

PAPERWORK REDUCTION ACT SUBMISSION SUPPORTING STATEMENT

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**Annual Mandatory Collection of Elementary and Secondary  
Education Data through *EDFacts***

**April 2019**

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**ATTACHMENT F-1**

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***EDFacts* Data Set  
for School Years 2019-20, 2020-  
21, and 2021-22  
Response to 60-Day Public  
Comments**

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## INTRODUCTION

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This attachment contains responses to public comments on the Annual Mandatory Collection of Elementary and Secondary Education Data through *EDFacts*. The 60-day comment period for the *EDFacts* package closed on January 7, 2019. ED received a total of 143 comment submissions, many covering multiple topics, totaling 808 individual comments. The majority of submissions and comments came from states (see below).

<b>Submitters</b>	<b>Submissions</b>	<b>Individual Comments</b>
<b>Total</b>	<b>143</b>	<b>808</b>
State	40	667
Association	26	64
Individual	76	76
Other	1	1

ED received comments on each of the 35 directed questions. This document is organized by directed question topic. Comments not related to any directed questions are provided at the end of this document.

Each section provides a summary of the public comments received, ED's response(s) to those comments, and any resulting changes, if any, being made to the proposed data collection in this package. In addressing the public comments and making revisions to the package, ED focused on recommendations from the public comments that continue to move *EDFacts* forward in achieving the goals of consolidating collections, obtaining high quality data, and reducing burden on data submitters.

ED appreciates the time and attention the public spent on reviewing the *EDFacts* package and in composing thoughtful comments that shape the final data set, as evidenced in this attachment. ED reviewed, summarized, and documented each statement prior to analyzing all statements. This documentation will aid in the finalization of this data clearance request and will serve to inform future policy decisions regarding *EDFacts*.

## MAGNET SCHOOLS

**Directed Question #1:** *The federal Magnet Schools Assistance Program defines a magnet school as a public elementary school, public secondary school, public elementary education center, or public secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds. The package proposes the collection of an additional data group about magnet schools (Magnet Curriculum) to align the current data collection to the definition of magnet schools in the authorizing legislation for the Magnet Assistance Program.*

- a. *Do SEAs have this additional information about the magnet schools?*
- b. *Are there other ways for ED to obtain this information?*

### Public Comments

Eighteen states and one association provided comments to the directed question on magnet schools. Thirteen states did not support the newly proposed data group noting that they did not have these data on their magnet schools. Three states reported that they did not have magnet schools, while two states and the association were supportive of the proposed data group. Some states noted that they did not have any additional information on magnet schools.

### ED Response

Based on the comments from states indicating that data for this data group are not available, the Department will remove the proposed data group on magnet curriculum from this collection package.

## CHARTER SCHOOLS

The following directed questions were asked about the charter schools. The comments have been grouped and summarized below. Following the summary of comments for each group is ED's response.

**Directed Question #2:** *Enrollment – This proposed data group would allow users of ED Facts to distinguish among charter schools based on their enrollment policies.*

- a. *Is distinguishing among charter schools based on their enrollment policies useful in better describing charter schools?*
- b. *Are data on enrollment policies of charter schools currently available in SEA data systems?*
- c. *Are there other ways for ED to obtain this information?*

### Public Comments

Twenty-one states and two associations provided comments on the enrollment policies of charter schools. Sixteen states were either not supportive of adding the proposed data group or noted their state could not report this information. On the other hand, two states commented that the proposed data group would provide useful information, and three states were neutral. The associations were somewhat supportive but noted that the benefit of collecting these additional data would not outweigh the burden of collecting these data.

### ED Response

The Department is removing this proposed data group from this collection package based on the public comments. The Department is still interested in understanding the different enrollment policies and will work with states, through groups like the National Forum on Education Statistics, to develop this understanding.

**Directed Question #3: State Appropriation** – This proposed data group would allow users of ED Facts to distinguish among charter schools by how state appropriations are provided to the charter school.

- a. Is distinguishing among charter schools based on how state appropriations are provided useful to better describe charter schools?
- b. Can SEAs use state financial system or other SEA data systems to identify how charter schools receive state appropriations?
- c. Are there other ways for ED to obtain this information?

### Public Comments

Eighteen states and two associations provided comments on the state appropriations for charter schools. Four states were supportive of this proposed data group, seven states noted they have the same appropriations in their state for all charter schools so they could report these data, and one state had a neutral response. However, six states did not think the proposed data group would provide useful information, although two of these states did note that they could report the data. The two associations commented that the proposed data group could provide useful information. Several states noted they had trouble distinguishing between the second and third permitted values.

### ED Response

The Department is interested in keeping this data group for both research and monitoring purposes. The Department understands that while the same approach may apply to all the charter schools within a single state, the approaches are different across states. Therefore, the permitted values have been updated based on the public comments (see below) to better clarify the difference between the second and third permitted values. The second permitted value is to capture instances where the local school district allocates the state's appropriations without any control on allocation of funds (i.e. pass-through allocations). The third permitted value is to capture when the local school district makes the decisions on how the state funds are allocated. The Department encourages ED Facts Coordinators to share this proposal with their charter office to review the proposed data group as well as any applicable state data sources and provide any needed response to this 30-day public comment period.

#### Permitted Values:

1. Charter school receives allocations and appropriations directly from the state
2. Charter school receives appropriations allocated by the state through the local school district with no local school district control on allocation of funds (e.g. pass-through allocations)
3. Local school district receives appropriation of funds from state and allocates funding to charter school, local school district has similar decision making control on charter school's use of funds as district has for traditional public schools (e.g. district operated charter school)

**Directed Question #4: Charter Application Initiation** – This proposed data group would allow users of ED Facts to distinguish among charter schools based on how the charter school application is initiated.

- a. Is distinguishing among charter schools based on how the charter school application is initiated useful?
- b. Are data on the initiation of a charter school's application available in SEA data systems? If the data are not in the SEA data systems currently, what is the burden to the SEA to obtain these data from state charter authorizers?
- c. Are there other ways for ED to obtain this information?

### Public Comments

Eighteen states and two associations provided comments on the initiation of the charter application. Sixteen states and two associations commented that the information gathered from this proposed data

group would not be useful or that they did not have the data. Two states were supportive of this proposed data group.

### **ED Response**

The Department is removing this proposed new data group from this collection package based on the public comments.

***Directed Question #5: Charter Holder – This proposed data group would allow users of ED Facts to distinguish among charter schools based on the organization that holds the charter for the school.***

- a. *Is distinguishing among organizations that hold the charter useful?*
- b. *Are these data available in SEA data systems?*
- c. *Are there other ways for ED to obtain this information?*

### **Public Comments**

Nineteen states and two associations provided comments on the proposed data group on organizations that hold the charter. Two states commented that they were supportive of this data group. Six states commented that all the charter schools within their state have the same charter holder policies so they could report these data. Nine states commented that this information was not useful and two others had mixed responses. One association commented that it supported the proposed data group and the other did not.

### **ED Response**

The Department is removing this proposed new data group from this collection package based on the public comments.

***Directed Question #6: Are there other characteristics of charter schools that should be used to distinguish charter schools?***

### **Public Comments**

Both states and associations provided several suggestions for other items that could be collected and used to distinguish charter schools. One association suggested several new items regarding the number and status of applications an authorizer receives while another had some suggestions regarding the connection to special education. Some of the suggested items (eg., closed charter school, new charter school) already exist in ED Facts, although they require a combination of data groups to obtain such information. Five states commented that there were no other data to be collected in this area.

### **ED Response**

Due to the increase in reporting burden associated with these changes, the Department is not proposing to make any of these suggested changes to this ED Facts collection package.

