

**United States House Committee on Education and Labor**  
**“Inequities Exposed: How COVID-19 Widened Racial Inequities in Education, Health, and the  
Workforce”**

**June 22, 2020**

**WRITTEN TESTIMONY**

**DR. JOHN B. KING JR.**

**PRESIDENT AND CEO OF THE EDUCATION TRUST**

## **DR. JOHN B. KING JR. – BIOGRAPHY**

John B. King Jr. is the president and CEO of The Education Trust, a national nonprofit organization that seeks to identify and close opportunity and achievement gaps, from preschool through college. King served in President Barack Obama’s cabinet as the 10th U.S. Secretary of Education. In tapping him to lead the U.S. Department of Education (ED), President Obama called King “an exceptionally talented educator,” citing his commitment to “preparing every child for success” and his lifelong dedication to education as a teacher, principal, and leader of schools and school systems.

Before becoming the Secretary of Education, King carried out the duties of the U.S. Deputy Secretary of Education, overseeing all policies and programs related to P-12 education, English learners, special education, and innovation. In this role, King also oversaw the agency’s operations. King joined the department following his tenure as the first African American and Puerto Rican to serve as New York State Education Commissioner.

King began his career in education as a high school social studies teacher in Puerto Rico and Boston, Mass., and as a middle school principal.

King’s life story is an extraordinary testament to the transformative power of education. Both of King’s parents were career New York City public school educators, whose example serves as an enduring inspiration. Both of King’s parents passed away from illness by the time he was 12 years old. He credits New York City public school teachers — particularly educators at P.S. 276 in Canarsie and Mark Twain Junior High School in Coney Island — for saving his life by providing him with rich and engaging educational experiences and giving him hope for the future.

King holds a Bachelor of Arts in government from Harvard University, a J.D. from Yale Law School, as well as a Master of Arts in the teaching of social studies and a doctorate in education from Teachers College at Columbia University. King serves as Professor of Practice at the University of Maryland’s College of Education and is a member of several boards, including those of The Century Foundation, The Robin Hood Foundation, Teach Plus, MDRC, and the American Museum of Natural History. He was elected to Harvard University’s Board of Overseers and serves on several advisory boards, including Former First Lady Michelle Obama’s Reach Higher Initiative, the Rework America Task Force, the GOOD+ Foundation’s Fatherhood Leadership Council, the National Center for Free Speech and Civic Engagement at the University of California, the National Center for Learning Disabilities, and the National Advisory Council for the Prenatal-to-Three Policy Impact Center at the University of Texas at Austin.

King lives in Silver Spring, Md., with his wife (a former kindergarten and first-grade teacher) and his two daughters, who attend local public schools.

## SUMMARY OF TESTIMONY

Chairman Scott, Ranking Member Foxx, and members of the Committee, thank you for the opportunity to testify on racial equity and COVID-19.

This hearing takes place in the shadow of massive global protests against police violence seeking to ensure that “Black Lives Matter” is more than just a hashtag. The murders of George Floyd, Breonna Taylor, Ahmaud Arbery, and Rayshard Brooks remind us yet again that systemic racism, anti-Blackness, and the [legacy of slavery](#) still infect our institutions, public discourse, and daily interactions. Now is the time to transform the lofty rhetoric of statements about solidarity into concrete action toward achieving justice.

Our education system is fraught with racial inequities that existed before COVID-19. Far too few Black and Latino children have access to affordable, high-quality [preschool](#). Black children, especially Black boys, are [disproportionately suspended and expelled](#) from early learning programs. The pandemic has pushed our early childhood education sector [toward collapse](#), which could have dire consequences for families of color and an early childhood workforce disproportionately made up of women of color.

Over 65 years after *Brown v. Board of Education*, district lines and school assignment policies still segregate K-12 students by race and class. Districts with the most Black, Latino, and Native American students spend [almost \\$2,000 less per student per year](#) than districts with mostly White students. Students of color are [less likely to be assigned](#) to the strongest teachers, less likely to have access to school [counselors](#), less likely to be enrolled in [advanced coursework](#), and more likely to be subjected to [exclusionary discipline](#). These opportunity gaps in turn generate gaps in learning, high school graduation, and college matriculation.

The higher education sector still doesn't reflect America's diversity: Not one state's public colleges enroll or graduate a representative share of [Black](#) and [Latino](#) students relative to the state population. Meanwhile, [the burden of student debt](#) falls disproportionately on Black students, who are more likely than their White peers to have to borrow and also more likely to default.

COVID-19 has exacerbated these educational disparities. During the necessary school closures, Black, Latino, and Native American students disproportionately had less access to devices and home internet service; teachers with less support to execute online learning; parents unable to telework and assist with schoolwork; and more socioemotional stressors. As noted in my recent Senate HELP Committee testimony: “Our nation's students of color and their families find themselves enduring a pandemic that disproportionately impacts their health and safety, mired in an economic crisis that disproportionately affects their financial well-being, and living in a country that too often still struggles to recognize their humanity.”

In response, we urge Congress to take the following actions:

**First: Congress must act boldly to support and strengthen P-12 education.**

To address devastating budget shortfalls, [over 70 stakeholders](#) have called on Congress to allocate at least \$500 billion for state and local governments, including at least \$175 billion for K-12 education, and \$50 billion for higher education. This federal stabilization funding must include a strong maintenance of effort provision, and add a maintenance of equity provision so states and districts can ensure that the most vulnerable students retain critical supports. Congress must allocate [dedicated funding for](#)

[broadband expansion](#) to enable distance learning for millions of low-income students, for [extended learning time](#) to tackle the [significant learning loss](#) resulting from the pandemic, and for resources to address students' and educators' [nutritional](#), social, emotional, and mental health needs. Congress should refrain from permitting blanket waivers to [key civil rights laws like ESSA and IDEA](#), and protect the historic interpretation of the Title I equitable services provision in administering the CARES Act and future funds. Additionally, the federal government must promote diverse schools, require data to be disaggregated by race, and uphold students' civil rights.

