

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
*Office of the State Superintendent of Education*



**Public Hearing on**  
**B22-776 – the “District of Columbia Education Research Advisory Board and Collaborative Establishment Amendment Act of 2018”**

**Testimony of**  
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Before the

Committee on Education  
The Honorable David Grosso, Chairman

Council of the District of Columbia  
Room 412  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004

## **Introduction**

Good afternoon, Chairman Mendelson, Chairman Grosso, members, and staff of the Committees of the Whole and Education. My name is Hanseul Kang, and I am the State Superintendent of Education. I am pleased to join you for this hearing on B22-776, the “District of Columbia Education Research Advisory Board and Collaborative Establishment Act of 2018.”

Today’s hearing is about the importance of ensuring that stakeholders – parents, policymakers, advocates, and the general public – have access to high quality and actionable data on the performance of our schools, which has been pillar of OSSE’s 2015-2018 strategic plan. At OSSE, we recognize the importance of making policy decisions transparently and based on evidence. However, we believe the proposed legislation, which would establish a DC Education Research Collaborative with an advisory board that would be housed in the Office of the Auditor, would coningle research and audit functions in a way that may hinder quality research and inform practice. Instead, we must work to ensure that the data that grounds research is collected and reported with precision and integrity.

In my testimony, I will elaborate on OSSE’s role in data collection, reporting, and research, and provide comments and recommendations on the proposed legislation.

## **Role as the SEA**

As the state education agency, OSSE plays a significant role in sustaining, accelerating, and deepening educational progress in the District of Columbia. One way that we do that is by ensuring that our education partners, such as local education agencies (LEAs), community-based organizations, policymakers, advocates, parents, and the general public, have access to high-quality data about our schools so that they can make informed decisions and better support all learners. To improve quality, we work to ensure uniformity, accuracy, and integrity in the data that we collect and report.

First, OSSE plays a critical role in ensuring consistency in the collection and reporting of certain data across schools in the District of Columbia. Schools must be able to operate in such a way that serves their students well, and every school’s routines and operations are different. We strive to balance our data collection system with the administrative burden it places on schools. Data entry, for the most part, occurs at the school level in student information systems (SIS). Every day, teachers and administrators enter information on a wide variety of metrics, for example, attendance, grades, disciplinary actions, academic interventions and supports, and others. Some of this information, like attendance and discipline, makes its way to OSSE through data feeds and reports on a daily or an annual basis while others, like grades, do not. OSSE sets rules that work towards greater consistency in the collection of data across schools.

Second, OSSE works to improve data accuracy. OSSE puts in place a series of checks to ensure that data, when it flows in, conforms to rules. We provide tools to LEAs that flag errors that need attention. For example, if we get an attendance entry on a day that school is not scheduled to be in session, we flag it, so either the calendar or the attendance data can be updated. We want to ensure that schools and LEAs address these problems before the data is reported final.

Third, OSSE must ensure integrity in data collection and reporting. OSSE, along with LEAs, has a role in identifying inaccuracies. Much of the data we review originates with individual educators and leaders, and it is important provide tools that support ease, accuracy, and appropriate checks. For example,

coming out of the graduation and attendance reviews last winter, we are monitoring DCPS to ensure that updates are made to its student information system, Aspen. For data that has significant implications for schools, for example, data for enrollment audit and for school accountability, OSSE requires the head of school to certify the accuracy of their data during a time period of data verification.

OSSE publicly reports much of the data that it collects. Either through federal or local compliance efforts or through public reports, OSSE reports more data on the performance of the District's schools than ever before leading to an unprecedented level of transparency. Annually, OSSE produces an attendance report and a discipline report that not only includes data at the state and school levels but also by subgroup. Both reports include original analysis. OSSE also releases a broad range of publicly available data consistently through downloadable files, policy reports, and other analytical tools. You may find a listing of the data reports that we release on our website in Appendix A. OSSE provides downloadable spreadsheets for its annual PARCC release, as well as the data on Equity Reports. We will also release downloadable files for school-level data for the new accountability system to be released later this year. OSSE also publishes an extensive volume of reports to comply with our statutory requirements from this Council. OSSE submitted 20 public reports during this Council period. You may reference a listing of these reports in Appendix C. And finally, our new school report cards, a collaborative effort with the State Board of Education, will include over 50 individual information points on school offerings and performance, and new functionality so users can search and compare schools. You may find a full listing of the report card data elements in Appendix D. These report cards will be released for the first time in December 2018 and annually thereafter. In short, the data that we collect on schools is available for public review and use.

OSSE also partners with governmental and non-governmental entities to conduct independent research and analysis. Some of those are with the University of Virginia to study the effects of DCPS human capital efforts, the US Department of Education to study the Opportunity Scholarship Program, and Westat to study the KIPP to College program. Collectively, these efforts add significant value. It is rigorous research, like this, that must guide our education investment and policy efforts. We are transparent about these research partnerships in our annual performance responses to this Council. You may find these listed in Appendix B.

OSSE has come a long way, and I am proud of the team we have assembled at the agency. The reality is that much of the reporting and analysis that we currently do, including our most recent investigation into graduation and attendance, would not have been possible a few short years ago. It is a detailed process of getting data from the school level to the state education agency with accuracy and precision. The public and this Council are pushing us to do better and to do more. It is a daunting challenge, but I can assure you, we are up to that task.

