

October 4, 2024

Melissa Siry
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Ms. Siry:

As organizations committed to advancing policies and practices that promote educational equity for students of color, students from low-income backgrounds, and other traditionally underserved groups and dismantling racial and economic barriers in our education system, All4Ed and EdTrust appreciate the opportunity to respond to the U.S. Department of Education's (ED's) request for public comments on its draft non-regulatory guidance, *School Improvement and Related Provisions under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA)*.

The purpose of the school *accountability* requirements in the ESEA is school *improvement*. Federally required identification of low-performing schools should create the conditions for State, district, and school leaders to engage in meaningful improvement, including rigorous needs assessments, a review of available resources and resource allocation to support students and schools most in need, and the selection and implementation of evidence-based interventions.

We view this guidance as an important step in ED's efforts to improve implementation of these critical Every Student Succeeds Act (ESSA) provisions and applaud the Department for issuing such a comprehensive overview of the key requirements in the law. The draft guidance resolves many of the most frequently asked questions that State educational agency (SEA), local educational agency (LEA), and school leaders have about ESSA in a thorough, clear manner. The examples of best practices and approaches that SEAs and LEAs have taken since ESSA's passage nine years ago are especially instructive for the field. This guidance will also be timely for stakeholders, given evidence from the [Government Accountability Office](#) and ED's own monitoring efforts that States and school districts need significant additional support and assistance to understand what the law requires of them, what strategies have been effective in helping low-performing schools improve, and how they can leverage available resources to drive more equitable opportunities and outcomes for students.

In addition to our detailed feedback, which is enclosed with this letter and organized by draft guidance section, we offer several overarching recommendations for ED to consider below. These recommendations will not only strengthen the guidance but also support its implementation and use by State, district, and school leaders and build greater understanding of ESEA requirements and the responsibilities and opportunities for SEAs and LEAs to support school improvement.

1. We recognize the draft guidance (rightly) reflects the statutory requirements for comprehensive support and improvement, additional targeted support and improvement, and targeted support and improvement schools (CSI, ATSI, and TSI, respectively). However, in our view, those statutory requirements are often minimal and inadequate to ensure that meaningful school improvement occurs — particularly when it comes to the involvement of SEAs in facilitating improvement in CSI schools and the involvement of SEAs and LEAs in

facilitating improvement in ATSI and TSI schools. For example, certain questions in the guidance give the impression that TSI schools are largely on their own in developing and implementing a school improvement plan, without acknowledging that they may lack the capacity, resources, and knowledge that SEAs and LEAs have to identify evidence-based strategies that would better support their students.

Throughout the guidance, we urge ED to expand on how SEAs and LEAs can assume a leadership role and more strongly support school improvement activities, even where not statutorily required. This includes providing more examples of actions that SEAs and LEAs can take related to developing school improvement plans and selecting evidence-based interventions (based on a needs assessment and review of available resources), implementing and monitoring those plans, and providing resources to support low-performing schools in addressing any identified inequities. This could include developing templates, resources, and other tools; providing coaching or other staff to directly support identified schools; and creating policies to strengthen the school-improvement-plan process for all schools (such as requiring needs assessments and identification of resource inequities for all identified schools). We have noted several questions in our detailed feedback where the guidance would benefit from additional details or recommendations for optional actions that SEAs and LEAs could take.

2. Improving low-performing schools is one of the hardest challenges SEAs and LEAs face, and this guidance can be a crucial tool in that work ... if SEAs and LEAs use it. To that end, **we encourage ED to develop a plan to raise awareness of the guidance among SEAs, LEAs, and key partners and to implement strategies that incentivize and support its use among State and district leaders.** This could include strategies such as:
 - Encouraging or requiring SEAs to update their ESSA State plans for school improvement based on this guidance and establishing a timeline and submission process under which ED would review these amendments in the coming months;
 - Ensuring that the federal technical assistance centers (the National Comprehensive Center, regional Centers, and content Centers) are briefed on the guidance and are ready to disseminate and use it and related resources, with SEAs and LEAs;
 - Presenting the guidance at conferences, webinars, and other events with State and school district leaders, as well as presenting ED’s findings from targeted and comprehensive performance monitoring of ESSA implementation; and
 - Working with organizations that represent State and local leaders, including State chief school officers, State boards of education, State legislators, governors, district superintendents and other administrators, and school leaders, to ensure that they are sharing the guidance with their networks and understand it.
3. Although the guidance on school improvement is welcome and sorely needed, **SEAs, LEAs, and other stakeholders need similar guidance on other important — and related — areas of the ESEA that support school improvement and student outcomes and opportunities.** We urge ED to issue similar non-regulatory guidance — with frequently asked questions, examples, and best practices — related to accountability indicators; n-size and the inclusion of student groups like recently arrived English learners and students with disabilities; annual meaningful differentiation of schools; the role of assessment participation rates in annual meaningful differentiation; and partial attendance.

4. We recognize that funds under section 1003(a) of the ESEA are meant to support schools that are currently identified for support, consistent with the statutory requirements for identifying schools for CSI, ATSI, and TSI. However, there is compelling [evidence](#) that these funds are wholly [inadequate](#) to support and sustain improvement in all identified schools, let alone support the important roles SEAs and LEAs can play in facilitating the school improvement process. **In future budget requests, we strongly encourage ED to request additional funding for section 1003(a). This could also include proposing new funding streams that would enable ED to provide sustainability grants for schools that have exited improvement and capacity-building grants for SEAs and LEAs.**

By law, section 1003 funds are not designed to sustain school improvement efforts in schools that have exited status and are no longer identified; if section 1003 funding enabled a school to implement effective evidence-based strategies and improve student outcomes, the school and LEA would need to find their own funds to continue these strategies — potentially jeopardizing the significant progress the school has made. Federal funding for sustainability grants, with a matching requirement from SEAs and LEAs, would help bridge the gap and prevent schools that have made gains from being reidentified in the future.

