

WHAT WE KNOW, *AND WHAT WE  
THINK WE KNOW*, ABOUT ESSA  
(EVERY STUDENT SUCCEEDS ACT)

Committee of Practitioners Meeting

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# Elementary and Secondary Education Act (ESEA)

- Current authorization is called “No Child Left Behind” (NCLB)
  - Signed into law on January 8, 2002
  - Remains in effect through 2016-17 school year
- Most grants are awarded to SEA (State Educational Agency or NDE) and then subgrants made to LEAs (Local Education Agencies)
  - 1 formula grant to LEA (Local Education Agency or District)
    - REAP SRSA (Rural Education Achievement Program Small Rural School Achievement Achievement)



# Elementary and Secondary Education (ESEA)

- Every Student Succeeds Act (ESSA) signed into law December 10, 2015
  - Acknowledges that states and local educators are better situated than federal officials to determine how to improve our schools.
- 2015-16 still follows No Child Left Behind (NCLB)
- 2016-17 will be a transition year
- 2017-18 full implementation

# Conditions of Funding

- The “strings” that come with the funds
  - Use of funds – what the funds can and cannot be spent on
  - Policies and procedures – what you must do
  - Reporting requirements
  - Audits and monitoring
    - Federal and state

# ESEA – Conditions of Funding

## NCLB (No Child Left Behind)

- The State must implement
  - Rigorous Academic Standards
    - Reading/Language Arts, Math, & Science
  - High Performance Levels
    - Below Basic, Basic, and Advanced (on NeSA)
    - State Goals
      - 100% by 2013-14
  - Other Academic Indicator
    - Graduation Rates
    - Writing at grades 4 & 8

## ESSA (Every Student Succeeds Act)

- The state must have an accountability system that addresses
  - Proficiency on tests
  - English-language proficiency
  - Graduation rates, and
  - Another academic indicator (e.g. students' opportunity to learn and post-secondary readiness) that can be disaggregated
  - 95% participation rate is a stand-alone factor
- It will be up to states to decide how much individual indicators count,
  - Academic indicators (tests, graduation rates, etc.) will have to count much more as a group than the other academic indicator

# Time and Effort Reporting

- Every employee paid with Federal funds **MUST** complete Time and Effort Logs
  - Semi-annual
    - Single cost objective or set schedule
  - Monthly
    - Multiple cost objectives

# Transition from NCLB to ESSA

- Each state and its LEAs must administer 2016-17 Title I formula funds in accordance with NCLB requirements as they existed in 2015-16, unless otherwise noted by USDE
- AYP calculations are NOT required for schools and LEAs based on 2014-15, 2015-16, or 2016-17 assessment results; **although State and Local report cards are still required**
- Any school or district that was identified for Needs Improvement in 2015-16 is required to implement the same interventions in 2016-17. Nebraska will **NOT** require Supplemental Educational Services (SES), **new** Public School Choice (PSC), or parental notice requirements during the 2016-17 school year.
- ED is not requiring States to comply with highly qualified teachers, the qualifications and duties for paraprofessionals, and use of funds to support compliance with the highly qualified teacher requirements

# Timelines

- Most of ESSA takes effect in 2017-18
- For the most part, 2016-17 grants will be governed by NCLB Rules
- *BUT*, ED will not apply certain NCLB rules to facilitate effective transition
  - For example, HQT, Choice, SES
- ED Guidance on transition timelines:
  - FAQs (2/12/16) <http://www2.ed.gov/policy/elsec/leg/essa/faq/essa-faqs.pdf>
  - Dear Colleague Letter (1/28/16) <http://www2.ed.gov/policy/elsec/leg/essa/transitionsy1617-dcl.pdf>
  - Other ESSA resources <http://www2.ed.gov/policy/elsec/leg/essa/index.html>

# Flexibility Waivers

- All ESEA flexibility waivers are null and void on August 1, 2016.
- Nebraska submitted a Flexibility Waiver request in 2015, but it was never approved.

