

**Annual Mandatory Collection of Elementary and Secondary
Education Data through the Consolidated State Performance Report**

October 2022

Attachment A

**Consolidated State
Performance Report for
School Years 2022-23, 2023-
24, and 2024-25:
Directed Questions for 60-day
Package**

OMB No. 1810-0724

INTRODUCTION

This attachment contains specific topics for which the Department would like to obtain input from data submitters and stakeholders. Please note that in addition to these specific questions, public comments are encouraged on all the changes proposed. While many of these questions are directed to SEA data submitters, comments from all stakeholders on these topics are welcome.

This attachment contains responses to public comments on the Annual Mandatory Collection of the Consolidated State Performance Report (CSPR). The 60-day comment period for the CSPR package closed on August 9, 2022. The Department (ED) received a total of 10 comment submissions, the vast majority responding to directed questions, totaling 27 individual comments. All submissions and comments came from states.

The Department received comments on each of the three 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, the Department's response(s) to those comments, and any resulting changes, if any, being made to the proposed data collection package. In addressing the public comments and making revisions to the package, the Department focused on recommendations from the public comments that continue to move the CSPR forward in achieving the goals of burden reduction and improving the quality of data submissions.

The Department appreciates the time and attention the public spent on reviewing the CSPR package, particularly with regard to a providing a careful review of the CSPR and noting any impact that changes to the collection may have on the states' ability to collect and report data in support of their CSPR submissions. State comments were taken heavily into consideration when determining the structure and content of the CSPR. The Department reviewed, summarized and documented each statement prior to analyzing all statements. This documentation will aid in the finalization of this data clearance package and will serve to inform future policy decisions regarding *EDFacts*.

DIRECTED QUESTIONS

1. **Title III Teachers (1.3.4.1):** The Department proposes revising language in item 1.3.4, including the change from “certified, licensed, or endorsed teachers” to “EL certified or licensed teachers of English learners,” to further clarify the population of teachers meant for inclusion in reporting this data. Is the intent of the revised language clear to states? If not, please specify.
 - a. *What challenges, if any, do states encounter in reporting the data under item 1.3.4?*

Public Comments

Seven commenters from State educational agencies (SEAs) responded to the directed question on the proposed revisions to the Title III Teachers CSPR element (1.3.4.1). Six commenters noted no concerns with the change to “English learner [EL] certified or licensed teachers” and no expected challenges with reporting the data in this manner.

One commenter asked a clarifying question to understand whether the change to “EL certified or licensed teachers” means that the Department is only interested in EL/English as a second language certified or endorsed teachers for this data element.

ED Response

The Department appreciates the feedback that this change would not create any reporting challenges for the SEAs who responded to the directed question.

The Department is interested in collecting information on teachers who have specialized training to support English learners and implement language instruction educational programs (LIEPs). The first two cells in this CSPR element prepopulate from EDFacts FS067. The first cell, “Number of teachers serving in LIEPs (including core content (reading, math, science and social studies) in LEAs receiving Title III funds” prepopulates from the total number of teachers in LIEPs reported in FS067, DG422, whether or not they hold specific EL certification or licensure. The second cell with the proposed language, “Number of EL certified or licensed teachers of English learners in LIEPs in LEAs receiving Title III funds” is meant to only capture the subset of teachers holding EL certification or licensure. The third cell is manual entry and asks for an estimate of the number of additional teachers with EL certification or licensure needed over the next five years. Therefore, the Department continues to be interested in the total number of teachers in LIEPs, regardless of EL certification or licensure, in FS067 and the first cell of this CSPR element but aims to collect data specific to EL certified or licensed teachers as part of determining what it means to be fully certified or licensed to teach in an LIEP.

The Department recognizes that there are States where specific EL certification or licensure is not required of teachers to teach in an LIEP. While the Department encourages this level of specialized training to ensure that teachers are best-equipped

to support English learners, if EL certification or licensure is not required, the SEA should report teachers with the highest level of certification or licensure required by the State to teach ELs in LIEPs in order to satisfy this data requirement. The Department proposes clarifying this point in the CSPR notes and adding a comment field so that SEAs can specify their certification and licensure requirements and what teachers are being captured in the cells requesting information on the number of EL certified or licensed teachers of English learners in LIEPs in LEAs receiving Title III funds.

Changes from 60-Day to 30-Day

In the explanatory language for the reporting element, the Department has added the following language: “When reporting “the number of EL certified or licensed teachers”, if specific EL certification or licensure is not required in the State, the SEA should report the number of teachers with the highest level of certification or licensure required by the State to teach ELs in LIEPs.”

The Department has added a comment field, “In the comment box below, describe your State’s specific EL certification and licensure requirements or, if the State does not require EL certification or licensure, describe the highest level of certification or licensure required by the State for which a teacher is consider “fully certified or licensed” to teach ELs in an LIEP.”

