

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-5401**

October 25, 2011

The Honorable Arne Duncan  
Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Mr. Secretary:

I want to thank you for visiting Puerto Rico last week. Your presence on the Island demonstrated the Obama Administration's commitment to working with the Puerto Rico government to transform the Island's educational system. As you and I both know, although significant progress has been made over the past three years, more reforms must be made so that every child on the Island can receive a world-class education.

I want to take this opportunity to briefly highlight five areas where I believe the U.S. Department of Education (USDE) can play a particularly constructive role in helping the Puerto Rico government move forward with its reform efforts:

**1. Application to Waive Certain Requirements of the No Child Left Behind Act**

Earlier this month, the Puerto Rico Department of Education (PRDE), like 41 other jurisdictions, expressed its intent to seek relief from certain provisions of the No Child Left Behind Act (NCLB). It is critical that PRDE obtain this relief so that it may continue to reform the Island's educational system. Governor Fortuño and I are committed to transforming the Island's public schools so that all students graduate "college- and career-ready," to borrow your apt phrase. However, this difficult work will be delayed if PRDE does not have the flexibility to try new approaches that are consistent with the guidelines you issued in September. I respectfully request that you provide full consideration to PRDE's waiver request and provide any technical assistance that PRDE may need to submit a successful request.

**2. Flexibility with the Use of Funds Available Under Title II of the Elementary and Secondary Education Act**

Studies have shown that having an effective teacher in the classroom is the single most important factor in a student's academic success. Governor Fortuño and I have made it our priority to improve the quality of instruction provided to children in the Island's public schools, including

the quality of English language instruction. Often, a lack of well-prepared English teachers prevents students from gaining proficiency in English, which closes the door on countless academic and professional opportunities that would otherwise be available to these students.

To strengthen the corps of teachers in Puerto Rico's public schools, Governor Fortuño and I believe we must allow our teachers to participate in exchanges with school districts located in other regions of the United States. Through an exchange, teachers in Puerto Rico would strengthen their English language skills by spending a year in a native English-speaking state, while providing a school district in the U.S. mainland with a fluent Spanish teacher who could instruct English language learners in their native tongue. In turn, a language teacher from the states could spend a year in Puerto Rico and improve his or her Spanish-language abilities through exposure to a student population that is composed predominantly of native Spanish speakers. Finally, Puerto Rico's students would benefit directly from an exchange by having the opportunity to be taught for a year by a native English-speaking teacher from the states. An exchange program thus promises to produce a "win-win" result for Puerto Rico and the partnering school district.

To implement an exchange program, I respectfully request that you provide PRDE with both direction in pursuing this endeavor and the flexibility needed to use the funds it has available under Title II of NCLB to pay for the additional costs that PRDE would incur in administering an exchange. Such additional costs would likely include the costs of travel and housing and, if necessary, a cost-of-living adjustment. We expect that teachers from Puerto Rico would continue to be paid by PRDE during the exchange.

### **3. Technical Assistance with Professional Development and with Revisions to Curricula**

Besides contemplating the implementation of a teacher exchange program, PRDE is in the process of redesigning the types and forms of professional learning opportunities available to teachers. Like other school districts across our nation, PRDE is seeking to give teachers more time and support to engage in ongoing collaborative learning sessions in which teachers have the chance to examine student data, discuss instructional practices, and determine next steps to meet the learning needs of every child. To prepare teachers to engage in the work of ongoing improvement, however, PRDE needs assistance to put specific structures and supports in place. Moreover, school leaders must be prepared to lead and train teachers for collaborative work in which successful instructional strategies can be shared, learned, and adopted.

I respectfully request that you assist PRDE with this project, including by connecting PRDE with all available technical assistance centers. With your support and collaboration, PRDE could learn how other districts have established research-based professional learning systems, thus streamlining PRDE's process for improving teacher professional development.