***Directed Question #7: Management Organization Types – The types of management organization have been revised.***

- a. *Are the types unique?*
- b. *Is the list of types complete?*

### **Public Comments**

Fifteen states and three associations provided comments on the proposal to revise the Management Organization Type data group. Nine states commented that they agreed with the revised Management Organization types. Five states commented that, with some changes, the Management Organization types

would work for their state. One state commented that they did not support this data group. Three associations commented that they support this data group and the revisions.

### ED Response

The Department is moving forward with the revised Management Organization Type data group and will update the file specification descriptions of the permitted values to provide examples for each. The definition of a Charter Management Organization is provided in the ESEA reauthorization and is used to define the permitted values.

**Directed Question #8:** *Charter schools that received federal grants – The Charter Schools Program (CSP) Grant provides SEAs and some LEAs with funds to establish charter schools. The CSP Data Collection Form (Expanding Opportunity through Quality Charter Schools Program: Technical Assistance to Support Monitoring, Evaluation, Data Collection, and Dissemination of Best Practices) obtains the list of schools that received these grants annually. ED is considering merging that collection into EDFacts.*

- a. *Would merging that collection into EDFacts reduce burden on SEAs?*
- b. *Would merging that collection into EDFacts increase data quality?*

### Public Comments

Sixteen states and two associations provided comments on collecting the Charter School Program (CSP) Data Collection Form through EDFacts. Three states commented that they support using EDFacts to collect CSP data and eight states did not support this change. Five states had mixed responses and the two associations commented that they support the change in order to have better access to the data.

### ED Response

The Department will not merge the CSP Data Collection Form (*Expanding Opportunity through Quality Charter Schools Program: Technical Assistance to Support Monitoring, Evaluation, Data Collection, and Dissemination of Best Practices*) into EDFacts. The Department will continue to look for ways to modernize the CSP Data Collection and the reconciliation of that data to the school level directory data submitted to EDFacts. The Charter School Program office will explore ways to distribute more data on the Charter school program.

## PERKINS V

**Directed Question #9:** *The Carl D. Perkins Career and Technical Education Act of 2006 was reauthorized on July 31, 2018 as the Strengthening Career and Technical Education for the 21st Century Act. ED is proposing moving the collection of all the Perkins V enrollment and performance data to EDFacts for both secondary and postsecondary. For SY 2019-20, only enrollment data would be collected. For SY 2020-21, both enrollment and Perkins V performance data would be collected. Under Perkins IV, the performance data for secondary programs are collected using EDFacts.*

- a. *How will this change impact your state?*

### Public Comments

A total of 24 respondents answered this directed question regarding the Perkins CAR being collected through EDFacts. Twenty respondents were from states, some from the state education agency, and others from Career and Technical Offices or the state's postsecondary office. The vast majority of the respondents commented that they were not supportive of postsecondary CAR data being collected through EDFacts, citing issues of data governance with postsecondary data and the additional burden they believe moving this postsecondary data to EDFacts would cause.

**ED Response**

After review of comments noting difficulties for eligible agencies to submit data on the postsecondary core indicators of performance under section 113(b)(2)(B) of Perkins V through the EdFacts Submission System (ESS), ED will not collect the Perkins V enrollment and performance data in EdFacts. Eligible agencies will continue to make their submission of postsecondary CTE data through the Perkins Consolidated Annual Report (CAR) Portal. Moreover, upon review of input received from eligible agencies regarding ongoing difficulties in submitting data on the secondary core indicators of performance under section 113(b)(2)(A) of Perkins V through the EdFacts Submission System (ESS), the Department is providing eligible agencies with the option to submit their secondary CTE data through the ESS or the CAR Portal.

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**OTHER PERKINS PUBLIC COMMENTS**

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**Public Comment – Secondary Placement**

One state reported their struggle to collect the postsecondary placement performance metrics including employment and military service. In Perkins V, the Secondary Placement (5S1) performance metric, the state is unsure on how to collect information on volunteers in a service program that receives assistance under Title I of the National and Community Service Act (Peace Corps).

**ED Response**

The Department appreciates the comment and the difficulties associated with administering post-program surveys. However, because administrative data on participation in the Peace Corps and service programs that receive assistance under title I of the National and Community Service Act of 1990 are not presently available from the agencies that administer these programs, the Peace Corps and the Corporation for National and Community Service surveys, respectively, this appears to be the only viable option for trying to identify students who have participated in these programs. Given the statutory requirements for reporting these data, the Department does not have discretion to make this part of the core indicator optional.

**Public Comment – Subgroups**

One state expressed concerns over some of the subgroups required to be reported. Some subgroups, such as Out of Workforce Individuals, may not be appropriate to the secondary population. Similarly, Youth in Foster Care may not apply to the postsecondary population in states where children “age out” of the foster care system at age 18. Collecting these disparate subgroups from both secondary and postsecondary systems could prove challenging and create extensive burden on LEAs, Institutions of Higher Education, and SEAs.

**ED Response**

In this section and throughout the information collection, the Department has included the statutory provisions of Perkins V, including the requirement for each eligible agency to report data on the section 113(b) core indicators of performance for CTE concentrators at both secondary and postsecondary levels, and is making meaningful progress towards improving the performance of all CTE students, including the subgroups of students under ESEA section 1111(h)(1)(C)(ii) and special populations under section 3(48) of Perkins V for all special populations categories under section 3(48). In the case where an eligible agency does not serve individuals from a particular category, the eligible agency may report “0” students for that category.

### **Public Response – Concentrator Placement**

For the SY 2018-2019 it is assumed that this is referencing the placement to be reported on the 18/19 enrolled cohort that we would then report placement on in the 2020 CAR and not the placement data reported in the 2019 CAR on 17/18 completers--considering the fact that the placement is changing to concentrator, and one state noted they would not be able to report on concentrator placement on 17/18 concentrators because they currently are only collecting on placement outcomes for 17/18 completers.

### **ED Response**

The Department appreciates the request for clarification on the timing for reporting data on the core indicators of performance regarding placement pursuant to section 113(b)(2)(A)(iii) and (B)(i) of Perkins V for secondary and postsecondary CTE concentrators, respectively. The Department anticipates first collecting performance data on CTE concentrators in December 2021. At that time, eligible agencies will report placement data on CTE concentrators who are placed during the second quarter following completion of their program.

## ENROLLMENT

**Directed Question #10:** *Students served – The membership data (FS052, DG 39) are the unduplicated counts of students in a school or LEA. Shared-time schools, by definition, provide instruction on a part-time basis to students who are counted in membership at other schools. Consequently, the membership reported by shared-time schools may significantly understate the number of students actually served by the school, misrepresenting the school to casual users of the data and creating invalid indicators where membership is used as a denominator (e.g., student/teacher or expenditures per pupil). A count of students served would help address these concerns while being less burdensome to collect than full-time equivalency (FTE) student counts. NCES would not substitute the count of students served for membership in its reporting of per-pupil ratios, however the data would provide users with additional contextual information to better understand these ratios. The students served data would be collected only by grade level.*

- a. *Would using students served improve users' understanding of the data?*
- b. *Do SEAs have information on students served?*
- c. *What data quality concerns are associated with these data?*

### **Public Comments**

Seventeen states commented to this directed question on students served. Three states commented that their state data system has information on students served at this time. One state commented that the reported membership counts already reflect students served. The rest of the states commented that students served would be confusing to users who would be unable to understand the difference between membership and students served. Finally, several states commented that a shift to shared-time would result in what appeared to be inflated numbers with students counted at more than one school when in fact they may be receiving a small portion of their instruction at one of the schools.

### **ED Response**

Based on state comments, the Department will not add counts of students served to this ED*Facts* collection package.

