



Presentation to the Interim Committee to Study the Every Student Succeeds Act

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ESSA:

Requirements and Opportunities for States



The Every Student Succeeds Act (ESSA): three main policy buckets

- Accountability (state plan and state indicator system)
- Assessments
- Turning Around Low Performing Schools

Under ESSA, states will still be required to:

- Have challenging academic standards
- Have statewide assessments with 95% participation
- Have teacher equity plans
- Set goals for student performance

Think broadly... ESSA reauthorizes and interacts with many other programs

- ESSA reauthorizes programs for
 - English language learners
 - Migrant children
 - Homeless Children and Youth (McKinney-Vento)
 - Indian, Native Hawaiian, and Alaska Native students
 - Teachers and school leaders
 - Preschoolers
- Funds impact aid, charter schools, magnet schools, 21st Century Community Learning Centers, and literacy programs.
- Interacts with the Individuals with Disabilities Act (IDEA) and Perkins

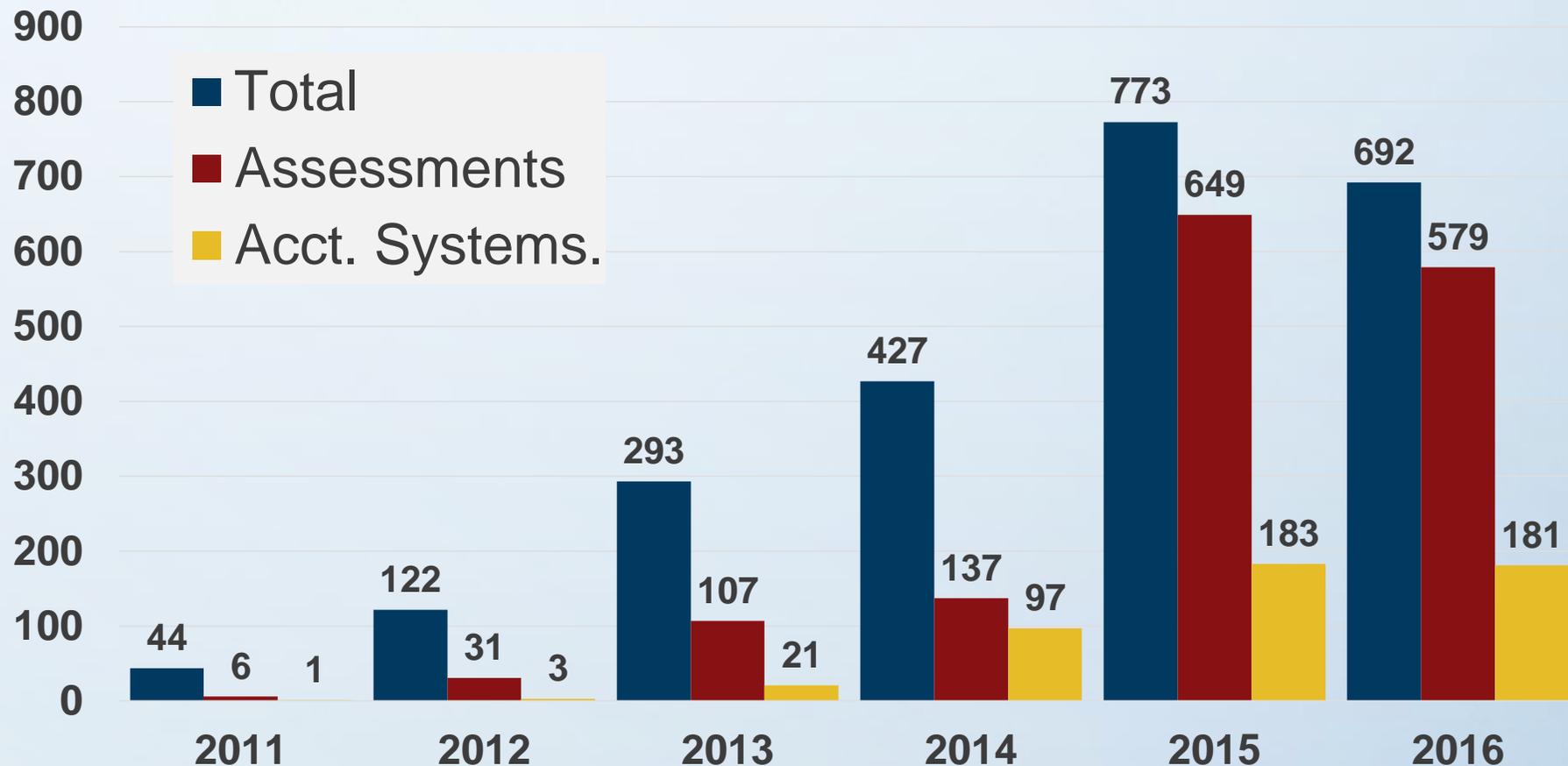
Prior to ESSA: state legislatures respond to confusion and pressure for change

