Testimony of

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Before the

Council of the District of Columbia
Committee of the Whole

Hearing on *Measuring What Matters:*
More and Better Data Needed to Improve D.C. Public Schools

March 19, 2021
4 p.m.

Virtual Platform
The John A. Wilson Building
1350 Pennsylvania Avenue N.W.
Washington, DC 20004

Good afternoon, Mr. Chairman and members of the Committee of the Whole. I am Kathy Patterson, D.C. Auditor, and I am joined by Erin Roth, director of education research for the Office of the D.C. Auditor. Our consultants on this project, by Dr. Brandan Keaveny and Dorothyjean Cratty, of DataEthics, are also available for questions.

We are pleased to share the results of the recently published education data audit mandated by the Council two years ago in the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018. We based the work not only on the specific requirement in the act, but the more expansive provisions of the legislation as introduced, and testimony before the Council on the kind of information parents, teachers, principals and other stakeholders wish to see to better guide their efforts to improve education achievement.

The recently finished audit, *Measuring What Matters: More and Better Data Needed to Improve D.C. Public Schools,* finds that the District's state education agency, the Office of the State Superintendent of Education (OSSE) has failed to build necessary data systems and collect the data needed to adequately support students and schools in the District. More specifically, schools, teachers, and families are left without important information needed to best serve our students' needs, growth, mobility, and supports over time—information like accurate attendance and absenteeism data, growth on standardized tests over time, and tracking of individual students through the years. Importantly, the burden of this failure is disproportionately borne by our most vulnerable students and schools.

Our topline findings:

- The District of Columbia does not have a Statewide Longitudinal Data System (SLDS) despite $10 million in federal funding and $25 million in District funding. The U.S. Department of Education defines such as system as one that "collects and maintains detailed, high quality, student and staff-level data that are linked across entities and over time, providing a complete academic and performance history for each student."

- Without such a system the District has limited ability to effectively assess and address learning loss post-COVID.

- Similarly, the District has limited ability to accurately assess and address racial equity issues across our public schools.

- We documented issues with the validity of data in OSSE publications including school report cards.

- We documented the risk of compliance challenges with federal data submissions.

- The District's State Education Agency has not fulfilled its mandates as a state agency by choosing not to collect critical data from all schools to fulfill the requirements of an SLDS.

Our state education agency does not serve students directly. Rather, the focus of their responsibility is to monitor the educational progress of all students and schools using a proxy and that proxy is data. To the extent that needed data are non-existent, partial, flawed, not reported, or not used, our state education agency is not meeting its fundamental responsibility to know and understand our students and schools. This failure not only puts at risk basic monitoring of educational services but also compliance reporting like student discipline and safety, District-wide educational improvement work, and the potential for future federal grants.

We realize that the average reader or listener and even public officials may be challenged to fully understand concepts like "longitudinal data" – it means information that combines multiple pieces of information on individual students over time to see patterns and trends. The testimony that follows separates the issues into these buckets: the data we do not collect, data we collect only in part, data we collect but do not share, how we could better use the data we do collect today, what our education consumers could be receiving, and what an aspirational data system might look like. We end with a section on fact checking to correct the record on the findings based on erroneous statements in the public record over the last week.

What we don't collect

Right now, in the District, we do not collect three categories of critical information:

- student courses, credits, and grades
- teacher-student linkages
- information on student supports.

The first of these three are fundamental for understanding and tracking educational progress in the District. We cannot assess student progress, equity in access, or develop evidence-based improvement strategies without student course data. Student courses, credits, and grades are needed to develop robust early warning systems that would help us identify students at risk of academic failure and disengagement. Importantly, the courses a student takes and the grades they receive have been shown to be better predictors of high school graduation and postsecondary success than standardized test scores. But we do not collect them.

Teacher-student links show who is teaching whom. In D.C., we do not know who is teaching whom. By not tracking these links we cannot assess how teachers are distributed among students and across schools, Wards, or courses. The Council mandated that OSSE create a plan to implement a school climate survey in every school serving 6th grade to 12th grade students by this school year. Instead OSSE delivered a plan recommending that each LEA choose its own climate survey, again leaving the District without comparable information on student engagement and supports across all students and all schools.[1] And what metrics are states relying on heavily right now during the pandemic?

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[1] https://lims.dccouncil.us/downloads/LIMS/44147/Introduction/RC23-0153-Introduction.pdf

Precisely these:

- Student courses, credits, or grades for all 6th through 12th graders
- Student supports and other "whole child" data, like school climate survey data for students, parents, or teachers, or other school-based interventions and supports like response to intervention (RTI), positive behavioral interventions and supports (PBIS), and more.

