

Docket ID ED-2015-OESE-0130: Implementing Programs under the Elementary and Secondary Education Act

The South Dakota Department of Education respectfully urges the U.S. Department of Education (US ED) to allow for states to publish the first accountability report cards under the new law following the 2017-18 school year.

Currently as the timeline stands, it would be nearly impossible for states to publish the new report cards under the Every Student Succeeds Act with data from the 2016-17 school year in time for the 2017-18 school year. Final regulatory guidance from US ED is not expected to be published until October 2016. Without this regulatory guidance, states cannot finalize their state plans and seek fulsome stakeholder input until late 2016 or early 2017. This timeline further would require a simultaneous submission of the state plan to US ED in early 2017, along with proposed state administrative rules to state boards in 2017. This scenario means that state administrative rules will go before boards and lawmakers without the benefit of knowing whether US ED has accepted the state plan.

Given these constraints, at the earliest, schools and districts will be in the midst of the school year before knowing the full details of the proposed accountability plan and will likely be finished with the testing window before the state regulatory rules are adopted. In the instance that there are changes warranted to the state plan, full information about the systems may not be available until after the school year 2016-17 is complete. In effect, this creates a situation whereby teachers and administrators will be held to account without knowing the bar they are expected to meet.

In order to allow states to develop thoughtful, considered plans and report cards under the new law and to provide teachers, administrators, parents, and stakeholders full transparency in the state accountability system, we again urge US ED to put forward guidance allowing states the option to publish the first ESSA report cards following the 2017-18 school year.

To ensure that schools needing the most assistance continue to receive support, we would recommend that guidelines be put into place to allow states using this option to exit from improvement any schools that had met the currently established exit criteria and to continue to work during the 2017-18 year with schools identified for improvement that had not made sufficient progress.