**Directed Question #11:** *Pre K Enrollment – Prekindergarten (PK) enrollment has been getting more attention recently. Ideally, ED would like to capture enrollment in all publicly-funded PK programs. However, ED has noted that reporting of these data can vary from state to state and even between reporting levels within a state. Therefore, to better understand what is being reported, ED is soliciting input from the State Education Agencies.*

*The current guidance for reporting PK membership (FS 052, DG 39) says to “Include all groups or classes that are ... administered by a public school, local education agency, or SEA ....” However, many states have PK programs that are administered by agencies other than the SEA. ED is considering changing this guidance to require that SEAs include programs run by other state agencies in their reporting of PK membership.”*

- a. Does your state’s current reporting of PK enrollment include publicly-funded programs run by agencies other than the SEA?*
- b. Do data exist for these other PK programs in the SEA data systems?*
- c. Can the SEA access data for these other PK programs?*
- d. Do the data for these programs meet the ED Facts reporting guidelines (i.e., an October 1 headcount disaggregated by race/ethnicity and sex)?*
- e. Would your state be able to include these data in their reporting for school year 2019-20?*

### **Public Comments**

Nineteen states and one association responded to this directed question on PK enrollment. The states described a variety of combinations of students included in PK enrollment for ED Facts reporting – including differences based on age and program enrollment. Some of the states commented that PK enrollment in ED Facts only include those students enrolled in IDEA.

Overall, the majority of responding states reported that their data systems do not include counts for state-funded preschools. The states also commented that due to the service delivery structure in their states, reporting the data would require data sharing agreements. Finally, many states reported that the service locations (e.g., individual preschools and Head Start centers) are not currently part of the ED Facts directory structure.

No states commented that they would be able to provide comprehensive PK reporting for the 2019-20 school year. Most replied that the data are not available. Some commented that they could make the change, but it would take two or more years and was dependent on the availability of resources.

The association commented that ED should expand the PK definition to capture students in programs that are administered by agencies beyond the SEAs but in the same response recognized that implementing this change would be challenging.

### **ED Response**

The Department asked this question to learn more about what states do and do not include in their PK reporting to ED Facts as well as whether states can access additional data. The Department will not propose a change to PK reporting in this ED Facts collection package.

**Directed Question #12:** *Dual Enrollment – Interest in understanding and tracking dual enrollment has increased. ED would like to determine the availability of these data.*

- a. Does your state track dual enrollment with postsecondary?*
- b. How is dual enrollment defined in the state?*

### **Public Comments**

Seventeen states responded to this directed question on dual enrollment. All but one state commented that they track dual enrollment at least to some degree, but most noted they do not track all dual enrollment. Three states indicated their counts do not include students with dual enrollment but only those who are doing so outside of a state-sponsored effort and systems. One state reported their dual enrollment effort focuses on outcomes/credits earned and that included college-level courses students take while still enrolled in high school such as International Baccalaureate courses, CTE, Advanced Placement courses. The definition of dual enrollment varied between the states that responded, some referenced postsecondary credit, some with specific agreements with Institutions of Higher Education (IHEs), etc.

### ED Response

Based on state responses, the Department will not add counts of dual enrollment to this ED*Facts* collection.

**Directed Question #13:** *Sex/Gender – ED*Facts* currently includes Sex as a data category (The concept describing the biological traits that distinguish the males and females of a species) for many data groups with female and male as the permitted values.*

- a. *Will a change in the definition of sex, taking out “biological traits”, work for your SEA? Do you use a different definition?*
- b. *Are the two permitted values useful to SEAs? Do you have trouble reporting all your students in these two permitted values?*
- c. *Would a change from sex to gender (i.e., allowing for more permitted values) increase your burden or decrease your burden in reporting?*
  - i. *If your state recommends a change to gender, what permitted values should be included?*

### Public Comments

Twenty states and three associations responded to this directed question. Fifteen states commented on removing the use of “biological traits” from the definition. Ten states commented that this change would have no impact or they would support the change even if it did have impact on their reporting.

Eighteen states commented on whether the Department should change this data group to gender with more than two categories. Six states supported making this change and five did not, while the others were mixed. States shared their definitions and categories but there was no one name, definition, or third category that was consistent in the states that recommended changes.

### ED Response

Based on public comments it is clear that states have various ways of collecting and aggregating these data. The Department would like to support states by revising the definition of the Sex data group as follows:

Current: Sex - The concept describing the biological traits that distinguish the males and females of a species.

Proposed: Sex – An indication that students are either female or male.

The Department is not proposing any other title, category, or definition changes. NCES will continue to consider ways to provide explicit guidance to states on their reporting of this data group. For example, how to report totals for membership that can be greater than the sum of male/female reporting for those states that have a third category. The full set of guidance and outreach on this topic will consider both data submitters and data users.

**Directed Question #14:** *Homeless Students Enrolled – The federal office responsible for the Education for Homeless Children and Youths Program (McKinney-Vento) needs more information on the demographics of homeless children. The proposal is to add a category set for race/ethnicity to the Homeless Students Enrolled table (FS 118, DG 655) at the SEA and LEA level.*

- a. *Does your SEA currently collect data on the race/ethnicity of homeless students enrolled in a way that can be reported in this data group?*

### Public Comments

Eighteen states responded to the question on whether they can report the race/ethnicity of homeless students enrolled. All eighteen states commented that they had the data and could report these data.

### ED Response

Based on the overwhelming response that race/ethnicity is available by homeless status, the Department is keeping this proposed change.

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### OTHER HOMELESSNESS PUBLIC COMMENTS

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### Public Comment – *Young homeless children served*

One state suggested that the Department not collect data for homeless children ages 0-2 and 3-5. The state noted that the data are a very small percent of all districts and that data quality is low while the data burden to collect these data is extremely high.

### ED Response

The young homeless children served data collection was new starting in SY 2016-17. The Department has been using these data in Early Child Homelessness State Profiles issued in collaboration with HHS and plans to continue to collect these data. The program office and data stewards will follow up regarding the burden in collecting those data.

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## STAFF

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**Directed Question #15:** *ED is considering expanding the staff category used for the Common Core of Data to include a new staff category of school psychologist. Currently school psychologists are included in the student support staff.*

- a. *Does your state data collection differentiate school psychologist from other student support staff?*
- b. *If so, how does your state define school psychologist?*
- c. *If not, what would be the burden to differentiate school psychologists?*

### Public Comments

A total of 107 individual comments were received in response to this question, more than any other directed question. Nineteen states, 15 associations, and 73 individuals responded to this question. All 15 associations, most of which are associations of school psychologists, supported adding this new staff category. All 73 individuals also supported the addition of the new staff category. Both associations and individuals noted the need for these data to measure a possible shortage of school psychologists.

None of the 19 states reported objections to adding school psychologists as a staff category at both the LEA and SEA levels. All 19 states reported that they can differentiate school psychologists in their data

systems. The definition of school psychologist varied across states who responded. Some states do not have a formal definition while others require a special certification or licensure.

### ED Response

Based on the overwhelmingly supportive comments from the states, associations, and individuals, the Department has proposed expanding the staff category for FS059/DG528 Staff FTE to include a separate category to report school psychologists (at the SEA and LEA levels). The two changes to the Staff FTE category set are as follows:

1. Add PSYCH as a category to “Staff Category (CCD)” which is used with Data Group #528 Teachers (FTE).  
School Psychologists (PSYCH): Professional staff members who analyze and evaluate students’ behavior by measuring and interpreting their intellectual, emotional, and social development, and diagnosing their educational and personal problems.
2. Revise the definition of Student Support Services Staff category to remove reference to school psychologists.

