

**Congress of the United States**  
Washington, DC 20510

May 24, 2018

The Honorable Betsy DeVos  
Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretary DeVos,

We write today regarding the deeply concerning reports that the Department of Education (“the Department”) has proposed consolidating the Office of English Language Acquisition (OELA) and integrating its functions into the Office of Elementary and Secondary Education (OESE). Furthermore, it is deeply concerning the Department wants to undermine the Director’s position at OELA, an appointee reporting directly to the Secretary of Education. We oppose this proposal and believe that if the Department moves forward in its current form, it would be retreating on the federal role in educational equity for English learners.

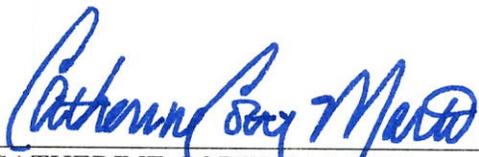
For more than four decades the U.S. Department of Education has supported State Education Agencies (SEAs) and Local Education Agencies (LEAs) in their mission of supporting, educating and ensuring equal access to our education for our nation’s English Learners (ELs). Authorized under 20 USC §3420 et seq., OELA is an entity whose Director, by statute, reports directly to the Secretary. Maintaining a separate office that addresses the unique needs of English learners is also necessary to meet obligations under the landmark Supreme Court case (*Lau v. Nichols*) that ensures equal access to education for the country’s ELs. Without a seat at the table, the needs of ELs are likely to be ignored.

English learners are a rapidly growing and increasingly diverse population. There are more than 5 million ELs in elementary and secondary schools across the 50 states and territories. The growth of English learners has outpaced the general population – with a 60 percent increase in the last decade, compared to a 7 percent increase. ELs speak more than 150 languages from around the world, with Spanish spoken by over 70 percent of students.

OELA has a longstanding reputation of success in developing evidence-based policy that promotes a positive learning environment for ELs. Ensuring that the office is able to function effectively and independently is critical for closing achievement gaps and increasing educational equity. Congress and past administrations have recognized OELA as a leader in providing expertise and guidance to SEAs, LEAs and the broader education community about the best ways to serve our EL population to ensure that they are able to learn English and succeed academically.

It has come to our attention that the Department is proposing significant structural changes to OELA (operating under the guidance of Executive Order 13781). We oppose any regulatory or administrative changes to the organization of the OELA. We also believe these reorganization efforts only further highlight our continued concern about this administration's vitriolic rhetoric about individuals in this country who speak another language. We urge you to maintain OELA as a separate office with a Director who reports directly to the Secretary. Any deviation from this practice threatens years of precedent, evidence-based work, and expertise critical to meeting the needs of our nation's English learners.

Sincerely,



CATHERINE CORTEZ MASTO  
United States Senator



RAUL M. GRIJALVA  
Member of Congress



PATTY MURRAY  
United States Senator



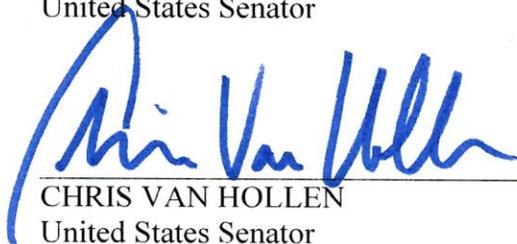
JAMES R. LANGEVIN  
Member of Congress



BENJAMIN L. CARDIN  
United States Senator



LUCILLE ROYBAL-ALLARD  
Member of Congress



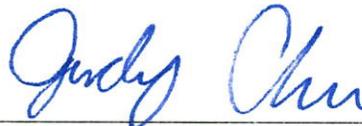
CHRIS VAN HOLLEN  
United States Senator



RUBEN J. KIHUEN  
Member of Congress



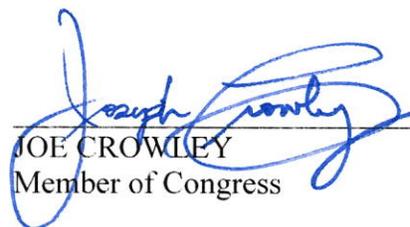
DIANNE FEINSTEIN  
United States Senator



JUDY CHU  
Member of Congress



BILL NELSON  
United States Senator



JOE CROWLEY  
Member of Congress



MAZIE K. HIRONO  
United States Senator



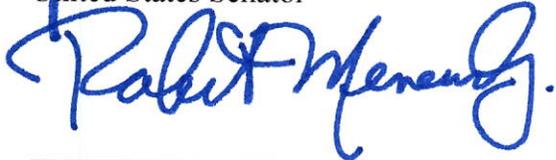
GRACE F. NAPOLITANO  
Member of Congress



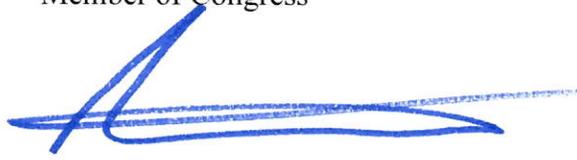
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SALUD O. CARBAJAL  
Member of Congress



ROBERT MENENDEZ  
United States Senator



ADRIANO ESPAILLAT  
Member of Congress



RICHARD BLUMENTHAL  
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NANETTE DIAZ BARRAGAN  
Member of Congress



KAMALA D. HARRIS  
United States Senator



DINA TITUS  
Member of Congress



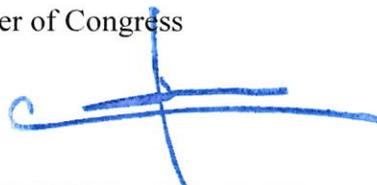
CORY A. BOOKER  
United States Senator



MICHELLE LUJAN GRISHAM  
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KIRSTEN GILLIBRAND  
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COLLEEN HANABUSA  
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