The absence of this data was underscored in testimony before this Committee last week. Councilmember Janeese Lewis George asked Acting State Superintendent Shana Young how many of the District's 9th graders are on track to graduate and Ms. Young said she could not provide the answer. She cited the lack of standardized test scores as a main reason. Had the District been collecting course, credit, grades, climate surveys or other student support data, this critical information on 9th grader progress would have been available.

What we collect only in part

Most of what OSSE does collect is collected only in part, which means that the District is severely limited when it comes to meaningful data use. Like driving a car with faulty parts in key places like the steering column, wheels, and brakes, and not being able to reliably turn or stop, to actually use District-wide education data brings problems and risks due to data collected only in part. Some of these data are not collected District-wide, meaning we are missing certain students, schools, or teachers, while others are missing large swaths of data for most students, and other key data elements are unusable due to inconsistent definitions both over time and within the same year but with differences by sector, i.e. DCPS versus public charter schools.

These elements include:

- Student enrollment (entries and exits from specific schools).

- Student enrollment by program type.

- Student attendance.

- Student discipline.

- Teacher role, demographics, qualifications, certifications, retention, and salary.

- Robust early childhood, career and technical, and adult education data.

- Postsecondary, workforce, and other agency data linked to education.

Figure1 summarizes the status in the District of each of the standard data element groups.

Figure 1: Current District SLDS Standard Data Element Collections and System Capabilities

SLDS Standard Data Element Groups	Data Collection	Elements Required	Consistent Definition	Complete Coverage	Longitudinal ID	Quality Assurance	Access and Analysis
Student demographics	Y	Y	Y	Y	Y	N	P
Student special programs (IEP, ELL, etc.)	Y	Y	Y	Y	Y	P	P
Student assessments (PARCC, SAT, etc.)	Y	Y	Y	Y	Y	Y	P
Student enrollment: school (entry and exit)	Y	N	Y	P	Y	P	P
Student enrollment: school program type	P	P	N	P	P	P	P
Student attendance	Y	Y	N	Y	Y	N	P
Student discipline	Y	N	N	N	Y	N	P
Student supports (i.e., school climate surveys)	N	N	N	N	N	N	N
Student courses	N	N	N	N	N	N	N
Student-Teacher links	N	N	N	N	N	N	N
Teacher/Staff FTE, role, school	Y	N	N	N	P	N	P
Teacher demographics	Y	N	P	N	N	N	P
Teacher qualifications	Y	N	N	N	N	N	P
Teacher personnel (mobility, salary, etc.)	P	N	P	N	N	N	P
Data beyond enrollment for PreK, CTE, Adult Ed.	P	P	Y	P	P	P	P
Postsecondary data	P	P	Y	N	P	P	P
Workforce data	P	P	Y	N	P	P	P
Other sector data (direct certifications etc.)	Y	Y	Y	Y	Y	Y	P

Source: These standard SLDS components defined in the SLDS grant program funding requirements and funding authorization legislation are referenced in the Introduction.

What we collect but don't share

In addition, there are data that we do collect but don't share publicly, including data collected on contracts or grants paid with District tax dollars. For example, as noted the teacher data we collect is incomplete, and we nonetheless report these data to the federal government while not reporting it locally. We report multiple data points across many areas to the Office of Civil Rights for the Civil

Rights Data Collection (CRDC) and also fail to report this information locally. The Every Student Succeeds Act specifically asks that states share locally the CRDC data reported to the federal government.[2] Finally, although we pay for a contract with the National Student Clearinghouse which reliably tracks the post-secondary enrollment, persistence, and graduation rates for more than 90% of all postsecondary students across the country, we routinely fail to report these data locally. After ODCA began this audit, OSSE began last year to report on postsecondary enrollment but is still not reporting on persistence and graduation.

What we could do with what we have but don't

Although our data is limited and problematic, the data collected represent students that deserve and require focus and monitoring at the statewide District level. We can immediately begin increased data use and reporting, ideally driven by repeated stakeholder demand for analysis in key areas like teacher turnover, demographics, student learning, and mobility. Actual use of data is the best known and most effective strategy for increasing quality and sustainability. As data are used and made accessible, more education stakeholders have opportunities to engage and communicate needed adjustments to increase reliability and validity. Importantly, as data are used, more District residents, practitioners, and policymakers become invested in building more data capacity.