## ADJUSTED COHORT GRADUATION RATE

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**Directed Question #16:** *Diploma Pathways and Regular High School Diploma Definition – With the passage of ESSA, language was introduced to the graduation rate reporting requirements indicating that states may only include the regular high school diploma “awarded to a preponderance of students in the states.” The adjusted-cohort graduation rate data group definitions are changing to include this clause.*

- a. *How will this change in the definition of regular diplomas change the number of students reported as receiving a regular diploma in your state’s adjusted-cohort graduation rate?*

### Public Comment

Eighteen states responded to this question. Seventeen states reported that this language change would have no impact on how they reported these data. One state was concerned that this meant only one type of diploma could be used.

### ED Response

Based on the overwhelming response that this definitional change would not impact how states collect and report these data, the Department is keeping this proposed change.

The impact this language will have may vary by state because of the precise language in the statute. ESEA section 8101(43) defines a "regular high school diploma" as the standard high school diploma awarded to the preponderance of students in the state that is fully aligned with state standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards. The impact in a state may depend upon what is the regular diploma and what is a "higher" diploma. For state-specific questions and guidance, ED recommends reaching out to the ED*Facts* Partner Support Center (PSC).

**Directed Question #17:** ED is proposing to collect the completion pathways of students included in the adjusted-cohort graduation rate. Increased transparency on how states are awarding diplomas and other completions could provide better information to use in conversations regarding moving more students towards college and career ready pathways. The proposed data group and categories are presented below. The pathways would be described by the state in a metadata survey.

- a. Can your state distinguish students among the different pathways?
- b. How many pathways does your state currently have?
- c. Are there challenges with reporting this data group anticipated in your state? If so, please explain.
- d. Given ED's proposal to collect the cohort graduation rate data by graduation pathway, what metadata does your state expect ED would need to collect in order to accurately interpret and use the data?

### **Public Comment**

There were eighteen respondents to this question, seventeen were from states. The majority of states reported that they could distinguish between pathways, they could distinguish between some of their pathways, or their state only had one pathway. Many states expressed a need for better definitions or guidance of pathways and what is expected in this data group reporting. States were also concerned about the duplication of this and other data groups and whether or not pathways for non-regular diplomas would be a part of this reporting.

As for metadata, one state noted ED would need to collect information on what the pathways are and what they represent. The state noted it would not be able to report information on students who are in progress or do not complete a specific pathway as the pathway designation is reported at the time the graduation high school diploma credential is reported. Students who do not earn a high school diploma are not reported with a pathway designation.

### **ED Response**

The Department appreciates the feedback on its proposal to collect the adjusted cohort graduation rate data by pathway. This particular collection will be focused on pathways to graduation and not pathways related to Perkins. While the Department believes "pathway" is a commonly used term by many states, the Department does acknowledge that additional guidance is needed. The Department plans to provide additional guidance in future file specifications.

The Department would only ask that states break out high school graduates by pathway. That is, the state would report the number of regular high school diploma recipients by each pathway, as defined by the state. Students who earn a GED or other equivalency degree have not earned a regular high school diploma and must still be counted as non-graduates for the adjusted cohort graduation rate. The Department would expect that the sum of the number of students in each pathway would be equal to the number of students who received a regular high school or higher diploma.

With regards to duplication, the Department does not believe this is duplicative with other elements. This collection is asking each state to explain whether there are sub-categories of a "regular high school diploma" and how these sub-categories (pathways) are defined by the state. In states where there are multiple pathways, this information would be very useful to the Department and the public in understanding the adjusted-cohort graduation rate.

This directed question is asking about different routes a student may take to attain a regular diploma. The ability to report data by the required subgroups is a different question than the one that was raised here by the Department.

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**OTHER ACGR PUBLIC COMMENTS**

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**Public Comment – *Pathways versus a preponderance of students***

Directed questions 16 and 17 seem to contradict each other. If states offer a new pathway, it will likely take time for it to be used by a “preponderance of students”. Also, there is consideration of making a “special education” diploma that would likely never be attained by a “preponderance of students.” It seems the point is for the pathways to be allowed for many students and be an acceptable and equivalent means of graduating.

**ED Response**

The Department does not think the questions contradict one another. Based on conversations with states, the Department believes that some states currently have one regular diploma but more than one pathway to attain that diploma. As a result, the Department is interested in collecting information about the pathways available to better understand the pathways’ use and impact on the adjusted-cohort graduation rate.

**Public Comment – *Achievement by male and female***

An association noted that achievement gaps between males and females in K12 education are key indicators of whether schools are providing all students with the tools and support they need to be successful in the future. They noted that federal reporting guidelines do not currently include high school graduation rates disaggregated by gender, leaving out key information around the effectiveness of public schools, and that collected data show disparities between males and females in academic achievement. They further note that consistent and reliable data around male achievement are especially critical in regards to young men of color.

**ED Response**

Collecting these data is not required by statute. Due to the increase in reporting burden associated with collecting these data, the Department is not proposing to make this change.

**Public Comment – *Cohort years***

The Department is proposing to remove 5- and 6- year adjusted-cohort graduation rate fields and instead allow states to submit multiple extended adjusted graduation rate files with the number of years indicated as part of the file. It seems more difficult to keep multiple files in sync than to allow for multiple extended year rates in a single file. An alternative would be to survey states to determine the maximum number of extended-year rates needed and incorporate that number into the file.

**ED Response**

The Department will continue to use FS150 and 151 for ACGR and will provide table names for use in the files for years 4 through 9. States can use as many of the years as needed and if a state needs more than 9, they can contact PSC.

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**ACCOUNTABILITY INDICATORS**

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**Directed Question #18:** *The School Year 2018-19 collection will include the new accountability indicators.*

- a. *What types of metadata are important for ED to know from your state in order to correctly interpret the different indicators?*

**Public Comment**

Fifteen states responded to this question, providing specific suggestions as to what could be added to the accountability metadata collection.

**ED Response**

The Department appreciates the responses to this directed question on the necessary metadata that should be collected in order to accurately interpret the accountability indicators provided under the Every Student Succeeds Act. Please see Attachment C for information on the proposed Accountability Metadata Survey.

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**OTHER ACCOUNTABILITY INDICATOR PUBLIC COMMENTS**

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**Public Comment – FS206**

Since the data for FS206 are reported in the CSPR Part II, change the file due date from January to February, in line with all of the other CSPR Part II files.

**ED Response**

The due date for this file will be changing from January to February.

Also, the permitted values in data groups 842, 843, and 844 are being revised in order to allow for more accurate reporting. Since schools can identify as all three types of school statuses in the same year, these data groups need to be revised to allow for accurate reporting. See Attachment A for the revised data groups.

**Public Comments – *English Learners Not Proficient Within Five Years Status***

The category name seems to be inconsistent with the category definition. Additionally, it is unclear if the Department is asking for the status of all English Learners that have not become proficient within 5 years or just the number of those that met proficiency and the number of those that did not. Are states required to identify the proficiency level of each level of proficiency? The Department needs to provide more clarity.

**ED Response**

The category name is based on the intent of the data being collected. The goal of these data is to collect those not proficient. The additional collection of proficiency is to provide the numerator and denominator.

**Public Comments – *English Learners Exited Status***

One state noted that it is unclear if the Department is asking for the status of all English Learners that have exited or just the number of those exited and the number of those that did not. The Department needs to provide more clarity with the definition.

**ED Response**

The Department is asking for the number of English Learners who exited and the number who did not.

