



OVERVIEW OF PROPOSED REGULATIONS: STATE PLANS AND DATA REPORTING

JUNE 2016

ESSA WEBINARS

■ Recent Webinars:

- Overview of proposed accountability regulations on June 2, 2016 and June 6, 2016
 - <http://www2.ed.gov/policy/elsec/leg/essa/index.html>
- Overview of proposed regulations on state plans and data reporting on June 9, 2016 and June 13, 2016
 - Web post coming soon



EVERY STUDENT SUCCEEDS ACT

TRANSITION AND IMPLEMENTATION

- ESSA provides time and authority for ED to work with our State and local partners to ensure an **orderly transition** from NCLB and ESEA Flexibility.
- ED intends to issue regulations, guidance and technical assistance to support States and districts in high-quality implementation of the law by 2017-2018.
- ED will continue to provide guidance to **States and districts** over the coming weeks and months to support the transition.



EVERY STUDENT SUCCEEDS ACT

TRANSITION AND IMPLEMENTATION, CONTINUED

- States and districts should **continue to implement** the activities and programs they have in place now through the end of the 2015-2016 school year
- The majority of funds in the 2016-2017 school year will be administered in accordance with NCLB
- ED is **receiving input from many stakeholders** to help support the effective transition to, and implementation of, the new law
- Transition FAQs are available on our ESSA webpage at www.ed.gov/ESSA



NOTICE OF PROPOSED RULEMAKING

ACCOUNTABILITY, DATA REPORTING, AND STATE PLANS UNDER ESSA

■ **Extensive Stakeholder Input:**

- Official request for information and two public meetings (DC and CA)
- Over 200 meetings held across the country and hundreds of public comments considered

■ **Major Provisions:**

- Accountability
 - Statewide Accountability Systems
 - Supporting Low-performing Schools
- Data Reporting
- Consolidated State Plans

■ **Comment period closes on August 1, 2016**



NOTICE OF PROPOSED RULEMAKING

- Preamble

- Executive Summary, including Purpose of this Regulatory Action
- Summary of the Major Provisions of this Regulatory Action
- Costs and Benefits
- Particular Issues for Comment
- Background, including Description of Public Participation
- Significant Proposed Regulations
 - Statute
 - Current Regulations
 - Proposed Regulations
 - Reasons
- Regulatory Impact Analysis

- Proposed Regulations

- NPRM available at: <http://www.ed.gov/essa>



STATE PLANS

STATE PLANS

PROPOSED §§299.13 THROUGH 299.19

- §299.13: Overview of State Plan Requirements
- §299.14: Requirements for the Consolidated State Plan
- §299.15: Consultation and Coordination
- §299.16: Challenging Academic Standards and Academic Assessments
- §299.17: Accountability, Support, and Improvement for Schools
- §299.18: Supporting Excellent Educators
- §299.19: Supporting All Students

STATUTORY REQUIREMENTS

- Section 8302 of the ESEA, as amended by the ESSA, requires the Secretary to establish procedures and criteria under which, after consultation with the Governor, a State educational agency may submit a consolidated State plan or a consolidated State application meeting the requirements of this section for:
 - (A) Each of the covered programs in which the State participates; and
 - (B) Such other programs as the Secretary may designate.

STATUTORY REQUIREMENTS

- The purpose of consolidated State plan is to:
 - (1) to improve teaching and learning by encouraging greater cross-program coordination, planning, and service delivery;
 - (2) to provide greater flexibility to State and local authorities through consolidated plans, applications, and reporting; and
 - (3) to enhance the integration of programs under this Act with State and local programs.



PROGRAMS THAT MAY BE INCLUDED

PROPOSED §299.13(j)

- Under section 8302 of the Act, an SEA may include in a consolidated State plan any programs authorized by:
 - Title I, part A: Improving Basic Programs Operated by State and Local Educational Agencies
 - Title I, part C: Education of Migratory Children
 - Title I, part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
 - Title II, part A: Supporting Effective Instruction
 - Title III, part A: 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 Centers
 - Title V, part B, Subpart 2: Rural and Low-Income School Program



PROGRAMS THAT MAY BE INCLUDED

PROPOSED §299.13(j)

- An SEA may also include in the consolidated State plan the following programs as designated by the Secretary:
 - The Grants for State Assessments and Related Activities program under section 1201 of title I, part B of the ESEA, as amended by the ESSA, and
 - The Education for Homeless Children and Youths program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (McKinney-Vento).