**Second: Congress must enact equitable reforms to higher education.**

Congress should extend the student loan relief provisions included in the CARES Act into next year and offer equitable, targeted debt forgiveness in recognition that the recession will make repaying student debt impossible for millions of borrowers. To counter widespread losses of financial assistance and employment, which may keep millions of students from enrolling or staying enrolled, Congress should double the Pell Grant and simplify the FAFSA process.

Implementing those policies would increase enrollment and limit debt for students of color, but there is more Congress can do, including: expanding Pell access to incarcerated students and undocumented students, increasing investments in HBCUs and MSIs, supporting diversity in educator preparation programs, investing in evidence-based strategies to improve outcomes for low-income students and students of color, reigning in predatory for-profit institutions, and collecting better data to monitor progress. Finally, the federal government should never waver in its commitment to protect the civil rights and safety of all students.

The racial inequities we face in education are significant, but not insurmountable. The Education Trust stands ready to assist you in the work ahead.

Thank you for the opportunity to speak with you today. I look forward to taking your questions.

## WRITTEN TESTIMONY

Chairman Scott, Ranking Member Foxx, and members of the Committee, thank you for the opportunity to testify on the structural racial inequities in our nation's educational systems that are being exacerbated by the COVID-19 pandemic and how best to address them going forward.

As I had the opportunity to share with the Senate HELP Committee earlier this month, this hearing takes place in the shadow of massive demonstrations across the globe by millions protesting the continued toll of systemic racism in America. The murders of George Floyd, Breonna Taylor, Ahmaud Arbery, and Rayshard Brooks remind us that the [legacies of slavery](#) and Jim Crow, racial discrimination, and anti-Blackness still infect many of our institutions, our public discourse, and our daily interactions. Students of color, their families, and millions of others are risking their own lives amid an ongoing public health crisis to ensure that "Black Lives Matter" is more than just a hashtag. Now is the time to transform the lofty rhetoric of solidarity into concrete action toward achieving educational justice.

Our nation's education system is fraught with racial inequities, some of which manifest before students of color even [enter](#) kindergarten. Young children of color face particularly challenging barriers to high-quality early care and education, while [disproportionately](#) living in poverty. Infant care can cost up to [116%](#) of a low-income family's total income, yet far too few families receive financial assistance to access it: for instance, Early Head Start provides access to [only 7%](#) of eligible infants and toddlers. Child care subsidies through the Child Care and Development Block Grant (CCDBG) serve a very small portion of potentially federally eligible children of color: only [15% of Black children and 6% of Latino children](#). Accessing any type of child care is challenging for many families of color: 57% of Latino families and 60% of American Indian and Alaskan Native families live in [child care deserts](#). And when states do fund high-quality preschool programs, access is often lower for [Black and Latino children, who are underrepresented](#) in several such programs. Young children of color who do have access to early childhood education are pushed out of the classroom at alarming rates: Black children, and especially Black boys, are [disproportionately suspended and expelled](#) from early learning settings. The COVID-19 crisis has compounded these inequities, and has pushed early care and learning [toward collapse](#), which has potentially deleterious consequences for families of color with young children and an early childhood workforce disproportionately made up of women of [color](#).

As students enter our K-12 systems, the inequities persist. School districts with the most Black, Latino, and Native American students receive [roughly \\$1,800, or 13%, less per student](#) in state and local funding than those serving mostly White students. Students of color and students from low-income backgrounds are less likely to have access to strong, consistent teaching than their White and higher-income peers. Furthermore, [only 20 percent of teachers are teachers of color](#) compared to [half of all students](#) in the United States being students of color. Beyond ensuring that the teacher workforce is representative of the country, there are proven benefits of having a diverse teacher workforce. Students of color who [have had teachers of the same race](#) do better academically and are more likely to graduate from high school and attend a four-year college. Research suggests that [Black teachers are also more likely than White teachers](#) to have high expectations for Black students, and [less likely to use exclusionary discipline](#) on them. Furthermore, schools staffed by leaders and teachers of color expose all students to positive role models of different races, and counteract negative stereotypes.

In [38 states](#), the schools that serve more students of color and students from low-income backgrounds have fewer counselors per student than schools that serve fewer of these students, which puts underrepresented students at a disadvantage when social, emotional, and academic supports are needed beyond the classroom. Additionally, despite studies showing that Black students do not misbehave more than other students, Black students are disproportionately suspended, expelled and arrested at school. According to the [Civil Rights Data Collection](#), Black students comprise only 15% of school enrollment, but account for 40% of students who receive an out-of-school suspension, 35% of those expelled, and 36% of students who were arrested at school.

Racial disparities exist in relation to coursework, as well. Based on The Education Trust's analysis of data from the [Civil Rights Data Collection](#) and the [Common Core of Data](#), Black and Latino students are locked out of advanced coursework at every critical stage of their education – they are denied these opportunities in elementary school, middle school and high school. We know students of color can be and are successful in eighth grade Algebra I courses, yet students who attend schools with the lowest percentages of students of color are about [1.5 times as likely to be enrolled](#) in eighth grade algebra as students attending schools with the highest percentages of students of color.

Given these inequities in opportunity and access, it is not surprising that we see different outcomes when we look at measures of student learning and graduation rates. On the National Assessment of Educational Progress (NAEP), Black and Latino students are more likely to score at the basic and below basic levels than their White peers. For example, [in 2019](#), 18% of students from low-income backgrounds, 14% of Black students, and 20% of Latino students scored at or above proficient on the eighth grade math assessment, compared to 48% and 44% of their non-low-income and White peers, respectively. We also see smaller percentages of students who are Black, Latino, Indigenous, or from low-income backgrounds, and students with disabilities graduating from high school compared to their peers. While the overall [graduation rate for the class of 2017-18](#) was 85.3%, it was lower for Black students (79%), Native American students (73.5%), students from low-income backgrounds (79.5%), and students with disabilities (67.1%).

As students of color transition into postsecondary education, they move into a public college system that doesn't reflect America's diversity: Not one state's public colleges enroll or graduate a representative share of [Black](#) and [Latino](#) students relative to state population.

