



January 17, 2022

Submitted via email to: [OESE.feedback@ed.gov](mailto:OESE.feedback@ed.gov)

Comments to Draft: Impact of COVID-19 on 2021-2022 Accountability Systems Required under ESEA

I am writing on behalf of the National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE) with regard to the Department of Education's draft Impact of COVID-19 on 2021-2022 Accountability Systems Required Under the Elementary and Secondary Education Act of 1965. National PLACE's mission is to strengthen the voice of families and family-led organizations at decision-making tables at all levels. As a national, family-led organization with 70 national, state, and local family-led organization members including Parent Centers, Family to Family Health Information Centers, Federation of Families for Children's Mental Health chapters, and Parent to Parent USA affiliates, among others, we provide information and support to our members to assist them to support families of children and youth to access critical education, health, and human services, and are aware of the critical importance of the ESEA accountability provisions on expectations for students, including low-income students, students of color, students with limited English proficiency, and students with disabilities, among others.

### **GENERAL COMMENTS REGARDING THE PROPOSED GUIDANCE**

In general, National PLACE supports the introductory comments to the proposed guidance, as follows. However, our members strongly believe that many of these "considerations" are, in fact, requirements and not merely considerations and thus this introductory section of the guidance must be reframed.

1. The importance of authentic engagement with a diverse range of stakeholders, including students, families, educators, LEAs, representatives of Indian tribes located in the State, civil rights organizations and stakeholders representing the interests of children with disabilities, multilingual learners, children experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students as the State makes decisions about its accountability system.

As an organization committed to deep, authentic, and impactful engagement of parents, especially parents of the most underserved, ill-served, or unserved children, and the family-led and advocacy organizations who support them, National PLACE asserts that this engagement is not only required, but more important than ever. For the past two years, the brunt of educating our nation's children has fallen in large part on their parents. For decades, family-led, civil rights, and other advocacy groups have led the charge for equity in services to, and accountability and outcomes for, these children. Their insights into decisions about accountability systems are more critical now than ever. Yet based on the feedback of our 70 members around the country, as well as from members of three national coalitions to which National PLACE belongs, this is not happening to any great extent despite their efforts.<sup>1</sup>

2. How to ensure that the State’s accountability system is focused on targeting Federal (including COVID-19 recovery funding), State, and local resources and support to the schools that serve students with the greatest needs, including those who have been most impacted by the pandemic, and on addressing the long-standing inequities in educational opportunity that existed prior to the pandemic.

It is widely recognized that the pandemic has only exacerbated the longstanding inequities that existed prior to the pandemic and that continue today. Far too many state lead agencies – whether due to personal beliefs or political pressures – have done little to address these inequities. Many state funding formulas, in fact, contribute to these inequities. The US Department of Education must take a strong stand with states and territories regarding their obligation to target federal funding, and state and local resources and support to the schools that serve students with the greatest needs. Otherwise nothing will change.

3. Temporary adjustments to the State’s accountability system, consistent with statutory requirements, that may be needed in the short-term (e.g., for one year) because of missing or less reliable data due to the pandemic for indicators that are part of the State’s accountability system, including adjustments in growth measures to ensure fairness and accuracy.

Our reach must always exceed our grasp. We may not always perform up to our expectations, but we rarely perform higher than our expectations. Many state accountability systems are based on low expectations about children of color, low income children, children with limited English proficiency (“emerging bilinguals”), and children with disabilities. These low expectations are insidious. Far too many states have used the pandemic as an excuse to continue to lower expectations, not only for students, but also for schools, districts, and themselves. National PLACE understands the terrible consequences of COVID-19 on our schools and education systems, but it cannot continue to be used as an excuse for lowered accountability.

4. Opportunities to make broader, meaningful, and lasting changes to the State’s system, including those based on lessons from the last two years, the evolving understanding of the needs of students in the State, and other lessons on how to most effectively measure the needs of students and schools in ways that are valid, reliable, and actionable.

National PLACE strongly supports this statement. Accountability systems should be based on meaningful assessments that focus not only on academic knowledge but also on critical skills including social-emotional skills. And assessments that are intended to hold schools, districts and states accountable must not also be used for high-stakes decisions about individual children. Yet they far too often are. This is another reason why deep, authentic, and impactful stakeholder engagement in accountability decisions is so important. Further, we must also consider the needs of communities and families in these discussions and decisions. Children do not live or learn in a vacuum. They live and learn in their families and in their communities. Thus, the strengths and needs of their families and communities must be considered and addressed.

5. Addressing the impact of the pandemic and lost instructional time as part of the school improvement process, which could include leveraging additional Federal pandemic recovery funds and aligning school improvement efforts with evidence-based interventions to address lost instructional time using American Recovery Plan Elementary and Secondary School Education Relief (ARP ESSER) funds.

National PLACE strongly agrees with the importance of addressing the impact of the pandemic and lost

instructional time as part of the school improvement process, and notes that families of students, especially those who fared the worst during the pandemic, must be meaningful partners in decisions regarding how this should be addressed.