CONSOLIDATED STATE PLANS

PROPOSED §§299.13-299.19

- Through consolidated plans, States must put forward plans to ensure they meet the needs of all learners, including providing access to a well-rounded education
- Proposed regulations (Proposed §§ 299.13-299.19):
 - Require broad, robust, transparent engagement with a diverse, representative group of stakeholders
 - Reduce burden on each State by eliminating duplication and streamlining requirements
 - Encourage each State to think comprehensively about implementation and leverage funding across the included programs
 - Help remove “silos” between different funding streams and support collaboration and efficiency across multiple programs



TIMELY AND MEANINGFUL CONSULTATION

PROPOSED §299.13(b)

- Timely and meaningful consultation:
 - Requires States to engage with required stakeholders:
 - During design and development of the State plan
 - Prior to submission of the State plan by making the plan available for public comment for a period of not less than 30 days
 - Prior to the submission of any revisions or amendments to the State plan
 - Requires a State to meet the requirements of section 8540 regarding consultation with the Governor during the development of a consolidated State plan or individual title I or title II State plan and prior to submitting that State plan to the Secretary



REQUIRED ASSURANCES

PROPOSED §299.13(c)

- Includes the assurances in section 8304 of the ESEA, as amended by the ESSA, that all States would submit to the Secretary in order to receive Federal funds whether submitting an individual program State plan or a consolidated State plan
- Includes assurances that address the requirements in:
 - Title I, part A: partial school enrollment consistent with proposed §200.34(f)
 - Title I, part A: transportation of children in foster care to their school of origin under section 1112(c)(5)(B) of the ESEA, as amended by the ESSA
 - Title III, part A: statewide entrance procedures for English learners under section 3113(b)(2) of the ESEA, as amended by the ESSA
 - Title V, subpart 2 of part b of title V: average daily attendance data for the Rural and Low-Income School Program



PROCESS FOR SUBMITTING STATE PLANS

PROPOSED §299.13(d)

- Assurances must be submitted no later than **March 6, 2017** in order to receive Federal allocations for FY 2017 for the programs in 299.13(j)
- Consolidated State plan or individual program State plans must be submitted on one of two deadlines to be established by the Secretary:
 - March 6, 2017
 - July 5, 2017
- Must submit either a consolidated State plan or an individual program State plan for all of the programs in a single submission



OPPORTUNITY TO REVISE INITIAL STATE PLAN

PROPOSED §299.13(e)

- A State may revise its initial consolidated State plan or its individual program State plan in response to a preliminary written determination by the Secretary
- Period for Secretarial review of a consolidated State plan or an individual program State plan under sections 1111(a)(4)(A)(v) or 8451 of the ESEA, as amended by the ESSA, is suspended while the State revises its plan in response to a preliminary written determination by the Secretary
- If a State fails to resubmit revisions to its plan within 45 days of receipt of the preliminary written determination, the Secretary may issue a final written determination under sections 1111(a)(4)(A)(v) or 8451 of the ESEA, as amended by the ESSA



UPDATING STATE PLANS

PROPOSED §299.13(g) and (h)

- Require a State that makes a significant change to its State plan to submit an amendment to the Secretary for review and approval after engaging in timely and meaningful consultation
- Require each State to periodically review and revise its consolidated State plan or individual program State plans, at a minimum, every four years after engaging in timely and meaningful consultation
- Each State must submit its State plan revisions to the Department



INDIVIDUAL PROGRAM STATE PLAN REQUIREMENTS

PROPOSED §299.13(k)

- A State that submits an individual program State plan for one or more programs must address all State plan or application requirements applicable to such programs as outlined in the ESEA, as amended by the ESSA, and applicable regulations, including all required statutory programmatic assurances
- Requires a State that chooses to submit an individual program State plan for title I, part A to also meet the State plan requirements for consolidated State plans in proposed:
 - §299.18(c) related to educator equity
 - §299.19(c)(1) related to schoolwide waivers of the 40-percent poverty threshold
 - §299.19(c)(3) related to English learners