In fact, since 2000, the percentage of Black students has decreased at nearly 60% of the 101 most selective public colleges and universities in the United States. Fewer than 1 in 10 of these colleges (9%) enrolls a percentage of Black students on campus that is proportional to the Black population of the state in which they reside. Since 2000, the growth of Latino enrollment at 65% of these institutions failed to keep pace with the growth in the state's Latino population. And only 1 in 7 of these colleges (14%) has a percentage of Latino students that is representative of their state's Latino population.

Once enrolled, [the chance of completing college also differs for White and Black students](#), even within the same income group. At four-year institutions, White students are at least 11 percentage points more likely to complete a college degree than their Black counterparts, regardless of income group. The completion gaps are wide among low, lower middle, and upper middle income groups, but this discrepancy was the largest in the lower middle income group. White students were 17 percentage points more likely to graduate than their Black counterparts (67% vs. 50%), while among students from

families with the highest incomes, the completion gap was considerable but somewhat smaller (11 percentage points).

And the racial disparities don't end there. Black students are vastly underrepresented in higher education, yet those that do attend college often [bear a disproportionate student debt burden](#). Black students are more likely to borrow and default on their loans than their White peers. For federal loans, default occurs after a borrower is 270 days late and it is the most disastrous financial outcome of student debt. Defaulting not only ruins a person's credit, but makes future borrowing more expensive and can make it harder to get a job, rent an apartment, or buy a house or a car. Half of Black borrowers who entered college [in the 2003-04 academic year](#) defaulted on their student loans within 12 years, a staggeringly high number when compared to the nationwide default rate of [10%](#). Protective factors like degree completion or high family income, which would normally shield borrowers from adverse debt outcomes, don't necessarily protect Black borrowers. [A Black bachelor's degree recipient is more likely to default than a White college dropout](#), and Black students from high-income families default at rates that are seven times higher than their White peers. Higher default rates among Black borrowers are not the result of [over-borrowing](#) or [poor decisions](#), but are caused by structural racism that harms Black people financially and perpetuates the [racial wealth gap](#).

These inequities are compounded by racial disparities in the labor market, where the Black unemployment rate is [consistently double](#) that of their White counterparts. Regardless of education level, the same racial disparities in employment persist: [In May 2020](#), White bachelor's degree holders had lower unemployment rates than Black, Hispanic or Latino, and Asian American bachelor's degree holders. This structural disadvantage is a key contributor to the overall financial insecurity and inability to build intergenerational wealth among communities of color: [Today's median Black family has a net wealth of \\$3,600](#), while the median Latino family has a net wealth of \$6,600, compared to \$147,000 for the median White family. The racial wealth gap is a product of slavery, Jim Crow, and [racist federal housing policy](#). Combined with ongoing discrimination in employment and lending, these systemic barriers have effectively prevented many Black families from building wealth through homeownership, leaving them with a fraction of the wealth of White people.

The grim reality is that COVID-19 has made the inequities present in our education system, like those detailed above, even worse.

From its onset, the COVID-19 pandemic has underscored that not all adults have the privilege of working from home in accordance with states' social distancing or stay-at-home orders, and that those who are deemed "essential" and are required to place themselves at risk are disproportionately individuals of color or those from working-class, [low-income backgrounds](#). Only about 1 in 5 Black workers and 1 in 6 Latino workers [are able to work from home](#), compared with about 1 in 3 White workers. [Research](#) shows that predominantly Black counties account for over half of coronavirus cases in the United States, and nearly 60% of total deaths. It also shows that *social* determinants — including employment, access to health insurance and medical care, and poor air and water quality — are more predictive of infection and death from COVID-19 than are underlying health conditions. In [Chicago](#), while Black residents are about 30% of the city's population, they account for nearly 70% of COVID-19 deaths. Stuningly, as of June 10, [1 in every 1,625 Black Americans has died](#) from COVID-19, compared to 1 in 3,800 White Americans. Even more recent Centers for Disease Control data shows that a disproportionate number of Latinos are suffering from COVID-19 relative to their share of the U.S. population. [In nearby Anne](#)

[Arundel County](#), Maryland, Latino residents account for 38% of all cases, despite only making up 8% of that county's population.

The economic toll on communities of color has been substantial. A new [Associated Press poll](#) finds that over 60% of Hispanic Americans say they have experienced some form of household income loss as a result of the pandemic, including job losses, unpaid leave, cuts in pay, and fewer scheduled hours compared with 46% of Americans overall. While 37% of Hispanic Americans and 27% of Black Americans [say they've been unable to pay at least one type of bill](#) as a result of the coronavirus outbreak, only 17% of White Americans say the same. [A recent poll](#) indicated that Latino and Black workers were more likely to be laid off due to the pandemic than their White peers, and that people of color who remain employed are more worried about losing their jobs.

The inequities impacting how Americans of different races, ethnicities, and incomes are experiencing the pandemic translate to educational inequities as well. Across the nation, schools are struggling to move to distance learning, as are teachers and administrators who may not have familiarity with learning management technology tools. Parents and educators alike are searching for promising practices and online learning resources, and many schools and districts lack large-scale experience with education technology. This spring, we also saw many high school students take at-home versions of Advanced Placement tests, which are often a factor in college admissions, despite not every student having the same access to an AP course or test. Additionally, not every student has a compatible device or access to high-speed internet to make online learning viable. As a result, a [recent survey](#) of teachers noted that student learning since schools closed has dropped to three hours a day, from six previously, and that lower-income students were down to two hours a day. [Earlier in the pandemic](#), Los Angeles reported that about a third of its high school students were not logging in for classes. In states [where schools remain closed for months or even longer](#), [learning loss](#) among students, particularly those who are already vulnerable, [may carry far into the future](#), unless directly addressed through expanded learning opportunities.

Confronted with the uncertainty about the nature of COVID-19 and how long it may prevent the full resumption of in-person learning, parents and families are understandably concerned not only about their children's health and well-being, but also about their children's education at this unprecedented time. The Education Trust just conducted [polls of parents](#) in [New York](#), [Washington](#), [Texas](#), and [California](#). These polls show that nearly 90% of parents are worried that their children will fall behind academically because of school closings. Equity concerns about distance education seem particularly valid when we know that [before the pandemic](#), 79% of White households had broadband access, while only 66% of Black families and 61% of Hispanic families had broadband service at home.

