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M E M O R A N D U M

To: Ann Whalen, Senior Advisor to the U.S. Secretary of Education, Delegated the Duties of the Assistant Secretary of Elementary and Secondary Education
From: Stephen Parker, Legislative Director, Education and Workforce
Re: Comments on U.S. Department of Education Every Student Succeeds Act Implementation

On behalf of the National Governors Association (NGA), the collective voice of the nation's governors, thank you for the opportunity to offer comment on the U.S. Department of Education's efforts to assist states and schools in the implementation of the Every Student Succeeds Act (ESSA). This new law returns authority over education to governors, districts, educators and parents, and our top priority is to make certain that it remains with them.

Governors, through NGA, have long been at the forefront of seeking solutions to problems in our nation's schools. At the state and federal levels, education governors generated bold changes to education systems to advance each state's workforce and spur economic development. In 2015, governors continued this work by supporting Congress as it created a law to ensure state and local innovation replaces federal mandates as the preferred method to improve results in every classroom. NGA endorsed ESSA; governors' first endorsement of any federal legislation in nearly 20 years.

Governors view ESSA as an opportunity for states to set high—but realistic—expectations for schools while empowering communities to provide the education that all children need. This is a historic law for states and governors will play an active role in implementation.

ESSA is clear: Education decision making now rests with states and districts, and the federal role is to inform, not dictate, those decisions. As the Department of Education considers steps to support state implementation of ESSA, we offer the following principles to guide your work:

- Guidance should be the primary tool the federal government uses to inform state efforts to implement ESSA;
- Regulations should reflect congressional intent and be promulgated only for sections of ESSA where states, districts and the federal government agree additional context is necessary;
- As the leader of each state's education system and the official responsible for creating lifelong learning from early childhood into the workforce, governors should be consulted for substantive input throughout the ESSA implementation process;
- Federal agencies should recognize ESSA's alignment of federal K-12 policy with state early childhood, postsecondary and workforce policies by enabling state collaboration across these areas;

- Recognizing each state's readiness to implement ESSA varies, the federal government should allow a flexible timeline to allow for early implementation or provide additional time for states to make necessary changes to state policy and improvements to state infrastructure; and
- Federal ESSA guidance, and regulations when necessary, should focus on meeting the needs of students and empowering educators and parents, allowing governors to prepare students for the high-skill careers of the 21st century and a successful life.

In the coming months, NGA will work to empower governors and states with information, analysis and technical assistance to fully utilize ESSA as a tool to accelerate educational improvement. NGA will listen to governors to determine where to focus our efforts and collect input we will provide to the federal government throughout the implementation process.

Governors will support and partner with the superintendents, teachers and parents, whose on-the-ground efforts will ultimately determine ESSA's success. We also look forward to coordinating with federal agencies to reach our shared goal of providing a high-quality education in classrooms across the country.

ESSA is a model for what every federal law should be: a floor, not a ceiling. States recognize that taking our education system from good to great requires us to innovate and build on this new law to guarantee every child, regardless of background, can succeed.

States stand ready to implement ESSA, and governors are up to the task.

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Please feel free to contact me at (202) 624-5369 or sparker@nga.org with any questions or for more information.

Cc:

David Cleary, Majority Staff Director, Senate Health, Education, Labor and Pensions Committee
Evan Schatz, Minority Staff Director, Senate Health, Education, Labor and Pensions Committee
Juliane Sullivan, Majority Staff Director, House Education and the Workforce Committee
Denise Forte, Minority Staff Director, House Education and the Workforce Committee
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