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Contact: Emilie Wheeler, Public Information Officer
801-707-8421 · emilie.wheeler@schools.utah.gov

State Board Seeks Local Flexibility in New Federal Education Regulations

SALT LAKE CITY – The Utah State Board of Education asked the U.S. Department of Education to consider a number of provisions to grant more local control over schools in proposed regulations attached to the Every Student Succeeds Act (ESSA), passed into law in late 2015 and scheduled to take effect in 2017.

[Submitted comments](#) pertain to proposed regulations on accountability and state plans. The comment period ended Monday, August 1.

“Each state has the right to set its own rules, policy, and state statute and should be allowed the opportunity to establish its own indicators for reporting purposes. We hope the Department of Education considers the issues we have described and recognizes that states are best equipped to evaluate school performance,” said State Board of Education Chair David Crandall.

The Board called for a number of significant provisions to be revised before the regulations are finalized.

Those recommendations include the following:

- Allow more flexibility in determining specific performance level indicators.
- Omit language regarding testing participation penalties and allow states to determine how to reconcile the 95 percent participation requirement.

- Grant states the right to decide whether to use a single “score” when publishing accountability results.
- Allow states the discretion to use multiple public reporting methods for accountability.
- Allow states to use data from prior years to identify schools in need of improvement.
- Use both the four-year adjusted cohort graduation rate and an extended-year adjusted cohort graduation rate in identifying schools that need comprehensive support and improvement.
- Remove provisions related to minimum dollar amounts for school improvement awards and allow states to determine the financial needs of identified schools to implement interventions and appropriate distribution of funds.
- Allow states to submit streamlined plans that capture essential elements of a consolidated plan, without adding planning requirements that go beyond what is called for in statute.