

September 10, 2010

Karen Akins
U.S. Department of Education
White House Liaison Office
400 Maryland Avenue, SW., Room 7C109
Washington, DC 20202

Re: Nomination of María Blanco, James E. Ryan, and David G. Sciarra to the Equity and Excellence Commission

Dear Ms. Akins,

We are writing on behalf of the National Coalition on School Diversity, a network of national civil rights organizations, university-based research institutes, local education advocacy groups, and scholars seeking a greater commitment to racial and economic diversity in federal K-12 education policy and funding. This letter is in response to the Department of Education's August 11, 2010 "Request for Nominations to Serve on the Equity and Excellence Commission" in the Federal Register. This Commission is of particular interest to the National Coalition on School Diversity. Several of the issues the Commission is intended to address go to the core of the Coalition's concerns. Most notably, in February 2010, the Coalition issued "Key Principles for ESEA Reauthorization: ESEA Should Further Its Original Purposes: Providing High Quality, Equitable Opportunities for All Children and Countering the Effects of Concentrated Poverty and Racial Isolation."¹ In that brief, the Coalition stressed that "[i]nequitable distribution of state and local resources, both within and among school districts, shortchanges many children in high-poverty and high-minority schools. Federal Title I dollars cannot and should not be used to replicate or 'buy out' unconscionable resource gaps."² The Coalition also offered a series of solutions, including but not limited to strengthening the ESEA's comparability requirements in regard to teachers and financial resources and scrutinizing inter-district inequities when districts or schools fail to meet accountability requirements. Finally, the Coalition focused on ways in which federal assistance to public schools could and should do more than simply increase the financial resources available to racially and socioeconomically isolated schools and districts. Federal assistance should reward school policies that foster diversity and discourage those that do not.

In furtherance of these important ends, the National Coalition on School Diversity formally nominates, in alphabetical order, two individuals for the Equity and Excellence Commission: María Blanco and James E. Ryan. It also strongly supports the nomination of a third individual, David G. Sciarra, who has already been nominated by others. Maria Blanco has extensive experience in civil rights and in education policy and law. Recently, she served on the Education Cluster of the Obama Biden Presidential Transition Team, where much of her focus was on issues of educational equity. As her service on the Transition Team suggests, her expertise in the area is longstanding. In legal practice, she regularly litigated Title VI education cases in courts, as well as filing several administrative complaints with the Office of Civil Rights, Department of

¹ <http://www.prrac.org/pdf/ESEA-Civil-Rights-Statement-3-22-10.pdf>.

² *Id.*

Education. She is currently the Executive Director of the Chief Justice Earl Warren Institute on Race, Ethnicity & Diversity at Berkeley Law, University of California. At the Warren Institute, she oversees the Education Program (along with two others) and has worked closely on a publication involving a proposal to revamp California's system of school finance. She is also guiding an initiative at the Warren Institute that brings together various civil rights organizations on a regular basis to discuss important education reform issues such as common core standards, data, college readiness and completion, and Title VI. Although the Institute is based in California, its focus is on both national and state education policy. Finally, she has direct experience working on commissions similar to the Equity and Excellence Commission. While working at Mexican American Legal Defense and Education Fund, Blanco served on a Blue Ribbon task force to review California's master plan. Her service on that commission involved examining governance issues and the relationship between state, district and local school governing bodies. As a result of these various experiences, she is well versed in education equity policy at various levels and is well regarded by many different constituencies beyond our Coalition. In short, we believe that she is an excellent candidate who would bring immediate substantive depth to the commission, as well as build consensus with her strong collaborative style of work.

James E. Ryan is the William L. Matheson & Robert M. Morgenthau Distinguished Professor of Law at the University of Virginia, where he also serves as the Director of the Program in Law and Public Service. He has taught at Virginia since 1998, and he has also been a visiting professor at Yale and Harvard law schools. Professor Ryan has taught and written extensively about civil rights and about school finance. Just this past month, Oxford Press published his book, *Five Miles Away, A World Apart: One City, Two Schools, and the Story of Educational Opportunity in America*. Two of the chapters in the book are devoted to school finance litigation and reform. He is also a co-author in the nation's leading education law textbook, *Educational Policy and the Law*. Among other areas, he is responsible for the chapter on school finance. In addition, he has authored several law review articles in leading journals that deal school finance, academic standards, and their intersection. In fact, in 2008, one of these articles was awarded the Education Law Association's Steven S. Goldberg award for distinguished scholarship. His expertise, however, extends well beyond the academy. Prior to teaching, Professor Ryan worked as a Gibbons Fellow in Newark, New Jersey, where he was heavily involved in the long running school finance case, *Abbott v. Burke*. Since that time, he has consulted with lawyers in other school finance cases and with attorneys at the NAACP Legal Defense Fund on school desegregation and voluntary integration cases. Given his academic background and his involvement various education equity cases, we feel Professor Ryan is an excellent candidate for the Commission. He would bring deep academic knowledge of the history, theory, and technical details of school finance reform, as well as practical knowledge of the difficulties facing reformers interested in equalizing school funding.

David G. Sciarra is the Executive Director of the Education Law Center in Newark, New Jersey. His experience in school finance litigation and policy rivals anyone in the country. Most notably, he has led the advocacy to improve school funding equity and to provide access to other critical programs and services in New Jersey for over a decade. His work has produced extensive results, as evidence in the numerous victories the Education Law Center has secured before the New Jersey Supreme Court in the *Abbott v. Burke* litigation. Today, many look to

New Jersey as a model of continuing, yet unfinished, progress in the areas of Pre-K services and equity efforts in K-12 education. Thus, David's work extends beyond New Jersey. He regularly assists policymakers, legislators, grass-roots advocates, and others who are working for better school funding in other states. He has also been in the forefront of national efforts to expand quality preschool for disadvantaged children, improve school facilities, and reform schools in ways that improve student achievement, particularly for low-income and special needs students. For these reasons, the Coalition believes the Commission would benefit greatly from David's extensive and direct expertise.

Attached you will find María Blanco and James E. Ryan's resumes and contact information. In accordance with the Federal Register's stated requirements, both have agreed to serve on the Commission should they be selected. We trust you already have David G. Sciarra's materials from those who formally nominated him. If we can be of any further assistance as the Commission is assembled and conducts its work, please contact us.

Sincerely,

NATIONAL COALITION FOR SCHOOL DIVERSITY

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Asian American Legal Defense and Education Fund

New York, NY

Lawyers' Committee for Civil Rights Under Law

Washington, DC

Mexican American Legal Defense and Educational Fund

National Public Policy Office

Washington, DC

NAACP Legal Defense and Educational Fund, Inc.

New York, NY

Poverty & Race Research Action Council

Washington, DC

Charles Hamilton Houston Institute for Race and Justice

Harvard Law School

Cambridge, MA

Civil Rights Project/*Proyecto Derechos Civiles*

UCLA

Los Angeles, CA

Earl Warren Institute on Race, Ethnicity and Diversity
University of California, Berkeley Law School
Berkeley, CA

Education Rights Center
Howard University School of Law
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