



## Conservative Leaders for Education

August 1, 2016

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

Docket ID: ED-2016-OESE-0032

Dear Ms. Miller,

Conservative Leaders for Education (CL4E) is a new initiative chaired by former Education Secretary William Bennett and comprised of state policy makers and legislators with an acute interest in and purview over education policy. Specifically, we have articulated four fundamental principles that we believe should underpin all education policy. Those principles are: Local Control, Choice, Accountability and Quality Content. To learn more about these principles, and our effort, visit our website at [www.ConservativeLeaders4Ed.org](http://www.ConservativeLeaders4Ed.org).

We write today to provide our comments on the U.S. Department of Education's (DoE) proposed accountability and state plan regulations for the Every Student Succeeds Act (ESSA), as published in the May 26 Federal Register.

First, we commend Congress and the President for finally replacing No Child Left Behind (NCLB). States' reliance on waivers put far too much power in the hands of the DoE, and NCLB's discontinuation was an overdue and welcomed accomplishment. Education is key to not only the well-being of millions of children, but to the future prosperity of our nation. The ESSA decidedly returns the principal authority of education policymaking to its rightful place: states and localities.

Second, we are grateful for the opportunity to provide comments on the proposed regulations, specifically on the development of state accountability systems. We believe it is our responsibility to advise the DoE on regulatory provisions that threaten to violate the spirit of the law and specifically where we think the language will encroach on the control allocated to states and localities under the law. The DoE writes that "we are proposing these regulations to provide clarity and support to SEAs, LEAs, and schools as they implement" the ESSA. However, the current regulations by the DoE walk a fine line of potentially undermining the rights of each state and the intended goal of providing clarification and guidance on ESSA implementation. States have the tools, local knowledge and expertise to make sure systems are transparent and hold schools accountable for the success of their students. The regulations must afford them every opportunity to get education back on track in a way that meets the needs of their states.

We provide the following specific comments pursuant to the implementation of ESSA and the regulations proposed by the DoE.

1. **Accountability Indicators:** Under the law, each State must establish "systems of annual meaningful differentiation" for public schools, based on 5 indicators: academic achievement, graduation rates, a measure of student growth if determined appropriate by the state, progress in



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achieving English language proficiency, as well as at least one other “indicator of school quality or student success.” Under the law, the indicator of school quality or student success must receive less weight than the combination of the other indicators.

We strongly believe that academic achievement must be the central measure of an accountability system. Some – not all, but some – administrators, boards, and educators may try to hide behind other nonacademic measures. However, if students are not learning the basics then they will struggle to find a decent job or to be successful in college. Others are requesting that proposed language around school quality and student success should not be as stringent, we disagree. Non-academic skills and school culture can be informative, but proper measures should be put in place to ensure that those factors do not overshadow the extent to which a school is serving the academic needs of students. State education systems must measure students’ academic skills and knowledge, period. We urge the department to resist the calls of others to loosen the law’s intent on non-academic indicators.

2. **Transparency:** ESSA maintains that previously required information provided by states to parents and the public continue and be augmented by additional important information such as per-pupil expenditures by school.

Fundamental to a quality education system is the ability for parents and community leaders to be informed consumers, as taxpayers and key stakeholders in the system. For far too long, information related to school, district, and state accountability has either not been completely honest or has been buried on government websites under mounds of indecipherable data. We have a moral obligation to prioritize the data that matters most to parents and ensure that they receive it in a clear and concise manner. We support the regulations reflection of this expanded transparency and urge you to maintain requirements that the information be more timely and meaningful for parents. We particularly applaud the attention given to the “Parent Report Cards” in the law and the subsequent requirement to obtain parent feedback in the development of the new report prior to its submission to the DoE. We highly recommend that in addition to the content, there be an emphasis on a robust distribution plan. Parents will do what is best for their children and often serve as a catalyst for innovation when equipped with actionable information.

3. **Stakeholder Engagement:** We value the flexibility that has been given to the states to create their own accountability systems designed to meet the unique needs of the states. It is an opportunity to bring in a diverse and fully invested group of stakeholders across all parts of the community to create a shared vision of success for students.

The proposed rule currently includes language clarifications by the DoE to address early stakeholder engagement in the development of various components of state plans. We strongly recommend that you not prescribe or direct those stakeholder engagement activities, respect state autonomy and allow state leaders to lead the way in executing effective stakeholder engagement plans that actively involve all key stakeholders. In particular, we will be encouraging states to ensure that employers and higher education leaders, are invited to provide their unique perspective on the individualized needs of the state economies as a part of the goal setting process.



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Thank you for the opportunity to comment on these proposed rules. Please contact us if we can help represent the point-of-view of conservative state lawmakers. To learn more about our organization, visit [www.ConservativeLeaders4Ed.org](http://www.ConservativeLeaders4Ed.org).

Sincerely,

Representative Paul Boyer (AZ)  
Chair, House Education Committee

Senator Luther Olsen (WI)  
Chair, Senate Committee on Education

Senator Owen Hill (CO)  
Chair, Senate Education Committee

Representative Amanda Price (MI)  
Chair, House Education Committee

Mary Scott Hunter (AL)  
Representative, Alabama Board of Education

Senator Howard A. Stephenson (UT)  
Chair, Senate Education Committee

Senator Peggy Lehner (OH)

Senator Mike Wilson (KY)  
Chair, Senate Education Committee

*(All signatories are founding members of Conservative Leaders for Education)*