The Education Trust is grateful that many educators across the country have made one important shift during this crisis — showing their students even more clearly that they care by asking about students' well-being and connecting families with resources to provide some levity through fun virtual interactions with their students. This relationship-building between teachers and students was already happening in many places, but it was not happening nearly enough in places that serve a majority of students of color and students from low-income backgrounds. That connection is essential. In addition, Ed Trust's parent poll in [New York](#) revealed that 95% of parents want to have regular contact with or access to their child's teacher, but only 52% said their child's school has made that available. Our [California poll](#)

revealed that Black parents were less likely than parents of all other racial groups to have been contacted by their child's teacher. We need to make sure this is something that is cherished in places where students face the most obstacles.

The pandemic also has had detrimental effects on college students forced to leave their campuses and return home to learn remotely, and especially on [those who were working while enrolled](#) and have lost income that's essential to continuing their education. The impact of the pandemic can also be seen in the disaggregated data showing which groups of students are worried about being able to graduate on time, and considering delaying or changing their education plans. Roughly three-quarters of undergraduate students [have said](#) they were worried about being able to stay on track and graduate, and those shares were higher among Black and Latino students. [Another survey showed](#) that 32% of Latino students, 24% of Black students, and 21% of Asian American students have canceled or delayed their education plans in light of the pandemic. [College students are also impacted by the digital divide](#), as they return to homes that may not have reliable broadband access. Black and Latino students are also overrepresented within the population of students that were denied emergency financial aid by Secretary Betsy DeVos' interpretation of the CARES Act: undocumented students, incarcerated students, and students who have defaulted on their loans. All of these pressures take a toll on [students' mental health](#): 80% said that the pandemic had negatively affected their mental health.

As noted in our Senate testimony earlier this month, our nation's students of color and their families find themselves enduring a pandemic that disproportionately impacts their health and safety, mired in an economic crisis that disproportionately affects their financial well-being, and living in a country that too often still struggles to recognize their humanity.

In response to these racial inequities, which have only grown in the wake of this pandemic, we urge Congress to take the following actions:

### **How Congress Can Act Boldly to Support and Strengthen P-12 Education in the Midst of COVID-19**

#### **Allocate Funds to Allow for Safe Reopening, Relief for Students, and Enable Learning to Continue**

The first step toward making the system more equitable is to prevent the pandemic from making that task even harder. States and localities — which provide the vast majority of K-12 education funding — are bracing for major budget cuts as revenues continue to plummet. After the Great Recession of 2008, [over 300,000 educators](#) lost their jobs, and inflation adjusted state [funding](#) per pupil was [still lower in 2017 than 2008](#). This time the cuts may be even larger. If we ignore the lessons of the last economic slowdown, students of color and students from low-income backgrounds will be [hardest hit](#) by these cuts. For example, while funding cuts to education were widespread following the Great Recession, an analysis of layoffs in Los Angeles found that Latino elementary students were [26% more likely](#) than their White peers to have their teacher laid off; Black elementary students [72% more likely](#) to have their teacher laid off.

The National Education Association projects that the United States could lose [as many as 1.9 million education jobs](#) if Congress doesn't extend financial relief to states and localities, and [nearly half a million K-12 education jobs](#) disappeared in April alone. The Learning Policy Institute estimates, based on

projected state revenue losses for the end of this fiscal year and the next, that K-12 systems might need as much as [\\$230 billion to stabilize their budgets](#). And those estimates are focused solely on making districts whole; they do not incorporate the additional costs that districts will face as a direct result of responding to COVID-19, including sanitizing schools, personal protective equipment, and providing devices and materials for distance/hybrid learning.

This is why [over 70 education stakeholders](#) have called on Congress to allocate at least \$500 billion for state and local stabilization, and require that a proportional amount of these funds be directed toward K-12 spending. As K-12 education makes up, on average, 35% of state general funds, Congress should allocate at least \$175 billion for K-12 education. An investment of this size is essential to, at minimum, prevent the K-12 education system in America from becoming more inequitable in the wake of the pandemic.

These targeted federal stabilization funds, as well as the additional provisions outlined below, are necessary to ensure that schools are able to reopen safely and that states and districts are able to provide all schools — particularly underfunded, high-poverty schools that serve more students of color — with the resources they need to implement the [Centers for Disease Control \(CDC\) considerations](#) and each local health authority's guidance for keeping students and staff safe (e.g., adequate testing and contact tracing, use of PPE, protections for at-risk staff and students, social distancing, etc.). The funds will also be essential to maintain the nation's education workforce and implement equitable policies to the benefit of all students.

### **Ensure States and Districts Do Not Walk Away From the Students Hit Hardest by This Crisis**

While the federal government must provide financial assistance to address looming revenue shortfalls and budget cuts, states and school districts remain the primary actors in funding local education systems and deciding how equitably that funding is used. Federal stabilization money must be accompanied by strong requirements to ensure that states maintain their investments in education; to ensure that states and districts minimize cuts to their highest need districts and schools; and to prevent the U.S. Department of Education (ED) from steering funding away from low-income, public school students.

Specifically, the federal government must include *maintenance of effort* provisions that require state education spending levels to remain constant (i.e., at least at the same percentage of the state's total spending), even if the state's overall budget shrinks. Further, if spending cuts are necessary, the federal government must use a *maintenance of equity* provision to protect our highest-need schools by requiring *both* states and districts that receive additional federal funding to show that any necessary cuts are smaller per student in the highest-need districts and schools than the rest of the state or district.

Finally, we've already seen ED [advise](#) states and school districts to steer federal funding away from low-income, public school students into the hands of wealthier, Whiter private schools. Therefore, we urge Congress to prevent forthcoming regulations that would allow the Department of Education's recent misinterpretation of the Title I equitable services provision within the CARES Act to be used to direct over \$1.35 billion in CARES Act financial assistance away from public Title I schools primarily serving

Black and Latino students to private schools that primarily serve White students, regardless of whether those schools are serving students from low-income backgrounds. [Several states](#) have already rejected this approach.

