

December 19, 2013

The Honorable Michael L. Williams
Commissioner of Education
Texas Education Agency
1701 N. Congress Avenue
Austin, Texas, 78701

Via interagency mail

Re: Review of 21st Century Community Learning Centers / Afterschool Centers on Education

Dear Commissioner Williams,

We write in support of our constituent school districts, many of whom have in March submitted applications for the 21st Century Community Learning Centers / Afterschool Centers on Education (21st CCLC / ACE) grant, Cycle 8, Year 1. For reasons set forth below, we strongly urge the Texas Education Agency (TEA) to conduct a formal inquiry of processes and procedures used in awarding the grant.

The purpose of the 21st CCLC / ACE grant is to empower schools and organizations to offer out-of-school-time services to students and their families through community learning centers, which provide academic enrichment opportunities for children—particularly students who attend high-need, high-poverty, low-performing schools—to meet state and local student standards in core academic subjects. The grant has proven extremely effective in improving educational outcomes for students. According to a recent evaluation prepared by the American Institutes for Research, participation in programs funded by the grant is associated with higher test scores in Reading / English Language Arts and Mathematics, fewer disciplinary incidents, fewer absences, and increased likelihood of grade promotion.

It is vital that the 21st CCLC / ACE grant program include participation from South Texas if it is to fulfill its particular goal of providing services to children and families in high-need, low-performing school districts. South Texas is characterized by high poverty, high unemployment,

and high underemployment. In fact, according to recent Census data, the Brownsville-Harlingen area and McAllen are the first and second poorest cities in the country, respectively. Accordingly, a disproportionate amount of school districts in the region are also property-poor. Further, the region offers a preview of the state's future demographics; according to the Census, nearly 90 percent of our region's population is considered minority.

Despite this tremendous need in South Texas, 21st CCLC / ACE grant awards have dropped precipitously in the last two cycles. In Cycle 6, thirteen area schools were awarded grants. Only three school districts in the region were awarded grants under Cycle 7. This is a drop from 27 percent of all awardees to seven percent. Not a single school district or organization in South Texas received a 21st CCLC / ACE grant award in Cycle 8. Instead, a majority of grant awards went to major metropolitan areas such as Austin, Houston, and Dallas.

Quite simply, children most in need of valuable services made possible by 21st CCLC / ACE grant awards are being passed up for students less in need. It is clear, based on last Cycle's award, that available Academic Excellence Indicator System (AEIS) data for grant applicants was not considered by grant reviewers. If it was, we believe reviewers would have noticed some dramatic disparities between applicants. Enclosed with this letter you will find charts comparing Cycle 8 21st CCLC / ACE grant awards recipients' students to those of schools served by the Region One Education Service Center in South Texas. The charts compare percentages of economically disadvantaged students, percentage of at-risk students, and percentage of dropouts. You will find that Cycle 8 recipients have far fewer percentages of students in all three categories.

After closer review of the procedures used by TEA in awarding 21st CCLC / ACE grants, we must conclude that these procedures include several flaws relating to training provided to reviewers, interpretation of the program and scoring guidelines, and the methodology administered by TEA's Office for Grants and Federal Fiscal Compliance and Division of Grants Administration. We outline these flaws below.

First, the selection process for grant reviewers creates a conflict of interest and encourages bias. Applicants are requested to submit names of three individuals from their district or organization to serve as grant reviewers to review their district or organization's completion cycle. This process must be replaced with one that eliminates potential conflicts of interest, for example by hiring independent grant reviewers. Alternatively, TEA could solicit volunteer grant reviewers from non-profit education advocacy organizations. These reviewers' impartiality should be assured by requiring that they neither represent a district or organization that is submitting an application during the current cycle, nor have any other substantial biasing connection to an applicant.

Second, grant reviewers are given insufficient training, and the grant review process does not include an oversight system for establishing inter-reviewer reliability, meaning discrepancies between scores and comments reported by reviewers of the same application are not reconciled

by TEA. It is our understanding that currently, reviewers are instructed to review certain guidelines, however there is no process to confirm completion. The Agency should require reviewers undergo detailed training to ensure they are grading applications on a uniform basis. Such training should instruct reviewers to give specific consideration to factors including available AEIS data. The Agency should have in place a system to confirm reviewers complete this training. TEA should further install a grant reviewer monitor whose role would be to provide guidance to reviewers and ensure that reviewers' scores and comments are justified by uniform metrics.

Third, the current process used to review 21st CCLC / ACE grant applications disadvantages applicants representing property-poor, small, or rural areas. For example, we understand that the current grading system favors applicants who have the ability to partner with other entities. Unfortunately, many small and rural school districts either do not have the resources to enter into such a partnership, or simply do not have appropriate local entities available to partner with. Grant applications must be considered fairly, and the review process must not advantage applicants who live in one region of the state over another. If points must be given to applicants which are able to partner with other organizations, some countervailing points should also advantage applicants from property-poor and rural areas of the state. Similarly, the review process must not unfairly advantage applicants that are better able to afford to either employ full-time grant writers or hire outside entities to complete grant applications.

