

United States Senate Committee on Health, Education, Labor, and Pensions

COVID-19: Going Back to School Safely

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WRITTEN TESTIMONY

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DR. JOHN B. KING JR. – BIO SKETCH

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 by 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 for 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 Alexander, Ranking Member Murray, and members of the Committee, thank you for the opportunity to testify on how we can ensure that students, educators, administrators and staff, and their families are prioritized as we consider the safest, most equitable way to reopen our nation's schools in the midst of COVID-19.

This pandemic has intensified already existing gaps in access to equitable education. As we approach the upcoming school year, we must acknowledge the reality that not every school will be able to reopen and operate as normal. There are massive challenges confronting schools and families — severe looming cuts to education budgets nationwide, a lack of consistent student broadband access to enable distance learning, and substantial learning loss that must be measured to understand how we can remedy it for our kids.

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

First: Increase federal investment in education. State and local education budgets have been — and will continue to be — devastated by the loss of tax revenue. Without Congressional action, there will be no conceivable way to avoid the same patterns we saw during the last recession, including layoffs and hiring freezes disproportionately impacting educators and staff at high-poverty schools, and the public health requirements to ensure a safe re-opening of a school won't be able to be met in too many places. The requirements to ensure a safe re-opening of school — modified transportation, restructured school schedules, personal protective equipment, regular deep cleaning, and more — will also require additional resources. [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.

Second: Ensure states and districts do not walk away from the very students who have been hit hardest by this crisis. New federal stimulus funding should include a strong maintenance of effort provision and add a **maintenance of equity** provision to apply to both states and districts. Together, these requirements would maintain education spending at the same percentage of state spending as before the pandemic and shield the highest need schools and districts from the worst cuts.

Third: Ensure distance learning is possible for every student. [Before the pandemic](#), 79 percent of White households had broadband access, compared with only 66 percent of Black families and 61 percent of Hispanic families. The lack of equitable access to broadband is not only an immediate distance learning issue and an obstacle to effective implementation of hybrid models in the fall, but an emergency preparedness issue in the event of further widespread closures. To ensure home access to broadband for students is possible, Congress should allocate at least \$4 billion to the FCC's E-Rate program to provide hotspots and devices for students who require them. Congress should also encourage districts to implement multilingual digital learning platforms to be fully inclusive, and encourage private companies to enable home broadband access for the students in the communities they serve during the pandemic at no cost. This investment should also be partnered with professional development for educators so they can effectively teach, assess, and connect with their students remotely.

Fourth: Help schools and teachers address the [significant learning loss](#) caused by the pandemic. Congress should allocate dedicated funds to help schools add more learning time, such as through summer school, an extended school day or school year, or afterschool programming.

Fifth: Address students' nutritional, social, emotional, and mental health needs. Congress must extend and expand the Pandemic EBT program to enable more children to receive meals while not in school, and ensure students' and educators' socioemotional and mental health needs are met through funding additional counselors and other mental health professionals in schools.

Finally: Congress must not step back from its important role in protecting students' civil rights. ESSA and IDEA exist because the federal government wanted to ensure all students have equitable access to a high-quality education. That goal has not changed even with the current crises. Permitting blanket waivers to either law is dangerous and unnecessary. We also urge Congress to ensure that the Department of Education follows Congressional intent in applying the Title I equitable services provision to the CARES Act. The Department's current interpretation would steer money away from low-income public school students and into the hands of wealthier private schools, an idea rejected by [several states](#) and one the committee should reject as well.

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

WRITTEN TESTIMONY

Chairman Alexander, Ranking Member Murray, and members of the Committee, thank you for the opportunity to testify on how we can ensure that students, educators, administrators and staff, and their families are prioritized as we consider the safest, most equitable way to reopen our nation's schools in the midst of COVID-19.

