



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

DATE: September 28, 2023

TO: State Title I, Part A Directors  
State Title I, Part C Directors  
State Title I, Part D Directors  
State Title II, Part A Directors  
State Title III, Part A Directors  
State Title IV, Part A Directors  
State Title IV, Part B Directors  
State Title V, Part B, Subpart 2 Directors  
State Assessment Directors  
State Directors for McKinney-Vento Homeless Assistance Act: Education for Homeless Children and Youths Program

FROM: Ruth E. Ryder  
Deputy Assistant Secretary for Policy and Programs  
Office of Elementary and Secondary Education

SUBJECT: Updates Regarding Accountability Systems and ESEA Consolidated State Plans

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Thank you for your continued work to implement statewide accountability systems; publicly report extensive information on State and local report cards, as required under the Elementary and Secondary Education Act of 1965 (ESEA); and provide additional resources to schools designated for support and improvement. These systems are vital for improving outcomes for students and eliminating opportunity gaps. To support your work in these areas, I want to provide some reminders for this school year.

*Producing timely accountability determinations and publishing State and local report cards*

Each State has an obligation to finalize accountability determinations based on data from the 2022-23 school year in a timely manner. These determinations should occur in fall 2023, and the U.S. Department of Education (Department) strongly encourages each State to finalize its accountability determinations no later than **December 1, 2023**. Finalizing accountability determinations in fall 2023 will provide designated schools sufficient time to develop and implement support and improvement plans consistent with requirements in ESEA section 1111(d).

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<http://www.ed.gov/>

Relatedly, ESEA section 1111(h) requires States to annually publish State and local report cards, which must include information about school performance, including the State's list of schools designated for support and improvement. While the ESEA does not require report cards to be posted by a particular time and we understand that it often takes a State into the fall to complete the data collection and analysis to publish report cards, the Department expects this to occur by the end of the calendar year. For this reason, each year the Department reviews State websites to see if the report cards are available and reviews a selection of the required elements. We will begin our review of State and local report cards for school year 2022-23 on **January 15, 2024**.

*State plan amendments for school year 2023-2024*

As each State is finalizing its accountability determinations and school designations in the fall, we encourage you to consider whether you would like to revise your ESEA consolidated State plan to best identify and address the educational needs of your State's students. All States must submit any proposed ESEA consolidated State plan amendments to the Department for review and approval before implementation. Amendments related to accountability determinations for fall 2024 based on data from the 2023-24 school year should be submitted no later than **February 1, 2024**; this will allow the Department to determine whether an amendment complies with applicable requirements in time for your State to implement those changes and make timely accountability determinations by December 1, 2024.

Additionally, as a reminder, many States requested changes to approved ESEA consolidated State plans using the "2021-2022 Template for Addendum to the ESEA Consolidated State Plan due to the COVID-19 National Emergency" (COVID-19 State Plan Addendum). Each State that received approval for long-term changes using the COVID-19 State Plan Addendum (e.g., shifted long-term goals, modified school identification timelines, and/or modified exit criteria) and that has not already done so must submit an updated ESEA consolidated State plan that incorporates the previously approved changes. States may submit these changes separately or as part of other updates you propose through amendments to refine and strengthen your ESEA consolidated State plan.

I encourage you to speak with your Department program officer as you consider possible changes. We are available to provide technical assistance to support you. In addition, prior to submitting an amendment to the Department, you must consult with the Governor, afford a reasonable opportunity for public comment, and consider such comments consistent with the consolidated assurances your State submitted in June 2017 under ESEA section 8304.

When submitting an amendment to the Department for approval, please submit it to [OESE.TitleI-A@ed.gov](mailto:OESE.TitleI-A@ed.gov) and include:

- 1) A redlined version of the approved consolidated State plan that reflects all proposed changes, preferably in Word, using the track changes feature;
- 2) A cover letter describing the proposed changes;
- 3) The signature of the chief State school officer or authorized representative; and
- 4) A description of how the State provided the public a reasonable opportunity to comment on the plan.

*EDFacts data submission for school year 2022-2023*

Each State is also required to submit several accountability *EDFacts* data files by **February 21, 2024**. This will be the first year that States use the new EDPass tool to submit these files. As a reminder, one of the major benefits of EDPass is that it will facilitate an iterative process through which States upload files and receive immediate data quality feedback. Accordingly, data are considered final as of the due date, and there are no resubmission periods. Thus, it is critical that a State finalize and report its data files in advance of the due dates to ensure that the State's information can be included in the data files used and publicly reported by the Department. We will be providing information and technical assistance to support the transition to EDPass. You can find information here: <https://edfacts.communities.ed.gov/#program/edfacts-modernization-corner>.

Thank you again for the work you continue to do to implement the ESEA and provide a high-quality education to all students. If you have any questions or need additional information, please contact [OESE.TitleI-A@ed.gov](mailto:OESE.TitleI-A@ed.gov) or your program officer.