### **Ensure That Distance Learning is Possible for Every Student**

[Before the pandemic](#), 79% of White households had broadband access, while only 66% of Black families and 61 % of Hispanic families had broadband service at home. [More than one-third](#) of all households with school-age children and incomes of less than \$30,000 annually lack high-speed internet access. Additionally, Microsoft [estimates that as many as 163 million people](#) do not use the internet at broadband speeds, burdening students even further.

It is likely that distance learning will continue through the summer, into the beginning of next year, and intermittently if new cases of the virus emerge. The data we have from this spring is alarming. For example, [data from California](#) showed that 38% of low-income families and 29% of families of color are concerned about access to distance learning because they don't have reliable internet at home. Therefore, states and districts must have a plan in place to ensure that all students, including students from low-income backgrounds, have access to reliable, high-speed internet and devices and IT support to connect to virtual learning opportunities, and that educators have the support they need to effectively teach, assess, and connect with their students remotely. The lack of equitable access to broadband is not only a distance learning issue, but also an emergency preparedness issue in the event of further widespread closures.

Congress must allocate at least \$4 billion through an Emergency Connectivity Fund via the Federal Communications Commission's federal E-Rate program to expand access to broadband services, Wi-Fi hotspots, and devices to ensure that all students have the ability to access online learning at home in the event of continued disruptions, and Congress should encourage districts to implement multilingual digital learning platforms to be fully inclusive. Congress should also encourage private companies to enable home broadband access for the students in the communities they serve at no cost during the pandemic.

Beyond the emergency response to ensure access during the pandemic, Congress should be looking at what it would take to ensure that the homework gap that affects at least 8 million K-12 students annually is closed for good. The same racial inequities in high-speed home Internet access exacerbated by the crisis will be present beyond it. America needs a national policy that recognizes that the Internet is an essential tool in continuing education outside of the classroom, both formally and informally, and that it is increasingly obvious that part of solving the racial inequities in education is solving the homework gap.

### **Address Learning Loss Through Expanded Learning Opportunities**

Students will likely return to classrooms with [significant learning loss](#), which schools and teachers must be prepared to assess and address. Schools serving larger populations of students from low-income backgrounds are far less likely to be able to provide online learning opportunities for all students and,

therefore, must find a way to make up for lost instructional time. In fact, an [analysis done by McKinsey](#) indicated that the average lost learning time for Black students due to the pandemic could be as much as 10 months; for Hispanic students, as much nine months; and for low-income students, over a year.

The stabilization funding described above — meant to make districts and schools whole — will not be sufficient to accelerate learning to make up for the billions of hours of instructional time that students lost this spring. That is why [Congress should allocate dedicated funds](#) to help schools [facilitate expanded learning time](#), via summer school (online or in-person based on the most recent public health guidance available), extended day or year, intensive tutoring, or other evidence-based approaches to support students in completing unfinished learning and accelerating new learning.

This additional funding must be targeted to prioritize the equity gaps we know have been exacerbated by COVID-19 and to [prioritize](#) students, including students from low-income backgrounds, students with disabilities, English learners, and students experiencing homelessness or foster care, who have been most directly impacted by lost in-person instructional time. Additionally, educators will need sufficient time to prepare for the next school year and the substantially different work environment that they will be faced with, including altered or expanded school schedules, additional remote instruction, and curricular changes. This professional learning and planning time comes at a cost; Congress must allocate funding to cover it.

### **Address Students' and Educators' Social, Emotional, Mental, Nutritional, and Physical Needs**

All students are experiencing stress, anxiety, and learning obstacles due to school closures and other COVID-19-related stressors. Many families are feeling the strain of ensuring students receive the care, attention, and educational resources they need to thrive. Parents and guardians are scrambling to maintain their own jobs, meet their families' basic needs, identify child care, and help engage their students in meaningful online learning. These challenges are even greater for some students and families, including students from low-income backgrounds and students of color, who already face steep economic and health inequities previously mentioned. Therefore, in addition to academic learning, schools must prioritize and center the social, emotional, mental, and physical health needs of these historically underserved students upon return to school.

At a minimum, Congress must ensure students' basic needs are met, including the more than 20 million students who depend on schools for their meals every day. In a national survey by [Hunger Free America](#), 37% of parents reported cutting the size of meals or skipping meals for their children because they did not have enough money for food between mid-March and mid-April, when the survey was released. Congress can [directly address](#) the food insecurity of students and their families through the Pandemic Electronic Benefits Transfer (P-EBT) program, which can ensure that students' nutritional needs are met throughout this summer and into the next school year. The program must also be expanded to cover children under 5 who are not currently included in this program due to the structure of the free-and-reduced-price lunch program.

Beyond basic needs, we know that [over 75% of students receiving mental health care receive that care at school](#). Schools must also provide a positive and welcoming school climate, as well as quality dropout

prevention and re-engagement programs — especially for the most vulnerable students. Therefore, it is critical that Congress allocate additional federal funding to support school counselors, mental health workers, psychologists, and social workers in the highest-need districts, and allocate resources to train teachers to understand and address the negative impacts of COVID-19 on students, especially those of color and from low-income backgrounds.

It is also critical to remember that we must ensure the safety and well-being of administrators, educators, and support personnel. Educators are experiencing [greater stress and anxiety](#) during COVID-19. When educators were asked in a [recent survey](#) conducted by the Yale Center for Emotional Intelligence about the most frequent emotion they felt each day of remote learning, their top five responses were: “anxious, fearful, worried, overwhelmed and sad,” with anxiety being the most mentioned emotion. These emotions can often lead to teacher burnout. Therefore, we must support our educators by providing them with emotional support and mental health resources.

