



1703 North Beauregard Street  
Alexandria, VA 22311-1714 USA  
1-703-578-9600 or 1-800-933-2723  
1-703-575-5400 (fax)  
www.ascd.org

January 21, 2016

The Honorable John King  
Secretary-Designate  
The U.S. Department of Education  
400 Maryland Ave., S.W.  
Washington, D.C. 20202

Dear Dr. King,

Thank you for the opportunity to provide comments on the regulatory issues in the Every Student Succeeds Act (ESSA) that should be addressed by your Department. As the foremost federal K-12 education law, it is crucial to provide states, districts, and schools with clear and specific guidance as they make the required changes in their policies and practices to meet both the spirit and letter of the ESSA law. We would like to provide you with our initial analysis of provisions within Title I that the Department should address during the regulatory process.

#### Accountability

- ESSA requires that academic indicators be given a “much greater weight” than other indicators. The Department should clarify this term, but refrain from attaching any numerical values to these indicators or categories of indicators.
- ESSA requires that the additional (non-academic) measures be used to “meaningfully differentiate” among schools. The Department should provide clarification as to what is considered “meaningful” and how to “differentiate” for consistency across the states.
- ESSA requires states to help districts improve conditions for learning. Based on our work in the area of multimetric accountability, we strongly recommend that the Department require states to publicly establish the conditions for learning before they assess whether districts are meeting these conditions and develop strategies to help them improve.

### School Improvement

- Districts are required to develop strategies for school improvement in partnership with parents and school staff. Community partners should also be included in the development of these plans. And there should also be some guidance around evaluation of these plans to ensure timely and effective implementation.
- Districts are required to create strategies for the “comprehensive support and improvement” of low-performing schools. The Department should provide guidance to help districts ensure that factors beyond academics are included in any school turnaround strategies and these plans should lead to the types of long-term, systemic changes that are foundational to school and student success.
- The Department should define what “consistently underperforming” means in reference to subgroup performance for the purpose of identifying schools in need of improvement. Furthermore, clarification is needed as to whether underperformance refers to the aggregate of all subgroups, or each subgroup.
- It would be helpful for the Department to define and identify criteria for what constitutes an “evidence-based” intervention to ensure consistency across all states that use these strategies to turn around low-performing schools. In addition, the Department can provide guidance to ensure that the requirement for effective interventions does not preclude the use of innovative and promising, but perhaps less proven, school improvement strategies.
- And when schools fail to improve over a period of no more than four years, ESSA requires states to intervene with “more rigorous” actions. The Department should help to define how these actions are triggered and identify criteria for more rigorous actions.

### Standards

- It would be helpful for the Department to elaborate on how feasible, and to what extent, state academic content standards can be aligned simultaneously to both higher education entrance requirements and to a state’s career technical education standards.

Supplement not Supplant

- Regulations can help to clarify this broader use of Title I funds but the Department should avoid imposing further administrative burdens on state, district and school leaders.

Thank you again and we at ASCD look forward to working with the Department to ensure that ESSA truly addresses and supports the needs of today's students, educators, and schools.

Cordially,

A handwritten signature in black ink that reads "David Griffith". The signature is written in a cursive, slightly slanted style.

David Griffith  
Director of Government Relations