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## ACADEMIC ACHIEVEMENT PERFORMANCE LEVELS

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**Directed Question #19:** *ED is proposing to collapse the current performance levels used in FS 175, 178, and 179 into two levels: proficient and not proficient. This would apply to all reporting levels, assessment types, and subgroups. In the current format, states report over 1,000 data points to describe proficiency by subgroup, for one subject, for a single LEA. This proposed change would bring the data points down closer to 400. ED does not use detailed proficiency level data; ED reports and uses data about students proficient and not proficient. ED believes overall burden reduction will be evident in data files, as well as by eliminating the burden associated with reconciling discrepancies between EMAPS responses and data files reported to ED. With the change, States can continue to publish detailed performance level data and the opportunity for disclosure avoidance conflicts between states and ED will be eliminated.*

- a. *Will this change reduce reporting burden for SEAs over the next three school years?*
- b. *Will this change reduce burden for the SEA during ED’s data quality process of assessment results with the SEA?*

### Public Comment

Twenty-two states and one association responded to this directed question. Eighteen states supported moving to two performance levels and noted that it would reduce their reporting and/or data quality burden. Three states were neutral and one state was worried about unintended consequences of the proposal.

Several states commented that if, at the national level, “not proficient” and “proficient” are sufficient detail to collect, then simplifying the collection is recommended. However, for some subgroups, especially lower performing subgroups, it is important to have the additional detail included in each achievement level in order to see movement between the levels. States will have this detail that can be used for analysis purposes whether or not that detail is reported in the ED*Facts* files.

### ED Response

Based on the supportive response from the states and the current needs of the Department, the Department is keeping this proposed change.

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## TITLE III

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**Directed Question #20:** *Alternate Assessments – With the passage of ESSA, states are required to make available an alternate ELP assessment. Understanding the degree to which students are being offered an alternate ELP assessment, and how they are performing relative to their peers taking the general ELP assessment will be an important policy question to be able to answer as ED implements ESSA. A new data category is being proposed to capture use of the alternate assessment in the ELP assessment data groups (151, 674, 675, and 676).*

- a. *Is your state able to disaggregate your ELP results by regular and alternate assessments?*
- b. *Are there challenges with this data group anticipated in your state? If so, please explain.*

### Public Comment

Seventeen states responded to this directed question. Fourteen states commented that they can disaggregate their data by regular and alternate assessments. Two states commented that they could not and one was neutral. There were no responses with serious concerns beyond the implementation of these assessments.

**ED Response**

The Department acknowledges the expressed challenges regarding the implementation of a new assessment and notes this was the reason this collection was delayed until SY 2019-20.

**Directed Question #21: Exits** – The last package did not include all the data needed for ED to calculate percentages of Title III exiting and percentages not attaining proficiency after five years. New data categories have been added to data groups 840 (Title III English learners not proficient within five years) and 841 (Title III English learners exited) so that both the numerator and denominator for these data groups are reported.

- a. Can your state report the denominator for both of these data groups?
- b. Are there challenges with this data group anticipated in your state? If so, please explain.

**Public Comment**

Seventeen states responded to this directed question. Sixteen states commented that they can report the denominators for both of these data groups. However, several states commented that it would be more complicated for data group 841.

**ED Response**

Based on the overwhelming response that the data needed for the denominators for these data groups are available, the Department is keeping this proposed change.

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**OTHER TITLE III PUBLIC COMMENTS**

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There were several other comments on Title III data groups.

**Public Comment – LIEP descriptors**

There are significant variations in Language Instruction Education Programs descriptors based on language of instruction, teacher licenses, class composition, and subjects taught. Students may receive support under a variety of structures such as receiving support for part of the day in a co-taught class and another part of the day in a bilingual instruction format. To ensure consistent reporting of program type, the Department should clarify how to report these data.

**ED Response**

Guidance supporting the reporting of these data groups will be provided in the appropriate file specification.

**Public Comments – FS116**

One state commented that they have district level data currently available but not at the school level. Another state noted that the term “English language program” in the definition is inconsistent with the category set, “Language Instruction Educational Program Type.” Some language programs (permissible in Title III) are multilingual programs. The Department needs to be consistent with the terms to reduce confusion.

**ED Response**

There is no plan to collect this at the school level. The term "English Language" is used here to describe the goal of program, not the language of instruction for each program.

**Public Comment – Title III and Report Cards**

There will be misalignment with total counts and the number of EL students in the ELP metric for accountability.

**ED Response**

Alignment with this indicator and state report cards is not expected.

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## RURAL EDUCATION ACHIEVEMENT PROGRAM (REAP)

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**Directed Question #22:** *Currently REAP collects data from each SEA to help in the determination of eligibility for all districts via max.gov, a government web portal for collecting data and communication with the Federal Program Office. ED would like to know if it would be easier and more efficient to collect these data through the EDFacts system. This would also allow for these data to be made more available across ED. Data collected include: average daily attendance and Title IIA and Title IVA allocation amounts.*

- a. *Does moving this collection to EDFacts decrease or increase the burden for your state?*
- b. *What are potential issues with moving this collection into EDFacts?*

**Public Comment**

Sixteen states responded to this directed question. Two states supported moving the REAP collection into EDFacts, eight states did not support the proposal, and six states had mixed reactions. Some states noted that they already have systems in place to report data via a spreadsheet and having to create a data file for these data would be an increase in burden.

**ED Response**

Based on the feedback from the states, the Department will not propose to include these items in EDFacts but instead will focus on making improvements to the current processes and systems that support REAP reporting.

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## CHILDREN WITH DISABILITIES (IDEA)

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**Directed Question #23:** *Educational Environments – ED would like to understand the usefulness of the educational environments data.*

- a. *How are the current educational environments data for children with disabilities, ages 6-21, useful to your state?*
- b. *How could ED modify the current data categories (educational environments) in a manner that makes the data more useful for States, districts, and schools?*
- c. *Are there other data categories that should be included?*
- d. *To what extent, if any, does the current measure of 80 percent of the day in a general education environment impact individualized decision-making on behalf of kids or affect school-level decisions regarding placements that will best meet the needs of individual children?*

**Public Comment**

There were 18 state and 2 association respondents to this question. A few suggestions were provided for further categories, but the majority of states noted that the current categories are useful as is and no additional categories were needed or justified and would be a burden to states' reporting.

The states responded similarly to the question about the 80 percent of the day noting that the underlying premise of the IEP placement decision is that it is individualized based on the student's needs. In addition, the requirement is that the student be placed in the least restrictive environment that will meet his/her needs. Given that relatively large percentages of students are reported in category of "80% or more in the

regular classroom” indicates that many students’ needs are being met in the general education setting, no change is needed to the current measure.

### **ED Response**

The majority of responses to this directed question stated that no changes were needed to the Part B Child Count and Educational Environments data for children with disabilities ages 6-21. However, one comment suggested that the children with disabilities who are 5-years-old and in kindergarten should be reported in the 002 – school age child count and educational environments data instead of the 089-preschool child count and educational environments data. This comment aligns with the responses the Department received to the directed question on the preschool educational environments data. Based on these comments, the Department is requiring states to report 5-year-old children with disabilities in kindergarten with children with disabilities ages 6-21 in the school age child count and educational environments data file (FS002). This subset of 5-year-old children with disabilities are educated in settings that are more closely aligned to the school age educational environments reporting categories. This change will allow states to report 5-year-old children with disabilities in kindergarten based on the school age educational environment reporting categories. This subset of 5-year-old children with disabilities will no longer be reported in the preschool child count and educational environments data file (FS089).