### **Congress Must Protect Students’ Civil Rights**

Finally, it is important to note that during this hectic and uncertain time, Congress must not abdicate its important role in protecting students’ civil rights. Therefore, Congress must not provide blanket waivers of critical requirements under the Every Student Succeeds Act (ESSA) or the Individuals with Disabilities Education Act (IDEA) that protect all students’ civil rights. ESSA and IDEA were designed to ensure all students have equitable access to a high-quality education. That goal has not changed even with the current crises this country faces. The existing waiver authority within ESSA provides sufficient authority for the U.S. Department of Education to meet states’ needs. As ED has already acknowledged, the impact of COVID-19 will affect each state differently; therefore, case-by-case consideration of each state’s needs remains the most appropriate path moving forward. Permitting blanket waivers to either law is dangerous and unnecessary.

The equity concerns exacerbated by COVID-19 must remain Congressional priorities beyond the pandemic. That means maintaining resources for expanding broadband access; extended, tailored learning time to accelerate learning; and keeping resources for students’ and educators’ nutritional, social, emotional, and mental health needs in place. This funding must be targeted towards the students that need it most. Additionally, the federal government must do more to promote diverse schools and classrooms, require data reported by schools, districts, and states to be disaggregated by race, and enforce students’ civil rights during this uncertain time.

This is also the time to address the other structural inequities within our systems that have persisted for generations – long before COVID arrived. That means ensuring all students, but particularly students of color, have access to the critical resources they need to graduate ready for college and careers.

Congress must also support states and districts to advance equity in these areas:

### **Ensure Equitable Funding**

As described above, districts serving large populations of students of color and students from low-income families receive far less funding than those serving White and more affluent students. Despite widespread attention to inequitable funding formulas — and courts that have declared them unlawful— too many states continue this unfair practice. [Across the country](#), school districts with the most Black, Latino, and Native students receive [roughly \\$1,800, or 13%, less per student](#) in state and local funding than those serving mostly White students, and states and districts spend approximately \$1,000 less per pupil on students educated in our nation’s highest poverty districts than on those educated in the lowest poverty districts.

While money alone will not solve the deeply embedded systemic inequities our students face, it matters a great deal. [Research shows](#) that increased school spending leads to increases in graduation rates, higher wages, and a reduction in adult poverty, especially for students from low-income backgrounds. To ensure equitable funding systems, [Congress must support states to](#): (1) provide funding according to student need; (2) provide more funding to districts with low property wealth; (3) ensure that dollars are used well to improve student learning experiences and outcomes; and (4) be transparent about the funding system’s design and monitor funding to districts. In addition, since ESSA requires that all states and districts report school-level per pupil expenditure data on state and local report cards, Congress has an especially important role to support states in sharing clear and transparent data on the amount of funding that schools actually receive. For many states, 2020 is the first year that they will be sharing this critical data with the public; Congress must ensure that the U.S. Department of Education is providing support to states to meet this requirement and enforcing the law when states do not provide this information in a timely manner.

### **Access to Strong and Diverse Educators**

[Research shows](#) that teachers are the single greatest in-school factor for student success. Students with the strongest teachers receive what amounts to months’ worth of additional learning each year. We also know that all students benefit from having at least one teacher of color, and students of color are more likely to attend school regularly, perform higher on end-of-year assessments, be referred to a gifted program, graduate high school, and consider college when they have had a teacher of the same race or ethnicity. Unfortunately, thousands of [Black and Latino](#) students attend a school where they have no same-race teachers. Even larger percentages of White students attend a school without a Black teacher and/or Latino teacher.

To ensure all students have access to strong and diverse educators, [Congress must support states to](#): (1) set – then meet – clear goals at the state and district levels to increase access to strong and diverse educators; (2) target resources to the districts and schools that struggle the most to provide students from low-income backgrounds and students of color with access to strong teachers; (3) target resources to diversify the teaching workforce; (4) set high standards for how teachers are prepared and licensed to improve teaching quality for students in high-need schools and in historically underserved groups; and (5) make educator quality and diversity data more visible and actionable.

In addition, Congress must increase funding for Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs) and other Minority Serving Institutions (MSIs). These institutions prepare nearly 40% of Black teachers with bachelor’s degrees in the United States. Congress should also

fund the Augustus Hawkins Centers of Excellence Grant program for the first time since its creation in the bipartisan Higher Education Act of 2008. This program would provide critical funding to MSIs to provide increased and enhanced clinical experience and increased financial aid to prospective teachers of color, who, as detailed above, face higher burdens in college access and affordability than their White peers.

### **Access to and Success in Advanced Coursework**

Research shows that when students are given access to advanced coursework opportunities, they work harder and engage more in school, and in turn have fewer absences and suspensions and higher graduation rates. And when these opportunities are provided to students of color, and their teachers receive training and supports, these students thrive alongside their peers. But, as shared earlier, too many Black, Latino, and low-income students, do not receive these opportunities.

To ensure all students have access to and success in advanced coursework, [Congress must support states to](#): (1) use data to identify the barriers that prevent students of color and students from low-income families from enrolling in advanced courses and take action; (2) set clear and measurable goals for advancing access to and success in advanced coursework; (3) invest to expand advanced coursework opportunities — both courses and seats; (4) require and support districts to expand eligibility for advanced courses; and (5) support Black, Latino, and low-income students' success in advanced courses. Congress can act now to close opportunity gaps in access to advanced coursework by creating and funding grants to states and districts that can be used to implement open enrollment, establish universal enrollment or universal screening for advanced courses and programs, support districts in launching additional courses and innovative models that allow all students to benefit, purchase materials; cover the costs of advanced coursework exams for students from low-income backgrounds; and prepare and support educators to teach these courses.

### **Equitable State Accountability, School Improvement, and Reporting Systems**

Not too long ago, students from low-income backgrounds, students of color, English learners, and students with disabilities — who had long gone underserved in our schools — were invisible, hidden behind averages. In 2015, ESSA, building on earlier federal legislation, [challenged states to refine their accountability systems](#) to provide the right combination of pressure and support for school improvement. The law leaves many key decisions up to states — decisions about what to measure, how to communicate how schools are doing on those measures, how to identify schools that need to take action to improve for any group of students, [what to do to support school improvement efforts](#), and what to do if schools don't improve.