In addition, I respectfully request that you assist PRDE in identifying technical assistance centers that could help Puerto Rico with revising the curricula being used in the Island's public schools. To be prepared to compete in the 21<sup>st</sup> century global economy, students must have access to a challenging curriculum. As with its efforts to redesign its professional development program,

PRDE would benefit greatly from learning how other school districts are implementing more challenging curricula and ensuring students' abilities to reach these new high standards. I am confident that, with your support, PRDE will be able to design high-quality curricula that it can align with rigorous standards.

#### **4. Technical Assistance with PRDE's Efforts to Develop a Title III Plan to Address the Needs of Students with Limited English Proficiency**

Title III of NCLB provides formula grants to jurisdictions to provide language instruction to students. Except for Puerto Rico and jurisdictions that serve Native American children, jurisdictions that receive Title III funds are required to use those funds to address the needs of students with limited English proficiency (LEP). Section 3128 of NCLB allows, but does not require, PRDE to use its Title III funds to address the needs of students with Limited Spanish Proficiency (LSP), as Spanish is the predominant language spoken in Puerto Rico. However, only a small number of students—which I understand are estimated to be less than 2,000 out of a total student population of over 500,000—are designated as LSP. Because of miscommunication with USDE that led PRDE to believe that it must use its Title III funds to address LSP students only, PRDE had developed and received approval from USDE for a plan to address the needs of LSP students, even though few such students live in Puerto Rico.

Undoubtedly, English is a key to success for Puerto Rico's students, unlocking opportunities that are unavailable to individuals who speak only one language. PRDE's English Program has sought to improve the quality of English-language instruction by, for example, expanding the use of bilingual teaching in the early grades and certifying as bilingual teachers those English-speaking teachers who teach other subjects. However, limited funds have prevented the English Program from expanding these reforms across Puerto Rico's public school system.

PRDE is prepared to develop a Title III Plan to address the needs of Puerto Rico's LEP students, who comprise nearly 100% of the Island's public school population. However, your Student Achievement and School Accountability Programs Office has discouraged PRDE from developing an LEP Title III Plan, even though the choice to develop such a plan rests entirely with Puerto Rico and not with USDE. I therefore respectfully request that USDE provide PRDE with any assistance it needs to develop a Title III Plan to address the needs of LEP students. You can be assured that the Puerto Rico government will continue to meet the needs of the Island's LSP students, as sufficient local funds are available for this purpose.

#### **5. Funds for "TUS VALORES CUENTAN," Extracurricular Activities, and to Keep Schools Open After Hours**

Governor Fortuño and PRDE are seeking federal funds to support programs that will engage students with learning and other meaningful activities after school hours. By keeping students off the streets and in safe environments, these programs promise to reduce the Island's drop-out rate and better prepare students to attend college or obtain employment after graduation from high school. I respectfully urge you to help Governor Fortuño and PRDE identify federal funds that may be available to support these programs.

First, Governor Fortuño and PRDE are seeking federal funds to support the “TUS VALORES CUENTAN” (“YOUR VALUES COUNT”) program in Puerto Rico’s schools. The program is designed to help schools create an environment where students can succeed academically, develop personally, and feel safe in their surroundings. It is derived from the successful “CHARACTER COUNTS!” program and was adapted by the Josephson Institute specifically for schools in Puerto Rico. By integrating important values into daily school lessons and activities, the TUS VALORES CUENTAN program seeks to mold students’ character as a pathway to academic and personal success.

Second, Governor Fortuño and PRDE are seeking federal funds to support extracurricular activities and to keep schools open after hours. Research demonstrates that students who are engaged in meaningful activity after the school day ends are less likely to commit crime or drop out of school. As you said repeatedly during your visit, students who graduate from high school earn, over a lifetime, several times the amount earned by students who do not graduate. Governor Fortuño and PRDE are committed to reducing the Island’s drop-out rate but, because of tight budgets, are having difficulty fully funding these programs. Federal funding is thus needed to ensure that Puerto Rico can continue to invest in these worthwhile programs.

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I look forward to continuing to work with you, Governor Fortuño, and PRDE to implement the reforms that are necessary to ensure that each student reaches his or her potential.

Sincerely,



Pedro R. Pierluisi  
Member of Congress

cc: The Honorable Luis G. Fortuño, Governor of Puerto Rico