FRAMEWORK FOR CONSOLIDATED STATE PLAN

PROPOSED §299.14(a) AND (b)

- Generally, each State is required to provide descriptions, strategies, timelines, and funding sources, if applicable, related to implementation of the programs included in the consolidated State plan
- Address the requirements for the following five components and corresponding elements of the consolidated State plan:
 - Consultation and coordination (proposed §299.15)
 - Challenging academic standards and academic assessments (proposed §299.16)
 - Accountability, support, and improvement for schools (proposed §299.17)
 - Supporting excellent educators (proposed §299.18)
 - Supporting all students (proposed §299.19)



CONSULTATION AND COORDINATION

PROPOSED §299.15(a)

Consultation

- A State must describe how it engaged in timely and meaningful consultation consistent with § 299.13(b) with stakeholders in the development of each of the four components identified under §§ 299.16-299.19
- The stakeholders must include the following and reflect the geographic diversity of the State:

- The Governor, or appropriate officials from the Governor's office;
- Members of the State legislature;
- Members of the State board of education (if applicable);
- LEAs, including LEAs in rural areas;
- Representatives of Indian tribes located in the State;
- Teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and organizations representing such individuals;
- Charter school leaders, if applicable;
- Parents and families;
- Community-based organizations;
- Civil rights organizations, including those representing students with disabilities, English learners, and other historically underserved students;
- Institutions of higher education (IHEs);
- Employers; and
- The public.



CONSULTATION AND COORDINATION

PROPOSED §299.15(b)

Coordination

- Each State must describe how it is coordinating its plans for administering the included programs, other programs authorized under the ESEA, as amended by the ESSA, and:
 - IDEA
 - Rehabilitation Act
 - Carl D. Perkins Career and Technical Education Act of 2006
 - Workforce Innovation and Opportunity Act
 - Head Start Act
 - Child Care and Development Block Grant Act of 1990
 - Education Sciences Reform Act of 2002
 - Education Technical Assistance Act of 2002
 - National Assessment of Educational Progress Authorization Act
 - Adult Education and Family Literacy Act



CHALLENGING ACADEMIC STANDARDS AND ACADEMIC ASSESSMENTS

PROPOSED §299.16

- Outlines the State plan requirements for challenging academic standards and academic assessments consistent with section 1111(b) of the ESEA, as amended by the ESSA

- Elements:
 - Challenging Academic Standards
 - Academic Assessments

ACCOUNTABILITY, SUPPORT, AND IMPROVEMENT FOR SCHOOLS

PROPOSED §299.17

- Includes the State plan requirements related to statewide accountability systems and school support and improvement activities consistent with the requirements in section 1111(c) and 1111(d) of the ESEA, as amended by the ESSA, and proposed §§200.12 through 200.24
- Elements:
 - Long-term Goals
 - Accountability System
 - Identification of Schools
 - State Support and Improvement for Low-performing Schools



SUPPORTING EXCELLENT EDUCATORS

PROPOSED §299.18

- Requires each State to provide key descriptions, strategies, and funding sources outlining the State's approach to supporting excellent educators for all students

- Elements:
 - Systems of Development, Retention, and Advancement
 - Support for Educators
 - Educator Equity

SUPPORTING EXCELLENT EDUCATORS

PROPOSED §299.18(c)

■ Educator Equity

- Demonstrate, consistent with section 1111(g)(1)(B) of the Act, whether low-income and minority students enrolled in schools that receive funds under title I, part A of the Act are taught at disproportionate rates by ineffective, out-of-field, or inexperienced teachers
- Terms:
 - “Ineffective teacher”
 - “Out-of-field teacher”
 - “Inexperienced teacher”
 - “Low-income student”
 - “Minority student”
- Calculate and report disproportionate rates
- Root cause analysis and strategies to eliminate disproportionate rates



SUPPORTING ALL STUDENTS

PROPOSED §299.19

- Requires each State to describe how it will ensure that all children have a significant opportunity to meet the State's challenging academic standards and attain a regular high school diploma
- Elements
 - Well-Rounded and Supportive Education for Students
 - Program-Specific Requirements
 - Title I, part A
 - Title I, part C
 - Title III, part A
 - Title V, part B, subpart 2
 - The McKinney-Vento Act