To ensure these systems are focused on supporting equity and achievement for all students, [Congress must support states to](#): (1) only include indicators in state accountability systems that keep student learning front and center; (2) ensure that school ratings reflect how schools are doing for all groups of students; (3) establish criteria that honestly identify which schools need to take steps to improve overall

or for one or more student groups; (4) provide meaningful support to schools that need to improve; and (5) report information that is understandable, easily accessible, and widely available. In particular, Congress must require states to administer statewide assessments during the 2020-21 school year. These assessments aligned to grade-level expectations are critical not only to helping families and educators understand how well students are learning, but also to supporting policymakers and leaders in identifying the places that are seeing promising results for all students so we can learn from those places.

### **Access to Equitable Learning Environments**

Recognizing that school is where students spend the bulk of the time learning about themselves, their emotions and behaviors, and how to interact with others, over 90% of schools and districts report that they are working to support the social and emotional learning of students. [Studies also show](#) that social and emotional well-being is inextricably linked to the context in which students develop and the relationships they build over time. Too often, approaches to supporting social and emotional learning in schools ignore context, focusing solely on building specific skills (e.g., lessons on behavior). Ignoring context carries significant risks, especially for those students who are already underserved by our education system: students from low-income families, students of color, LGBT youth, students with disabilities, and English learners. Failing to acknowledge the influence of the learning environment, or failing to address the processes and structures in schools that disadvantage some students, may do more harm than good. Congress must support states and districts to provide all students with equitable learning environments that foster belonging, challenge students, and provide the supports students need to thrive. This means, for example, funding and providing meaningful professional development and coaching on topics such as reducing bias and anti-racist mindsets; improving working environments and conditions to retain educators of color; and ensuring equitable access to and supports for success in rigorous and culturally sustaining coursework.

In addition, we must recognize that [for Black children, attending school is an act of racial justice](#). In early 2019, when the current administration rescinded [school discipline guidance](#) that was put in place explicitly to ensure that Black children were not pushed out of school buildings, it sent a loud and clear message that it is okay for educators and school leaders to exclude these students from opportunities to learn. Congress must renounce that message and instead proactively support states and districts in identifying and addressing disparate school discipline policies and practices.

### **Congress Needs to Enact Equitable Reforms to Higher Education**

#### **Allocate Funds to Allow for Safe Reopening, Relief for Students, and Enable Learning to Continue**

In response to COVID-19, Congress took important steps in the CARES Act that should be maintained into next year. Congress should look to build on its initial higher education stabilization in CARES by allocating an additional \$50 billion in aid to help keep students from suffering economic hardship and assist nonprofit colleges and universities to remain financially stable while preparing for a safe

reopening. Those funds should also be allowed to assist students who are incarcerated, undocumented, or otherwise barred from federal financial aid under other circumstances.

Congress should also take direct action to enable postsecondary learning to continue. The pandemic necessitates a doubling of the Pell Grant in light of the increasing financial uncertainty facing students who may be forced to halt their studies due to a lack of funding. Additionally, in light of the FAFSA renewal rate dropping below prior years, Congress should work with the Department of Education, as seen recently [in a bipartisan letter](#) from four U.S. Senators, to figure out how best to streamline the filing process to remove financial obstacles for students and their families, especially those directly impacted by the pandemic. To enable home learning, Congress should include the [Supporting Connectivity for Higher Education Students in Need Act](#) in its next response package, which would direct \$1 billion to institutions that are primarily serving students of color and students from low-income backgrounds to ensure that students at those institutions can get the home Internet access they need to continue their postsecondary education. Finally, Congress should provide dedicated funds to support student success and completion. This funding stream should support students' academic and social needs that have been impacted by the crisis, such as mental health services and supplemental academic support. This could take the form of bridge programs, co-requisite instruction, and/or supplemental academic support for Pell-eligible students to make up for lost learning and increase the number of available advisers and counselors.

The student loan relief provisions in CARES gave relief to millions of borrowers facing tremendous economic pressure in the face of the recession, and those should be extended into next year. [Congress should build on that relief](#) by extending equitable, targeted debt forgiveness to millions of borrowers who were already struggling and are facing a near insurmountable repayment burden in the wake of the recession.

### **Protect, Increase, and Expand Pell Grants**

The Pell Grant program is the cornerstone of federal financial aid. [Created](#) in 1972 as the Basic Educational Opportunity Grant, the program [benefits](#) over 7 million students annually and continues to serve as the primary federal effort to open the door to college for students from low-income backgrounds. Over one-third of White students, two-thirds of Black students, and half of Latino students [rely on Pell Grants](#) every year. Pell Grant dollars are well-targeted to those in need: 83% of Pell recipients come from families with annual incomes at or below \$40,000, including 44% with annual family incomes at or below \$15,000.

The Pell Grant program's impact is shrinking as the maximum award has failed to keep pace with the rapidly rising cost of college. The purchasing power of the Pell Grant has dropped dramatically since the program's inception. In 1980, the maximum Pell Grant award [covered](#) 77% of the cost of attendance at a public university. Today, it covers just over 28%, the [lowest](#) portion in over 40 years. If the maximum award continues to stagnate, the grant will [cover](#) just one-fifth of college costs in 10 years.

Doubling the Pell Grant is a rational response to the enrollment downturn due to the pandemic and the steady erosion of the purchasing power of the award. After prioritizing that step, Congress should also make the following structural reforms: re-index it to inflation, as it was before 2017, move the program

to the mandatory side of the budget to avoid potential discretionary cuts to a program that functions like a mandatory program, and expand it and other federal financial aid to students who are incarcerated and students who are undocumented to maximize education opportunity and help close equity gaps.

### **Increasing Equity Through Better Data and Funding Improvement Plans**

Equity-focused accountability has the potential to refocus our higher education system on its most important purpose: successful outcomes for all groups of students. Congress must build upon current policy [to create an accountability system](#) that pushes institutions to serve students well, especially low-income students and students of color.

