



# **Every Student Succeeds Act (ESSA) Update**

**July 26, 2017**

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# Nebraska's ESSA Plan

- ESSA Nebraska website:  
<https://www.education.ne.gov/index.html>
  - Draft Nebraska ESSA Plan
- Plan ties to AQuESTT and the State Board's Strategic Plan.
- Will go to State Board for review at August 3-4 meeting.
- Goes to Governor for 30-day review.
- Plan to be submitted to USDE by September 18, 2017.

# Changes for 2017-18

- ESSA *almost* fully implemented
  - Except for Title I Needs Improvement / Accountability.
    - Frozen for 2<sup>nd</sup> year based on data from 2014-15.
    - Separate application in GMS.
- Consolidated application tentatively scheduled to open late September.
  - Includes Title I-A, Title I-D, Title II-A, Title III-EL, & Title III-IE.
  - Several changes to application, but process is the same.
  - General goals are tied to AQuESTT Tenets:
    - Student Success and Access
      - Positive partnerships, relationships, and student success
      - Transitions
      - Educational opportunities and access
    - Teaching and Learning
      - College and Career Ready
      - Assessment
      - Educator Effectiveness

# New Grant for 2017-18

## Title IV-A Student Support and Academic Enrichment (SSAE)

- Likely to be funded only in 2017-18.
  - Grants will be awarded for a one-year period; however since the “Tydings Amendment” applies, funds will be available from the date the Grant Award Notification (GAN) is issued until September 30, 2019.
- **Competitive grant**
  - Application will be available on the NDE Federal Programs webpage: <https://www.education.ne.gov/federalprograms/Index.html>
    - **(Tentative) Due to NDE by August 23, 2017. (Late submissions will NOT be accepted.)**
  - Minimum \$30,000 grant awards.
- Applications must focus on one or more of the following:
  - Providing all students with access to well-rounded education;
  - Improving school conditions for student learning; and/or
  - Improving the use of technology in order to improve academic achievement and digital literacy.
    - NDE must ensure that of the funds awarded to Districts/Consortia at least 20% must focus on well-rounded educational opportunities; 20% must focus on safe and healthy students; and a portion of the funds must focus on the effective use of technology.
    - Priority will be given to school districts/consortia with the greatest number/percentage of Title I-A formula children in a manner that will ensure balance between rural and urban areas.
- **GRANT RECIPIENTS ONLY** will be required to enter some information in the ESSA Consolidated Application.
  - **Budget, Staff, Capital Outlay/Equipment**

# Homeless

- Every District is required to set-aside  $\geq$  \$100 to be used for children and youth experiencing homelessness or used in the event that such students move into the district. *(ESEA §1113(c)(3)(A)(i))*
  - This is included in the Title I section of the ESSA Consolidated Application
  - Districts receiving a McKinney-Vento grant must match amount of allocation with Title I-A funds.
- District liaisons will be required to be trained and tested using an online program provided by NDE.
- The District liaison is the superintendent unless the district has indicated otherwise by including the information on the ESSA Consolidated Application Contact Information page.
  - For Districts that assign all of their funds to an ESU, the superintendent will be considered the homeless liaison UNLESS you contact Cathy Mohnike at [cathy.Mohnike@Nebraska.gov](mailto:cathy.Mohnike@Nebraska.gov) with name of liaison.

# Equitable Services Changes

- ESSA Requires a State Ombudsman to help ensure equitable services and other benefits for nonpublic children, teachers and other educational personnel, and families.
  - Primary responsibilities of ombudsman are to monitor and enforce the equitable services requirements in Titles I-A, I-C, II-A, III-A, IV-A, IV-B.
  - Diane Stuehmer is serving as Nebraska's Ombudsman.
- Consultation topics expanded to include the following:
  - Discussion as to how the amount of available funds for equitable services is determined;
  - Determine who will provide services and how they will be provided;
  - Districts must submit documentation to NDE indicating a written affirmation signed by the officials of each participating Nonpublic school.
    - This is accomplished through NDE's Nonpublic Consultation process, which is submitted through the Consolidated Data Collection (CDC).

# Obligation of Funds for Equitable Nonpublic Services

- Funds allocated for educational services and other benefits to eligible nonpublic school children, teachers and other educational personnel, and families **must** be obligated in the fiscal year for which the funds are received.