**Directed Question #24:** *Pre-school Educational Environments – ED would like to understand the usefulness of the preschool educational environments data.*

- a. *How are the current educational environments data for children with disabilities, ages 3-5, useful to your state?*
- b. *How would changing the term “attending” to “enrolled” in a regular early childhood program affect the reporting requirement or affect how your state uses the data?*
- c. *Children with Disabilities Age 5 and in Kindergarten: ED is proposing to add an optional data category to measure the number of Children with Disabilities who are both Age 5 and in Kindergarten. This would allow states to distinguish these students from their pre-school Children with Disabilities and in educational environment. Would your state find this additional detail useful, why or why not?*

### **Public Comment**

There were 20 state and four association respondents to this question. The majority of the states commented on the difficulty in having school categories mixed in with this pre-school data group. Also, many states noted the confusion of 5-year-old Kindergarteners in this data group and supported separating them out.

The states reported that the terms “attending” and “enrolled” were interchangeable and a change in wording would have no effect in their reporting of this data. At least one state noted that the change would have an impact on them and would increase their reporting burden.

### **ED Response**

The majority of responses noted that changing the term from “attending” to “enrolled” in a regular early childhood program would have little or no impact on the ability to use these data. Additionally, these comments noted that it would not enhance or improve the quality of the preschool educational environments data submitted to the Department. Based on these comments, the Department will not change the term from “attending” to “enrolled” as was proposed during the 60-day public comment period.

The majority of comments were in favor of the proposal to report 5-year-old children with disabilities who are in kindergarten separately from 5-year-old children with disabilities who are in preschool programs. Additionally, a number of comments expressed a desire to report 5-year-old children with disabilities who are in kindergarten based on the school age educational environment reporting categories instead of the preschool educational environment reporting categories. Based on these comments, the Department is requiring states to report 5-year-old children with disabilities in kindergarten in the school age child count and educational environments data file (FS002). This will allow states to report 5-year-old children with disabilities in kindergarten based on the school age educational environment reporting categories.

**Directed Question #25:** *Special Education and Paraprofessional and grade span: ED is proposing to change the reporting by age group for special education and paraprofessional personnel to grade spans (pre-school, elementary, middle, and high school).*

- a. *Would disaggregated personnel data better enable your state to identify and address projecting personnel demand?*

### **Public Comment**

Twenty-one states responded to this direct question. Thirteen states did not support using grade span, four states supported the change, and four states had mixed responses. Many states opposed to the proposal noted that if states were able to provide the data by grade spans in the ED*Facts* files, then the states are already able to use the data by grade span to identify and address personnel demand and there is no need to provide the additional disaggregation. In addition, states noted that even if the grade spans can be state-defined, there are many schools that do not fit into a typical elementary/middle/high designation, such as K-12 schools.

### **ED Response**

The majority of comments noted that reporting the special education teacher and paraprofessional data via grade spans would not help states identify or address personnel demand projections. Since states already have access to personnel data via grade spans for their own use, they do not see any advantage in reporting the data in this way to the Department. Additionally, comments noted a number of challenges associated with reporting these data via grade span, including variations of grade span groups across LEAs and schools as well as the fact that teachers may serve students across various grade spans. Based on these comments, the Department will not change the way the special education and paraprofessional data are disaggregated in the IDEA personal data collection. The Department will continue to collect special education teachers and paraprofessionals by age groups as opposed to grade spans in ED*Facts* files 070 and 112.

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## OTHER IDEA PUBLIC COMMENTS

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### **Public Comments – *Related service counts***

Eight states and three associations noted the proposal to drop the data category - Staff Category (Special Education Related Service) from the Special Education Related Services Personnel data group. None were supportive of this move, noting that without the staff categories the data group would not be collecting useful information.

### **ED Response**

Based on comments, the Department has decided to maintain the reporting of related service personnel by individual type (e.g., audiologists, physical therapists, etc.) in FS099.

**Public Comment – *Suggestions for new data groups***

An association proposed adding new reporting categories:

1. Regular assessments based on grade-level achievement standards with an accessible format accommodation (i.e., braille, large print, audio, digital text).
2. Regular assessments based on grade-level achievement standards with other accommodations.

**ED Response**

The Department received one comment suggesting an additional reporting category for the assessment data. Due to the increase in reporting burden associated with this change, the Department is not proposing to make this change to the assessment data collection.

**Public Comments – *Discipline Data***

One state suggested that IDEA discipline data should capture multiple expulsions in a school year. Another state noted inconsistent logic in comparing totals at SEA and LEA reporting levels for files that require unduplicated count of students receiving a disciplinary removal.

**ED Response**

The Department received one comment that suggested that the Department revise the IDEA discipline data collection to capture children with disabilities who receive multiple expulsions in a school year. The Department will review the file specifications associated with the IDEA Discipline data collections and provide clarifications around our definition of expulsion.

Additionally, the Department received a comment noting that the logic used when comparing SEA level counts of students receiving a disciplinary removal to the LEA level counts of students receiving a disciplinary removal is inconsistent with reporting instructions. The Department will review the edit checks used in the data quality review of the IDEA Discipline data to address this concern.

**Public Comment – *Dispute Resolution Data***

One state commented that the instructions are unclear about how to account for resolutions that extend across two reporting periods.

**ED Response**

Based on the single comment on dispute resolution, the Department will review the instructions associated with the Dispute Resolution data collection and consider including a clarification on how to report resolutions that extend across two reporting periods.

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## DIRECTORY

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The following directed questions were asked about the directory. The comments have been grouped and summarized below. Following the summary of comments for each group is ED's response. The summaries do not include states that indicated that the topic did not apply to the state.

**Directed Question #26:** Use – As explained in Attachment B, ED has many uses for the Directory data.

- a. How do you use the CCD Directory file on LEAs?
- b. How do you use the CCD Directory file on Schools?

### Public Comment

Fourteen states commented on this directed question. A few commented that they did not use the CCD directory. The following are uses identified by respondents that indicated they did use the CCD directory:

- Obtaining or tracking NCES IDs
- Comparing lists to check the completeness of other files submitted to ED*Facts*
- Referring researchers to it and other posted data
- Sharing to support the Civil Rights Data Collection (CRDC)
- Using as an official list of operational LEAs and schools for the state

### ED Response

The purpose of this directed question was to gather more information on how the CCD directory file was used to identify areas for improvement. The Department encourages states to use the CCD directory to obtain and track NCES IDs and as a comparison for completeness of other files.

**Directed Question #27: Data Quality – The directory data submitted are reviewed by ED.**

- a. What data quality issues have you observed in the CCD Directory file on LEAs?
- b. What data quality issues have you observed in the CCD Directory file on Schools?

### Public Comment

Thirteen states responded to this directed question. The majority of respondents had no concerns with data quality. The following concerns about data quality were identified by at least one respondent:

- Typos
- Out of date or inaccurate contact information, addresses, websites, and/or telephone numbers
- LEA types being insufficient
- School statuses being insufficient
- Not capturing new types of educational services that involve multiple organizations
- Missing data on LEAs and schools operated by state agencies other than the SEA
- Not capturing schools properly because of definitions

One respondent noted the difficulty of finding schools on the FAFSA application because of differences in names. An SEA questioned whether the CCD directory should be the source of contact information since that information can be found elsewhere on the internet.

### ED Response

The Department asked this question to identify areas where it should focus data quality efforts. Later questions will explore in detail the concerns about types and definitions of LEAs and schools. The Department recognizes that the CCD directory is not a continuously updated source of contact information for LEAs and schools. Nevertheless, the CCD directory does serve as a single place to find a complete list of public education entities. The contact information is useful to differentiate entities since LEAs and schools can have the same or similar names.

**Directed Question #28:** *LEA types – ED is concerned that the types are not sufficient to properly classify LEAs in the nation.*

- a. *Are the types provided sufficient to classify the LEAs in each state?*
- b. *Are there additional types of LEAs that should be added to the list?*

### **Public Comment**

Fifteen states responded to this directed question. Four states commented that the LEA classifications were not sufficient. One state requested more types to cover non-operation districts and service providers. Another state requested either modification of service agency type to include schools or adding a new type that is a service agency with schools. One state requested either a new type or a flag to identify LEAs that should be left out of the state per pupil expenditure calculation because the LEAs are operated by other state agencies. Another state requested the ability to provide some additional explanation about LEAs that are unique. One state noted that “95%” fit the types.

