

Dear PTA Member (Jacki Ball, Director of Government Affairs)/NSBA (Thomas J. Gentzel, Executive Director and Chief Executive Officer),

Thank you for your letter to the U.S. Department of Education (Department) regarding the Department's revised consolidated State plan template to support States in meeting the requirements for the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the Every Student Succeeds Act (ESSA). The Department shares your commitment to ensuring that the revised template promotes innovation, transparency, and accountability while maintaining essential protections for all students.

As you may be aware, on March 9, 2017, in accordance with the Congressional Review Act (CRA) (5 U.S.C. §§ 801-808), Congress approved a joint resolution repealing the Department's regulations. The President signed the Congressional resolution on March 27, 2017, meaning that the Department's regulations related to the consolidated State plan, statewide accountability systems, and data reporting have no force or effect. In anticipation of this action under the CRA, the Department released a revised consolidated State plan template on March 13, 2017, to support States in meeting the requirements of the ESEA, as amended by the ESSA.

Consistent with section 8302(b)(1) of the ESEA, as amended by the ESSA, the Department collaborated with State educational agencies (SEAs) and other State and local stakeholders as appropriate in order to develop the revised template. The Department solicited feedback from nearly every State in addition to a wide variety of stakeholder groups. Informed by that input and collaboration, the Department released a revised consolidated State plan template to include only those descriptions and information that the Department deemed absolutely necessary for its consideration of each State's consolidated plan.

I appreciate you sharing your concern regarding stakeholder engagement in the revised template. In a [Dear Colleague Letter](#) dated April, 10 2017, the Department clarified that each State must meet all of the statutory requirements, including the consultation requirements, of each of the individual programs included in the consolidated State plan. For example, any State that includes Title I, Part A of the ESEA in its consolidated State plan must meet the consultation and public comment requirements in sections 1111(a)(1) and 1111(a)(8) of the ESEA, as amended, for the Title I portion of its plan. (See also ESEA section 1304(c)(3) for Title I, Part C; ESEA section 2101(d)(3) for Title II, Part A; ESEA sections 3113(b)(2) and 3113(b)(3)(G) for Title III, Part A; and ESEA section 4203(a)(12)(A) for Title IV, Part B). A State is not required to include a description of how it met those consultation requirements in its consolidated State plan. However, when developing its State plan, a State must engage stakeholders in compliance with the law and may include supplemental information in its consolidated State plan regarding such efforts. In order to receive federal fiscal year 2017 funds, the Department will require that all States submit a set of assurances, including an assurance demonstrating that, in accordance with sections 8304(a)(1) and (7) of the ESEA, each State provided a reasonable opportunity for public comment on its consolidated State plan and considered such comments prior to submitting the plan to the Department. Additionally, all States must submit an assurance that each included program will be administered in accordance with all applicable consultation requirements of the law.

Thank you for your commitment to educating and empowering all parents and families to be engaged in their child's education, and specifically be involved in the ESSA implementation process. I look forward to continuing to partner with you to ensure every child has the opportunity to pursue excellence and achieve their academic potential.