# May the District Carryover Unobligated Funds?

- In general, to ensure that equitable services are provided in a timely manner, a District must obligate the funds allocated for equitable services under all applicable programs in the year for which they are appropriated. *(ESEA §§ 1117(a)(4)(B) and 8501(a)(4)(B)*
  - If extenuating circumstances arise, and equitable Nonpublic allocations are not spent, funds may remain available for the provision of equitable services under the respective program during the subsequent school year.
  - In determining how such carryover funds will be used the District must consult with appropriate nonpublic school officials. *(ESEA § 1117(b) and 8501(c)*

# Title I-A and Nonpublic Students

- Who may receive services? (No change from NCLB)
  - Would they have been able to receive Title I-A services if attending a public school?
  - Are students geographically eligible? Do they live in an eligible Title I school attendance area?
  - Are any geographically eligible children also academically eligible?
    - Services may be provided to any nonpublic student residing in an eligible attendance center—not just low-income students.

# Title I-A and Nonpublic Students (2)

- Services must be allowable and comparable to those provided to public school students and teachers participating in the program.
- Services can be different than those provided to public school participants.
- Needs of nonpublic school students and teachers must be assessed and evaluated.
- Nonpublic services are always Targeted.
- No funds are provided directly to the nonpublic school.

# Changes in Determining Title I-A District Level Allocations

- District level allocations determined prior to State reservations.
- For 2017-18, the State must ratably reduce allocations of **ALL** districts after the initial allocations are calculated to reserve 7% of the State's Title I award, plus the amount for State Administration (determined by USDE).
  - State required to reserve 7% of allocation for Comprehensive Support and Intervention (CSI) and Targeted Support and Intervention (TSI).
  - This calculation will be the basis for hold harmless in 2018-19 calculations.
- Some Districts may see big gains or losses compared to 2016-17 allocations.

# Changes in Determining Title I-A Allocations for Equitable Nonpublic Services

- Determined on a per pupil amount which includes **ALL low-income students** attending public and nonpublic schools.
- A district must determine the proportionate share of Title I funds available for equitable services based on the total amount of Title I funds received by the District prior to any allowable expenditures or transfer of funds.
  - This will be incorporated into the Title I-A section of the ESSA Consolidated Application.
- A District **must** determine the amount of funds available for providing equitable services **prior** to any expenditures or transfer of funds.

# Example of Determining the Amount of Title I Funds for Equitable Services

Public School Attendance Area	Number of Public School Low-Income Children	Number of Nonpublic Low-Income Children	Total Number of Low-Income Children
School A	500	110	610
School B	300	19	319
School C	200	5	205
School D	<u>350</u>	<u>16</u>	<u>366</u>
<b>TOTAL</b>	<b>1350</b>	<b>150</b>	<b>1500</b>
PROPORTIONATE SHARE	90%	10%	
TOTAL ALLOCATION \$750,000	\$675,000	\$75,000	

# Example of Equitable Services for Parents and Families of Eligible Nonpublic Students

District's Title I Allocation	1% for Parent and Family Engagement	Proportionate share for Nonpublic Parent and Family Engagement	Sources of Funds for Equitable Services for Parents and Families			
\$750,000	\$7,500	\$750	<table style="margin-left: auto; margin-right: auto;"> <tr> <td>\$75,000</td> </tr> <tr> <td style="border-top: 1px solid black;">-750</td> </tr> <tr> <td style="border-top: 1px solid black;">\$74,250</td> </tr> </table>	\$75,000	-750	\$74,250
\$75,000						
-750						
\$74,250						
Based on total allocation from previous slide	Required 1% reserve for Parent and Family Engagement if District allocation $\geq$ \$500,000	\$7,500 (District's required reserve) X 10% (Proportionate share determined on previous slide)	Amount Remaining for Nonpublic instruction and professional development			

# Title I-A Within District Allocations

- A District must rank its schools above the 75% poverty threshold without regard to grade span and serve those schools in rank order of poverty before it serves any schools with a lower poverty.
-  ■ A District **may**, but is not required to, serve high schools with 50% or more poverty before it serves any elementary or middle schools with a poverty at or below 75%.

# Parent Notification

- District's receiving Title I-A funds are required to notify parents that they may request and the District will provide information regarding professional qualifications of the student's teachers and paraprofessionals.
  - This includes ALL schools; not just those having a Title I-A program.
- Districts are required to provide notice to the parent/guardian of a student identified as an English Learner within 30 days of the start of the school year (or for students identified later in the school year, within two weeks).
  - Must include the reason for identification, parents' rights, and other important information.