Finally, we are not satisfied that TEA has done enough to ensure that districts or organizations awarded grants that subsequently do not meet all grant requirements are either prevented from being awarded a renewal or have such renewal made contingent on specific improvements to their grant implementation. So as to ensure that public dollars are used in an efficient manner, TEA must carefully review if an applicant reapplying for a renewal of their grant award has sufficiently met grant requirements, and that review must be communicated to the 21st CCLC / ACE coordinator.

For the forgoing reasons, we must conclude that the process and procedures surrounding 21st CCLC / ACE grant award determinations are flawed and, unless immediately reformed, will continue to call into question the propriety of all final grant funds. Such flaws should not persist so long as decisions reached in awarding grants are final and cannot be appealed to TEA.

Accordingly, we strongly urge you to conduct a formal inquiry of all Office for Grants and Federal Fiscal Compliance and Division of Grants Administration processes and procedures for competitive grants, including those used in awarding 21st CCLC / ACE grants.

Additionally, we urge a specific review of all of the 21st CCLC / ACE grant applications submitted, both awarded for funding and those not awarded for funding, in order to:

1. identify who the reviewers were and what region of the state they represent;
2. list the scores provided by each reviewer;

3. identify the list of vendors and types of services provided that were included in the grant proposal; and
4. identify those grant applications that were written by an organization or entity outside of the school organization or entity that submitted the proposal.

We strongly believe a thorough review will ameliorate the flaws in the 21st CCLC / ACE grant award process outlined above. Accordingly, urge that no new grants be awarded before this review is complete.

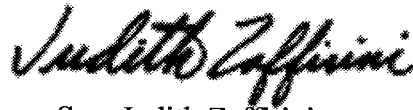
To be clear, we are not asking for unfair special consideration of applicants from South Texas. Rather, we want to ensure that the process and procedures followed when awarding all future grant applications are performed with the fairness, integrity, and transparency Texas taxpayers expect.

We patiently await your considered response.

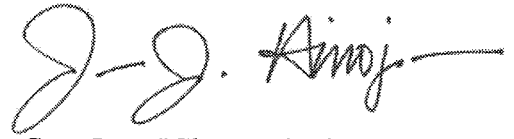
Sincerely,



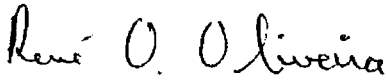
Sen. Eddie Lucio, Jr.
Cameron County




Sen. Judith Zaffirini
Webb County



Sen. Juan "Chuy" Hinojosa
Hidalgo County



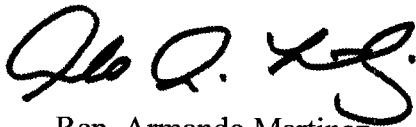
Rep. Rene Oliveira
Brownsville



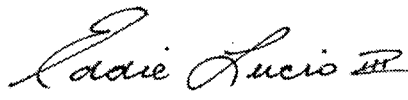
Rep. Richard Raymond
Laredo



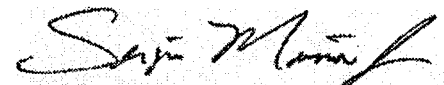
Rep. Ryan Guillen
Rio Grande City



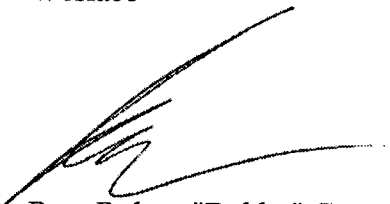
Rep. Armando Martinez
Weslaco



Rep. Eddie Lucio III
Harlingen



Rep. Sergio Munoz, Jr.
Palmview



Rep. Robert "Bobby" Guerra
McAllen



Rep. Oscar Longoria
Mission



Rep. Terry Canales
Edinburg

ELJ/dc

Enclosures (6):

Texas ACE, Impacting Student Achievement presentation

Reviewer Guide Webinar

Request for Reviewers Web page

Lasara ISD press release

2013-14 21st CCLC guidelines for review and scoring

21st CCLC Demographics comparisons

CC:

The Honorable Arne Duncan, United States Secretary of Education

The Honorable Sen. Carlos Uresti, Chair, Senate Hispanic Caucus

The Honorable Rep. Trey Martinez Fischer, Chair, Mexican American Legislative Caucus

Members of the State Board of Education

Dr. Sylvia Lyles, Director, Academic Improvement and Teacher Quality Programs, United States Department of Education

Ms. Lizzette González Reynolds, Chief Deputy Commissioner, Texas Education Agency

Mr. Robert Durón, Deputy Commissioner, Finance & Administration, Texas Education Agency

Mr. Michael Berry, Deputy Commissioner, Policy & Programs, Texas Education Agency