For example, even though we do not have needed course, credit, and grade information, we can build a limited, initial early warning system right now that would return critical attendance, behavior, and achievement data to educators. We could create high school feedback reports, the most in-demand state level reporting by LEAs across the country. These reports show levels of incoming achievement, attendance, and behavior for each high school as well as include key metrics on access and outcomes within each high school. We could do this tomorrow while we are also investing in a long-term pathway to better data and systems.
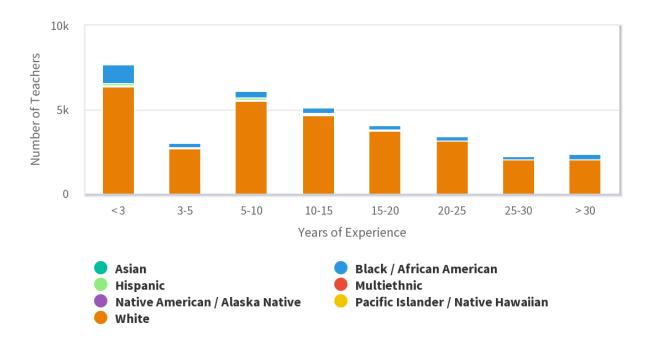
What D.C. education consumers don't have

Right now, District education stakeholders, practitioners, and policymakers do not have access to the same level of reporting and analysis that is available to their counterparts in other states. And we are not speaking of elite, high income school districts—this data use is supported with federal grant money and collaborative state work across the country. Accessing data and using interactive tools in Washington, Kentucky, Arkansas, Montana, Texas, Rhode Island, Wisconsin, Illinois, Hawaii, Alaska, Tennessee, and Maryland, to name just a few, yields analysis not available here. These include longitudinal data on teachers, schools, and students interwoven to show educational opportunities and contexts. Many of these states also link to early childhood, postsecondary, and workforce outcomes in addition to longitudinal use of k-12 data.

Figure 2 on the following page shows a chart from Arkansas's teacher data collection showing the breakdown of teacher experience by race-ethnicity, and this is just one of the many slices of data available on Arkansas's teachers.

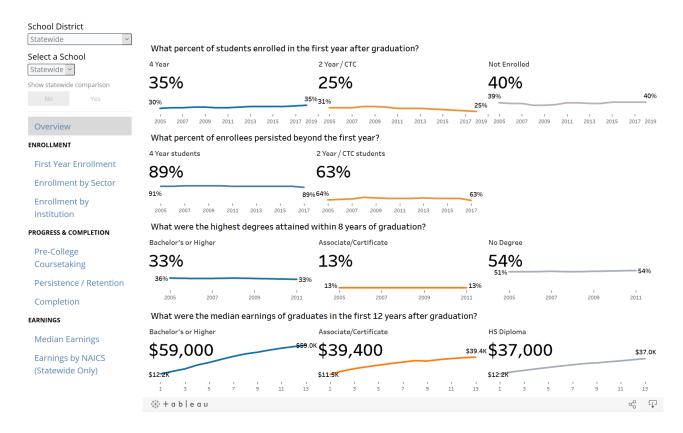[2] https://www2.ed.gov/policy/elsec/leg/essa/rptcardpubliccomment3282019.pdf

Figure 2: Experience by Teacher Subpopulation, 2020

Source: Statewide Information System

Figure 3 is an example of one of Washington's data dashboards showing college enrollment, persistence beyond the first year, what were the highest degrees the students attained, and their median earnings up to 12 years after graduation.

Figure 3: Washington data dashboard

Finally, Figure 4 on the following page shows the kind of information a Montana teacher will have this fall as she plans to address the learning loss of a new classroom of students including coursework, grades, attendance, and behavior over time for each of his students. District teachers do not have this information available to them.
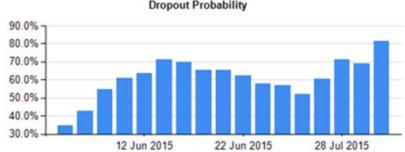
Figure 4: Montana Student Level Report

Student Level Report
Student Name: Jess Thompson - UDJEHEGDB

gems — Growth and Enhancement of Montana Students
gems.opi.mt.gov

Jess Thompson	UDJEHEGDB	Extreme Risk

State ID	UDJEHEGDB
Grade	08
Age	15
Gender	F
Birth Date	Jun 5 1999
Previous Dropout	N
Repeater K-8 Grade	N
Age Difference	Over 2 Up
Moved This School Year	N
Moved From Out Of State	N
More Than 2 School Systems Attended	N
Number of HS years	N/A
Attendance Rate	0.901
Previous Term F's	
Previous Term A's	
Behavior Events In Last 120 Days	1
Out Of School Suspension Events In Last 3 Years	1
Credit/Yr	
On Track	Y
Absences Last 60 days	5.25
Absense last 90 days	3.2

