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ESSACT a research brief





The Every Student Succeeds Act (ESSA)

a research brief by Samantha Hope, M.T. Metropolitan Educational Research Consortium March 22, 2017

What is the Every Students Succeeds Act?

The Every Student Succeeds Act (ESSA) is a modified reauthorization of the Elementary and Secondary Education Act of 1965. Signed into law on December 10, 2015¹, it replaces the No Child Left Behind (NCLB) Act of 2001 and provides federal guidelines for states regarding various topics in education. The act contains information on nine titles², or topics, organizing the law:

- Improving Basic Programs Operated by State and Local Educational Agencies
 This part of the law provides detailed information regarding allocation of funds to state and local education agencies, calls for states to create accountability plans, discusses the education of migratory children, and outlines intervention programs for at-risk youth. This title highlights the importance of all students receiving an equitable education in an effort to close the achievement gap.
- Preparing, Training, and Recruiting High-Quality Teachers, Principals, or Other School Leaders

The overall purpose behind this title is to provide direction to states receiving federal funds to increase student achievement, improve the number of effective teachers, and provide equal access to effective teachers for all students. This title describes changes in the allotment formula for Title II funds, eliminates the teacher evaluation mandate, but explains that teacher effectiveness is now the focus

- Language Instruction for English Learners and Immigrant Students
 Title III of ESSA was modified to reflect the growing number of English language learners in our nation's schools. This title provides information regarding the allocation and eligible use of funds and lays out guidelines regarding national professional development.
- 21st Century Schools
 This topic includes information regarding student support and academic achievement grants,
 21st century community learning centers, charter schools, magnet schools, family
 engagement, and national activities for school safety (such as violence prevention). Title IV
 funds are allocated following the Title I guidelines.

- 5 State Innovation and Local Flexibility
 - The changes to this title reflect the growing understanding that federally mandated programs do not always meet the needs of local school divisions. This title explains that states now have control over the transferability of federal funding across a variety of programs. This section of the law provides guidelines for the specific federal funds states may use for programs other than those for which the funds were originally issued.
- 6 Indian, Native Hawaiian, and Alaska Native Education
 This title describes the importance of educational agencies recognizing unique cultural and educational needs of these groups and provides details regarding improvement of educational opportunities. It also includes the directive that these children are not to attend school in buildings that are deteriorating.
- This section details funding of schools and education agencies located on tax-exempt federal property (e.g., reservations, military bases). This was Title VIII under NCLB.
- 8 General Provisions
 This title provides definitions and describes numerous topics, such as expenditures for health services, transportation, school prayer, and federal acceptance of state plans. This section also provides an explicit statement giving states control over their own standards and not requiring them to adopt the Common Core standards.
- 9 Education for the Homeless and Other Laws
 This part of the law explains that states will designate a coordinator for the education of homeless children and youths who will communicate with local education agency liaisons and describes sub-grants to local education agencies. This title also provides information about preschool development grants.

What does ESSA mean for states?

Submit a state ESSA plan

Each state is required to develop and submit an accountability plan during the 2016-17 school year. The United States Department of Education created a template for states to follow when creating their plans. This template includes sections on

- **Long-term goals.** States must specify goals related to academic achievement; graduation rates; and sub-group analysis information.
- **Consultation and performance management.** States must describe the stakeholder outreach for each component, and how states will oversee local plans.

- Academic assessments.
- Accountability, support, and improvement for schools. States will provide clear descriptions of statewide measures used.
- **Supporting excellent educators.** States must certification and licensure requirements; teacher preparation programs; teacher training and growth.
- **Supporting all students.** States must describe state strategies for reaching various subgroups of students; for providing information on equitable access to education; for technology use; and for family and community engagement.³

The Virginia Department of Education has developed the following timeline⁴ for the development of the state's plan, which includes a public review of the plan in the summer of 2017 prior to submission to the United States Department of Education in September of 2017. Upon federal approval, the plan will be implemented during the 2018-19 school year. The state's plan will provide a greater explanation of what will be required of schools and school divisions.



How is Virginia creating the plan?

The federal government has provided two dates by which states may submit their plans: March, 2017 or September, 2017. In an address on the Virginia Department of Education's website, Dr. Stephen Staples, Superintendent of Public Instruction, explained that Virginia will submit the state plan by the September 2017 deadline. The state made the decision to wait until the later date as a result of the federal government pushing back the implementation from the 2017-18 school year until the 2018-19 school year, as well as the possibility that the requirements for the state plans may change under the new administration. Waiting until the later date will ensure that the state creates a plan that follows the most up-to-date regulations.

While creating the plans, states have the opportunity to receive input from various stakeholder groups. The Virginia Department of Education held several roundtable discussion sessions and stakeholder meetings throughout 2016 to provide information and receive feedback on specific topics under ESSA. These public presentations, open to educators, families, and community members, were held at various locations around the state. The State Board of Education also created a public hearing presentation in the summer of 2016 in an effort to collect comments from various stakeholder groups; the Virginia Department of Education is still accepting comments regarding this public hearing presentation. In addition, the State Board of Education's standing Committee on School and Division Accountability meets monthly to discuss components of the state's plan.

The Every Student Succeeds Act and Accountability

What does accountability look like under ESSA?

