believes that the federal Pell grants are a critical tool for making college

accessible and affordable for low-income families. For example, Congressman Davis passed an amendment during consideration of the College Cost Reduction and Access Act of 2007 in the Committee of Education and Labor that increased the authorization of the Pell Grant by \$900 million; combined with other efforts, this win helped raise the maximum Pell Grant tremendously. The Congressman continued to support increases in the Pell, such as the recent increase provided by the Patient Protection and Affordable Care Act. By increasing Pell grants from \$5,550 to \$5,975 in 2017, many more Chicagoans will be able to attend college.

- **Education Appropriations.** In his role as co-chair of the CBC Community Reinvestment Task Force, Congressman Davis worked with CBC Education Leaders to advocate for funding to support education programs. For example, he requested funding for multiple programs that benefit Illinois students and institutions, including funding for: Predominantly Black Institutions; education-related jobs; and bridge funding to maintain Upward Bound, college-preparation programs. He also worked to include language protecting poor and minority students as well as students with disabilities.

- **Higher Education Tax Credits.** Despite the partial refundability of the American Opportunity Tax Credit (AOTC), an estimated 1 million college students with unmet financial need after receiving Pell grants will not receive any benefit from the AOTC. The vast majority of these students attend community colleges. Even students who receive Pell grants at community colleges have an average of more than \$5,300 in unmet need after all grants. Fortunately, Congressman Davis worked with education stakeholders to identify a way to modify the AOTC to help most of these students. He introduced legislation to better coordinate the requirements of the Pell grants with the AOTC to enable more low-income students at low-cost colleges to benefit from both programs as their peers at higher-cost colleges already do. It would not change the Pell grant application or delivery process, and Pell grants would still be incorporated into the AOTC calculation to avoid double dipping. To make this change work and simplify compliance, the proposal would exclude from taxation Pell grant funds used to pay allowable non-tuition expenses. Under current law, Pell grants are not considered taxable income if they are used to pay tuition and fees, but are considered taxable income if used to pay other college costs. The Joint Committee on Taxation recently estimated that the cost for this proposal for 2010 would be only \$163 million.

- **Work Colleges.** The Higher Education Act of 1965 recognizes a group of distinctive liberal arts colleges that administer comprehensive work-learning-service programs as an integral part of the institution's educational program; Blackburn College in Illinois is one. Given the fundamental role of work in the academic program and the requirement that all students complete work-learning-service programs, tax statute and regulations for decades have distinguished income earned via work-and-learn programs from that earned via work study and research or teaching assistantships. For years, the Internal Revenue Code included a broad tax protection for part-time employment required as a condition of receiving a scholarship. Consistent with current tax practice, Mr. Davis introduced legislation to clarify that credits and payments to students as part of these distinctive work-learning-service programs constitute scholarship aid, not wages. This technical

change would provide students who attend work colleges clarity on how the tax code treats their student work. Given the very limited number of institutions and students covered by this change, coupled with current and historical regulatory exemption of these payments, the revenue impact of this bill is very small, less than \$500,000 a year.

O College Attendance and Graduation. Congressman Davis feels strongly that we must focus federal, state, and local energies on improving both college attendance and completion. The University of Chicago's Consortium on Chicago School Research found that only about 50% of CPS students attend either a two-year or four-year college. The rate of overall college graduation rate for CPS alumni is only 45%, compared to a national rate of 64%. Thus, of the 50% who attend college, less than 50% graduate in four years. The 6-year college graduation rates for minorities was equally disappointing: 39% for African American women; 28% for African American men; 50% for Latino men; 36% for Latina women; compared to 64% for white men and 58% for white women. Further, a recent report by a leading educational research and advocacy group examined which public and private colleges were doing the best at graduating African American and Latino students from college. Illinois is over-represented on the lists of schools with large gaps in graduation rates for minority students. The report showed that colleges in other states that have similar percentages of low-income and minority students do a better job that we are in Illinois at graduating students of color. One of the key factors in improving graduation rates is a targeted approach to improving graduation for all students - with strong supports for students and systems to evaluate progress in place - so that students get the support they need. The schools that graduate all of their students show us that organizations can establish systems that address the individual challenges students may come in with that make higher education more difficult. Congressman Davis believes that these data indicate that the Illinois State Board of Education and the Illinois Board of Higher Education need to work with our high schools and colleges to make improving the graduation rates a priority.

O Science and Technology. Congressman Davis shares the concern of multiple experts that the ability of the U.S. to produce enough scientists will fall far short unless we take strong action to develop the potential of women and minorities in the fields of science, technology, engineering and math (STEM). Broadening participation efforts are critical to meeting the growing demand for U.S. workers with STEM skills and to improving American competitiveness globally. In his role as co-chair of the CBC Community Reinvestment Task Force, Congressman Davis worked with CBC Education Leaders to identify and to promote priorities to broaden participation within STEM fields via the reauthorization of the America COMPETES Act. This included working with STEM experts to identify key policies that would improve access to STEM education for low-income and minority students and collaborating with the House Committee on Science and Technology to ensure that the House-passed bill included multiple policy advances. Further, Congressman Davis's offered an amendment on the Floor of the House of Representatives to strengthen to increase the access of minority students to and the capacity of minority institutions to provide STEM opportunities. For example, the amendment included a National Academy of Sciences report on strengthening the capacity of two-year institutions to provide STEM opportunities and strengthened data collections related to STEM faculty and Federal research grants by ensuring the data are examined by race/ethnicity and gender. The amendment passed. Through these efforts, the House-passed bill included many provisions that are critical steps to strengthening the diversity and competitiveness of our nation's scientific enterprise.