Before discussing this in more detail, however, I'm compelled to lift up that when our students return to school buildings, they will need additional supports as they grapple with the continued reality of racism in America and the legacy of over 400 years of anti-Blackness. The murders of George Floyd, Breonna Taylor, and Ahmaud Arbery have once again sent the message to Black students that their lives are devalued. Over the past several weeks, our nation has viewed the strength and message of the Black Lives Matter movement on full display. Many of our nation's kids have been on the forefront of this movement in their communities and in their classrooms prior to this pandemic. As schools reopen, we face more than keeping students and staff safe during a pandemic — we face a moment where our nation's students of color and their families also find themselves enduring a pandemic that disproportionately impacts their health, 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.

While our nation faces this pandemic together, it is important to recognize that we do not confront it with an equitable distribution of resources, and the impact of the virus does not impact all communities and groups of people in the same way. Relatedly, we see the coronavirus has only intensified inequities in education, in employment, in healthcare, and in other areas that already disproportionately impact people of color and low-income families.

From access to a strong and reliable internet connection, to the more than 20 million students who depend on schools for access to meals, we know how much our children rely on the resources and supports that their schools and educators provide to them on a day-to-day basis. The pandemic has crippled this vital structure as our kids know and depend on it.

We also know that not everyone has the privilege to work from home in accordance with social distancing or states' 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 roughly 1 in 5 Black workers and 1 in 6 Latino workers [are able to work from home](#), compared with nearly 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 percent 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 percent of the city's population, they account for nearly 70 percent of COVID-19 deaths.

The economic impact on communities of color has been substantial. A new [Associated Press poll](#) finds that over 60 percent of Hispanic Americans say they have experienced some household income loss as a result of the pandemic, including job losses, unpaid leave, cuts in pay, and fewer scheduled hours compared with 46 percent of Americans overall. While 37 percent of Hispanic Americans and 27 percent

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 percent of White Americans say the same.

Inequities do not exist in a vacuum. They are the result of racism and bias baked into our institutions and our structures, from employment to housing to the healthcare system to the education system. We know, for example, that even prior to the pandemic, K-12 students who attend high-need schools were already receiving less of everything that research and experience show are vital: from access to qualified teachers, to school counselors, to rigorous coursework, to other supports necessary for their success. Across the nation, we're seeing schools that are struggling with the capacity to move to distance learning, and teachers and administrators who may not have familiarity with learning management tools. Parents and educators alike are searching for promising practices related to online instruction, and there are several schools and districts that lack large-scale experience with education technology. This spring, we saw many high school students take Advanced Placement tests from home with the hope of using those tests for college, but not every student has the same chance to take an AP course or test. Additionally, not every student has a compatible device or access to high-speed internet to make online learning viable. In states [where schools are closed for months or even longer](#), students' learning loss, particularly students who are already vulnerable, [will 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 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 percent of parents are worried that their children will fall behind academically because of school closings. This is a valid concern in the transition to distance education when we know that [before the pandemic](#), 79 percent of White households had broadband access, while only 66 percent of Black families and 61 percent of Hispanic families had home broadband service.

The Education Trust is grateful that many educators across the country have made one important shift during this crisis — to show their students even more clearly that they care, from asking about their students' well-being and connecting families with resources to providing 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 served a majority of students of color and students from low-income backgrounds. That connection is essential. Ed Trust's parent poll in [New York](#) revealed that 95 percent of parents reported it would be helpful to have regular contact with or access to their child's teacher, but only 52 percent said their child's school has made that available. Our [California poll](#) revealed that Black parents were less likely to have been contacted by their child's teacher than parents of all other racial groups. We need to make sure this is something that is cherished in places where students face the most obstacles.

We have work to do and a responsibility to insist that the federal government, state governments, local governments, and school districts invest resources in mitigating the effects of this crisis and that they do so with a focus on equity. Although the CARES Act (S. 3548) allocated roughly \$31 billion for education purposes, it will not be enough to fully address the challenges that students, districts, and schools are currently facing, and will continue to face.

In response to these challenges, we urge Congress to address the following issues put forth in this testimony.