2. **Title I, Part A, Postsecondary Enrollment (2.3.3)**: Sections 1111(h)(1)(xiii) and 1111(h)(2)(C) of the Elementary and Secondary Education Act of 1965 (ESEA) require State and local report cards to include where available, for each high school in the State, the cohort rate at which students who graduate from high school enroll in programs of public postsecondary education in the State. If data are available and to the extent practicable, State and local report cards should also include enrollment information for private postsecondary education programs in the State and postsecondary education programs outside the State. State educational agencies (SEAs) also report this data to EDFacts, and these reported data are used to prepopulate the CSPR. ED is proposing to collect an indication of whether the SEAs report enrollment for the following types of postsecondary education: public postsecondary education in the State, private postsecondary education in the State, and programs of postsecondary outside the State.
 - a. *Is this additional information available for data your State reports?*
 - b. *What is the impact of reporting this additional information for your State?*

2.3.3 Postsecondary program types for which enrollment data are reported

Type of Postsecondary Program	Included in Data Reported (Yes or No)
Public postsecondary education in the state	[Manual Entry]
Private postsecondary education in the state	[Manual Entry]

Public Comments

Eight States provided comments to the directed question about the impact of reporting whether the SEA's reported postsecondary enrollment data includes enrollment for the following types of postsecondary education: public postsecondary education in the State, private postsecondary education in the State, and programs of postsecondary education outside the State. Six States indicated the additional information is available in their States. Three States, including two States which commented that the data are not available or not easily available, commented that reporting enrollment by type of postsecondary education would add burden. However, these States' comments focused on the burden of reporting enrollment by types of postsecondary education, which is not proposed, rather than reporting whether the data they report includes enrollment in the three types of postsecondary education, which is proposed. One State asked whether the Department could collect the data directly from the National Student Clearinghouse, which typically provides the data to States.

ED Response

The Department is keeping the proposed change, as the clear majority of responses indicated the data are available and the remaining responses addressed a broader collection of data than what is proposed. Regarding provision of data from the National Student Clearinghouse, the Department appreciates the suggestion and may consider ways to facilitate improved collection of the data in the future.

Changes from 60-Day to 30-Day

Minor revisions to wording in Tables 2.2.1.1 and 2.2.2.

3. **Title I, Part D, Neglected or Delinquent Students (2.5.1.1, 2.5.3.1):** Currently, ED collects data on the yearly average length of stay by program/facility type serving students who are neglected or delinquent under Title I, Part D. ED is proposing to add an additional collection for the average number of days that students receive program-funded services in these programs.
 - a. *Can your state report the average number of days that students receive Title I, Part D program services, in addition to the average length of stay?*
 - b. *How long does the state anticipate that it would take to be able to report this data? What impacts with reporting this data group are anticipated in your state?*

Public Comments

We received comments from a total of 10 states. To the first question of whether states would be able to report the average number of days that students receive Title I, Part D services in addition to the average length of stay, all ten states responded that this data is not currently collected. This was expected since this question has not been asked previously. While several states noted that this would require some additional burden, one state noted that “this would increase the accountability of LEAs and programs to account for students receiving services.” While one state felt that the number of days receiving services would be similar to the length of stay, two states explained that there are some funded programs in the state where the SEA suspects that students spend time in the program without receiving any Title I Part D services, and therefore the length of stay and days receiving services would be very different.

Several states requested additional guidance on this collection, such as clear definitions explaining the differences between the yearly average length of stay and the number of days of students receiving services, and whether this applies to both subpart 1 and subpart 2 programs.

To the question of how long it would take to begin collecting this data, nearly all ten states said that they would be able to report this data within one to two years. In fact, a number of states noted that it could be collected for the 2022-23 school year. One state said it needed two to three years, and one state said it would need five years.

ED Response

Based on the state responses, the Department considers these data to be an important addition to the CSPR. It will require programs to account for the number of days students actually receive services from Title I, Part D funded programs, rather than simply measuring the average duration a student is in a program.

The Department agrees and plans on providing additional guidance and technical assistance, including clear definitions to assist states in accurately reporting this information.

The Department understands that with a new data collection, it may take a few years to collect meaningful data, and will take that into consideration in reviewing state data and establishing baselines.

Changes from 60-Day to 30-Day

No changes.

OTHER PUBLIC COMMENTS

4. **Title I, Part C:** 1.6.4.2 Prospective Re-Interviewing Procedures. The table indicates it would like “Yes” or “No” response, but the question “Were re-interviews conducted by phone or virtual?” does not read as “Yes” or “No” question. We would suggest rewording it to say something like: Were re-interviews conducted remotely (by phone or virtual)?

ED Response

Based on this comment, the question will be reworded to "Were re-interviews conducted remotely (virtually or by phone)?"

5. **Title IV, Part A:** 2.7.3 and 2.7.4: Statute only allows grantees to transfer from II-A and IV-A. The chart shared implies one can also transfer from I-A, I-C, I-D, III-A, and V-B, which is unallowable.

ED Response

The comment from Alaska raises a very good point about these CSPR questions. ESEA section 5103(b)(2), which applies to LEAs, only names two programs from which funds can be transferred—Title IV-A and Title II-A. The Department agrees that the chart in its current form might be misleading and that the cells in the “FROM Eligible Programs” should be shaded out to indicated that data for these programs cannot be entered or the names of the programs removed.