

Every Student Succeeds Act:

Key Changes in Federal Education Policy

Reauthorization of ESEA/nclb



The Every Student Succeeds Act (ESSA) is the seventh reauthorization of the Elementary and Secondary Education Act that was first passed in 1965.

ESSA replaces the No Child Left Behind Act (NCLB) version of ESEA approved in 2001. NCLB was scheduled for reauthorization in 2007.

ESEA Background

In 1965, ESEA defined the federal role in elementary and secondary education – a responsibility that is generally assigned to states. It typically includes a number of grant programs that reflect educational policy issues that are important at the time of reauthorization.

Fifty years ago, ESEA allowed federal involvement/investment in K-12 education by providing funds for the education of “disadvantaged children.” States would need to comply with federal requirements in order to receive federal funding.

ESEA originated as an anti-poverty and civil rights bill; in 1965, it played a major role in desegregating schools.

Funding

Overall, ESEA Title I provides about \$16 billion of federal funds for K-12 education each year – a relatively small share (less than 10%) of the cost of K-12 education. Massachusetts received about \$230 million in Title I funds in 2015-16.

However, ESEA represents a substantial amount of funding for large urban districts that enroll a high number of students in poverty. For example, Springfield received almost \$19 million from Title 1 in 2015-6; Wellesley just over \$100,000.

Programs

The extent of the federal involvement under ESEA has varied over the fifty years; the programs it supports have also changed during that time. In addition to Title 1 programs, ESSA includes eight other program Titles.

While ESSA replaces No Child Left Behind Act, MA has not been subject to most NCLB requirements since 2012.

The US Department of Education, recognizing that a reauthorization of NCLB was unlikely to occur, used a number of initiatives to implement its education agenda. These included:

- Race to the Top – a competitive grant program that required states to implement policies on curriculum standards, assessment and educator evaluation.
- The School Improvement Grant Program that provided substantial funds to struggling schools but required them to implement one of four specified interventions.
- The ESEA flexibility waiver that allowed states to apply for waivers to some of the NCLB requirements but also required that states agree to meet requirements that were not part of NCLB – for example, educator evaluation – but were similar to those in Race to the Top.

MA used the flexibility waiver to incorporate the provisions of the 2010 MA Achievement Gaps Act that established requirements for underperforming and chronically underperforming schools and districts.

The MA statute and the flexibility waiver combined with changes to MA regulations defined the Level 1-5 accountability system and the educator evaluation system.

Summaries of major provisions of the Every Student Succeeds Act are provided on the following pages.



Every Student Succeeds Act

The nine sections of ESSA reconfigure the ten titles of NCLB. The first three titles cover program areas that are similar to those included in Titles I-III in the previous act. Most of the other titles are substantially redesigned. For example, Titles IV and V in NCLB have been combined into Title IV – 21st Century Schools. In some instances, programs have been combined in block grants; in others, programs are eliminated.

Title



Improving Basic Programs Operated by State and Local Education Agencies

Title



Preparing, Training and Recruiting High Quality Teachers Principals and Other School Leaders

Title



Language Instruction for English Learners and Immigrant Students

Title



21st Century Schools

Title



State Innovation and Local Flexibility

Title



Indian, Native Hawaiian and Alaska Native Education

Title



Impact Aid

Title



General Provisions

Title



Education for the Homeless and Other Laws

Every Student Succeeds Act

Title



*Improving Basic Programs Operated
by State and Local Education Agencies*

To provide all children with opportunity to receive a fair, equitable and high-quality education, and to close achievement gaps.

ESSA – Title I Long-Range Goal

Current	ESSA
Decrease the proficiency gaps by 50% by 2017	State determines the goal as part of State Title I plan



The Massachusetts ESEA Flexibility Waiver replaced the original goal of “All students proficient by 2014” with a goal focusing on reducing the proficiency gaps for all students and subgroups of students.

ESSA calls for the states to select a long-range goal as part of their state Title I plans that are submitted to the US DOE for approval.

ESSA – Title I Assessment

Current	ESSA
Annual testing in ELA + Math <ul style="list-style-type: none">Grades 3-8 and <ul style="list-style-type: none">Once in high school	No change
Annual testing in science <ul style="list-style-type: none">Once in each of three grade ranges	No change



The annual testing requirements of NCLB have not changed.