- ESEA waivers allowed states out of certain provisions of NCLB/ESEA. Waivers were negotiated by SEAs, not legislatures.
- Pressure on legislators for change mounting!
- Legislatures considered A LOT of legislation on key provisions of ESSA

NCSL College and Career Readiness Legislative Tracking:
<http://www.ccrslegislation.info>

Assessment & Accountability Legislation: 2011 to current

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State legislative conversations: before and after ESSA

- **Standards**

- Before ESSA: State struggle to determine new college and career standards
- After ESSA: Standards are settled in most states with some now considering new standards in math and ELA and continuing to consider Next Generation Science Standards

- **Assessments**

- Before ESSA: Legislators receiving much push back from parents and students on the amount of testing and the role of statewide annual summative assessments. Opt-out movement growing.
- After ESSA: States now have a little more flexibility to explore assessment options, particularly at the high school level

- **Accountability**

- Before ESSA: States were locked into systems required by waivers and urged to create A-F grading systems; statutory accountability systems sometimes were at odds with those in waivers
- After ESSA: Much more flexibility to determine how best to evaluate school performance

- **Turning Around Low Performing Schools**

- Before ESSA: Options for school turnaround were prescribed in ESEA
- After ESSA: States have much more flexibility on approaches to turn around low performing schools

ESSA:

Comparison with No
Child Left Behind



NCSL-NGA plan: what states asked for and got in ESSA

- State determined accountability systems
- Continued disaggregation of student data
- Incorporation of state-designed turnaround strategies for low-performing schools
- Promotion of the alignment of K-12 standards with higher education and career preparation goals
- Possibilities for innovation in assessment design

NCSL-NGA plan: what states asked for and got in ESSA (continued)

- Elimination of the “highly qualified teacher” and “adequate yearly progress” metrics
- Prohibition on federal approval or incentivization of state standards or plans
- Prohibition on use of additional/new federal requirements as a condition of waiver approval

Prohibitions on federal overreach in ESSA

- The Secretary can't "mandate, direct, control, coerce, or exercise any direction or supervision" over the academic standards adopted or implemented by the state.
- The federal government is prohibited from endorsing any curriculum.
- No federal employee can make the adoption of specific academic instructional content, academic standards, assessments, curricula or program of instruction a condition of any grant, contract or agreement, or waiver.

Fuller picture of schools and students

No Child Left Behind

- Adequate Yearly Progress (performance on math and reading tests) and graduation rates sole measures of progress of schools and students

The Every Student Succeeds Act (ESSA)

- State-designed accountability systems measure academic achievement and graduation rates, but add student growth and a measure of school quality and student success.
- Statutory requirements for accountability systems set a floor, not a ceiling; states can add more indicators

Support for a well-rounded education

- Support for Instruction in STEM
 - Title I funds can be used to provide access to rigorous STEM coursework for all students, including English learners and students with disabilities; 21st Century Community Learning Centers provide out-of-school learning opportunities in STEM
- Support for Instruction in the Arts and Humanities
 - Title I funds can be used to increase the rigor of humanities coursework for all students, including English learners and students with disabilities; 21st Community Learning Centers provide out-of-school learning opportunities
- Overall, a slightly broader description of core subject, but mostly a focus on “well-rounded” education

Support for a well-rounded education (continued)

- ESSA's Student Support and Academic Enrichment formula grants can be used for three broad purposes: to provide students with access to a well-rounded education; to improve school conditions for student learning; and to improve the use of technology to improve academic achievement and digital literacy.
- Title II funds for teachers and school leaders can help support educators in diverse academic areas, including recruitment, and specifically a STEM Master Teacher Corps Program.