ESSA made significant changes to school accountability and improvement and shifted more responsibility and decision-making authority to SEAs and LEAs. However, there is little funding available for SEAs and LEAs to build their capacity to carry out their new responsibilities (such as conducting or developing tools to analyze data and other evidence for needs assessments and resource allocation reviews; identifying potential evidence-based interventions and connecting LEAs and schools with external partners; providing technical assistance and coaching to staff and school leaders; implementing communities of practice; conducting oversight and monitoring of school improvement plan implementation; and more). Despite the need for funding to build and support these functions within SEAs and LEAs, SEAs can only reserve a fraction of the section 1003(a) funds. At the district level, these funds are intended to support individual schools, rather than invest in district capacity to improve multiple schools. Competitive school improvement grants for capacity-building at the SEA or LEA level could help these agencies facilitate effective school improvement processes and practices in identified schools.

Thank you for your continued focus on accelerating student academic progress, supporting meaningful school improvement in low-performing schools, and addressing resource inequities. We look forward to working with ED as it finalizes the guidance and would be happy to discuss any of these recommendations further with you and your team.

Sincerely,

All4Ed and EdTrust

Enclosure: Specific Q&A Feedback, By Section

Specific Q&A Feedback, By Section

Section A: Identification of Schools

<p>A-2: When must a State identify schools for CSI, TSI, or ATSI?</p>	<p>The response would be improved if ED more strongly encouraged SEAs to identify schools and notify LEAs of their identification prior to the start of the following school year. We encourage ED to elaborate further in the Q&A on the benefits of timely identification to ensure that the school improvement planning process begins as soon as possible, which would enable LEAs to access additional funds and resources for identified schools and begin addressing students’ and schools’ needs efficiently. We would also encourage ED to clarify this question by specifying that it pertains to when schools must be identified “during the school year” (i.e., the month), rather than when the overall system must be established (i.e., the deadline by which SEAs had to identify schools after the passage of ESSA).</p>
<p>A-6: What are the responsibilities of a State or LEA regarding parent notification when a school has been identified for CSI, TSI, or ATSI?</p>	<p>We strongly support and appreciate the inclusion of this question in the draft guidance, especially considering that ESSA no longer requires parental notification if their child attends an identified school. We would, however, recommend updating the final guidance for this question, as well as other sections in which parents are mentioned, to use broader, more inclusive language, such as “students and families.”</p> <p>We would also urge ED to strengthen its response to this question to ensure that families are informed throughout the school improvement process, not only at the beginning. We suggest that the final guidance strongly encourage LEAs to also notify families (1) after the school improvement plan has been developed, providing information about how to access the approved plan and (2) yearly, with an update on the school’s progress in implementing the plan and improving student outcomes. Finally, we encourage ED to update the final guidance to suggest that States and LEAs emphasize and include information about how school identification will lead to additional resources and support that will benefit their children in any parental notifications or communications.</p>
<p>A-7: What are the requirements for identifying a school for CSI – Low Performing?</p>	<p>We recommend that ED clarify that the identification of CSI – Low Performing schools must be based on “all students” data for each indicator, except for the ELP Progress indicator. The final guidance could also elaborate on whether, and how, States could use indicator data for individual groups of students, in addition to all students schoolwide.</p>

A-8: What are the requirements for identifying a school for CSI – Low Graduation Rate?	We strongly recommend that ED update the final guidance to urge States to use the 4-year adjusted cohort graduation rate (ACGR) exclusively when identifying schools for CSI – Low Graduation Rate or, at a minimum, weigh the 4-year ACGR more heavily than the extended-year ACGR in their methodologies.
A-10: How frequently must a State identify schools for CSI?	We believe this response needs further clarification in the final guidance, especially regarding Title I ATSI schools that are subsequently identified for CSI. We suggest adding to the response to explain how the timeline for determining whether Title I ATSI schools warrant escalation to CSI status aligns with the timeline for identifying CSI schools generally. What happens if the school year in which a Title I ATSI school is eligible to exit (or, otherwise, be escalated to CSI) is different from the school year in which the SEA plans to identify schools for CSI?
A-11: May a State identify more schools for CSI – Low Performing or CSI – Low Graduation Rate than statutorily required?	<p>We suggest that ED add an example to the response that addresses States using summative school ratings (e.g., 1-5 stars) to identify CSI – Low Performing schools. This would help clarify whether non-Title I schools identified under this method would be eligible for 1003 funds. For example, if a State identifies all its 1-star schools for CSI – Low Performing, would non-Title I schools with a 1-star rating be eligible for 1003 funding?</p> <p>We would also update the guidance to address the third category of CSI schools (Title I ATSI schools that do not exit and are moved to CSI) and refer users to question D-7. This would further clarify that if a State chooses to escalate non-Title I ATSI schools that fail to meet their exit criteria to CSI status, such schools would be eligible for 1003 funding, but only because they remain eligible for ATSI.</p>
A-13: What is the definition of a consistently underperforming student group?	<p>We appreciate the inclusion of this question in the FAQs, particularly the clarification that a group may meet the definition of consistently underperforming based on low performance on as few as one indicator, provided that all indicators are considered. We also think the suggestion of using TSI identification as an “early warning” prior to ATSI is a useful one and we would like to see more discussion on how States could implement this approach. To strengthen the guidance in this area, we recommend:</p> <ul style="list-style-type: none"> (a) Adding information to this question, or introducing a new question, which specifies which student groups must be considered in the definition of consistently underperforming and addresses how “supergroups” or “combined” groups of students (e.g., high-risk students) may or may not be used in this definition.