### **ED Response**

The Department asked the directed question to identify problems with the LEA types. As noted in Attachment B, LEA types indicate the expected reporting.

The Department is aware that some states have entities that are service agencies with schools. In many cases, these entities fit the definition of a new type of specialized school district. The description of a specialized public school district in Attachment B includes “may provide specialized educational services or related services to other education agencies.” The LEA type service agency was revised in the last package to segregate LEAs that solely provide services.

The Department has found that most LEAs report as expected by type. For the small portion of LEAs that do not fit neatly into existing LEA types, the Department will explore how to obtain enough information about those LEAs to review the reporting of data for those entities and to explain those entities in publications.

**Directed Question #29:** *Changes from the last clearance – As part of the last clearance, a new type for specialized district was added.*

- a. *How did your state incorporate this change?*
- b. *Did this change improve the usability of the data?*
- c. *Did this change improve data quality?*

### **Public Comment**

Sixteen states responded to this directed question. Eleven states commented that they did not use the new type. One state indicated that the use of the type would be revisited for a future school year. The four states that used the new type did not indicate an improvement in data quality. One of the four states commented that it made it easier to identify which LEAs (that were not regular school districts) had schools that needed to be reported and which did not. One respondent raised a question about the applicability to a specialized school district of a publicly elected school board.

### **ED Response**

The reference to publicly elected school board for specialized public school district in Attachment B was in error. The example of a publicly elected school board as governance in accordance with state statute is in brackets for regular public school districts but not for the specialized public school districts. This was

in error and adds confusion. To minimize confusion, the example is being removed from the description of specialized public school district in Attachment B.

The Department encourages states to annually review the classifications.

**Directed Question #30:** *Assigning LEAs types – ED is considering providing additional guidance on how to assign types.*

- a. *How are LEA types assigned by the state?*
- b. *Do LEAs self-classify?*

### Public Comment

Fifteen states responded to this directed question. Every state but one commented that they assigned the type to the LEA. The formality of the process for assigning types varied. For the states where the LEA assigned the type, the LEA selected the type from a list provided by the state. One state indicated that the assignment of type was irrelevant to the state.

### ED Response

The Department asked this directed question to gain more insight into how the assignments were done to determine whether guidance provided on assigning LEA types should be changed. Based on the results, the Department’s guidance will continue to be directed towards the states.

**Directed Question #31:** *LEA Types 1 and 2 Regular School Districts – The majority of LEAs are “Regular public school districts.” Most of the regular school districts are “Regular School Districts that are not part of a supervisory union” (Type 1). However, not every LEA submitted as Type 1 or 2 submits the data expected for a regular public school district. Therefore, to help clarify which entities are submitted as regular public school districts, ED added a set of key elements in the last package to describe regular public school districts. Those elements are listed in the table below.*

- a. *Do the above principles and key elements properly define a “Regular public school district” (Type 1 or Type 2)?*
- b. *What principles or key elements are missing to properly define and classify agencies as a “Regular public school district” (Type 1 or Type 2)?*
- c. *Specifically:*
  - i. *For Legitimation/Authorization principle, should the key elements be expanded to “the LEA is accredited” or “the LEA is included in the state’s accountability system”?*
  - ii. *For the Bureaucratic Organization principle, should the key element be modified from “superintendent” to “official (usually called superintendent)”?*
  - iii. *For the Membership principle, should a key element be added that LEA has staff?*
  - iv. *Should a principle for Boundaries be added? The principle element would be “Regular school district is defined by a geographic boundary.”?*

### Public Comment

Sixteen states responded to this directed question. Not all responses covered all the aspects of the question. The states did not support expanding the elements to “the LEA is accredited.” Several states commented that the state did not have a process for accreditation. The states were more divided on expanding the elements to “the LEA is included in the state’s accountability system.” A few states commented that smaller school districts might not be included.

The states were more supportive of modifying “superintendent” to “official (usually called superintendent).” States noted that small school districts and school districts that tuition out all students

may not have an individual with the title superintendent. Some respondents noted that the term “superintendent” did not apply to charters.

The states were divided on adding “LEA has staff.” One state suggested that LEAs would have administrative staff. The states were also divided on adding the principle for boundaries. Some states noted that their states were set up with regular districts having geographic boundaries but also acknowledged that was not true of all states. States opposed to the addition noted that states do have regular school districts within the boundary of the entire state such as on-line school districts. One state noted that LEAs that tuition out all students should be a separate type from regular school districts.

### ED Response

For the characteristics of a regular public school district, the Department will modify the bullet in Attachment B from “has a superintendent who is either appointed or elected” to “has an official (usually called superintendent) who is either appointed or elected.” The Department will also modify the bullet for a specialized public school district from “has an organizational structure which could include a superintendent who is either appointed or elected” to “has an organizational structure which could include an official (usually called superintendent) who is either appointed or elected.’

The discussion of independent charter districts and charter schools does not include reference to superintendent. No changes were made to that section. The rest of the proposed changes to the Attachment B guidance will not be made.

**Directed Question #32: LEA Type 9 Specialized School Districts** – The specialized school district type was added in the last package. The elements for a specialized school district are listed in the table below. The differences from a regular school district are bold and underlined.

Organization Principle	Element
Legitimation/Authorization	<ul style="list-style-type: none"> <li>Is state authorized, either directly or through delegated authority</li> </ul>
Purpose	<ul style="list-style-type: none"> <li>Has one or more schools that it manages or operates OR tuitions all students</li> <li>Has primary responsibility for providing public education</li> </ul>
Function	<ul style="list-style-type: none"> <li>Designs and develops education standards and goals, including curriculum <b><u>for a specific need or purpose</u></b></li> <li><b><u>May be</u></b> authorized to provide education credentials, <b><u>such as a technical education certificate</u></b></li> <li><b><u>May provide specialized educational services or related services to other education agencies</u></b></li> </ul>
Bureaucratic Organization	<ul style="list-style-type: none"> <li>Has <b><u>an organizational structure which could include</u></b> a superintendent who is either appointed or elected</li> </ul>
Membership	<ul style="list-style-type: none"> <li>Has one or more schools that it manages or operates</li> </ul>
Governance	<ul style="list-style-type: none"> <li>Is governed in accordance with state statute (e.g., a publically elected school board)</li> </ul>
Funding	<ul style="list-style-type: none"> <li>Procures and allocates funding from federal, state, and local sources for schools and other education and related services</li> </ul>

- Do the above principles and key elements properly define a “Specialized School District” (Type 9)?
- What principles or key elements are missing to properly define and classify agencies as a “Specialized School District” (Type 9)?

### Public Comment

Eleven states responded to this directed question. Five states commented that they did not use this new type and provided no additional comments on the type. One state commented that the bullets on “tuitions all students” would not apply to specialized school districts such as vocational districts. Another state commented that it could be confused with state operated agencies. Another state commented that the last

two bullets under function (May be authorized to provide education credentials, such as a technical education certificate AND May provide specialized educational services or related services to other education agencies) describe two very different types of LEAs.

### ED Response

The inclusion to the purpose element of “tuitions all students” in the question was in error. Attachment B does not include “tuitions all students” in the description of a specialized public school district.

The Department concurs that an LEA serving the same function in two states could be a specialized public school district in one state and a state operated agency in another depending on how the LEA is governed.