ESSA contains some limited options for piloting assessment options – for example, using a nationally-recognized high school assessment and an opportunity for seven states to pilot “innovative assessments” within the first three years of ESSA implementation.

ESSA – Title I Assessment Participation Rate

 Current	 ESEA Flexibility Waiver	ESSA
Assessment Participation Rate <ul style="list-style-type: none">• Below 90% = Level 3• Between 90% and 95% = Level 2		<ul style="list-style-type: none">• Assess 95% of students overall and in each subgroup• State determines how it will factor into accountability system

Currently the MA ESEA Flexibility Waiver specifies that the Massachusetts Accountability system require a 95% participation in the statewide assessment.

- Schools that fall below a 90% participation rate are designated Level 3 regardless of student assessment performance.
- Schools with rates between 90% and 95% can receive a designation no higher than Level 2.

ESSA requires that 95% of students participate in the statewide assessment and allows each state to determine how the participation rate requirement will be factored into the accountability system.

ESSA – Title I Identification of Schools for Support

 MA Achievement Gaps Act	Current	ESSA
	<ul style="list-style-type: none">• All schools identified as Level 1-5 annually• Level 3 – Lowest performing 20% + others• Level 4 + 5 schools must be no more than 4% of schools• Priority and Focus schools	<ul style="list-style-type: none">• Identify 5% of lowest performing schools at least every three years – comprehensive support• Identify schools with low performing subgroups – targeted support

The current accountability system in Massachusetts identifies the lowest 20% of schools (using the School Percentile) and those with low participation (below 90%) or graduation rates (below 67%) for subgroups as Level 3.

The Level 1 and 2 designations are based on whether the school meets its targets for reducing the proficiency gaps by half by 2017 (using the Performance and Proficiency Index.)

Levels 4 and 5 are selected by the MA Commissioner of Education.

The MA flexibility requirement to identify “Priority” and “Focus” schools was incorporated in to the MA Level 1-5 accountability framework.

ESSA – Title I Accountability Indicators

	Current		ESSA
	<u>Indicators</u> <ul style="list-style-type: none"> ● Achievement/Proficiency – CPI, % Adv, % W/F ● Student growth ● Graduation rate ● Dropout Rate ● Dropout reengagement ● English Language Proficiency 		<u>Indicators</u> <ol style="list-style-type: none"> 1. Proficiency 2. Growth at the discretion of state 3. Graduation rates/additional indicator for elementary and middle schools 4. English Language Proficiency <ul style="list-style-type: none"> ● At least one indicator of school quality
	<u>Formula/Weights</u> <ul style="list-style-type: none"> ● Formula for PPI and School Percentiles 		<u>Weights</u> <ul style="list-style-type: none"> ● Each of the first four have <i>substantial</i> weight ● In the aggregate, the first four have <i>much greater weight</i> than the school quality indicators.

The current Massachusetts accountability system uses a set of indicators to calculate the two statistics that identify schools as Level 1-3 – Performance and Proficiency Index (PPI) and School Percentile.

ESSA specifies a different set of indicators, although there is some overlap. At least one indicator of school quality – must be included in the accountability system.

- Each of the four indicators that measure progress toward the long-term state goal must have *substantial* weight.
- These four indicators must receive *much greater weight* than the school quality indicator.

ESSA – Title I School Improvement

 Current 	ESSA
School Improvement Competitive Grants	<ul style="list-style-type: none"> • Separate allocation eliminated • 7% of Title I funds can be allocated to school improvement • Distributed as formula or competitive grants, at the discretion of the state
Select one of four specified interventions	No specified interventions

Since 2010, MA School Improvement efforts (primarily in Level 4 schools) have been funded by Title I School Improvement Grants. These competitive grants have provided schools with about \$400,000 a year for the three-year grant period.

In order to receive the grant, schools had to implement one of four specified interventions – turnaround, transformation, restart or closure. MA has combined the 2010 Achievement Gaps school turnaround process with the School Improvement Grant requirements.

ESSA eliminates the required interventions and allows states to allocate up to 7% of Title I funds to School Improvement on a formula or competitive basis.