PERFORMANCE MANAGEMENT

PROPOSED §299.14(c)

- Requires a State to provide a description, including strategies and timelines, of its system of performance management of State and LEA plans for each component required under §§ 299.16-299.19
- This description must include:
 - The State's process for supporting the development, review, and approval of the activities in LEA plans;
 - The State's plan to:
 - Collect and use data and information, including input from stakeholders, to assess the quality of SEA and LEA implementation of strategies
 - Monitor SEA and LEA implementation of included programs
 - Continuously improve implementation of SEA and LEA strategies and activities that are not leading to satisfactory progress
 - Provide differentiated technical assistance to support implementation across the included programs



DATA REPORTING

DATA REPORTING

PROPOSED §§200.30 THROUGH 200.37

- Expanded reporting requirements for States and LEAs under ESSA.
- Proposed data reporting regulations would implement these requirements primarily by:
 - Clarifying requirements and definitions, and,
 - Streamlining and simplifying, where possible, reporting requirements consistent with the purposes of the ESEA.
- Data Reporting Section Agenda
 - Annual State and LEA Report Cards
 - State Accountability System
 - Achievement Calculations
 - High School Gradation Rate
 - Per-pupil Expenditures
 - Postsecondary Enrollment
 - Educator Qualifications



ANNUAL STATE AND LEA REPORT CARDS

PROPOSED §§200.30 AND 200.31

- A key challenge faced by States in meeting current report card requirements has been developing clear, effective formats for the timely delivery of complex information to a wide range of stakeholders
- Proposed requirements are intended to promote improvements in this area by ensuring that:
 - States and LEAs work with stakeholders to develop report cards that include timely and essential information to inform educational improvement for all kids
 - Report cards include a full set of accountability information in an easily accessible manner



ANNUAL STATE REPORT CARDS

PROPOSED §200.30

- Each State report card must include, at a minimum:
 - All information required under section 1111(h)(1)(C) of the Act
 - Authorized public chartering agency comparisons
- A State may include any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each State's public elementary schools and secondary schools



ANNUAL STATE REPORT CARDS

PROPOSED §200.30

- The format of the report card must:
 - Be in a format and language, to the extent practicable, that parents can understand
 - **Be concise and presented in an understandable and uniform format** that is developed in consultation with parents
 - Begin with a **clearly labeled overview section** that is prominently displayed

ANNUAL STATE REPORT CARDS

PROPOSED §200.30 – OVERVIEW SECTION INFORMATION

Information	Details
Academic Assessments	Disaggregated reading/language arts, mathematics, and science results in each of State's academic assessments
Academic Progress	Disaggregated results for each measure within the Academic Progress indicator for public elementary schools and secondary schools that are not high schools
Graduation Rate	Disaggregated four-year adjusted cohort graduation rates, and if adopted by the State, any extended-year adjusted cohort graduation rate data
School Quality or Student Success	Disaggregated results for each measure within each indicator of School Quality or Student Success
English Language Proficiency	The number and percentage of English learners achieving English language proficiency on the State's English language proficiency assessment



ANNUAL STATE REPORT CARDS

PROPOSED §200.30

- Dissemination and Availability Format
 - Each State must disseminate widely to the public an annual report card
- Deadlines for Publication
 - A State must annually disseminate report cards for the preceding school year no later than December 31
 - A State may request a one-time, one-year extension for reporting on some or all of the newly required information



ANNUAL STATE REPORT CARDS

PROPOSED §200.30

- For the purpose of reporting disaggregated data under section 1111(h), the following terms are defined:
 - Migrant status
 - Homeless status
 - Status as a child in foster care
 - Student with a parent who is a member of Armed Forces on active duty
- Disaggregation on State and LEA report cards is not required if the number of students in the subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about a student.



ANNUAL LEA REPORT CARDS

PROPOSED §200.31

- Same deadline for publication (December 31) as annual state report cards.
 - A State may request, on behalf of the LEA, a one-time, one-year extension for reporting on such required elements.
- Incorporate by reference the requirements regarding disaggregation of data.
- The LEA report card must:
 - Be in a format and language, to the extent practicable, that parents can understand
 - Include information required under section 1111(h)(2)(C) of the Act
- LEAs must develop a report card format in consultation with parents that is concise and presents information in an understandable and uniform manner.



