

Board of Education

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A National Blue Ribbon District of Excellence

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Resolution regarding US Department of Education Draft Regulations for Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act (ESSA) expressly replaces NCLB's overly prescriptive federal system of school accountability with statutory language that gives increased flexibility for state and local decision-making while maintaining federal guardrails to protect the intent of Title 1-A. Yet provisions in the US Department of Education (DOE) draft regulations would perpetuate federal overreach in areas that ESSA specifically delegates to the states and to local school districts.

WHEREAS, provisions in the proposed DOE regulations run contrary to the language and spirit of ESSA by imposing narrow, prescriptive mandates that would hamper the ability of states and districts to devise their own accountability systems; and

WHEREAS, there is explicit statutory language that ESSA not override "a State or local law regarding the decision of a parent to not have the parent's child participate in the academic assessments." Draft regulation 200.15 would require states to choose one of three sanctions for a school in which less than 95% of students take the state tests, including lower the ranking or identify the school as needing "targeted support;" and

WHEREAS, ESSA requires four school accountability indicators, the fourth being an indicator that is not based on test scores or graduation rates. DOE proposed regulation 200.14 would insist that there is research proving a linkage between the fourth indicator and achievement or graduation rates. [While ESSA allows for the inclusion of school climate, safety, engagement, etc. in the fourth indicator, the draft regulations would restrict what factors a state can choose to include.]; and

WHEREAS, ESSA requires states to create a growth score as an indicator for elementary and middle schools. DOE draft regulation 200.13 would require that the academic indicators give equal weight to proficiency on state reading/language arts and mathematics assessments. [Continuing the NCLB over-emphasis on ELA and math state assessment scores.]; and

WHEREAS, there is no mention in ESSA of providing a single grade for schools. DOE Draft regulation 200.18 would mandate that states combine multiple indicators into a single "summative" score or rating, derived by combining at least three of the four indicators used to assess its performance. [Undermining the use of alternative methods of accountability such as dashboards, and continuing the opaque grading of schools under NCLB.]; now, therefore, be it

RESOLVED by the Hastings-on-Hudson Union Free School District that the US Department of Education regulations must comply with the letter and intent of the Every Student Succeeds Act (ESSA); and be it further

RESOLVED that the flexibility for state and local decision-making embedded in the spirit of ESSA must be fully incorporated into the federal regulations.

Signed by Eileen Baecher Date 7/6/16

Hastings-on-Hudson UFSD Board President