More Federal Investments in Public Education Are Needed to Reopen Schools Safely

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 in 2008, [over 300,000 educators](#) lost their jobs, and inflation adjusted state [funding](#) per pupil was [still lower in 2017 than 2008](#). The cuts this time may be even larger. Our partners at the Learning Policy Institute estimate, based on projected state revenue losses during the end of this fiscal year and 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 districts face as a direct result of responding to COVID-19, including sanitizing schools and providing devices and materials for distance learning.

That is why [over 70 education stakeholders](#) have demanded Congress 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 percent of state general funds, Congress should allocate at least \$175 billion for K-12 education.

These targeted federal stabilization funds, as well as the additional provisions below, are necessary to ensure that schools are able to reopen safely by ensuring that states and districts can provide all schools — particularly underfunded, high-poverty schools — with the resources they need to implement the [Centers for Disease Control \(CDC\) considerations](#) or 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.).

Ensure States and Districts Do Not Walk Away from the Students Who Have Been Hit Hardest by This Crisis

This federal stabilization money must be accompanied by strong requirements to ensure that states maintain their investments in education; to require that states and districts minimize cuts to their highest need districts and schools; and to prevent the U.S. Department of Education 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 to remain at least 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 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 the U.S. Department of Education [advise](#) states and school districts to steer federal funding away from low-income, public school students into the hands of wealthier private schools. Therefore, we urge Congress to prevent forthcoming regulations that would allow ED's

misinterpretation of the Title I equitable services provision within the CARES Act to be used to direct over \$1.3 billion more to private schools, as forthcoming data from Learning Policy Institute will show, regardless of whether those schools are serving students from low-income backgrounds. [Several states](#) have already rejected this approach. The Education Trust thanks the committee leadership for expressing opposition to this idea and urges action to prevent that outcome.

Ensure That Distance Learning is Possible for Every Student

[Before the pandemic](#), 79 percent of White households had broadband access, while only 66 percent of Black families and 61 percent of Hispanic families had home broadband service. [More than one-third](#) of all households with school-age children that earn 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, the beginning of next year, and intermittently if new cases of the virus emerge. And the data we have from this spring is alarming. For example, [data from California](#) showed that 38 percent of low-income families and 29 percent of families of color are concerned about access to distance learning because they don't have reliable internet at home, and 50 percent of low-income and 42 percent of families of color lack sufficient devices at home to access distance learning. 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 FCC's federal E-Rate program to expand access to broadband services, Wi-Fi hotspots, and devices to ensure 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 during the pandemic at no cost.

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.

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](#), including 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 these costs.

Address Students' and Educators' Social, Emotional, Mental, and Physical Needs

All students are experiencing stress, anxiety, and learning obstacles due to school closures and other COVID-19 related-stressors. Every family is 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 childcare, and help engage their students in meaningful online learning. And while these challenges may be universal, they are even greater for some students, 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, we must ensure students' basic needs are met, including the more than 20 million students who depend on schools to get meals every day. Congress can [directly address](#) food insecurity of students and their families through the Pandemic Electronic Benefits Transfer (P-EBT) program to ensure 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 years old who are not currently included in this program due to the free-and-reduced-price lunch eligibility metric.

Beyond these basic needs, we know that [over 75 percent of students rely on schools for mental health supports](#). In order to provide these supports to students, schools must 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

In addition to student health, it is 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 step back from 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. Permitting blanket waivers to either law is dangerous and unnecessary.

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.

Conclusion

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

In a [national survey](#) by Hunger Free America, 37 percent 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.

More than [111,000 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 impacted.

When students do eventually return to brick-and-mortar buildings, there will be students sitting next to each other with very different progress in learning — one whose parents had the resources and flexibility to help them continue to learn while school was closed, and one whose parents had to work, possibly on the front lines, to make ends meet during the crisis, who may not have had high-speed internet or an appropriate device at home, and who could not focus on their education because of other responsibilities they had to juggle at home. If after this pandemic, we go back to “normal” — obscuring the inequities we know exist — we will have learned nothing. “Normal” should not be what we aim to return to — we have to provide the resources and supports that ensure equity gaps are closed for good.

If we fail to educate and protect students of color and students from low-income families, 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 that face 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 testify.