



United States Department of Education
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

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Summary Response to Comments on Title I, Part A Opportunities and Responsibilities for State and Local Report Cards Non-Regulatory Informational Document

On March 28, 2019, the U.S. Department of Education (Department) published for public comment a draft informational document on the requirements for State and local report cards under section 1111(h) of Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESEA). More than 30 respondents provided comments for the Department to consider in finalizing the informational document. A summary of the comments and a description of changes that the Department made to the draft informational document follow.

Many commenters wrote in support of the draft informational document and encouraged the Department to consider expanding or providing more clarity in key topic areas. Commenters provided a range of suggestions for improving the document. In response, the Department revised the document to add or clarify certain information, including on the following topics:

- Promoting increased dissemination of report cards;
- Whether a State or local educational agency may count students without a valid score as participating in State assessments;
- Presenting per-pupil expenditure data to enable parents and other stakeholders to understand the information; and
- Reporting postsecondary enrollment data.

Several commenters asked the Department to include information from previous non-regulatory guidance on State and local report cards that was published in January 2017. Some of that information was not included in this document because it was based on regulations promulgated in fall 2016 and that were subsequently invalidated in March 2017 when Congress passed, and the President signed, a resolution of disapproval of the regulations pursuant to the Congressional Review Act. The purpose of this document is to clarify the requirements for State and local report cards in ESEA section 1111(h).

In addition, some commenters remarked on the importance of ensuring that report cards provide information in a manner that parents and the general public can understand and use. Appendix B has been added to provide examples for ways to use visual representations of data to increase understanding for the public.

Some commenters expressed concern with the accuracy and timeliness of information collected and reported in accordance with the Civil Rights Data Collection (CRDC) requirements under 20 U.S.C. 3413(c)(1) because, for example, data are provided directly by districts and are only collected every two years. The Department did not make substantive changes to this part of the document, as ESEA section 1111(h)(1)(C)(viii) requires states and districts to include data

submitted in accordance with the CRDC and does not authorize the use of other data sources.. Other commenters wanted the Department to require States and districts to include information that was above and beyond the statutory requirements for the CRDC. Although States and districts have discretion to include additional information, the Department cannot require it.

The Department appreciates the public's helpful and insightful comments on the draft informational document and would like to convey its thanks to all those who commented.