	<ul style="list-style-type: none"> (b) Adding information to this question (and related questions about TSI school improvement plans) that clarifies whether a TSI school can be identified based on the performance of multiple student groups and, if so, how such schools can develop school improvement plans to support the identified needs of all student groups that led to their identification for TSI. (c) Including a criterion-based example, rather than one that’s reliant on relative norms. For instance, Colorado, which identifies groups as consistently underperforming if they receive the lowest rating on any three indicators. (d) Clarifying in the example “several States identify a school for TSI if a student group in the school performs at or lower than the lowest 10 percent of schools ...” that the 10 percent of schools here is based on all students data, not data for a particular group. In this clarification, the guidance should discourage TSI identification based on relative performance among schools for a specific student group, as this effectively holds different groups of students to different standards.
<p>A-16: What are the requirements for identifying schools for ATSI?</p>	<p>This response would be strengthened by clarifying whether States may identify ATSI schools from among all TSI schools in the current school year, from among all TSI schools identified in the prior school year, or if either approach would be consistent with ESSA’s requirements. The FAQ would also be strengthened by including additional examples of how States have identified ATSI schools.</p> <p>Finally, similar to our recommendation for A-13, we recommend clarifying which student groups must be considered for ATSI identification and the extent to which “combined” or “supergroups” may be considered.</p>
<p>A-17: How frequently must a State identify schools for ATSI?</p>	<p>We appreciate ED’s suggestion in the guidance that States align their identification timelines for CSI and ATSI schools, but we encourage ED to strengthen the language discussing the benefits of this approach. Additionally, we would welcome the inclusion of an example that illustrates the trade-offs when the CSI and ATSI identification timeline do, and do not, align.</p>
<p>A-20: Can a school be identified for more than one category of school identification?</p>	<p>We recommend adding information to this response, or including a new question, in the final guidance that addresses whether CSI schools may be identified for both low performance and low graduation rates and how their plans should reflect both reasons for identification.</p> <p>Furthermore, we suggest that ED update this FAQ in the final guidance to clarify that a school identified for both CSI and TSI must develop a school improvement plan that meets all CSI plan requirements</p>

(and refer to subsequent FAQs that outline the unique requirements that apply to CSI schools, such as conducting a needs assessment).

Section B: Support and Improvement Plans

Requirements for Support and Improvement Plans

<p>B-1: What must be included in a CSI plan for an identified school?</p> <p>B-2: What must be included in a TSI or ATSI plan for an identified school?</p>	<p>The response to both of these FAQs would be strengthened by referencing question B-6, which discusses the requirements for developing CSI, ATSI, and TSI plans with stakeholder input.</p>
<p>B-3: How do the requirements differ for CSI, TSI, and ATSI plans?</p> <p>B-4: When should an LEA and school begin developing and implementing the CSI, TSI, or ATSI plan?</p>	<p>These FAQs rightly emphasize how <u>States</u> can play a role in facilitating the development of CSI, TSI, and ATSI school improvement plans. However, we suggest adding information to the response or including a new question in the final guidance that elaborates on how <u>LEAs</u> can be more directly involved in developing improvement plans, especially for ATSI and TSI schools. The draft guidance, particularly table B1, could give readers the impression that the identified schools are largely left to develop their own school improvement plans, with LEAs and SEAs mostly playing an “approval” role, rather than a leading role. The final guidance would be strengthened by discussing the benefits of greater LEA involvement in plan development (e.g., providing additional knowledge, capacity, and support) and providing examples of the roles LEA could assume (e.g., data analysis, selecting evidence-based interventions) to help schools complete needs assessments, identify interventions and inequities in resources, and implement their plans.</p>
<p>B-5: May an LEA or school have a planning year when developing and implementing the CSI, TSI, or ATSI plan?</p>	<p>Because TSI schools are identified annually, this FAQ should be updated to address the possibility that a TSI school uses its planning year but is subsequently not re-identified in the following year (when it should have begun implementing its plan). The final guidance should clarify whether, in such cases, the school may be exited from TSI status and not required to implement its plan at all. If that outcome is possible, we also suggest that ED portray this scenario as a potential drawback of permitting a planning year for TSI schools.</p>

