

Congress of the United States

Washington, DC 20510

May 6, 2022

Dear Secretary Cardona:

On March 14 you published a Notice of Proposed Priorities, Requirements, Definitions, and Selection Criteria (NPP) for programs under the Charter Schools Program in the *Elementary and Secondary Education Act*. We are writing to ask you to rescind this proposal immediately.

The NPP goes beyond your statutory authority to add or change requirements under the law. The NPP makes the application process more complicated and burdensome, and will thus limit the growth of charter schools. Charter schools provide a free, public education to families who choose to enroll in these schools. Limiting the growth of these institutions will harm students seeking learning options beyond the traditional public school system, which is beholden to teachers' unions rather than to parents and students.

The federal program is meant to increase the number of charter schools, expand opportunities for children with special needs and other traditionally underserved students, and increase schools' accountability. The NPP, if implemented as proposed, would lead to fewer state applications, fewer schools eligible for subgrants, and weakened school operations.

A further impediment arises from the NPP's preoccupation with diversity. For example, by forcing charter schools serving Native American communities to bus in students from other communities in the name of diversity, Native American schools will be forced to displace the very students they are trying to help. This tunnel vision will limit the growth of charter schools in racially isolated areas and thereby harm traditionally underserved students who will be deprived of the option to attend a high-quality charter school in their neighborhood. Additionally, the NPP presents new challenges to the nature of charter schools. These schools open to address specific needs of students in local communities. They are open to all students regardless of income and have the flexibility and autonomy to support student learning and meet parent satisfaction while complying with all state requirements.

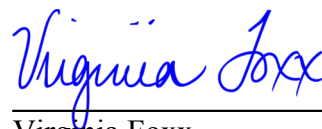
When the federal government oversteps its authority and sets more regulations for how these schools should interact with the community – which is exactly what the NPP does – the process of opening a charter school is unnecessarily and unjustly complicated. When the federal government takes away the locally responsive aspect of charter schools, it undermines the value and purpose of charter schools and hurts the students those schools exist to serve.

Mr. Secretary, it is imperative that you rescind the NPP and withdraw any new requirements for these programs. Congress authorized the programs with robust application and reporting requirements and the administration should implement the grant programs in accordance with the law as written.

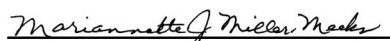
Sincerely,



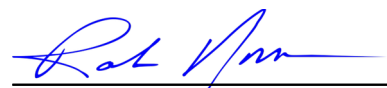
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Member of Congress



Virginia Foxx
Member of Congress
Ranking Member, Committee
on Education and Labor



Mariannette Miller-Meeks,
M.D.
Member of Congress



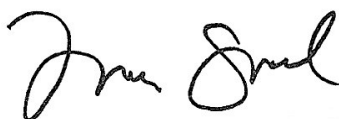
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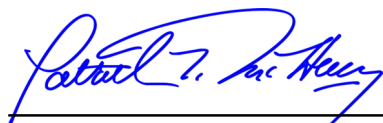
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Patrick T. McHenry
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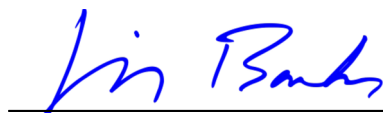
Adrian Smith
Member of Congress



Bill Posey
Member of Congress



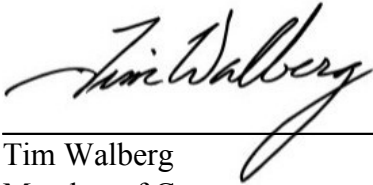
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