# Allocation Changes: Could Potentially Change Funding Levels

- There are many factors that affect how much ESSA money an SEA, LEA or school receives, such as:
  - Eliminated programs (e.g. SIG eliminated)
  - Federal formulas (e.g. Sec. 1003 school improvement increase, changes to Title II formula for states)
  - Reservation options (e.g. SEAs can choose to reserve Title I funds for ‘direct student services’, which if exercised, means less money to distribute through regular Title I formula)
  - Mandatory set-asides (e.g. changes to private school share)

# New Title I Program Options that Impact Spending

- ESSA incorporates the concept of a “well-rounded education” into Title I (both SW and TAS models)

(Sec. 1114(b)(7), 1115(b)(2))

- Well-rounded education means:

Courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the State or local educational agency, with the purpose of providing all students access to an enriched curriculum and educational experience (Sec. 8101(52))

# New Title I Program Options that Impact Spending (cont.)

- Title I strategies can include:
  - Career and technical education (e.g. Sec. 1114(b)(7))
  - Dual or concurrent enrollment programs (Sec. 1114(e), 1115(f))
  - Non-instructional supports like counseling and mental health programs, mentoring services, behavioral supports, etc. (primarily in schoolwide (Sec. 1114(b)(7)), but TAS options as well (Sec. 1115(b)(2)(B)(ii) & (e)(2)))
  - Advanced coursework (Sec. 1114(b)(7), 1115(b)(2)(G))
  - Supports for teachers (Sec. 1114(b)(7), 1115(b)(2)(D))

# Example:

## Title I Ranking and Serving

- ESSA makes it easier for secondary schools to access Title I funds:
  - LEAs can choose to serve high schools with more than 50% poverty before certain higher poverty elementary and middle schools (those with poverty between 75%-50% poverty) (Sec. 1113(a)(3)(B))
  - LEAs can choose to measure poverty in secondary schools based on the poverty levels of the elementary schools that feed into them (Sec. 1113(a)(5)(B))
    - A majority of secondary schools in an LEA must approve this option (Sec. 1113(a)(5)(C))

# New Spending Options: Title II

- For LEAs (list not exhaustive):
  - Recruiting and retaining teachers
  - Reducing class size to evidence-based levels
  - Evidence-based personalized professional development
  - Training in recognizing trauma, mental illness and child sexual abuse
  - Training to support the identification of gifted and talented students
  - Developing feedback mechanisms
  - Professional development on integrated academics and career and technical education

# Example:

## Title II State Formula

- ESSA changes the formula for distributing funds
- “Hold harmless” that guaranteed certain amount phased out between 2017-2022 (Sec. 2101(b)(1))
- Gradual shift in weights for population (# of 5-17 year olds) versus poverty (# of low-income 5-17 year olds) (Sec. 2101(b)(2))
  - Now, states generate 35% based on population and 65% based on poverty
  - The percentages shift between 2018 and 2020 until it is 20% based on population and 80% based on poverty
- Congressional Research Service (CRS) projections of impact <https://assets.documentcloud.org/documents/2644885/ES-EA-Title-II-a-State-Grants-Under-Pre.pdf>

# Example:

## Title II Local Formula

- SEA to LEA allocation rules change
- No “hold harmless” (Sec. 2102(a)(2))
- LEAs will generate Title II:
  - 20% based on number of 5-17 year olds
  - 80% based on number of low-income 5-17 year olds
- Also, equitable services for nonpublic schools is no longer limited to Title II money spent on professional development (Sec. 8501(b))

# Teachers



- Student test scores are not required in teacher evaluation systems
- “Highly qualified teachers” is not included in ESSA
- Keep in mind:
  - NCLB rules are in effect through 2016-17
  - Teachers still need to be endorsed and follow Nebraska’s Rule 10 requirements

# Equitable Access to Excellent Educators

- State developed plans to ensure that poor minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers remain in effect for the 2015-16 and 2016-17 school years
- Nebraska Educator Equity Plan is available at <http://www.education.ne.gov/federalprograms/Documents/Main%20Page/Nebraska%20Educator%20Equity%20Plan%20%20REVISIONS%208%204%2015.pdf>