<p>B-6: What partner engagement requirements must an LEA or school meet with respect to the development and implementation of a CSI, TSI, or ATSI plan?</p>	<p>We appreciate the inclusion of this FAQ and the strong discussion in the draft, including how specific groups beyond those that are statutorily required may be consulted and how LEAs and schools can make feedback “meaningful and continuous.” We suggest that ED further strengthen this FAQ in the final guidance by adding organizations that represent specific groups of students and their rights (e.g., disability rights organizations) to the included list of recommended groups. We also encourage ED to strengthen the discussion of best practices to ensure that LEAs and schools hear from diverse voices, particularly those who have been historically under-represented in these conversations, and to more explicitly note the importance of making engagement and feedback opportunities accessible and inclusive.</p>
<p>B-7: Must an LEA or school make CSI, TSI, or ATSI plans publicly available?</p>	<p>We appreciate that the draft FAQ recommends LEAs make school improvement plans available to the public, as transparency about the needs and interventions in their local schools is critical for stakeholders. To further strengthen this FAQ, we suggest that ED update its response to encourage SEAs to post these plans on the websites that host federally required State and local report cards (as these sites are primary tools for SEAs and LEAs to provide school data to parents and families). In addition to posting approved school improvement plans, we recommend that the final guidance suggest ways that the public can be kept informed about progress in implementing these plans, thereby enhancing transparency of the school improvement process for stakeholders.</p>
<p>B-8: What should be included in the needs assessment for a school identified for CSI?</p>	<p>First, we recommend that ED strengthen this FAQ by strongly encouraging all school improvement plans to be based on a needs assessment, not just those for CSI schools (with a reference to the useful resources included in question B-4). Second, we ask ED to clarify the final guidance and suggest that needs assessments should, ideally, examine data by student groups (where applicable) for all the data sources included in the FAQ. Third, we encourage ED to update the bulleted list of potential topics to consider in the final guidance. For example, references to standards-aligned and culturally relevant curricula, as well as high-quality instructional materials, could be added to the list as characteristics of a well-rounded education. We would also include the availability of school counselors, postsecondary navigational supports (e.g., college counselors), and other specialized instructional support personnel as areas of need to consider when examining school improvement plans.</p>
<p>B-9: How must a CSI, TSI, or ATSI plan be informed by all indicators in the statewide accountability system,</p>	<p>In the final guidance, we recommend that ED clarify this FAQ to better explain that a primary way indicators inform school improvement plans is through the selection of evidence-based interventions that have proven to be effective at improving student outcomes on the indicators where identified</p>

including student performance against State-determined long-term goals?

schools have low performance (e.g., interventions that have been shown to improve student attendance could be selected if an identified school struggled on a chronic absenteeism indicator).

Additionally, we appreciated the example in the FAQ about how a CSI school could use a goal-setting approach, but would clarify that in addition to the “funding necessary to provide for those activities” other non-monetary resource needs should also be considered — and there should be a process in place to obtain the necessary funding and other resources to complete the activities outlined in the plan. We also recommend strengthening the final guidance by including a similar approach and example that could be leveraged in ATSI and TSI schools.

Evidence-Based Interventions

B-10: What are the requirements for evidence-based interventions in support and improvement plans?

We suggest updating this FAQ to clarify that 1003 funds can only be used for evidence-based interventions that meet one of the three highest tiers of evidence, as defined in the ESEA, and include a reference to that question in section E.

B-11: How can a State support LEAs and schools in identifying and selecting appropriate evidence-based interventions?

Question B-11 addresses how a *State* can support LEAs and schools in selecting evidence-based interventions, while question B-12 focuses on how LEAs and schools could select these interventions. However, neither question explains how an *LEA* may support the identified schools it serves in selecting evidence-based interventions (B-12 presumes that the LEA is selecting the intervention, rather than supporting a school in identifying appropriate actions to take). We recommend adding a question to the guidance (or expanding the response in B-11) to discuss the supports an LEA could provide to help identified schools select effective interventions based on identified needs and local context, along with examples of potential strategies.

B-12: How should an LEA or school go about selecting interventions for a school identified for CSI, TSI, or ATSI?

The answer to question B-12 states: “After it has selected interventions, an LEA or school should support the intervention by creating a robust implementation plan, providing adequate resources, regularly gathering information from relevant parties to examine the approach and possible refinements, and analyzing outcome data to determine the effectiveness of the intervention” (emphasis added). However, the individual school likely has little control over allocating resources and funding to implement the intervention; these decisions are made by district and State leaders. This underscores the need to highlight (as we suggested in question B-11 above) the critical role that the LEA could play in supporting

	<p>the selection and implementation of evidence-based interventions, particularly for TSI and ATSI schools where the SEA is not required to approve the plan. By taking on a more robust role in supporting identified schools, LEAs can ensure that there is an understanding of the resources the school will need to implement its plan and how those resources can be secured.</p> <p>We also recommend adding a question to the guidance that discusses the role external providers may play in delivering evidence-based interventions, including how to evaluate the quality of their services and the rigor of the interventions they offer.</p>
<p>B-15: What evidence-based interventions could an LEA or school consider implementing to address chronic absenteeism as part of CSI, TSI, and ATSI plans?</p>	<p>Because an entire category of CSI schools is identified solely based on low graduation rates, we recommend adding a question to the final guidance (similar to questions B-13 to B-15) that addresses evidence-based interventions. This addition would be especially helpful for addressing persistently low graduation rates in high schools identified for CSI.</p>
<p>B-16: Is a school identified for CSI, TSI, or ATSI required to implement interventions over a particular number of years?</p>	<p>We would encourage ED to provide additional details to clarify the statutory requirements and elaborate on the actions that States and LEAs may want to take to ensure successful implementation, even if they are not required by statute. In particular, we recommend strengthening this response by including examples of actions an LEA or school could take to ensure that their improvement plan is sustainable. We also strongly encourage the SEA to play a role in ensuring improvement is sustainable, such as by establishing rigorous exit criteria and providing State funding (outside of federal 1003 funds) to support the continued success of formerly identified schools.</p>

Identifying and Addressing Resource Inequities

<p>B-19: Which support and improvement plans are required to identify and address resource inequities?</p>	<p>We greatly appreciate the inclusion of this FAQ, and the entire section on resource inequities. To further strengthen the guidance, we suggest:</p> <ul style="list-style-type: none"> a) Updating the final guidance to strongly recommend that TSI schools also identify and address resource inequities in their school improvement plans. b) Clarifying that the identification of resources in school improvement plans should: (1) compare the resources currently available in the identified school to those needed to implement its plan; (2) compare the resources available in the identified school for different groups of students; and
--	--