The Department agrees that the inclusion of the two bullets for the function element (May be authorized to provide education credentials, such as a technical education certificate AND may provide specialized educational services or related services to other education agencies) can be confusing. The Department is revising that portion of the description in Attachment B of a specialized public school district.

Based on the responses to the previous question, the Department will also be adjusting the reference to superintendent in the element for bureaucratic organization in Attachment B.

**Directed Question #33:** *Other LEA Types: The remaining LEA types do not have key elements for the organization principles. Instead, the remaining LEA types are defined based on a primary characteristic as listed in the table below.*

LEA type	Primary characteristic
Supervisory Union (Type 3)	Is an administrative center for one or more regular public school districts
Service Agency (Type 4)	Provides educational services to other education agencies that agencies cannot readily provide for themselves
Independent Charter District (Type 7)	<ul style="list-style-type: none"> <li>• Is not under the administrative control of another LEA</li> <li>• Operates one or more charter schools and only operates charter schools</li> </ul>
State Operated Agency (Type 5)	Is overseen by a state agency
Federal Operated Agency (Type 6)	Is overseen by a federal agency

- a. *Are the primary characteristics sufficient to define the other LEA types?*
- b. *Would organization principles and key elements be useful to define the remaining LEA types? If so, what would the key elements be?*

### Public Comment

Twelve states responded to this directed question. Eight states had no concerns with the characteristics defining other LEA types. One state noted that state operated agencies and specialized school districts could be confusing. Another state commented that some cooperatives are difficult to classify. One state commented that a metadata survey might be useful to gather information to provide more clarity on unusual LEAs.

### ED Response

The confusion between the state operated agencies and the specialized school districts was discussed under the previous directed question. As noted earlier, the Department will be exploring how to obtain enough information about those LEAs to review the reporting of data for those entities and to explain those entities in publications. The Department is not proposing any changes to the guidance based on these responses.

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## SCHOOLS

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**Directed Question #34:** *Assigning school types – ED is considering providing additional guidance on how to assign types.*

- a. *How are school types assigned by the state?*
- b. *Do schools self-classify?*

### Public Comment

Fifteen states responded to this directed question. Eight states commented that they assigned the type to the school. In two states, the LEA assigned the type. Five states commented that the school assigned the type. When the LEA or school assigned the type most of the comments indicated that the assignment was reviewed by the state.

### ED Response

The Department asked this directed question to identify problems with the school types. As noted in Attachment B, school types indicate the expected reporting. Based on the results, the Department's guidance will continue to be directed towards states.

**Directed Question #35:** *Physical Location of Schools: A single physical location, as part of the Directory, is an expectation for defining a school. As explained in Attachment B, the directory of schools from the Common Core of Data (CCD) is used for the National Assessment of Educational Progress (NAEP) and other sample studies as a sampling frame. The sampling frames depend on each school being at one physical location. In some cases, NAEP has found that a single school reported by an SEA has multiple physical locations. When that occurs, NAEP must revise the sampling frame which costs additional money. In most cases, the schools with multiple physical locations were charter schools. Answers to the following questions would assist ED in understanding this issue and whether there are any data items that could be proposed to provide clarity.*

- a. *When would a single school have multiple physical locations?*
- b. *When a single school has multiple physical locations, do SEAs maintain the multiple physical locations of the school in their data systems?*
- c. *For states with charter schools that operate at multiple physical locations, can the SEA identify those charter schools?*

### Public Comment

Sixteen states responded to this directed question. Several examples were provided of when a single school would have multiple locations. A school can consist of multiple buildings that have different physical addresses. In some of the states, schools can have multiple or satellite locations. The multiple locations can be to better provide services. Some states have on-line schools that have multiple learning centers. Other states have on line schools that have no physical location. States also commented that multiple physical locations can be needed to accommodate the student population. The multiple physical locations can also be needed when the facility is being renovated.

Except for one state, the state systems are not designed to hold multiple addresses for a school (that is beyond accommodating both a physical and a mailing address). One state's system included non-primary addresses. For states where charter schools can operate at multiple physical locations, the states did not track the multiple physical locations.

### ED Response

The Department encourages states to expand data on locations. The Department will retain the guidance that most schools will have a single physical location while some schools will share a single physical location. When schools have multiple physical locations, states and LEAs should examine to see if the locations individually meet the criteria for a school. If so, the different locations should be reported as different schools.

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## GENERAL

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There were comments submitted that were not associated with any directed question and are summarized below.

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### DROPOUTS

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#### **Public Comments**

Two states provided comments related to dropouts. Both states pointed to a disconnect between the guidance provided in FS009 Children with Disabilities (Exiting) and FS032 Dropouts regarding students who reach maximum age. The states recommended changing the file specification for FS032 Dropouts to be consistent with FS009 and make it clear that a student who ages out of the system should not be counted as a dropout.

#### **ED response**

Based on feedback from the states, the Department will revise the guidance in the file specification for FS032 to align with FS009.

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### TIMELINESS AND BURDEN OF EDFACTS

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#### **Public Comments**

Four states, one association, and one individual provided comments related to timeliness and burden of ED*Facts*. The state comments indicated that ED*Facts* reporting represents a substantial burden on the states and that reporting changes, like those set out in this OMB clearance package, will require states and LEA resources to implement. One state recommended postponing the changes until the SY 2020-21 collection cycle.

The association affirmed the importance of the ED*Facts* collection. This association felt that the changes proposed in the OMB Package would make the existing collections more meaningful and would increase transparency. One individual commented that they did not feel the ED*Facts* collection was helpful and should be closed down.

#### **ED response**

ED program offices went through considerable effort to reduce the reporting burden in this package by proposing the deletion of multiple data groups and levels of collection that were no longer necessary. Additional data are eliminated as a result of the comments received and summarized in this document. In the process of preparing for the package, all data elements collected were reviewed and those still needed by the stewarding offices remained in the package.

#### **Public Comment - Metadata**

Michigan supports the Departments' stated interest in obtaining a better understanding of the data states submit but recommends consideration be given to collecting that information through the State Submission Plan rather than modifying the collection.

### **ED Response**

Thank you, the Department is always looking for the most efficient and least burdensome ways for states to collect and report their data.

### **Public Comment – *Migrant Education***

One state commented that after reviewing the proposed changes for *EDFacts* for the Migrant Education Program (MEP), almost all of the changes are positive and streamline data collection, while sacrificing nothing in terms of accurately recording the work the program does to support the success of migrant children. The one exception is the elimination of Category Set G in C121.

In rural states there are many districts with small populations, but large geographical areas where migrant funding is very limited. In these areas referred services and support services provided by family liaisons/recruiters may be the only services districts can offer through the MEP. The referrals that they make are very important to making sure that children are prepared to learn and to mitigate the very real problems outlined in the Seven Areas of Concern for migrant students. Although the service itself is not provided by migrant funds, arguably the referral and the follow up to ensure the service took place IS migrant funded. Not collecting these data could have unintended consequences.

### **ED Response**

The Office of Migrant Education (OME) recommended removal of the counts of referred services in FS121 based upon feedback that OME received between FY 2016 and FY 2018. OME used a process that received State Migrant Education Program (MEP) director feedback through a Coordination Work Group (CWG), and this feedback indicated that: 1) the value of retaining the data in the Consolidated State Performance Report/*EDFacts* collections did not offset the burden of the collection, and 2) the data are not useful nationally, as the MEP does not report referred services specifically to stakeholders. OME used feedback from the CWG and national requirements in recommending the streamlining of the national *EDFacts* collection of data for SY 2018-19.

States may continue to collect counts of migratory students who have received referred services during a performance period, particularly when these counts are based upon a need expressed in a State's Comprehensive Needs Assessment and a strategy and related measurable program outcome included in its Service Delivery Plan.