# Title I Parent and Family Engagement Policy

## § 1116(2)(A-B)

- Must be developed jointly with, agreed on with, and distributed to parents and family members of participating children.
  - Involve parents and family members in jointly developing the District Title I-A plan;
  - Provide coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the District in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance;

# Title I Parent and Family Engagement Policy

## § 1116(2)(C-F)

- Coordinate and integrate parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local programs;
- Conduct, with meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools having Title I-A programs.
- Use information from annual evaluation(s) to design evidence-based strategies for more effective parental involvement, and to revise parent and family engagement policies, if necessary;
- Involve parents in school activities, for the purposes of developing, revising, and reviewing the parent and family engagement policy.
  - This may include establishing a parent advisory board.

# Parent/Family Engagement Policy

## Points of Clarification

- Title I-A Parent/Family Engagement Policy does **NOT** require approval of the local School Board.
- **It is a requirement of the District/School—not the local School Board**—to conduct an annual evaluation of the content and effectiveness of the Title I-A Parent/Family Engagement Policy.
  - Annual self-review of Schoolwide Program
  - Annual self-review of Targeted Assistance Program

# Parent/Family Engagement Policy

## Points of Clarification (2)

- NDE looks for **evidence of parental participation and input** on annual evaluation, compact development, policy development, etc.; however **this is not required to be included in local School Board minutes.**
  - NDE would expect to see pertinent documentation when reviewing information on parent and family engagement.

# ESSA Qualified Paraprofessionals

- ESSA has eliminated the “highly qualified teacher” requirements, but **continues the paraprofessional requirements as required by NCLB.**
  - A high school diploma or GED, and
  - Completion of two years of college, or
  - An Associate degree, or
  - Demonstrated, through a formal state or local assessment:
    - Knowledge of and ability to assist instructing reading readiness, writing readiness, and mathematics readiness, as appropriate.
    - Information on Nebraska’s para requirements:  
[Nebraskahttps://www.education.ne.gov/federalprograms/Title%20I%20Part%20A.html#Paraprofessional](https://www.education.ne.gov/federalprograms/Title%20I%20Part%20A.html#Paraprofessional)

# Title I-A Needs Improvement

- Levels frozen for another year.
  - Same identification as in 2015-16 & 2016-17. (Based on data from 2014-15.)
- “New” Public School Choice is not required.
  - Students who previously transferred to another public school under NCLB must be allowed to remain in that school until the child has completed the highest grade in that school. The District must continue providing or paying for the provision of transportation.

# Title I-A Needs Improvement (2)

- Providing Supplemental Educational Services (SES) for schools in Year 2 or more of Needs Improvement is **OPTIONAL**, but **NOT REQUIRED**.
  - If SES is not provided, District must include in its Title I Accountability application, an explanation of alternative supports and improvement activities in place to improve student outcomes.
- **Accountability Application in GMS**
  - Funding for schools in year 2 or more of Needs Improvement.
    - Schools identified for Year 1 of Needs Improvement will **NOT** receive Accountability funding for 2017-18.

# Title I-A Comprehensive and Targeted Support and Improvement

- State required to set aside 7% of Title I-A funds to provide support in underperforming schools.
  - Schools will be identified for Comprehensive Support and Intervention (CSI) beginning in the 2018-19 school year--based on 2017-18 data.
  - Schools will not be identified for Targeted Support and Intervention (TSI) until 2019-20 or later.

# Foster Children and Title I

- Provisions in Title I-A promote educational stability for children in foster care.
- **Provisions went into effect on December 10, 2016.**
  - Intended to minimize disruptions for children in foster care.
  - Requires SEAs and LEAs to collaborate with child welfare agencies to ensure educational stability for children in foster care.
  - A child in foster care will remain in the child's school of origin, unless a determination is made that it is not in the child's best interest to remain in that school.
  - If a determination is made that it is not in the best interest of the child to remain in school of origin, the child will be immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment.

# Foster Children and Title I (2)

- A District that receives Title I-A funds must have in place clear written procedures, in collaboration with the State or local child welfare agency, governing how transportation to maintain children in foster care in their school of origin, when in their best interest, will be provided, arranged, and funded for the duration of a child's time in foster care.
- District must designate a point of contact (POC) regarding children in foster care.