Even more data!

- Disaggregated data on all of the indicators
- Includes not just the subgroups for which you have goals, but
 - Migrant status
 - Homeless status
 - Status as a child in foster care
 - Student with a parent who is active duty Armed Forces
- Postsecondary enrollment “where available” (i.e. if state is routinely reporting or can routinely obtain)
- Information on per pupil expenditures

Assessment flexibility under ESSA

- States can use a single summative assessment or use assessments given throughout the school year and calculate a summative score.
- Assessments should involve multiple measures, including measures of higher-order thinking skills that may be delivered in the form of portfolios, projects or extended performance tasks.
- States can take advantage of options such as allowing the use of a nationally recognized high school academic assessments and allowing 8th grade students in advanced math courses to substitute an end of course exam for the statewide test.

Assessment flexibility under ESSA (continued)

- Set aside of state assessment funding can be used for an audit of all assessments
- States can apply for the Innovative Assessment pilot to allow LEAs to experiment with different kind of tests.

Turnaround strategies

NCLB

- School Improvement Grants and Race to the Top included a federal cascade of interventions

ESSA

- States must identify schools as low-performing if they are in the bottom 5%; if they are a high school failing to graduate 1/3 or more of students, or have a consistently underperforming subgroup
- Identification happens every three years.
- LEAs use strategies (state-approved; evidence based) to improve performance. Every four years, if there has not been improvement, the state is expected to intervene.

ESSA:
Timeline for
Implementation



A tight schedule...

- Consultation on state plans should be happening **NOW**
- Continuing rulemaking and guidance from the U.S. Department of Education
 - Final rules this fall on accountability, state plans, data reporting and assessments
- State plan “windows” set
 - March 6 or July 5, 2017 for submission of consolidated or individual program state plans
 - Any assurances required March 6, 2017 to get federal dollars for FY 2017
 - The department has up to 120 days to review the plans

FULL IMPLEMENTATION 2017-2018 SCHOOL YEAR

Consolidated state plan can include:

- Title 1 Part A
- Title 1 Part C (migratory children)
- Title 1 Part D Prevention and Intervention for children and youth who are neglected, delinquent or at-risk
- Title II Supporting Effective Instruction
- Title III Language Instruction for English Learners and Immigrant Students
- Title IV, Part A Student Support and Academic Enrichment grants
- Title IV Part B 21st Century Community Learning Center
- Title V, Subpart 2 Rural and Low-Income School Programs
- May also include State Assessments grants and McKinney-Vento Homeless Assistance Grants

Regulatory issue: timeline for identifying schools needing improvement

- Proposed regulations would require the immediate identification of schools needing interventions in the 2017-2018 school year, using new accountability systems.
- Senators Alexander and Murray have proposed an alternative timeline (letter to Secretary King 8/1)
 - 2017-2018: implement new systems and collect data on all indicators
 - At the beginning of the 2018-2019 school year, identify new schools for improvement, based on 2017-2018 data
- NCSL and many organizations supported this revised timeline in comments on the proposed regulations

ESSA:
Stakeholder
Engagement



Who is a stakeholder?

- ✓ Governor
- ✓ state legislators
- ✓ state board members
- ✓ LEAs, including rural LEAs
- ✓ representatives of Indian tribes
- ✓ teachers, principals, other school leaders and personnel
- ✓ charter school leaders
- ✓ parents and families
- ✓ community based organizations
- ✓ civil rights organizations
- ✓ institutions of higher education
- ✓ employers
- ✓ the public

What does stakeholder engagement look like?

- Statute: must be meaningful and timely
- Must happen before plan is submitted
- “Dear Colleague” letter from the U.S. Department of Education emphasizes strategies like holding meetings evenings and weekends; varying the location; advance notice of opportunities to give feedback

Role of legislature in stakeholder engagement

- Legislators are strongly encouraged to actively participate
- Gather feedback from your own stakeholders or constituents

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