ANNUAL LEA REPORT CARDS

PROPOSED §200.31

- Requirement that each LEA develops a format and process for developing and disseminating LEA report cards in a manner that is concise, accessible, informative, timely, and understandable.
- LEA report card must be made available on an LEA's Web site.
- Additional requirement to provide overview section to parents of each student enrolled at a school served by the LEA directly through such means as regular mail or email and in a timely manner.



ANNUAL LEA REPORT CARDS

PROPOSED §200.31 – OVERVIEW SECTION INFORMATION

LEA	School
All information required on the State report card overview section	
Identifying information, including, but not limited to, the name, address, phone number, email, student membership count, and status as a participating Title I school	
For all students and each subgroup of students described in proposed accountability regulations, information on achievement on the State's academic assessments in reading/language arts, mathematics, and science of students served by the LEA compared to students in the State as a whole	For all students and each subgroup of students described in proposed accountability regulations, information on achievement on the State's academic assessments in reading/language arts, mathematics, and science of a school's students compared to students served by the LEA and the State as a whole
Identification for comprehensive or targeted support and improvement and the reason for such identification	
Summative rating(s)	



STATE ACCOUNTABILITY SYSTEM

PROPOSED §200.32 DESCRIPTION AND RESULTS

- Requires that report cards include a description of the State accountability system and information regarding school performance under the State's accountability system
- Ensures reporting of complete and transparent information about school performance and progress based on the State accountability system
 - State accountability systems under ESSA offer States the opportunity to incorporate multiple indicators of school performance and progress
 - Information on each indicator and well as how the indicators work together can help inform school improvement efforts

STATE ACCOUNTABILITY SYSTEM

PROPOSED §200.32 DESCRIPTION

- Each State and LEA report card must include a description of the State accountability system, including:
 - Minimum n-size (1111(c)(2))
 - Long-term goals and measurements of interim progress (1111(c)(2))
 - Indicators (and their weights) used to differentiate schools (1111(c)(4)(B))
 - System used to differentiate schools (1111(c))
 - Exit criteria for comprehensive support and improvement schools and targeted support and improvement schools identified due to low-performing subgroup(s) (1111(d)(3))



STATE ACCOUNTABILITY SYSTEM

PROPOSED §200.32 DESCRIPTION

- To the extent that a State's plan or other location on the State's website provides the accountability system description elements listed on the previous slide, a State or LEA report card may provide a link to the State plan or other location on the SEA website to meet the reporting requirement for such accountability system elements

STATE ACCOUNTABILITY SYSTEM

PROPOSED §200.32 RESULTS

- Each State and LEA report card must include the number and name of each school identified for comprehensive and targeted support and improvement, including the reason for identification
- Each LEA report card must include for each school:
 - Performance level on each accountability system indicator
 - Results on each individual measure within each indicator, as applicable
 - Summative rating



ACHIEVEMENT CALCULATIONS

PROPOSED §200.33

- Each State and LEA report card must the include percentage of students at each achievement level, by grade:
 - In mathematics, reading/language arts, science
 - For all students and disaggregated (new subgroups include homeless students, students in foster care, and military-connected)
- LEA report cards must compare performance of students:
 - In the LEA to students in the State, and
 - For each school, students in the school to students in the LEA and students in the State



ACHIEVEMENT CALCULATIONS

PROPOSED §200.33

- State and LEA report cards must include student achievement results based on two different calculations:
 - The calculation used for accountability purposes
 - A calculation in which the denominator is all students with a valid test score
- State and LEA report cards must indicate whether all students or each subgroup of students met or did not meet measurements of interim progress towards State goals based on the calculation used for accountability purposes



ACHIEVEMENT CALCULATIONS

PROPOSED §200.33

Calculation Used for Accountability Purposes	Calculation Based on Valid Test Scores
Numerator:	Numerator:
Number of students proficient	Number of students proficient
Denominator:	Denominator:
<u>The greater of</u> the number equal to 95 percent of all students or 95 percent of each subgroup of students who are enrolled in the school, LEA, or State, respectively; <u>or</u> the number of enrolled students participating in the assessments	All students with a valid test score.



HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34 (a) GRADUATION RATE CALCULATION CHANGES

- ESSA allows a State to include students with the most significant cognitive disabilities in the numerator of the calculation under certain circumstances
 - These students can only be included if they were assessed using the State's alternate assessment aligned to alternate academic achievement standards and earn a State-defined alternate diploma
 - These students can be included in the numerator for the four year and extended year rate if the alternate diploma is obtained at any time within the time period for which the State ensures the availability of a free appropriate public education



HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34

ACGR Calculation – 2008 Regulations (<i>current requirements</i>)	ACGR Calculation – ESSA (<i>new requirements</i>)
Numerator:	Numerator:
All students who graduate in four years with a regular high school diploma	All students who graduate in four years with a regular high school diploma + <i>All students with the most significant cognitive disabilities assessed using an alternate assessment aligned to alternate academic achievement standards and awarded a State-defined alternate diploma</i>
Denominator:	Denominator:
The number of students who form the cohort of entering first time students in grade 9 in the fall +/- Permitted adjustments	The number of students who form the cohort of entering first time students in grade 9 enrolled in high school <i>no later than the date by which student membership data is collected annually by the State for submission to NCES</i> +/- Permitted adjustments



HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34(b) ADJUSTING THE COHORT

- The cohort must be adjusted in the manner described in the statute
- The regulations clarify that to remove a student who transfers to a juvenile justice facility from a cohort, the student must participate in an educational program that culminate in the award of a regular high school diploma or State-defined alternate diploma for students with the most significant cognitive disabilities



HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34(c) DEFINITION OF TERMS

- **Students who graduate in four years:** Students who earn a regular high school diploma at the conclusion of their fourth year, before the conclusion of their fourth year, or during a summer session immediately following their fourth year.
- **Regular high school diploma:** The standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA, as amended by the ESSA. It does not include a general equivalency diploma, certificate of completion, certificate of attendance, or any similar or lesser credential, such as a diploma based on meeting individualized education program (IEP) goals that are not fully aligned with the State's grade-level academic content standards.
- **Alternate diploma:** A diploma for students with the most significant cognitive disabilities, consistent with the State's definition (under the proposed requirement in § 200.6(d)(1) that was subject to negotiated rulemaking under the ESSA and on which the negotiated rulemaking committee reached consensus), who are assessed with a State's alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) of the Act and is: (i) Standards-based; (ii) Aligned with the State's requirements for a regular high school diploma; and (iii) Obtained within the time period for which the State ensures the availability of a free appropriate public education



HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34(d) EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE

- States may calculate and report an extended year adjusted cohort graduation rate (in addition to a four-year adjusted cohort graduation rate)
- No extended-year adjusted cohort graduation rate may be for a cohort period longer than seven years

HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34(e) REPORTING ON STATE AND LEA REPORT CARDS

- State and LEA report cards must:
 - Include four-year adjusted cohort graduation rates and, if adopted by the State, extended-year adjusted cohort graduation rates
 - Identify whether all students and each subgroup of students met or did not meet the State measurements of interim progress for graduation rates
- Reported rates must reflect the results of the immediately preceding school year
- Extended-year adjusted cohort graduation rates must be reported separately from four-year adjusted cohort graduation rates.
- A State offering an alternate diploma for students with the most significant cognitive disabilities within the time period for which the State ensures the availability of FAPE must:
 - Not delay timely reporting of graduation rates
 - Annually updates rates to include in the numerator those students



HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34(f) PARTIAL SCHOOL ENROLLMENT & DIRECTED QUESTION

- Partial school enrollment:

- ESSA offers two approaches, described in section 1111(c)(4)(F), to count in the denominator students who are partially enrolled within a school year and leave without earning a diploma
- States can use either approach but must use the same approach across all LEAs

- Directed Question:

- Seeking comment on whether to standardize the criteria for including children with disabilities, English learners, children who are homeless, and children in foster care in their corresponding subgroups within the adjusted cohort graduation rate