6. Opportunities to continue and expand public reporting of a range of opportunity to learn measures—including those that a State agreed to report when it received its accountability waiver for the 2020-2021 school year—even if the SEA does not use these measures to identify schools for improvement in the State’s accountability system

National PLACE strongly supports the need for States and territories to continue and expand public reporting of opportunity to learn measures, including but not limited to those that a state or territory agreed to report when it received its accountability waiver for the 2020-2021 school year and even if the SEA does not use these measures to identify schools for improvement in its accountability plan. Families, family-led organizations that support them, and advocacy groups rely on public reporting for their work to improve systems, services, and outcomes for children and youth, especially those with access to the fewest resources and with the poorest outcomes.

7. Opportunities to improve statewide summative assessments, which may include, consistent with ESEA section 1111(b)(2)(B)(vi), the use of multiple measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks which can provide students with culturally and linguistically responsive ways of demonstrating progress.

National PLACE and its members endorse the need for lead agencies to improve statewide summative assessments and the use of multiple measures of student academic achievement, including measures that assess higher order thinking skills and understanding as well as the use of portfolios, projects, or extended performance tasks that can provide students with culturally and linguistically responsive ways of demonstrating progress, as opposed to typical “pen and paper” or computerized versions of “pen and paper” tests.

8. Strategies for continuous improvement to the State’s assessment system, including enhancing the ability to provide more timely, meaningful reporting to educators and parents and supporting educator assessment literacy and development.

National PLACE strongly supports the importance of lead agencies to enhance their ability to provide more timely, meaningful reporting to educators, parents, family-led organizations, and other advocacy groups and supporting educator assessment literacy and development. However, we urge the Department to also encourage parent/family assessment literacy and development and note that the newly-funded technical assistance center on assessment of students with disabilities is now partnering with the Center for Parent Information and Resources at the SPAN Parent Advocacy Network, a family-led, family-serving organization, to provide information and training to families about the importance of students with disabilities participating in assessments, with needed accommodations, and how to understand and use the results of their children’s assessments to partner with professionals to improve services to and outcomes for their children.

9. Consistent with the Department’s message to States in the 2020-2021 school year about use of assessment during the pandemic, encouraging States to consider additional steps at the State’s discretion to reduce the high stakes of assessments in State decisions such as graduation or

promotion requirements or in educator evaluations.

As noted in an earlier comment, National PLACE supports this “encouragement” to lead agencies and notes that the research is clear that assessments developed for system accountability should not be used for high-stakes decisions about individual children, whether for promotion or graduation or other purpose.

## **SPECIFIC QUESTION COMMENTS AND RECOMMENDATIONS**

### **A. General**

In response to question A-5, “Must an SEA engage in meaningful consultation prior to submitting a request to amend its ESEA consolidated State plan?,” National PLACE strongly supports the proposed guidance answer from the Department that, “[p]rior to submitting a COVID-19 State Plan Addendum or regular State plan amendment, an SEA is required to provide the public a reasonable opportunity to comment on the requested amendments. This opportunity should also be accessible to individuals with disabilities and limited English proficiency. The SEA must consider such comments consistent with the consolidated assurances the State submitted in June 2017 under ESEA section 8304. The Department recommends meaningful consultation with a broad range of stakeholders, such as LEA leadership, educators and staff, including mental health professionals, unions, students, families, the school community, civil rights organizations, and stakeholders representing the interests of children with disabilities, multilingual learners, children experiencing homelessness, children and youth in foster care, migratory students, and other underserved students, in order to provide the opportunity for key stakeholders to be engaged in the process and to offer the SEA important perspectives to inform SEA efforts to modify accountability systems in order to direct resources and support to those schools most in need. This engagement should begin early in the Draft for Public Comment decision-making process and be accessible to individuals with disabilities and limited English proficiency.” National PLACE urges the Department to more closely monitor the extent to which lead agencies actually engage in this process and how public comments are considered and used in lead agency decision-making. The experience of most of our members from across the country is that there is insufficient opportunity for public comment, materials are not accessible to the general public, people with disabilities, or in languages other than English, and lead agencies are not seriously considering comments.

### **B. Accountability**

We support the comments of National PLACE member The Advocacy Institute, as follows.

In response to question B-1, they noted that “[a]llowing states to establish new baselines using data from the 2021-2022 school year will likely result in historically under-performing subgroups – particularly students with disabilities, students of color, and economically-disadvantaged students – being assigned less rigorous goals than originally set out in a State’s plan.” For families of these historically under-performing subgroups, who have suffered through more than a year of remote instruction, this would be devastating. National PLACE strongly agrees with their recommendation that “[h]e Department must ensure that the **disproportionate impact** on these students is not perpetuated by allowing States to adjust long-term goals and measurements of interim progress for academic achievement that do not attempt to make up for the lack of achievement. Revised goals should continue to focus on gap-closing, which is the primary purpose of the ESEA as amended, as stated in Sec. 1001: “The purpose of this title is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.”

