



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Meredith Miller
U.S. Department of Education
400 Maryland Avenue, SE, Room 3C106
Washington, DC 20202-2800

Docket ID: ED-2016-OESE-0032

Dear Ms. Miller:

I am writing on behalf of the District of Columbia Office of the State Superintendent of Education (OSSE), to provide comments on the Department of Education's (Department) Notice of Proposed Rulemaking (NPRM) regarding accountability and state plans under the Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act (ESSA). OSSE is the state education agency for the District of Columbia charged with raising the quality of education for all DC residents.

OSSE is excited about the opportunity that ESSA provides for states to lead the development of statewide accountability systems in cooperation with stakeholders. In DC, we have a unique environment with a little over half of our students enrolled in our largest local education agency, the District of Columbia Public Schools (DCPS), and just under half of our students enrolled in public charter local education agencies. Over the last several years, we have seen tremendous progress in educational outcomes for DC students, with sustained, significant gains on the National Assessment of Educational Progress (NAEP) and increases in the high school graduation rate. At the same time, we still have a long way to go—not nearly enough of our students are currently on track for college and career readiness, and we have serious and persistent gaps between different groups of our students. As we develop a state accountability plan, we are focused on working with partners to define a system that provide comparable data and information across all of our schools. This will allow all of us to accelerate and deepen the progress happening in DC by having common ways to identify our high performing schools to learn from, as well as our struggling schools that we need to do a better job of supporting. It will also allow us to provide consistent information about schools across DC to support families in making choices and learning about their children's schools.

In considering the development of our system based on the proposed regulations, we request that the Department consider revisions to address the following issues:

Timeline for plan submission, Department approval, and implementation

The ESSA statute requires new state accountability systems to take effect beginning with the 2017-18 school year. Additionally, the statute provides for the Department to have up to 120 days to review state plans.

OSSE recognizes that the additional detail in the NPRM attempts to clarify these timelines, by specifying states will make identifications using new accountability systems prior to the start of the 2017-18 school year following submission of a comprehensive state plan to the Department on March 6 or July 5, 2017.

However, we are concerned that these options leave state education agencies like ours with the choice between limiting the timeline for engagement on the front end in order to meet the earlier deadline or managing a situation where we may have to act on a plan prior to receiving final approval. If we were to submit by the later deadline and not receive a response until October, we may then might be faced with having to revise those decisions based on any changes required by the Department. Given the importance of engaging with stakeholders throughout this process, and the importance of effective implementation of the accountability plan in the 2017-18 school year, neither option is ideal.

Recommendation: We would appreciate if the Department would consider one or more of the following options: (1) Adding a May 1, 2017 submission option to ensure states hear from the Department prior to Aug. 1, 2017; (2) Committing to condensing the review period for July 5, 2017, submissions to significantly fewer than 120 days; (3) Committing to not requiring any significant or disruptive changes to a plan after a state has moved forward with implementation (as required) to make identifications prior to the start of the 2017-18 school year.

Use of four-year adjusted cohort graduation rate (ACGR) to identify schools in lowest category

The NPRM's approach to high school graduation rate is in tension with the spirit of ESSA to provide states with the opportunity to design accountability systems best suited to their local contexts. OSSE agrees that improving graduation rates is of critical importance. Our 2014-15 school year statewide four-year high school graduation rate of 65.4 percent is troubling and leaves dramatic room for improvement. However, the blunt requirement to identify any school with a four-year ACGR below 67 percent for comprehensive support is problematic in our context.

With this stipulation, the composition of schools in DC's comprehensive improvement category will be disproportionately skewed toward high schools, rather than elementary and middle schools. Based on our 2014-15 school year data, half of our high schools would be identified solely through this filter.

We also recognize that the requirement of identifying five percent of Title I schools for comprehensive support is a floor, not a ceiling. That said, there is a limit to the number of schools that states can effectively support through comprehensive improvement, and skewing that number heavily toward high schools and therefore deemphasizing the building of strong foundations through improving elementary and middle schools could be harmful in the long run. Additionally, given the minimum funding requirement of \$500,000

for each school identified for comprehensive improvement, our ability to provide adequate funding to all schools if we over-identify to get a more diverse pool becomes impossible.

We are also concerned about the incentives this requirement creates for our high schools. Many of our high schools are intentionally working toward five or six year graduation rates, based on an assessment of student needs. Setting a bar around four-year ACGR would create perverse incentives and discourage schools from serving students who cannot graduate in that timeframe but have a chance to graduation and obtain a diploma with an extended period.

Recommendation: OSSE requests that the Department provide states with the authority to consider the four-year ACGR and/or extended cohort rates alongside all of the other indicators being factored into categorizing schools for comprehensive support. This would better enable states to identify schools across grade levels and to continue to support the commitment of schools to serve students who may be successful graduating on a timeline beyond four years.

Thank you for the opportunity to comment on the draft regulations. Please do not hesitate to contact me at (202) 355-8088 or hanseul.kang@dc.gov if you would like to discuss any of these comments further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hanseul Kang', written in a cursive style.

Hanseul Kang
State Superintendent