# English Learners (ELs)

- Accountability moves from Title III to Title I
  - This was an intentional move
  - The idea is to make accountability for those students a priority
  - States can include English-learners' test scores after they have been in the country a year (same as NCLB)
  - During the first year, test scores won't count toward a school's rating, but ELs will need to take both reading and math assessments, and have the results publicly reported
  - In the second year, the state has to incorporate ELs results for both reading and math, using some measure of growth
  - In the third year in the country, the proficiency scores of newly arrived ELs will be treated just like any other students'
  - There is a switch in the focus on district-level accountability to school-level accountability as part of the new law

**NEW!**

# Title IV Block Grant

- Formula grants to states and LEAs based on share of Title I-A
- LEAs receiving \$30,000 or more must spend at least 20% to support at least one “well-rounded educational opportunities” activity; and
- At least 20% on “safe and healthy students” activity
- A portion of the funds may be used to support effective use of technology

# Spending Options: Title IV

- Well-rounded education
  - College and career counseling, music and arts, STEM, accelerated learning, history, foreign language, environmental education, promoting volunteerism, etc.
- Safety and health
  - Drug and violence prevention, school-based mental health services, healthy/active lifestyle, preventing bullying and harassment, mentoring and school counseling, school dropout and reentry programs, schoolwide PBIS
- Effective use of technology
  - Professional learning tools for school personnel, capacity and infrastructure, delivering specialized or rigorous courses through technology, blended learning, professional development on tech in STEM, providing high-quality digital learning experiences to students in rural/remote/underserved areas, etc.

# Assessments

- State tests in reading and math in grades 3 through 8 and once in high school
- Science assessment once in grades 3-5, 6-8, and 9-12
- Disaggregate data
- 95% participation rates
- “Super subgroups” not allowed
- Alternate Assessments for students with significant cognitive disabilities and based on alternate achievement standards
  - **Only 1% of students overall can be given alternative tests**
- Permits states to include assessments that measure student academic growth and assessments to be partially delivered in the form of portfolios, projects, or extended performance tasks. States have the discretion to administer a single summative assessment or multiple, statewide interim assessments during the course of the academic year, which result in a single, summative score that provides valid, reliable, and transparent information on student achievement or growth. **Nebraska will determine...stay tuned.**
- The law authorizes states to permit LEAs to implement locally selected high school assessments if certain criteria are met.
  - A State must determine that such assessments meet the same technical criteria as the state test and meets ED’s peer review criteria

# Accountability

## NCLB

- Public reporting of student results and participation rates in Reading, Math, Science, and the Other Academic Indicator
  - Disaggregated by subgroups
- Adequate Yearly Progress (AYP)
  - Reporting the progress of each district, school, and subgroup toward meeting the State AYP goals
  - Needs Improvement requirements apply to Title I schools that do not make AYP for 2 consecutive years in the same subject (participation or performance)
  - Applies to all schools and districts in the State but consequences for not meeting AYP only apply to Title I schools
  - Identified for Needs Improvement if do not make AYP for two consecutive years in same subject
    - Building level
    - District level – Elementary, MS, & HS
  - Interventions escalate
    - Public School Choice
    - Supplemental Educational Services
    - Corrective Action
    - Restructuring

## ESSA

- Public reporting of student results and participation rates
  - Disaggregated by subgroups
- Any school with a subgroup of students that is consistently underperforming based on all of the indicators in the state accountability system is identified by the state for targeted intervention and support.
  - State must identify these schools annually
  - Schools with a low-performing subgroup must implement evidence-based, locally-determined targeted intervention
  - A school with a subgroup performing at the level of the lowest-performing 5% of all Title I-receiving schools must identify resource inequities to address through the implementation of its improvement plan