The first step in creating an equity-focused accountability system is maintaining and strengthening the protections we have in place currently. There is bipartisan support for closing the 90/10 loophole that sets up veterans as targets for predatory for-profits, and Congress should take that action, as well as moving the rule back to 85/15, per its original conception. Additionally, the recent gainful employment regulatory changes by the Department of Education removed the ability to hold accountable continuously poor-performing career education programs, and the recent borrower defense regulatory rewrite all but eliminated the right of defrauded or misled borrowers to get their federal loans discharged. Both of these changes should be reversed, and prior versions of the gainful employment rule and borrower defense rule restored.

In order to construct effective accountability and oversight systems, Congress must act to improve higher education data systems so they may provide reliable, consistent, and useable information. The bipartisan, bicameral College Transparency Act would overturn the ban on the creation of a student-level data system that would be immensely important in helping policymakers design systems that promote equity. Creating a student-level data system would make data on critical measures of student success like enrollment, persistence, retention, transfer, and completion, as well as post-enrollment outcomes such as earnings and employment, much easier to obtain and disaggregate by race, income, gender, ancestry, and other key criteria. The bill also contains privacy protections for sensitive student information essential to protecting the civil rights of all students.

In addition to maintaining and strengthening the accountability provisions currently in place, Congress must create pressure and provide support for the entire higher education system to improve, especially for the students from low-income backgrounds and students of color who are most likely to be underserved by today's system. Developing metrics that would establish minimum standards for institutions enrolling low-income students and students of color, and establish minimum standards for institutions regarding the performance, experiences, and outcomes for those low-income students and students of color are a prerequisite to holding institutions accountable for closing equity gaps in higher education.

However, any system that sets standards and walks away is one that is guaranteed to do damage to low-income students and students of color at institutions that need additional resources to respond to those standards. Investments in historically under-resourced institutions to support the implementation of evidence-based strategies that improve completion for students from low-income backgrounds and

students of color are essential to making lasting, positive change for historically underserved students. In addition to investing more in Title III and Title V institutions, Congress should create a fund to support the development and scaling of interventions that improve completion.

Finally, take a rehabilitative approach to institutional improvement, not a punitive one. New standards that consider the reality that closing institutions can do tremendous damage to the students that are attending them should be implemented. This means consequences should be targeted at the programmatic level where possible, institutions should have time to adjust to new standards, continual growth and progress should allow for reduced consequences, and institutions that fail should be given support and the chance to submit improvement plans. However, when institutions are not meeting benchmarks, students, families, states and accreditors should be notified, and restrictions on enrollment and the elimination of Title IV eligibility must be on the table as eventual realities.

### **Investment in Student Success**

Congress should invest in evidence-based policies to improve student success and close racial equity gaps. There is a growing body of evidence that wraparound support models like the City University New York's Accelerated Study in Associate Program (ASAP) are transformational for students. [In New York City](#), ASAP nearly doubled three-year graduation rates for participants, up to 40% from 22%. While it required some upfront investment, due to the significant increase in graduation rates, CUNY ASAP drove down the cost per degree by 11%. These findings were replicated by three pilot programs in [Ohio](#), which also nearly doubled three-year graduation rates and increased transfer rates to four-year colleges, and showed positive effects on enrollment, full-time enrollment, and credits earned. It also lowered the cost per degree. In order to scale these proven models, Congress should approve the Community College Student Success Act, which would provide grants to community colleges to scale ASAP-type programs. In addition to expanding ASAP, there are also promising practices around emergency student aid and [microgrants](#) that deserve further study, and Congress should support the development of these practices as well. Finally, [students who are hungry cannot learn](#). Congress should make it easier for college students to enroll in the Supplemental Nutrition Assistance Program (SNAP) by [eliminating](#) the 20-hour work requirement that acts as a barrier for thousands of students.

### **Congress Must Protect Students' Civil Rights**

The federal government has a vital historical role as the protector of civil rights and safety on college campuses. Colleges are venues for the exchange of ideas and the development and growth of students, not places where discrimination, hate crimes, or sexual assault are condoned. We support federal policies that encourage institutions to support a healthy campus racial climate, based on how accepted students feel on campus, how often they are able to engage across lines of difference, and how well the university supports diversity through events, clubs, and policies. Regular surveys of students and faculty on campus climate are essential practices to determine how to select and implement policies to ensure campus safety and equitable treatment. Federal, state, and institutional systems should include indicators that track and report incidents of bias or violence on campus. Federal requirements

administered by the Equal Employment Opportunity Commission and Offices of Civil Rights can also provide some of this data to help inform Congress as they look to address these issues.

### **Conclusion**

In closing, we cannot underestimate the impact that this crisis will have — and has already had — on all of our students, but particularly our children of color and children from low-income backgrounds. They and their families are already bearing the brunt of the crisis.

More than [118,000 people](#) in the United States have died of the coronavirus, and more than [33 million Americans](#) have filed for unemployment during the pandemic. Both in terms of deaths and lost jobs, people of color are disproportionately affected.

When students do eventually return to brick-and-mortar buildings, there will be students at the K-12 and postsecondary levels sitting next to each other with very different levels of learning. Young students whose parents had the resources and flexibility to help them learn via high speed internet while school was closed, and those whose parents had to work, possibly on the front lines, to make ends meet and who had less reliable internet access during the crisis have had substantially different remote learning experiences. We must ensure that the latter receive the support necessary to get the quality education they deserve. College students who went home to comfortable surroundings and families that didn't require them to provide financial and/or caregiving support have structural advantages that students who must also juggle financial or caregiving responsibilities at home while trying to focus on their studies or are plagued by worries about how to pay for college and stay in school amid the pandemic do not. If there is a post-pandemic return to the old "normal" — obscuring the inequities that we know exist — we will have learned nothing. The old normal is no longer an acceptable option — we must supply the resources and supports to ensure that equity gaps are closed for good.

If we fail to educate and protect students of color and students from low-income backgrounds, we have failed as a nation. We can choose to continue to shut out communities of color and low-income communities or we can make changes to allow for a more inclusive America — one that protects the most underserved and allows everyone to reach their full potential.

The challenges facing us right now are significant, but they are not insurmountable. The Education Trust stands ready to assist and support you in the work ahead.

Thank you for the opportunity to speak with you today. I look forward to taking your questions.