PER-PUPIL EXPENDITURES

PROPOSED §200.35

- A State and its LEAs must:
 - Annually report per-pupil expenditures of Federal, State, and local funds on State and LEA report cards, disaggregated by source of funds
- A State must:
 - Develop a single, statewide procedure for LEAs to calculate and report **LEA-level** per-pupil expenditures of Federal, State, and local funds
 - Develop a separate single, statewide procedure that LEAs must use to calculate and report **school-level** per-pupil expenditures of Federal, State, and local funds
 - Provide a description of the uniform procedure for calculating per-pupil expenditures



PER-PUPIL EXPENDITURES

PROPOSED §200.35 – UNIFORM PROCEDURE MINIMUM REQUIREMENTS

Numerator

Current expenditures, which means **actual personnel costs** (including actual staff salaries) and **actual nonpersonnel expenditures** of Federal, State, and local funds, used for public education

Current expenditures **do not include** expenditures for community services, capital outlay, and debt service

Denominator

Aggregate number of students in elementary and secondary schools to whom the State and LEA provide free public education on October 1



PER-PUPIL EXPENDITURES

PROPOSED §200.35 ADDITIONAL STATE AND LEA REPORT CARD REQUIREMENTS

- Report current expenditures per-pupil from Federal, State, and local funds, for the preceding fiscal year by Dec. 31
 - In total (i.e., including all Federal, State, and local funds)
 - Disaggregated by:
 - Federal funds
 - State and local funds (including title VII (Impact Aid) funds), which must not include funds received from private sources
- Requires a State and its LEAs to separately report the current LEA per-pupil expenditures not allocated to public schools in the State



POSTSECONDARY ENROLLMENT

PROPOSED §200.36(a) REPORTING INFORMATION ON POSTSECONDARY ENROLLMENT

- Where available, each State and LEA Report Card must include for each high school in the state the cohort rate at which students who graduate from high school enroll, for the first academic year that begins after the student's graduation:
 - In programs of public postsecondary education in the State
 - If available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State
- “Program of postsecondary education” has the same meaning as “institution of higher education” under section 101(a) of the Higher Education Act of 1965



POSTSECONDARY ENROLLMENT

PROPOSED §200.36(b) CALCULATING POSTSECONDARY ENROLLMENT

- Each State and LEA must calculate postsecondary enrollment in the following manner:
 - The numerator must consist of the number of students who enroll in a program of postsecondary education in the academic year immediately following the students' high school graduation
 - The denominator must consist of the number of students who graduated with a regular high school diploma or a State-defined alternate diploma from each high school in the state, in accordance with §200.34 (high school graduation rates), in the immediately preceding year



POSTSECONDARY ENROLLMENT

PROPOSED §200.36 (c) INFORMATION AVAILABILITY

- Reporting is required “where available.” Information is considered available if:
 - The State is routinely obtaining the information; or
 - The information is obtainable by the State on a routine basis
- If postsecondary enrollment information is not available or is partially available, the State and LEA report cards must include the school year in which such information is expected to be fully available



EDUCATOR QUALIFICATIONS

PROPOSED §200.37

- State and LEA report cards must include, in the aggregate and disaggregated by high- and low-poverty schools, the percentage of:
 - Inexperienced teachers, principals, and other school leaders
 - Teachers teaching with emergency or provisional credentials
 - Teachers not teaching in the subject/field of certification or licensure





EDUCATOR QUALIFICATIONS

PROPOSED §200.37

- For the purposes of reporting by high-versus low-poverty schools:
 - High-poverty means schools in the top quartile of poverty in the State
 - Low-poverty means schools in the bottom quartile of poverty in the State
- Each State must define “inexperienced” and “not teaching in the subject/field of certification or licensure” and the State and LEAs must use these definitions to report educator qualification data



NEXT STEPS

- Submit official comments and questions through the Federal Register Notice available at:
<https://federalregister.gov/a/2016-12451>
- Main ESSA Web Page: www.ed.gov/ESSA
- ESSA Resources, including link to the Notice, Fact Sheet, and other ESSA resources:
<http://www2.ed.gov/policy/elsec/leg/essa/index.html>
- Email Inbox: ESSA.Questions@ed.gov



