

**To: State Board of Education**

**From: Daniel M. French, Secretary of Education**

**Re: Data Suppression**

**Date: November 9, 2020**

The Chair asked me to provide an update on the data suppression issues that were discussed by the Board earlier this summer. Specifically, the Chair asked me to respond to what had changed since 2017, and to provide a general update on the agency's work in this area.

#### What has Changed Since 2017

As I previously stated in oral comments made to the Board, what changed since 2017 was federal law and the state's response to that law. The Elementary and Secondary Education Act (ESEA) of 1965 was reauthorized as the No Child Left Behind Act (NCLBA) in 2001. To comply with that law, the Board adopted Rule 2500 in 2004 entitled, "School Accountability System Based on Student Achievement." That rule described an approach to data suppression in state accountability reports (p.6):

*To ensure the confidentiality of individual students' results, public reporting of any assessment or accountability result shall require a minimum of 11 students.*

In 2015, the ESEA was again reauthorized with the Every Student Succeeds Act, or ESSA, and many of the accountability provisions from the NCLBA were repealed. Rule 2500, however, was never updated. Many of the rule's provisions such as Adequate Yearly Progress or Annual Measurable Objectives are no longer applicable and cannot be implemented, but its data suppression language can be.

ESSA required each state to develop a plan, however, and Vermont's ESSA plan describes our approach to accountability and data reporting including suppression. Our ESSA state plan was used to design and implement our required Report Card which went live for the first time in June 2019. Unfortunately, our ESSA state plan was never approved by the General Assembly, the Board, or the Governor so its provisions are not necessarily in sync with existing regulations, including those that are outdated such as Rule 2500.

#### Update on the Agency's Work

Our work to address data suppression includes two strategies: 1) considering revisions and/or amendments to Vermont's ESSA State Plan, and 2) working with our existing data infrastructure to improve our reporting capabilities.

We have been accumulating potential revisions to our ESSA state plan now that we have some experience and feedback on the Report Card. We will involve the Board in any revisions to our state plan.

Meanwhile, we continue to improve our data reporting functionality through our existing infrastructure. We built new infrastructure with our [Vermont Education Dashboard \(VED\)](#). We can make changes to the VED more easily than the Report Card. For example, we were able to make adjustments to the suppression logic for graduation rate data on the VED to make more data available to the public.