

Opening Statement of Rep. Kevin Kiley (I-CA)
Early Childhood, Elementary, and Secondary Education Subcommittee
“Leveling Down: How Equity Policies Undermine Excellence and Harm
Students”
April 28, 2026

(As prepared for delivery)

Academic excellence is the foundation of K–12 education. Every student deserves access to a great education, to the highest-quality education possible. All students benefit when schools set high expectations and provide pathways to success. Policymakers and educators should focus on expanding access to rigorous academic opportunities.

These are common-sense principles, and yet, they are increasingly being abandoned in school districts across America. Instead of helping students overcome challenges and reach their full potential, too many schools are prioritizing uniform outcomes or “equity” over individual achievement. Such policies do a grave disservice to all students and particularly limit those from disadvantaged backgrounds.

We see this trend in three areas: gifted and talented education, equitable grading, and charter schools.

Let’s start with gifted and talented programs. These classes are overwhelmingly popular with parents. According to a 2024 EdChoice/Morning Consult poll, 63 percent of parents said it was at least “very important” that their child’s school offer advanced academic classes, while only 8 percent expressed that it was “not important.”

There's also considerable evidence that gifted education is good for kids. As Johns Hopkins professor Jonathan Plucker summarized the research, "Acceleration [is] one of the most-studied intervention strategies in all of education, with overwhelming evidence of positive effects on student achievement."

Despite this, gifted education is under attack. In New York City, there are efforts to scale back the city's gifted and talented program. In California, San Francisco Unified School District spent a decade preventing advanced eighth graders from taking Algebra I. San Francisco eventually reversed course based on evidence that it actually harmed low-income and minority students, but not before California's Instructional Quality Commission urged schools to eliminate K-10 accelerated math.

These policies are bad for everyone. They prevent high achievers from reaching their potential, deny students from less advantaged backgrounds the opportunities that will help them advance, and make it more difficult for students of all achievement levels to receive the instruction that will lead them to success.

Another misguided policy is so-called "equitable grading." Despite its laudable goals, in practice, this recent innovation often means that common-sense practices such as penalizing late work and failing students for cheating are deemed "problematic." Portland Public Schools offers a case study. Teachers were instructed in 2023 to discard traditional yardsticks of student performance—including homework assignments, attendance, and small evaluations like quizzes. It's hard to imagine what policy could be more destructive to academic excellence, student motivation, and integrity than this.

This false notion of "equity" in practice limits student growth and widens achievement gaps. Nowhere do we see this more clearly than in the opposition to charter schools, which are perhaps the greatest force for expanding educational opportunity in America today. Studies by Stanford's CREDO show that urban charter students gain 40 additional

days of learning in math. That is a remarkable impact. There's virtually no other education reform with such a track record of success. Yet all too often, instead of trying to replicate these results for all students, political interests have attacked charter schools and their leaders, denied them equal funding, capped their expansion, and propagated myths in an attempt to deny the charter success story.

By any measure, America is falling behind other nations when it comes to academic achievement in our schools. This is a grave threat to our future, and we must act with urgency to change the trajectory. That will involve many important reforms to make our schools work better for students. But above all, it requires a renewed commitment to excellence in American education.