Dropout Probability	81.6% * ❗

Dropout Risk Factors	
Older Student	Y ❗
Off Track	N
Previous Dropout	N
Attendance Risk Factor	2.28 ❗
Grades Risk Factor	1.00
Behavior Risk Factor	1.32 ❗
Mobility Risk Factor	1.00

Dropout Probability Summary

Dates Early Warning System Ran	Dropout Probability	Change
26 Aug 2015	81.6%	⬆
29 Jul 2015	69.0%	⬇
28 Jul 2015	71.1%	⬆
09 Jul 2015	60.5%	⬆
30 Jun 2015	52.1%	⬇
24 Jun 2015	57.0%	
23 Jun 2015	57.7%	⬇
22 Jun 2015	62.2%	⬇
19 Jun 2015	65.5%	
17 Jun 2015	65.4%	⬇
16 Jun 2015	69.9%	⬇
15 Jun 2015	71.1%	⬆

Dropout Probability

Grades Risk Factor

Attendance Risk Factor

Behavior Risk Factor

Mobility Risk Factor

Moving forward with P-20W+

The audit doesn't simply show what we do not collect. It also shows that we can immediately start using existing data better—to assess equity, meet basic stakeholder demands, and better support students in need. District students are graduating and entering a competitive post-secondary and workforce world and members of the Council do not have data that demonstrates how District students are doing. Do they have equitable access to postsecondary enrollment, persistence, and degree attainment? Are they prepared for the workforce? What are their earnings? We do know that red flags aren't being heeded. In 2017, the University of the District of Columbia shared with the State Board of Education that 126 out of 128 newly enrolled students from DCPS high schools needed remedial coursework. Your performance oversight records show that students have complained to the Ombudsman that they cannot access the transcripts they need for work or college. We recommend using the data we do collect to give you answers that are available now.

We have been talking about our need to complete the build-out of a Statewide Longitudinal Data System, referring to p-12 education data and recommend that that be a clear priority for the District. But it isn't an end point. The best practices review undertaken as part of the audit yielded a wealth of information on what innovative state governments are doing beyond linking what happens in the elementary grades with middle school success or preparation for high school. Forward looking states have moved ahead with P-20W+ data systems that bring specific data securely from across systems, linking early childhood, K–12, postsecondary, workforce, and other sectors to identify how well our education system functions and where the gaps are.

Such systems in Kentucky and Ohio, for example, provide the in-state and out-of-state employment outcomes for postsecondary graduates from both states and enable you to see the employment outcomes associated with specific institutions including majors declared and credentials earned.

The Kentucky Center for Statistics (KYSTATS) was created by legislation in 2012 and collects and links data to evaluate education and workforce efforts in the Commonwealth. This includes developing reports, responding to research requests, and providing statistical data about these efforts so policymakers, practitioners, and the general public can make better informed decisions.

Two years ago the California legislature passed the Cradle-to-Career Data System Act to create a statewide data infrastructure to help state agencies improve education and workforce policies and programs, and support statewide research efforts. The law required a working group to get feedback from researchers, policy experts, local education and community college leaders, advocates, and civil rights groups. According to the Data Quality Campaign, this type of engagement is necessary to secure stakeholder buy-in and ensure the recommendations represent a collaborative effort. The working group has also prioritized transparency—all meetings have been open to the public, with additional resources and materials available online.

They are attempting to launch multiple statewide tools, including something as detailed as an electronic transcript exchange app to help high schools, colleges, and universities efficiently share information and permit families to access the resources they need from anywhere in the state.

This is just a quick glance at strides other states are making to better utilize data capacity and linkages to help drive policy and individual decision-making. We obviously can't run until we're walking securely. We will not have a Statewide Longitudinal Data System until we have reached some kind of consensus on what exists in the District today—what we do have and what we do not have. Which brings me to the last section of our testimony.

Fact-checking

Mr. Chairman, the late Senator Daniel Patrick Moynihan had a frequently quoted phrase that while we are all entitled to our opinions, we are not entitled to our own facts. In that spirit I would like to conclude by correcting the record on several statements that have been made in recent weeks related to the education data audit.

