



Oregon Department of Education

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Secretary John King
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary King:

The Oregon Department of Education is taking this opportunity to comment on the proposed regulations related to the Every Student Succeeds Act (ESSA), highlighting areas of concern, as well as the positive components of the rules.

Capturing the spirit of the Elementary and Secondary Education Act of 1965, the Every Student Succeeds Act affords the state of Oregon the opportunity to continue making tremendous strides towards achieving educational equity and excellence for all Oregonians. A systemic and structured approach to the implementation of ESSA is essential to the success of Oregon's state plan. This includes a focus on collaboration, improving student outcomes and boosting graduation rates, educational equity, and high-quality instruction and leadership in our schools. To date, Oregon has actively engaged multiple stakeholders in ESSA-focused conversations through a variety of communication channels. Several key themes have emerged from these statewide conversations, with equity for all students at the forefront, along with the belief that a quality district system is stronger when based on multiple measures of student/school outcomes.

I would like to focus this correspondence on four (4) key areas of concern. First, the implementation timeline of an 'in place' accountability system does not incentivize innovation [*Section 5(e)(1)(B) and Section 1111(c)(4)(D)*]. While I appreciate the necessity to identify schools and districts in need of supports to improve outcomes for students, the proposed timeline does not allow sufficient time to create, develop and implement an innovative and systematic approach to accountability by fall 2017. I understand that over time we may add innovative measures to our plan, but this, in essence, prohibits us from using such measures until the second identification phase (the start of the 2020-2021 school year). ***Oregon proposes the federal regulations be amended to implement an accountability system by fall 2018 - to begin support of identified schools in 2018-19 to allow the incorporation of innovative measures into the accountability system.***

Second, the single summative rating for differentiating schools [*Section 1111(c)(4)(C)*] does not provide meaningful information to school communities and stakeholders about the true complexities of a school environment. ***Oregon proposes the federal regulations be amended to allow states the autonomy to determine whether schools will be identified through a single summative rating or a multiple measures dashboard.***

Third, the proposed requirement of a single sheet of paper containing all relevant or desired data for a school report card seems artificial [Section 200.31 (3)(d)(2)(i) – p 34610]. If parents and a community, or state, determine to include more information they believe is helpful, it would be appropriate to relax this particular requirement. ***Oregon recommends the federal regulations allow states the autonomy to determine their own processes for engaging key stakeholders on how to present data on a report card that is meaningful to parents and communities.***

Fourth, the funding model outlined in the proposed regulations requires a minimum allocation of \$500,000 for Comprehensive Support and Improvement Schools or lesser amounts if an LEA justifies why a smaller amount would suffice [Section 200.24 (9)(c)(2)(ii) – p 34608]. Oregon serves school districts ranging from fewer than 10 students to approximately 50,000 students. The needs of each district and schools within these districts are different and unique. It would be fiscally irresponsible to provide funds to support schools in excess of what is necessary to ensure meaningful engagement in improvement processes. ***Oregon proposes the federal regulations be silent in this area to allow states the autonomy to determine allocations based on the needs of each identified school for Comprehensive or Targeted supports.***

The proposed ESSA regulations also contain aspects we are finding helpful as we move forward in preparing Oregon's State Plan. Specifically, we agree with the language that requires school interventions be supported by the strongest evidence available, considering the context of the school. Additionally we appreciate the clarity in the regulation that permits the inclusion of a planning year in Comprehensive Support and Improvement implementation plans. Both of these regulations take into account effective practices that leverage the context of the school and the time needed to develop a plan strategically focused on improved outcomes for the students they serve.

Thank you for the opportunity to provide feedback regarding the proposed ESSA regulations. While we support many components of the new law, we believe there are also areas that need further discussion and re-shaping. Oregon is committed to the Congressional intent of the ESSA, which moves away from compliance, towards equity and opportunity for all students to enjoy a quality, future-focused education. As part of this commitment, we are continuing our work with stakeholders and communities to develop a plan that ensures every Oregon student graduates from high school ready for college, career, and civic life.

Sincerely,

A handwritten signature in blue ink, appearing to read "Salam A. Noor".

Salam A. Noor, Ph.D.
Deputy Superintendent of Public Instruction