# Title II-A Changes and Determining Public and Nonpublic Equitable Services Allocations

- Hold-harmless provision, based on the amount an LEA received for FY 2001 under former Eisenhower Professional Development and Class-Size Reduction programs, was Eliminated. (*§ 2101(a)*)
  - Beginning in 2017-18 formula for determining District allocations is based on following: (a) 20% on relative numbers of individuals ages 5-17 (most recent Census data) and (b) 80% based on families with incomes below the poverty line in most recent Census data.
- Equitable nonpublic services determined on **enrollment of public and nonpublic schools.**

Example of Formula to  
Determine Title II-A Equitable  
Expenditures

A. Number of Students Enrolled		
A1	<b>Public District Enrollment</b>	<b>9170</b>
A2.1	Nonpublic #1 Enrollment	291
A2.2	Nonpublic #2 Enrollment	126
A2.3	Nonpublic #3 Enrollment	28
A2.4	Nonpublic #4 Enrollment	64
A2	<b>Nonpublic Total Enrollment</b>	<b>509</b>
A3.	<b>Total Enrollment – Public &amp; Nonpublic (A1 + A2)</b>	<b>9679</b>
B. Title II-A Allocations		
B1	Total District Allocation	\$300,000
B2	Admin. Costs (for Public & Nonpublic)	\$5,000
B3	District Allocation minus Admin. Costs (=B1-B2)	\$295,000
C. Per Pupil Rates		
C1	$B3 \div A3$	<b>\$30.48</b>
D. Equitable Services		
D1	Amount District must reserve for equitable services for Nonpublic (=A2 X C1)	\$15,513
E. Nonpublic Equitable Services Amount		
E1	Amount available for Public District Teachers and other educational personnel (=B3-D1)	\$279,487

# Using Title II-A Funds

- “Core subject area,” has been removed.
- Professional development activities may be provided for teachers, principals, and other school leaders.
- Class size reduction (CSR) is allowable; **however**, the reduced class size **must** be **evidenced based**. *Title II-A funds cannot be used for CSR in nonpublic schools.*
  - For 2017-18 Nebraska is recommending that if implementing class size reduction with Title II-A funds that it be limited to grades K-3, schools identified for Needs Improvement, or in classrooms where the ratio is <18 students per teacher. This will be required for the 2018-19 school year.
  - If funds are being used for CSR, teacher must be identified by name, grade level, building, and class size achieved because of the use of II-A funds on the Title II-A section of the ESSA Consolidated Application.

# Title II-A Activities a District May Provide to Nonpublic School Participants

- Professional development activities for teachers, principals, and other school leaders to address specific needs of their students.
- Any use of Title II-A funds for the benefit of nonpublic students must:
  - Be an allowable use of funds under *ESEA § 2103(b)(3)*.
  - Meet the specific needs of students enrolled in a nonpublic school, and not the school itself.
- The public agency must retain control of the funds used to provide services.
- Equitable services must be provided by either an employee of the public agency or through a contract by the public agency with an individual, association, agency, or organization. These employees must be independent of the nonpublic school and any religious organization and the employment or contract must be under the control and supervision of the public agency. (*ESEA § 8501(d)*)

# Title II-A State Reservation

- Nebraska will be reserving 3% from State's allocation for statewide activities.
- These funds will be used for State activities for principals or other school leaders.

# English Learners (ELs)

- Limited English Proficient has been changed to English Learners.
- Accountability for ELs moves from Title III to Title I.
  - The intent is to make accountability for ELs a priority.
  - Under NCLB the focus was on district-level accountability. Under ESSA the focus is on school-level accountability.
  - NDE continuing to work out the details.

# Transferability

- No longer limited to REAP (Rural Education Achievement Program) eligibility.
- No limit on amount of funds that can be transferred.
- Nonpublic equitable services amount must be determined prior to transferring of funds.
- The District must engage in timely and meaningful consultation with appropriate nonpublic school officials.
- The District must provide nonpublic school students and teachers equitable services under the program(s) to which, and from which, the funds are transferred, based on the total amount of funds available to each program after the transfer.

# When Can Federal Funds be Spent/Obligated?

- **Project Start Date**

- The beginning date when funds can be obligated for approved grant award activities.
- Cannot precede (1) the receipt of an approvable application with a budget request for funds for formula grant programs or (2) notification of approval and issuance of the grant award notification (GAN) for competitive and discretionary grants
- Cannot precede the beginning of the fiscal year for which the funds are appropriated.
- The project start date is included on the GAN.

- **Approval Date**

- The date when the application is approved.
- Formula grant recipients can begin obligating funds upon approval and issuance of the GAN subject to the limitations of the project start date.

- **Project Ending Date**

- The last date that funds can be obligated or spent on an approved project
  - All activities for a project must be completed with the project starting (approval) and ending dates.

# Every Student Every Day



# Resources

- NDE Federal Programs website:  
<https://www.education.ne.gov/federalprograms/Index.html>
- NDE ESSA website:  
<https://www.education.ne.gov/ESSA/index.html>
- USDE ESSA website:  
<https://www2.ed.gov/policy/elsec/leg/essa/index.html>

# NDE Federal Programs Staff

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