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Senator Roy Blunt  
Chairman, Senate LHHS Subcommittee  
U.S. Senate  
Washington D.C. 20510

Senator Patty Murray  
Ranking Member, Senate LHHS Subcommittee  
U.S. Senate  
Washington D.C. 20510

Representative Tom Cole  
Chairman, House LHHS Subcommittee  
U.S. House of Representatives  
Washington, D.C. 20515

Representative Rosa DeLauro  
Ranking Member, House LHHS Subcommittee  
U.S. House of Representatives  
Washington, D.C. 20515

February 21, 2018

Dear Senator Blunt, Senator Murray, Representative Cole and Representative DeLauro:

On behalf of AASA, The School Superintendents Association, representing 13,000 public school superintendents across the country, I write to express our opposition to a policy rider regularly attached to appropriations bills that prohibits federal funding from being used for transportation to support public school racial integration. It was included in the final FY17 appropriations bills, HR 3354 and S 1771.

As Congress moves forward with its efforts to finalize its FY18 appropriations and begins its work on FY19 funding levels, we strongly urge both chambers to exclude the provision, to strike the language from the FY18 appropriations language should it appear. The specific language of concern can be found in Sections 301 and 302 of the appropriations text, as well as Section 426 of General Education Provisions Act (GEPA).

The language originates from a time when opposition to court-ordered public school racial integration was very high. The idea that such language persists today, when racial resegregation of public schools has surged, and when so many districts are voluntarily working to combat this trend by promoting equity and integration—both racial and economic—for the benefit of their students and their community, is unacceptable.

Specifically, the problematic language bars the use of federal funds to transport students for purposes of racial integration. This prohibition undercuts Congress' intent in reauthorizing the Magnet School Assistance Program (MSAP), constrains school improvement strategies, and undermines the ability of education innovators to implement new school improvement techniques.

- Section 4407(a)(9) of the Every Student Succeeds Act provides grantees with the flexibility to use MSAP funds for transportation; this flexibility is effectively taken away by Sections 301 and 302 of the appropriations bills, as well as Section 426 of GEPA.
- Sections 301 and 302 of appropriations legislation and Section 426 of GEPA limit the range of potential school improvement strategies available to State Educational Agencies (SEAs) and Local Educational Agencies (LEAs) under ESSA.

When this outdated language plays out in real time, the present day effect is to reduce state and local district ability to flexibly implement the education program that best serves the needs of their students and community. This is in direct conflict with the underlying policy premise of the Every Student Succeeds Act (ESSA), that of returning authority and decision making to the state and local level.

AASA adopted an organization priority of equity, with a focus on positioning AASA as an equity thought leader in education and providing resources and supports on equity for school system leaders at all levels to help them and their teams succeed. There is no underestimating the importance of supporting diversity in schools, and ensuring this harmful language does not exist in the final FY18 appropriations bill is a small but critical step in reaching this goal.

Thank you for considering this request and let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Noelle Ellerson Ng". The signature is written in a cursive, flowing style.

Noelle Ellerson Ng  
Associate Executive Director

CC: Senate LHHS Committee  
House LHHS Committee