# Intervening in Low Performing Schools

## NCLB: Persistently Low Achieving Schools (PLAS)

- TIER I
  - The 5 or 5% (whichever is greater) of the lowest-achieving Title I schools identified for Needs Improvement; plus
  - Any secondary school with a graduation rate <75% over the three most recent years and that was not identified in the 5 or 5%
- TIER II
  - The 5 or 5% (whichever is greater) of the lowest ranked secondary schools where the “all students” group meets the minimum n-size (30) for AYP that are eligible for, but do not receive Title I funds; plus
  - Any secondary school that is eligible for, but does not receive, Title I funds that has a graduation rate <75% over the three most recent years and was not identified as one of the 5 or 5% (whichever is greater) of the lowest ranked secondary schools
- TIER III
  - Any Title I school identified to be in Needs Improvement that is not a Tier I School; and
  - Any school that is ranked as low as the Tier I and Tier II schools, but has no groups of at least 30 students

## ESSA: Two Levels of Intervention

- Targeted: LEA-directed interventions
  - Schools having underperforming subgroups must plan and implement targeted supports for the relevant subgroup whether the school receives Title I funding or not
  - School must develop improvement plan
  - If subgroups fail to improve within state determined number of years, State steps in
- Comprehensive: State-directed interventions
  - States have to identify and intervene in the bottom 5% of performers
  - States have to intervene in high schools where the graduation rate is 67% or less
  - States, with districts, have to identify schools where subgroups of students are struggling

# Funding for Interventions

## NCLB - PLAS / School Improvement Grant (SIG) Funding

- Originally funded under ARRA (American Recovery and Reinvestment Act)
  - FY2009 funds
    - Awarded \$12,223,759
- Now funded through ESEA, Title I, Section 1003(g)
  - Cohort 6 (FY2014 funds), \$2,502,937
- Minimum of \$50,000 per year per school
- Maximum of \$2million for a three-year period
- Four models of reform
  - Turnaround – Replace the principal and half the staff
  - Transformation – Replace the principal
  - Restart
  - School Closure

## ESSA - Reservation of Title I Funds

- States are required to set aside up to 7% of its Title I funds to provide support in underperforming schools

# ESSA Interventions

- For the bottom 5% of schools and for high schools with high dropout rates
  - District/school staff come up with an evidence-based plan
    - State monitors the turnaround effort
    - If schools continue to struggle, the state will be required to step in with its own plan
- For schools where subgroups of students are struggling
  - School designs and evidence-based plan that addresses the needs of the particular group of students that are falling behind
  - Districts monitor the plans and step in, if necessary
  - There's a provision that states and districts come up with a "comprehensive improvement plan" in school where subgroups are chronically underperforming, despite local interventions.

# Report Card for the State, Districts, Schools, and Subgroups

## NCLB

- State of the Schools Report (SOSR)  
<http://www.education.ne.gov/documents/SOSR.html>
  - Assessment Results
  - Accountability – Federal (AYP) and NePAS (Nebraska Performance Accountability System)
  - Statistics
  - Analysis (comparison) tools
  - Printed Reports
  - Data Downloads
  - Highly Mobile students
    - State and district level
  - Cohort Four-year Graduation Rates
    - Began using this method of calculating graduation rates for in 2011
    - All high schools including subgroups
    - Nebraska is lagging graduation rates
      - For AYP purposes 5- and 6-year cohorts

## ESSA

- A clear, concise description of the state's accountability system
- Student achievement on state assessments compared to students and subgroups of students in the State as a whole
- The minimum number of students the State determines are necessary to be included in each of the subgroups of students for use in the accountability system
- The long-term goals and measurements of interim progress for all students and for each subgroup of students
- The indicators used to meaningfully differentiate all public schools in the State
- The number and names of all public schools identified for comprehensive support and improvement or implementing support and improvement plans
- Performance on the other academic indicator
- High school graduation rates
- Information on the number & percentage of ELs achieving English language proficiency
- Indicators of school quality or student success as defined in the accountability system
- The professional qualifications of teachers in the State (disaggregated by high & low-poverty schools)

# ESSA Resources

- ESEA as amended by ESSA  
<http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>
- ED ESSA webpage <http://www.ed.gov/essa>

# A Good Fit?



- Nebraska believes that ESSA is a good fit with AQuESTT (A Quality Education System for Today and Tomorrow)
- The minimum requirements of ESSA fit within the framework of AQuESTT

# Every Student Every Day...