In response to question B-16, we strongly agree with the Advocacy Institute’s comment that “[w]e see no reason to allow states to adjust ‘n’ size and fear that this will result in states’ adopting larger ‘n’ sizes in order to minimize impact.”

### C. School Identification and Exit

National PLACE has no comments except that the Department should add language regarding the need to and importance of informing parents and communities regarding these decisions and the criteria for making them.

### D. School Support and Improvement

National PLACE strongly supports the Department’s response to question D1, particularly the need for support and improvement plans for each school identified for CSI, TSI, or ATSI, and monitoring and periodic review of support and improvement plans for CSI schools. National PLACE also agrees with the Department that the pandemic has deepened pre-pandemic disparities in access and opportunities facing students of color, students from low-income backgrounds, multilingual learners, children experiencing homelessness, students with disabilities, and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) students, with significant impacts on their learning. National PLACE strongly believes that SEAs, LEAs, and schools **must** address the impact of the pandemic and lost instructional time as part of the CSI, TSI, or ATSI support and improvement plan. National PLACE also supports the Department’s encouragement of SEAs to help LEAs and schools to focus on evidence-based approaches that have been demonstrated to be effective at improving opportunities and outcomes for students, including re-engaging students in their learning by meeting the social, emotional, mental health, and academic needs of students and through such approaches as using high-quality assessment systems and high-quality tutoring efforts, and targeting resources and support; *and providing information and assistance to families as they support students, including through home visits and information sharing.* Finally, National PLACE endorses the component of the response recommending that “SEAs, LEAs, and schools may also consider using school quality reviews that look at a broad range of data and measures, such as instructional practices and perceptions of school leaders, teachers, students, **and parents** to inform the school improvement planning process,” including ensuring that the meaningful educator and family engagement reflects the diversity of and is representative of the school community (including specifically engaging stakeholders representing the applicable group(s) of students when a school is identified for TSI or ATSI).”

National PLACE also supports the Department’s responses to D3 on evaluation of resource equity; D4 regarding how to award ESEA section 1003 funds to support schools with the greatest needs; and D6’s examples of allowable uses of ESEA section 1003 school improvement funds, including “creating a trauma-informed school environment that addresses the needs of students and staff experiencing the symptoms of traumatic stress. • Implementing a multi-tiered system of supports (MTSS) framework. • Establishing early warning indicator (EWI) systems to promote targeted and timely engagement strategies in response to data. • Providing college and career pathways that integrate enrollment, support, and success in rigorous academic coursework, career and technical education, work-based learning, and student support services. • Leveraging tools that allow teachers to understand and cultivate students’ social and emotional development by measuring school climate, integrating social and emotional learning into instructional practices and design, providing social and emotional supports, and reducing school exclusions. • Establishing school-based wellness teams comprised of representatives from administration, teachers, and counseling, nursing, and support staff. • Increasing

access to mental health services,” and ***encourages the Department to add language regarding the fact that funds may be used to inform and engage parents in each of these processes.***

#### **E. State and Local Report Cards**

National PLACE strongly urges the Department to strengthen the language in the answer to E1. For parents, family-led organizations, and advocacy groups to be able to use the information in state and local report cards to advocate for needed improvements and partner with lead agencies, districts and schools in the improvement process, they need interpretive guides to accompany important data points and to do so in a way that maximizes transparency for all stakeholders. National PLACE strongly endorses the concepts of introductory sections with “information on key metrics and subgroups that may have been impacted by COVID-19 that can help parents and other stakeholders quickly access and understand such information and provide additional context for such data on the State and local report cards.” National PLACE also supports the recommendation and urges the Department to strengthen its recommendation to “provide the report card on an interactive platform that allows users to see how high-level State and LEA data may have been impacted by COVID-19 and allows the user to access additional information within that category through drop-down menus or other interactive tools. This kind of platform, or dashboard, can allow the user to view additional data on specific categories of equity indicators (e.g., course and program offerings and access, educator quality), view performance on these indicators by subgroup, and view growth in performance on each of these measures, in a format that is nuanced, transparent, and actionable.”

In the response to E5, National PLACE recommends that the Department add language regarding the importance of consulting with and engaging stakeholders including parents, family-led organizations, and advocacy groups in the discussion and determination of what a state should include in a state report card as well as the format to make it as user-friendly and useful as possible.

Thank you for the opportunity to provide these comments. Please feel free to contact me with any questions or for further discussion regarding the perspectives and recommendations of National PLACE and its members on the important issue of the Impact of COVID-19 on 2021-2022 Accountability Systems Required under ESEA

Sincerely,

  
[dautin@parentsatthetable.org](mailto:dautin@parentsatthetable.org)

 **Ensuring a Place at the Table for Every Family**

---

<sup>i</sup> Consortium for Constituents with Disabilities (CCD), Leadership Conference for Civil and Human Rights, and the State/Local Education Resource Equity Group.