	<p>(3) compare the resources available in the identified school to those available in other schools within the LEA.</p> <p>c) Adding information on how States could play a more active role in facilitating resource equity reviews in CSI and ATSI plans, particularly in LEAs that are not subject to a resource allocation review by the SEA. This could involve suggesting that SEAs provide templates and guidance on analyzing available resources, or offering more direct data analysis support to LEAs and schools. The guidance could also be updated to encourage States to consider identifying resource inequities in school improvement plans within LEA’s applications for 1003 funding (as one way to determine which applicants have the “greatest need”).</p> <p>d) Referencing its own resources related to resource equity, such as the Dear Colleague Letter on Title I Resource Equity, to complement the broad list of example data points, including federally required data collections, that are available to support resource analysis.</p> <p>e) Updating the guidance to suggest reviewing inequities related to access to full-day kindergarten as well as preschool (note: we would also recommend including this in the response to C-6).</p>
--	--

<p>B-22: What are ways an LEA or school could address resource inequities with respect to differences in rates at which low-income and minority students in Title I schools are taught by ineffective, out-of-field, or inexperienced teachers?</p>	<p>We commend ED for the detailed discussion of combatting potential resource inequities in questions B-20 through B-25. We suggest strengthening this area of the guidance by adding a question related to States, LEAs, and schools addressing resource inequities with regard to experienced, effective school leaders. We also recommend including a question that addresses resource inequities in access to technology, including access to devices and high-speed internet in school and students’ homes.</p>
---	--

Reviewing, Approving, and Monitoring Support and Improvement Plans

<p>B-27: What are a State’s responsibilities regarding the monitoring and periodic review of an LEA’s implementation of a CSI plan?</p>	<p>We recommend clarifying and strengthening the FAQ to encourage States to conduct annual monitoring of CSI plans and to elaborate on potential steps they could take if the review is unsatisfactory. These steps could include, for example, increasing the frequency of SEA monitoring, requiring LEAs to take certain actions, or even requiring the LEA to revise the school improvement plan. In strengthening this response, we also suggest referring to question B-32.</p>
---	--

B-28: What are an LEA’s responsibilities with respect to the review and approval of a TSI or ATSI plan?	To strengthen this section of the draft guidance, we suggest adding language similar to question B-26 that outlines the steps LEAs should take to work with TSI and ATSI schools when a plan is not (initially) approvable. To align the response to B-28 more closely with the discussion of the role States play in CSI plan approval, we suggest that ED more strongly encourage LEAs to take an active role in developing TSI and ATSI plans. We believe this would produce plans that are more effective, meaningful, and likely to improve student outcomes.
B-29: How may an LEA meet the requirement to monitor a school’s implementation of its TSI or ATSI plan?	We recommend that ED more strongly encourage annual SEA monitoring of TSI plans, in addition to ATSI plans. We also suggest that ED clearly enumerate potential steps (with examples) that LEAs may take if monitoring of TSI and ATSI plans reveals unsatisfactory implementation or a lack of progress. This discussion could also be included in the response to question B-32. Finally, we recommend adding information to this question regarding how a State may also choose to be involved in monitoring TSI and ATSI school improvement plans.
B-31: How may a State support the consolidation of different plans related to school support and improvement (e.g., CSI, TSI, or ATSI plan; Title I schoolwide plan)?	We greatly appreciate the inclusion of this question and the guidance it provides to States on ways to reduce inefficiencies and the burden on LEAs and schools. We recommend strengthening this FAQ by adding another example that discusses how LEA applications for 1003 funding could be consolidated with LEA applications for other federal funding sources.
B-34: What oversight does the Department conduct with respect to school improvement and related requirements under the ESEA?	We suggest clarifying the response to this FAQ by more specifically outlining additional actions that ED may take. Furthermore, we recommend adding a bullet to the FAQ’s bulleted list that addresses the implementation of the specific State responsibilities outlined in 1111(d)(3)(A) of the ESEA, including the development of exit criteria, implementation of resource allocation reviews, and provision of technical assistance, as discussed in more detail in section C of the draft guidance.

Section C: Support for School Improvement

General State Support

C-2: Must a State provide technical assistance to LEAs	To strengthen and improve this FAQ, we recommend encouraging States to provide technical assistance to <u>all</u> LEAs with identified schools, not only those with a significant number of identified schools. In doing
--	--

serving a significant number of CSI schools or TSI and ATSI schools?

so, the final guidance could also discuss how an SEA may wish to triage the support and technical assistance it provides, tailoring these supports to meet the varying needs of LEAs. We also strongly recommend including an additional question and examples in the final guidance regarding the types of technical assistance — including specific topics — that could be helpful for LEAs based on findings from ED’s monitoring of State implementation of these provisions.

Resource Allocation Reviews

C-6: What resources should a State consider during its periodic review of resource allocation in each LEA serving a significant number or percentage of schools identified for CSI, TSI, or ATSI?

We appreciate the language in this FAQ regarding how a State may consider inequities between LEAs in resource allocation reviews. We recommend updating the FAQ to clarify that these reviews should compare resources available in the LEA’s identified schools to those available in the LEA’s non-identified schools. In addition, we suggest that ED update the final guidance to encourage States to review resources in an LEA’s identified schools in comparison to schools statewide. This would help clarify what “across and within” LEAs means in the final guidance. We also recommend strengthening the draft guidance’s encouragement for States to include State and local funds in resource allocation reviews, and we would support requiring all funding sources be considered.

