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October 31, 2016

Meredith Miller  
U.S. Department of Education  
400 Maryland Avenue, SW  
Room 3C106  
Washington, DC 20202-2800

**Re: Docket ID: ED–2016–OESE–0032, Title of Collection: Elementary and Secondary Education Act of 1965, As Amended by the Every Student Succeeds Act– Accountability and State Plans**

Dear Ms. Echols:

Pursuant to Executive Order 13563 - *Improving Regulation and Regulatory Review*, which supplements Executive Order 12866 - *Regulatory Planning and Review*, the National School Boards Association (“NSBA”) requests the opportunity provide additional information and input on the U.S. Department of Education’s (“Department”) Notice of Proposed Rulemaking, *Elementary and Secondary Education Act of 1965, As Amended by the Every Student Succeeds Act–Accountability and State Plans*, ED–2016–OESE–0032, published by the Department on May 31, 2016.

NSBA, working with and through our state associations to represent more than 90,000 local school board members nationwide, submitted formal public comment in response to the proposed regulations on July 29, 2016. (See attached.) NSBA applauds the historic reauthorization of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (“ESSA”), and the law’s clear directive to restore local governance and community ownership of public education. NSBA’s primary concern is that the proposed accountability regulations are too prescriptive. The Department’s proposed regulations define components of State accountability systems in a manner that infringes on the authority granted by ESSA to State and local educational agencies.

NSBA reiterates specific concerns submitted on July 29, 2016, and requests that the Department amend the proposed regulations in a way that will restore and reinforce the authority of State and local education leaders. NSBA urges the Department to accept the proposed recommendations, particularly those related to the timeline for the implementation of accountability systems under ESSA. As State and local education leaders work toward creating and finalizing State plans, it is

abundantly clear that the successful implementation of ESSA is dependent on thoughtful and thorough development of the State plan and that State leaders have time to meaningfully engage and consult with local school board members in the development of the plan, as required by ESSA.

We urge the Department to ensure restoration of local governance of public education and amend the proposed regulations, per NSBA's recommendations. Additionally, it is vital that the Department utilize the peer review process to allow State and local education leaders the flexibility and authority to make decisions regarding the accountability system that best meets the needs of the districts within their State. Thank you for meeting with us today and for consideration of NSBA's comments and recommendations.

Sincerely,

A handwritten signature in cursive script that reads "Lucy Gettman". The signature is written in black ink and is positioned above the typed name and title.

Lucy Gettman  
Chief Advocacy Officer  
Federal Advocacy and Public Policy