ESSA – Title I Educator Evaluation

Current	ESSA
Statewide evaluation system Annual evaluation	No federal requirements relative to educator evaluation
Student performance on standardized test must be a significant factor in evaluation system	



In Massachusetts, the current educator evaluation framework began with Race to the Top requirements, was incorporated into state regulations and continued under the ESEA Flexibility waiver.

ESSA specifically prohibits the US DOE Secretary of Education from establishing any requirements about educator evaluation.

Title



*Preparing, Training and Recruiting
High Quality Teachers Principals and
Other School Leaders*

Provides grants to state and local educational agencies to:

- Increase student achievement
- Improve teacher, principal and other leader quality + effectiveness
- Increase the number of teachers, principals and other school leaders who are effective in improving student achievement
- Provide low-income and minority students greater access to effective teachers, principals and other school leaders.

ESSA – Title II Preparing, Training and Recruiting High-Quality Teachers, Principals and Other School Leaders

Title II Grant Programs

Teacher Quality Grants

- Funding allocated to states by formula
- Specifies eligible state and local activities
- Districts apply to DESE for grant funding

Teacher and School Leader Incentive Program

- Competitive grants to develop, improve or example performance-based compensation systems or human capital management systems

Literacy education for All

- Competitive grants to support comprehensive literacy instruction from PreK to grade 12

Teacher, Principal or other School Leader Preparation Academies

- Allows alternative educator preparation routes that are defined as equivalent to a masters degree and prohibits states from imposing requirements on these academies

Every Student Succeeds Act

Title



*Language Instruction for English
Learners and Immigrant Students*

Provides grants for helping English Language Learners to achieve English proficiency and high levels of academic achievement in English

Title III

Grant Program

Formula grant distributed to
districts:

- To assist English language learners to achieve English proficiency
- To assist English language learners to meet the same challenging state academic standards as other students.
- To assist teachers and school leaders in establishing and sustaining effective language instruction programs
- To promote parent and community participation in language instruction.

Every Student Succeeds Act

Title **IV**

21st Century Schools

Includes a number of grant programs focused on:

- Providing students access to a well-rounded education
- Improving school conditions for student learning
- Improving the use of technology focused on academic achievement and digital literacy

Title IV

Grant Programs

Formula grant to state distributed to districts by application:

- Student Support and Enrichment Grants
- 21st Century Community Learning Centers
- Charter Schools.
- Magnet Schools
- Family Engagement.

Every Student Succeeds Act

Title
V

*State Innovation and
Local Flexibility*

Title
VI

*Indian, Native
Hawaiian and Alaska
Native Education*

Title
VII

Impact Aid

Title
VIII

General Provisions

Title
IX

*Education for the
Homeless and Other
Laws*

Current	ESSA
Federal authority is substantial	Federal control is reduced

ESSA represents a change in the extent of federal authority in K-12 education.

Under NCLB (and the Flexibility Waiver), the US DOE exercised a large amount of control over state education policies around curriculum, educator evaluation, assessment and accountability.

The ESSA contains specific constraints on the US DOE Secretary's authority.