C-8: How might a State take action based on the results of its resource allocation review?

We urge ED to update the final guidance with additional examples of how States can address resource inequities. For example, States might address the inequitable distribution of effective school leaders and educators by offering bonuses, differential pay, loan forgiveness, housing incentives, or other supports to recruit and retain qualified, effective educators and leaders. This approach is similar to how B-20 through B-25 discuss the role of LEAs in addressing resource inequities identified in CSI and ATSI plans. ED should also consider including examples of how SEAs can work with other State policymakers and agencies (e.g., governors and State legislators) to address resource inequities.

C-9: How may a State share the results of a resource allocation review to encourage collaboration across LEAs and schools?

We appreciate that the FAQ provides States with specific examples of sharing resource allocation review findings, such as creating data visualization tools and implementing professional development activities to engage and support LEA and school leaders. However, we believe the guidance should also recommend that the results of resource allocation reviews be made publicly available on SEA websites and linked to school report cards, so this information is accessible to families and advocates. The FAQ could also be strengthened by discussing examples of specific actions LEAs and other local leaders (e.g., school boards) may take in response to resource allocation reviews — similar to question C-8 regarding actions a State may take.

C-10: How could a State use the results of resource allocation reviews when determining how to prioritize awards under ESEA section 1003(f) when allocating ESEA section 1003 funds for school improvement?

We recommend updating the FAQ to encourage States to also use the identification of resource inequities within CSI and ATSI plans to inform prioritization and allocation of 1003 funds for school improvement.

More Rigorous State-Determined Actions

C-12: What additional State-determined action could be implemented in a school identified for CSI that does not meet exit criteria?

We appreciate the inclusion of this FAQ but believe it could be strengthened by more strongly encouraging States to conduct a new needs assessment *and* a new review of resource inequities in all CSI schools requiring more rigorous interventions as part of the revision and re-approval process for their school improvement plans. We would also strengthen the FAQ with additional, specific examples of effective “more rigorous interventions,” including those identified through ED monitoring. Finally, we recommend clarifying the response to address additional statutory requirements. ESEA states that more rigorous, State-determined interventions in CSI schools “may include addressing school-level operations.” However, the guidance is notably silent on what this entails. We suggest updating the final guidance to clarify the meaning of “addressing school-level operations,” along with examples of interventions that may address these operational issues.

C-15: May a State use funds from IDEA, Part B to support school improvement?

We recommend moving this question to “General State Support” in section C, as it does not pertain to more rigorous, State-determined actions in CSI schools.

Section D: Exit Criteria

D-2: Is a State required to establish exit criteria for TSI schools?

We strongly recommend that ED update this FAQ in the final guidance to enumerate the benefits of States establishing clear and meaningful exit criteria for all identified schools, including those in TSI. We also recommend that ED add examples of potential exit criteria that a State could consider for TSI schools (based on their definitions of consistently underperforming groups) to ensure that TSI schools show improved student outcomes prior to exiting status.

<p>D-4: When assessing the performance of a school identified for CSI or ATSI against exit criteria, what does it mean to have improved “student academic achievement”?</p>	<p>We suggest adding an example to this FAQ of meaningful exit criteria for high schools with low graduation rates. This would clarify whether the exit criteria for these CSI schools may be based solely on improved graduation rates (i.e., does “student academic achievement” in this context mean “graduation rates?”) and emphasize the importance of progress in the four-year adjusted cohort graduation rate within their exit criteria.</p>
<p>D-9: Must an LEA take action if a TSI school does not successfully implement its support and improvement plan or if a non-Title I ATSI school does not meet the statewide exit criteria?</p>	<p>First, we suggest that ED update this FAQ to include a recommendation for States to set strong exit criteria for TSI schools. Second, we suggest that ED revise the final guidance to provide greater clarity for LEAs by offering recommendations and <i>specific</i> examples for determining whether a TSI school has successfully implemented its plan in the absence of clear exit criteria from the State. These recommendations could include allowing the LEA to set its own exit criteria, along with guidance on how to do so. We also suggest that the final guidance clarify what “additional actions” entail by providing examples of actions that should be taken if student outcomes have not improved. This may include conducting new needs assessments, re-identifying resource inequities, selecting new evidence-based interventions, and making other necessary changes to school improvement plans and submitting them for re-approval.</p>

Section E: School Improvement Funds Under Section 1003

General Funding and Eligibility Requirements

<p>E-4: Which LEAs are eligible for funds reserved under ESEA section 1003?</p>	<p>We suggest that ED clarify the final guidance to specify that not only are “additional categories” of identified schools ineligible for 1003 funding, but also schools that do not meet the statutory definitions of CSI, ATSI, or TSI, respectively, that a State nonetheless chooses to identify for CSI, ATSI, or TSI. For example, a State that identifies any high school for CSI with a graduation rate below 70% could only provide 1003 funds to LEAs serving high schools that were identified because their graduation rates were below 66.67%. While this clarification is mentioned earlier in the guidance, we believe it should be reiterated here.</p>
<p>E-8: May a State use a portion of the school improvement funds it reserves under section 1003 to carry out its</p>	<p>This FAQ in the draft guidance describes the potential State activities as the “minimum.” We recommend strengthening the final guidance by including additional examples of other activities that a State could use its portion of reserved 1003 funds to support, particularly those that would improve the State’s capacity to facilitate effective school improvement. For instance, the Department could mention</p>