- **"This report resurrected and relitigated old debates on the governance of our schools."**

This is wrong and had an audience of one, the Mayor. It sought to tie the audit's well-documented findings about OSSE not living up to its mandate to a quite separate discussion on whether mayoral control of schools should be taken up again. Although the report recommends legislation it is the plain fact that the clearest path to data collection and a true statewide longitudinal system is by Executive directive and not through the more time-consuming enactment of legislation and certainly not through any change in government structure. Columnist Jonetta Rose Barras quoted me as saying that, "This audit is a perfect opportunity for the Mayor to use her authority over public education in the District to direct her new state superintendent to finish the job of building a statewide data system."

The only way in which governance more generally is touched on in the report is by comparing what is statutorily required of our state education agency with what has actually been accomplished and in this we do fault OSSE for not yet completing the task of building a comprehensive data system.

- **"OSSE lacks the authority to direct charter schools to submit data."**

This also is inaccurate and is somehow linked to a misunderstanding of the autonomy granted to the District's public charter schools. As one of the authors of the Council's charter school authorizing legislation, I can attest that the purpose of autonomy was to have "freedom to" not "freedom from." Freedom to experiment with new approaches to education like a longer school day or a residential campus—not freedom from providing information on race and ethnicity of teachers or what math course a school's 8th graders are taking. The D.C. Code is explicit on OSSE's authority to require data submissions as and when OSSE chooses.

Specifically, D.C. Code §38-2609 states that,

> "Upon the request of the State Superintendent, necessary data pertaining to students, teachers, and school levels shall be submitted to the OSSE for the purpose of constructing, updating, or maintaining the EDW system by:
> (i) The University of the District of Columbia;
> (ii) A public school;
> (iii) A public charter school; or
> (iv) An entity administering a publicly funded educational program.
>
> (B) The requested data shall be submitted within a reasonable time, as determined by the OSSE, following a request, and in a standardized format to be established by the OSSE.[3]

- **"We have access to longitudinal, student-level data from across the education continuum, from birth to adulthood, and can draw linkages across this continuum to analyze the relationship between inputs and outcomes."**

This is a carefully worded statement that seemingly implies that we have a longitudinal system. And yet our questions would be: if we have access, where is that access displayed? And for what purpose? The fact is that ODCA and our contract partners audited every document published by the Office of the State Superintendent of Education. We found no instance of longitudinal data *use*. Not one.

I mentioned earlier the statement Ms. Young made last week when asked how many 9th graders are on track to graduate. The District could act right now to use the data it does collect on attendance and behavior and prior test scores and growth to make a rudimentary 9th grade early warning system. Unfortunately, there is no evidence of this type of longitudinal data use in OSSE reporting or planning. If the Executive persists in making this claim we recommend that the Council ask for the evidence.

- **The Office of the Deputy Mayor for Education and OSSE "spent two years working collaboratively with the Auditor and her staff."**

This is true in part and wrong in part. We greatly appreciate the time and effort members of the OSSE data team spent with ODCA staff and contractors to produce this audit. An extraordinary amount of time, though, was required on my part and the part of my General Counsel and outside counsel we had to hire to provide guidance on federal privacy law in order to continually renegotiate our access to education data to which we are entitled by the Home Rule Charter. As we were

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[3] D.C. Code §38-2609.

wrapping up fieldwork for this audit and requesting the newly-available 2018-2019 school year data, the Executive denied this request—again, for data to which the D.C. Auditor is statutorily entitled. This request was elevated to the Deputy Mayor who denied us that access. As we wrote in our performance responses to this Committee in February a year ago:

> In recent weeks we have experienced a District government agency under audit using its own regulatory status in a manner that has hindered the ongoing audit. The Office of the State Superintendent of Education, with the tacit approval of the Deputy Mayor for Education, has withheld information requested as part of the education data audit mandated by the D.C. Council. In the interest of completing the audit this spring we have chosen to forego use of ODCA's subpoena authority to secure the information and will report the refusal to respond to a legitimate data request as a finding in the audit.

Conclusion

The Office of the D.C. Auditor has presented this education data audit as a good faith effort to meet the statutory requirement and to provide documented and credible evidence on what education data the District collects and uses. Mr. Chairman, I continue to hope that the Mayor and her education team will finally permit the ODCA team of experts who undertook this work to meet and discuss the findings and recommendations with the data team at the Office of the State Superintendent of Education, a request I have made continually since November. I believe progress is possible based on consensus and communication.

This concludes our testimony and we are happy to respond to questions.