ESSA Prohibitions on USED Secretary

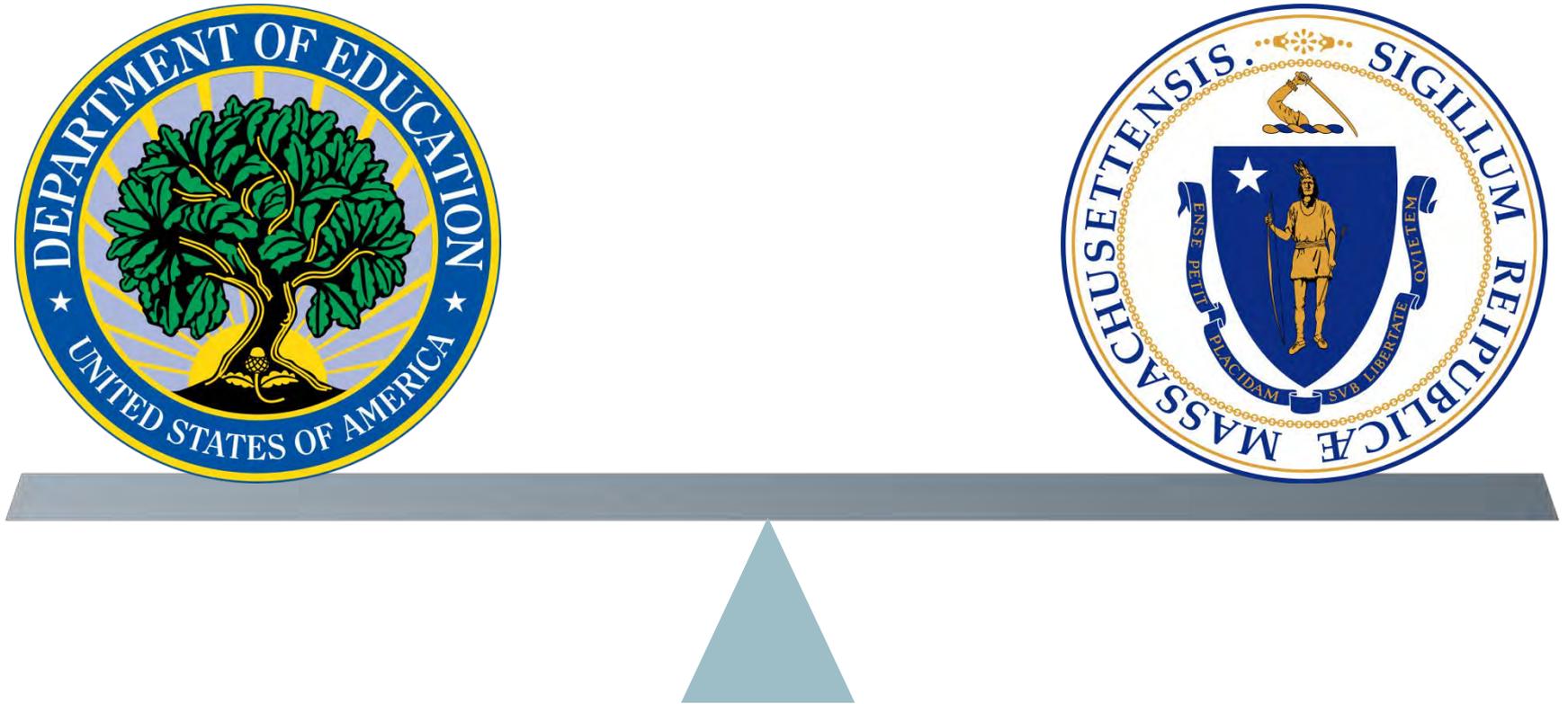
The Secretary may not:

- require a state to add new requirements;
- require a state to add or delete specific elements to the standards;
- prescribe goals of progress or measurements of interim progress that are set by states under the accountability system;
- prescribe specific assessments or items to be used in assessments;
- prescribe indicators that states must use;
- prescribe the weight of measures or indicators;
- prescribe the specific methodology states must use to differentiate or identify schools;
- prescribe school improvement strategies or exit criteria;
- prescribe min. N-sizes;
- prescribe any teacher or principal evaluation system;
- prescribe any measures of teacher or principal effectiveness;
- prescribe the way in which the State factors the 95% requirement into their accountability system

The Secretary is also not empowered to:

- issue new non-regulatory guidance that seeks to provide explanation of the requirements under the law's accountability section (see below);
- provide a strictly limited or exhaustive list for implementation purposes;
- purports to be legally binding or requires new data collection beyond data from existing Federal, State and local reporting.

The Secretary is also prohibited from defining a term that is inconsistent with or outside the scope of Title I, Part A.



While the Act has specific limitations on the authority of the Secretary of Education, each state must submit a state Title I plan that must be approved by the US DOE. There are instances of ambiguity that will be need to be resolved by regulations, guidance and plan approval.

ESSA Opportunities for Massachusetts

1. Establish a new state goal
2. Add indicators of school quality
3. Change annual identification of schools
4. Reconsider educator evaluation
5. Reevaluate school turnaround strategies

ESSA Timeline

ESEA Flexibility
Waiver Expires

Transition Year

ESSA State Plan
in Effect



Under the provisions of ESSA, the flexibility waivers are no longer in effect after August 1, 2016

The current expectation is that 2016-17 will be a “transition year” while states develop and submit their Title I State Plans to the US DOE for approval.

This timeline would result in new State Plans effective no later than the 2017-18 school year.

US DOE has begun the regulatory process and has issued guidance to State Education Departments regarding the transition.