responsibilities with respect to those funds?	activities such as hiring school improvement support personnel to serve identified schools, as discussed in E-32.
E-12: If a school is no longer identified for CSI, TSI, or ATSI prior to the completion of a multiyear award of ESEA section 1003 funds, may it continue to be served by those funds for the remainder of its award?	We recommend that ED strengthen the final guidance by adding language to this FAQ that encourages schools in this situation (specifically, those that have recently exited from status with a multiyear award) to use remaining funds to sustain their progress and continue the effective interventions that led to the school's improvement.
E-13: What are some actions a State may take using section 1003 funds to reduce barriers and provide operational flexibility for schools implementing CSI, TSI, or ATSI activities?	We suggest that ED provide additional clarity in the final guidance by suggesting that States could consolidate LEA applications for 1003 funding with LEA applications for other federal and State funds. For LEAs with schools identified for CSI, this could also involve consolidating the process for States to approve CSI school improvement plans with applications from LEAs for 1003 funding to support those schools and implement the plans.

Awarding Section 1003 Subgrants

E-14: Does the ESEA require a minimum subgrant size for section 1003 school improvement awards?	We recommend strengthening and clarifying the final guidance to suggest that identifying resource inequities in CSI and ATSI plans may be a helpful factor in determining the size of a 1003 subgrant.
E-15: May a State choose to award section 1003 funds on either a competitive or formula basis?	In light of growing evidence, we are concerned about the inadequacy of the 7% set-aside to support all identified schools. Many identified schools seem to receive little to no additional funding as a result of their identification, and we worry that most SEAs are not providing awards of "sufficient size to enable the LEA receiving the funds to effectively implement proposed strategies," as noted in response to question E-14. Given these realities, we strongly encourage ED to provide greater discussion in response to question E-15 and related questions about the trade-offs States should consider in various methods

	<p>for allocating 1003 funds — particularly the pros and cons of using competitive- versus formula-based approaches. For example, a formula-based approach may emphasize “fairness,” ensuring that each category of identified schools is awarded a similar amount and that most LEAs get some level of funding. However, this approach may spread 1003 funds so thinly that LEAs are unable to use them in meaningful ways. Competitive approaches may better ensure that subgrant sizes are “adequate” and “sufficient” for LEAs to implement school improvement plans, but many LEAs may receive no funding at all. To that end, the guidance could also strongly encourage States and localities to leverage their own funds and resources for school improvement.</p>
<p>E-16: What are the application requirements for an LEA to receive section 1003 funds?</p>	<p>We recommend updating the final guidance to more strongly encourage States to require LEAs to submit a budget and sustainability plan in their applications for section 1003 funding, as these elements are crucial for evaluating whether the funding applications demonstrate the “strongest commitment” to using 1003 funds to improve student outcomes in identified schools.</p>
<p>E-17: How is an LEA’s application for section 1003 funds related to the support and improvement plans required under ESEA section 1111(d)?</p>	<p>We appreciate that ED included this FAQ, as we support better coordination between 1003 funding applications and the development and approval of school improvement plans, which we believe could substantially reduce administrative burden. In the final guidance, we suggest that ED point to an example of a State that has consolidated its applications as a model practice to emphasize the benefits of aligning the procedures, requirements, and documentation required by both processes.</p>
<p>E-20: If a State is unable to fund all eligible applicants for section 1003 funds in a given fiscal year, how must the State prioritize among applicants?</p>	<p>The guidance states “If a State does not have sufficient section 1003 funds to make subgrants to each LEA that submits an approvable application.” This language could be interpreted as requiring a State to use a formula to allocate section 1003 funds to LEAs, as using a competitive process would often preclude all LEAs from being funded by design (not just because their applications cannot be approved). We recommend clarifying this language in the final guidance to make clear that States may make competitive awards, provided that the competitive priorities and application process are consistent with the statutory requirements.</p>
<p>E-21: On what basis might a State determine which LEAs have demonstrated the greatest need for section 1003 funds?</p>	<p>Similar to our recommendation for FAQ E-14, we suggest that ED update and strengthen the final guidance to encourage States to use the identification of resource inequities in CSI and ATSI plans as evidence of need, in addition to the resource allocation reviews that States conduct of LEAs.</p>

<p>E-23: Must an LEA conduct a review of any external providers with which it will partner to carry out activities supported with section 1003 funds?</p>	<p>Given that many LEAs may have limited capacity to vet external providers of evidence-based interventions — particularly those with a significant number of identified schools — we recommend updating this FAQ in the final guidance to highlight ways that States could support LEAs in selecting external providers, such as vetting providers and providing a State list of recommended partners.</p>
<p>E-24: Must a State make LEA section 1003 applications publicly available?</p>	<p>We appreciate this FAQ and the encouragement to make the school improvement process as transparent as possible. To that end, we recommend adding a reference in this FAQ to the State report card requirements in the ESEA, which specify that 1003 funding awards and strategies must be included on federally required report cards.</p>
<p><i>Uses of Funds Requirements</i></p>	
<p>E-26: What are allowable uses of funds for an LEA receiving section 1003 funds?</p>	<p>We believe these questions would benefit from additional clarification in the final guidance. Specifically, what is the difference between “any activity that it determines will help a school identified for CSI, TSI, or ATSI improve student outcomes” and an “evidence-based intervention”? If only interventions meeting the three highest tiers of evidence can be paid for using 1003 funds, could an intervention that meets the bottom evidence tier just be considered an “activity” and that is supported by 1003 funds? The distinction between “activities” and “evidence-based interventions” should be made clearer, so that States, LEAs, and schools understand what may, and may not, be supported by 1003 funds.</p>
<p>E-27: What are the requirements for implementing evidence-based interventions using section 1003 funds?</p>	<p></p>
<p>E-28: May a school identified for CSI, TSI, or ATSI stop implementing interventions described in its support and improvement plan when the LEA’s award of section 1003 funds ends?</p>	<p>We recommended strengthening the final guidance by adding language to strongly encourage SEAs to maintain awards for LEAs when schools are in the middle of implementing school improvement plans, particularly if there is evidence that the interventions are working to improve student outcomes.</p>