### **B22-776, the "District of Columbia Education Research Advisory Board and Collaborative Establishment Act of 2018"**

Turning to the legislation before us today, Bill 22-776 establishes the DC Education Research Collaborative with an advisory board that would be housed in the Office of the Auditor. The Collaborative would manage education data from education agencies, design, and execute long-term educational research. Additionally, Council and the State Board of Education could request long term research through resolution. The legislation requires the Collaborative to audit data and data management and collection practices within OSSE and other education cluster agencies. The legislation

also requires agencies to provide enrollment, student-level, school, and facilities data as far back as 1998.

OSSE agrees that program and policy evaluation is important for good public policy, and embraces the need for rigorous, objective research led by a third party on the effectiveness of our efforts and the performance of schools in the District of Columbia. However, a research collaborative in the Auditor's office, as proposed by Bill 22-776, is not the best way to accomplish this goal. Further, auditing broad data sets from as long as 20 years ago would create additional, excessive demands for OSSE and hinder our ability to do more meaningful and impactful work. Please allow me to discuss these concerns more in a more detailed way.

### **Outside Third-Party Better to Run Collaborative**

The Office of the Auditor serves a critical role for good governance in the District of Columbia by providing oversight over agency operations and practices. Consistent with local law, OSSE fully cooperates with the auditor's inquiries pertaining to OSSE's accounts and operations, and we take the findings from the Office seriously. Yet, we do not believe that the important work of the Auditor should be comingled with the evaluation of policy choices and the management of research because these are two distinct functions. We are concerned that turning policy research and analysis into a compliance and oversight function would distract from the very real need for research that drives instructional practice. As noted in earlier testimony today, many cities and some states have established research organizations with many of these efforts located completely outside of government, but working in tandem with public agencies and stakeholders. The District of Columbia should consider these models as examples of best practices of research partnerships and collaboration.

### **Audit Doesn't Help Improve Data Accuracy**

The legislation attempts to audit OSSE's data collection and reporting processes through a burdensome, vague, and unrealistic audit that would divert resources away from OSSE's efforts to do more meaningful and impactful work. Section 203 of the bill requires the Collaborative to audit data in the education cluster. This is problematic for several reasons. First, it requires the Collaborative to collect public school data since 1998, which is well beyond OSSE's existence in its current capacity. Second, the data and assessment landscape has changed numerous times in the last 20 years putting into question the availability and certainly the quality and consistency of any data that goes back so far. For example, in 2001, the federal No Child Left Behind Act (NCLB) significantly changed and expanded the amount of student-level data collected and reported across the country, and in DC, we have had a number of different student assessment systems and changes in governance and structure during this time period.

Finally, the list of data requested is too broad. Without clarity on what specific data elements and in which formats are required to comply with the audit prescribed in the bill, we are unable to say if we could feasibly provide data within the 180-day time period as the bill requires. The legislation would send the Collaborative on a scavenger hunt through OSSE, collecting reams upon reams of data, with the goal of inventorying the agency's data against what the Collaborative thinks that we should have. Complying would require significant capacity from OSSE, and would do very little, if anything, to actually improve data quality. This new scope of work would prevent OSSE from providing more meaningful tools to schools, LEAs, and the public, and could potentially hamper our ability to meet our current, significant local and federal data and reporting requirements

## **Research Transparency**

OSSE views more public engagement on research priorities as a benefit, especially in light of our efforts to engage the public on school report cards. We understand the public's interest in shaping research priorities, and believe engaging them is important. We have engaged the public on report card content, layout, and language, and we believe that the report card will be a strong data reporting tool that will be beneficial to parents and the public at large. There are several models that could be used to support public engagement for any potential research collaborative; models that we have investigated use advisory boards, committees and public engagement and representation in various ways to inform research.

## **Technical Issues with the Bill**

As currently drafted, the legislation has several technical issues that should be addressed. First, lines 185-187 of the bill states that all student-level data be de-identified prior to the item's release to the Collaborative. It is critical to protect student data; however, this provision may significantly curtail the Collaborative's ability to conduct high-quality, rigorous research. Further, it makes merging data sets in a reliable way quite difficult.

Second, education agencies are the custodians of student-level data. Since we collect the data, we are required to manage the sharing and use of it, and only for reasons permitted by the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99). It is unclear if the Collaborative is seeking to "collect and manage" education data in place of education agencies. Therefore, we believe that the role of the Collaborative in "collecting and managing" data, and the role of the District's education agencies as custodians of these records, requires further legal examination and discussion to ensure the work moving forward still protects student privacy while efficiently providing transparent information and opportunity for research.

Finally, OSSE's current data sharing agreements with research entities are written for specific research purposes. Researchers only have access to student-level data for the narrow purpose of conducting their specific research project and only for a certain period of time. It is also important that prior to releasing student level data that the researcher demonstrates the ability to safeguard student data. If they cannot, we do not share the data. OSSE does not currently have agreements with researchers that provide student level data for broad research use for an unlimited amount of time. We will need to explore the details of these arrangements and look to models like Chicago and North Carolina for these details on how they balance legal protections for student information with research needs.

## **Conclusion**

In conclusion, I am pleased that the Council is engaging in debate on data quality and research transparency. This is an important issue that if done in a reasonable way, in collaboration with the people that lead this challenging and significant work every day, can take the District Columbia in the right direction. Thank you for allowing me to testify. I look forward to answering your questions.