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May 31, 2016

Dr. John King
Secretary
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202

Dear Dr. King,

Thank you for the opportunity to provide recommendations for Department nonregulatory guidance on the Every Student Succeeds Act (ESSA). Appropriate advice and clarity is crucial as school, district, and state leaders make plans and consider the policy changes necessary for implementing the new law in a manner that best supports educators and students. Our recommendations are below.

Title II

- Professional development funds should be used for professional development activities. Given the Department's firm belief in the value of effective teaching and educator leadership, it should strongly recommend to states and districts that Title II dollars be spent on professional development and not on other, unrelated activities in the law. Educators and other school personnel need the maximum resources available for ongoing learning opportunities to enhance their practice and help students reach their full potentials.
- ESSA specifies that if Title II funds are used to create or improve educator evaluation systems, those systems must be based "in part" on student achievement. The Department should clarify this requirement and recommend that educator evaluation systems incorporate multiple measures—such as survey responses, peer reviews, and observations—in addition to student achievement. Additionally, the Department should emphasize that student achievement shouldn't be measured solely by test scores.

- All school staff can have a positive contribution to a supportive school environment, climate, and culture. ESSA expanded the allowable uses of Title II funds to include all school personnel in recognition of these important roles. Given the limited appropriations for these funds, however, the Department should clarify that expansion may dilute the funds available for this purpose.

Title IV

- ESSA creates a new Student Success and Academic Enrichment (SSAE) grant program that requires districts receiving \$30,000 or more from this grant to conduct a needs assessment to identify programs and activities the district is seeking to fund. The Department needs to clarify that each district has the authority and autonomy to select assessment surveys or tools without state approval. Any requirements around the needs assessment should be flexible to allow districts to use or design evaluations that best align with the unique needs of their communities and schools.
- To assist districts in the selection of needs assessments per the previous recommendation, the Department should highlight example tools or surveys for districts that have to undertake a needs assessment for the SSAE grants. It could also provide a suggested list of data points or indicators, but it should not be overly prescriptive or require any such data be included in the needs assessments selected by districts.
- ESSA provides a list of priorities districts must consider when allocating Title IV funds, but there is still a question about whether Title IV funds may only be used in Title I schools. Many of the eliminated programs that previously supported a well-rounded education and were replaced by the SSAE grants were open to all schools and districts. The Department needs to clarify that Title IV funds should not be limited to Title I schools.
- The Department should provide some suggestions to help explain how Title IV funds may be spent (professional development, curriculum, equipment, etc.) and include language that ensures its suggestions are not meant to limit the use of Title IV funds.

Thank you again for the opportunity to provide input. Should you have any questions or if you or your staff would like further information or would like to discuss any of our recommendations, please contact ASCD's Government Relations Manager, Megan Wolfe, at megan.wolfe@ascd.org or 703-575-5616.

Cordially,

A handwritten signature in black ink that reads "David Griffith". The signature is written in a cursive style with a large, stylized "D" and "G".

David Griffith
Senior Director, Government Relations