E-29: What planning activities may be supported with section 1003 funds?	We appreciate the guidance’s clarity on planning years. However, the guidance would be stronger with a more thorough discussion about the potential trade-offs of a planning year, including examples of how States have used planning years with 1003 funds. Furthermore, we suggest clarifying that “school leadership” may be a particular area of focus for planning in addition to “staff” in general.
E-31: May a State directly provide school improvement activities or arrange for their provision through external partners?	We appreciate the inclusion of this FAQ but would suggest providing further clarity in the final guidance by adding an example or two from a State that has utilized this provision effectively.
E-35: What are additional strategies an LEA may use section 1003 funds for to support identified secondary schools?	We are pleased that ED included a question specifically focused on the needs of secondary schools. We recommend strengthening the response in the final guidance by adding language that suggests using 1003 funds for navigational supports, such as college and career counseling, to help high school students choose a postsecondary pathway.
E-37: May an LEA use section 1003 funds for staffing positions to support school improvement?	We appreciate this FAQ, as it is an important consideration for LEAs regarding their use of 1003 funds on behalf of identified schools. Since subgrants can be made for up to four years, we recommend updating this FAQ with additional language that discusses the importance of LEAs planning to maintain these positions, if necessary, after the subgrant expires to support the sustainability of the school improvement plan.

Fiscal Requirements

E-39: What should a State consider prior to making a continuation award to an LEA implementing a section 1003 subgrant?	The response to this FAQ notes that “the State may decide not to make a continuation award under certain circumstances.” This language implies that there are some circumstances in which a State <i>must</i> make a continuation award (as opposed to the State always retaining discretion to provide continuation awards). We suggest updating the final guidance to clarify this issue.
---	---

State Reporting and Monitoring

E-44: What information must be included on the State report card with respect to section 1003 funds?	We recommend that ED strengthen this FAQ by encouraging States to publish information related to section 1003 funds not only on State report cards but <i>also</i> on LEA and school report cards. Families deserve to know if school identification has led to additional resources for their school. Publishing information about section 1003 funds on local report cards reinforces how accountability and school improvement systems directly benefit the community and demonstrates that these policies are about supporting schools, not punishing them.
E-45: How may a State use reporting to increase transparency of its State-level reservation and use of ESEA section 1003 funds?	We believe this question needs a minor clarification. In the bullet, “The improvement strategies implemented by the State using the reserved funds,” we suggest specifying whether this refers to the strategies deployed with the State’s overall 1003 reservation (e.g., the entire 7% set-aside), or specifically to the portion of the 1003 reservation that is reserved by the SEA for State-level activities.

Section F: Direct Student Services Under ESEA Section 1003A

F-6. What portion of funds reserved for direct student services under ESEA section 1003A does the ESEA require a State to allocate to LEAs?	For clarity and ease of use, we recommend removing this question and instead using this information to further clarify the current ED response to F-4 regarding the amount of 1003A funds that States may reserve for administrative costs.
F-10. How must an LEA prioritize the use of its section 1003A funds?	Given the low levels of student academic proficiency in identified schools and the emphasis on the term “low-achieving student” in the response to this question, this FAQ would be strengthened by including a definition of a low-achieving student in this context that LEAs could or should use when prioritizing the use of 1003A funds. For example, should this definition include any student who has not reached grade-level proficiency on statewide assessments, or could LEAs further define this as students in the lowest performance category?
F-11. May an LEA use funds awarded under section 1003A for direct student services for students	Given that students from Title I schools are eligible for 1003A funds for direct student services, which differs from the eligibility of LEAs for school improvement funds for non-Title I schools identified as CSI-Low Performance, we recommend explicitly discussing the differences in Title I eligibility between direct student services and school improvement to provide further clarity (including referring to question E-4).

attending non-Title I schools?	
F-14. What are the requirements that apply to the State with respect to providers of high-quality tutoring that will be supported with section 1003A funds?	<p>We appreciate the inclusion of an FAQ focused on high-quality tutoring in direct student services; however, the final guidance could be strengthened by encouraging States to support the use of high-quality external partners for other types of direct student services through the development of other lists of vetted partners. Additionally, the statement that tutoring instruction and content must be “neutral” ignores the fundamental role that culture plays in student learning: Learning processes are intrinsically cultural and significantly influenced by contextual factors, social constructs, and personal perspectives. Therefore, we strongly recommend amending the language to replace “neutral” with “culturally inclusive.”</p> <p>Finally, we would encourage ED to include in the final guidance a recommendation or example of how a State could define a “meaningful” choice of services, rather than simply noting States’ discretion. (We also encourage the addition of a reference to the provided recommendation in F-18.)</p>
F-17. What are “components of a personalized learning approach” that an LEA may pay for with section 1003A funds for direct student services?	<p>While we appreciate the reference to tutoring in this response, given that tutoring receives substantial attention in this and other sections of the guidance, we recommend that the final guidance include other examples of "components of [a] personalized learning approach" beyond tutoring, such as work-based learning or differentiated instruction.</p>