Perhaps the biggest change under the new ESSA guidelines relate to accountability. The requirements that states have content and achievement standards and administer assessments aligned with those standards continue under ESSA. However, under ESSA, states have greater flexibility in creating their own accountability systems that will meet specific local needs. The states may determine criteria used to measure achievement with the goal of creating amore holistic view of student success. These statedetermined criteria replace NCLB's adequate yearly progress. States may determine the weight of each measure within the accountability system.

According to ESSA, Accountability systems created by the states must include the following criteria:¹¹



Assessment Data

This can now be "a single summative assessment or multiple interim assessments that produce a single summative score." Some assessment policies will continue from NCLB (See Table 1), with data continuing to be analyzed by student subgroup. Concerning alternative assessments,

ESSA does place a one percent cap on the total number of students assessed using alternative measures.¹¹

Graduation Rates/Other Academic Indicator

High schools will provide graduation rates, and a state-determined academic indicator that differs from assessment data will be provided by elementary and middle schools.

English Language Proficiency Progress

ESSA requires that states set goals for the percentage of students progressing toward English language proficiency, ¹⁴ and English language learners are to be tested annually. ⁷

One Nonacademic Indicator³

This state-selected indicator "may include measures of student or educator engagement, student access to and completion of advanced coursework or postsecondary readiness, school climate and safety, or any other indicator under a broad banner of school quality and student success." This measure has been called into question by some 16 who want to ensure that the selected indicators are constructs that can and should be measured.

Will schools be given performance scores?

School Performance Criteria

One of the regulations under ESSA requires that states and localities create yearly report cards for schools receiving Title I funds, indicating the performance of schools. ^{9,17} The United States Department of Education calls for the report cards to be written in concise, easy to understand language. ¹⁷ The Virginia Department of Education explains that the report card will include the following items: ¹¹

Academic Achievement Levels

As with NCLB, this data will be reported for all students as well as disaggregated into subgroups, including: (1) major racial/ethnic groups, 2) students with disabilities, (3) economically disadvantaged students, (4) English learners, (5) children of military parents, (6) foster children, (7) homeless students, (8) migrant students, and (9) gender categories.

School Quality, Climate, and Safety Data

This could be the same as the non-academic indicator required by ESSA as an accountability measure.

Teacher Equity Data

This data is meant to ensure that all students have access to effective teachers. ESSA requires that states monitor the placement of effective teachers. ¹⁸



Per Pupil Expenditure Information

ESSA calls on states to "consider more equitable approaches to funding." States must show that all schools are receiving the appropriate state and local funds. Title I funds are granted in addition to state and local funding. 19

Categories of Need for School Improvement

Additionally, states will identify schools that are in need of improvement every three years. These schools may be in one of two categories: comprehensive support and improvement or targeted support and improvement. The United States Department of Education provides guidelines for determining which schools fall into the two categories.

Comprehensive support and improvement determinants:

- The lowest performing 5 percent of Title I schools
- High schools with graduation rates at or below 67 percent
- Title I schools with chronically low-performing subgroups not making improvements after implementation of support plans

Targeted support and improvement determinants:

- Schools with subgroups performing similarly to all students in the lowest-performing 5 percent of Title I schools who are receiving targeted supports
- Schools with a consistently underperforming subgroup

Support for Schools in Need of Improvement

States and localities have the freedom to "select evidence-based strategies tailored to local needs" to provide support to identified schools. ⁹ This is different from the guidelines regarding low performing schools under NCLB, in which the federal government provided prescriptive regulations for identified schools.

A snapshot of accountability regulations

While ESSA does have new accountability regulations, there are some that will continue from NCLB. Table 1 provides a snapshot of regulations that are new to ESSA (in burgundy) and those that are carried over from NCLB (in blue).

Table 1. ESSA and NCLB (Adapted)²⁰

Statement	of
purpose	

- Emphasis placed on closing achievement gaps
- All children provided opportunity to receive equitable, high-quality education

Accountability (Assessment)	 Can use single summative or multiple interim assessments Can administer computer adaptive assessments School districts can implement alt. high school assessment 1% cap on administration of alternate assessments limited to students with "significant disabilities" Assess reading/language arts and math annually in grades 3-8 and once in high school Assess science once in grades 3-5, once in grades 6-9, and once in grades 10-12 Divisions receiving Title I, Part A funds must participate in NAEP in grades 4 and 8 Disaggregate results of all accountability indicators 95% testing participation rate
Accountability (Indicators state systems must address)	 Academic progress Progress in the proficiency of English learners School quality Academic achievement Graduation rates
Accountability (Report cards - reporting must include)	 Children of military parents Foster children Homeless students Migrant students Gender categories School quality, climate, and safety data Teacher equity data Per pupil expenditure data All students Major racial/ethnic groups Students with disabilities Economically disadvantaged English learners

Accountability comprehensive support and improvement	 Determined by each school's summative rating for all students over 3 or fewer years. Indication criteria: The lowest 5% of Title I schools Any high school with a federal 4-year cohort graduation rate below 67% Chronologically low-performing subgroup
Accountability Targeted supporting and improvement	 Determined by school subgroup performance over 2 or fewer years. Indication criteria: School with 1 or more consistently underperforming subgroups School with 1 or more subgroups performing at or below the summative level of performance of all students in any school identified for comprehensive support and improvement
Teacher and Paraprofessional Qualifications	 Eliminated terms "highly qualified teacher" and "highly qualified paraprofessional" Beginning 2016-17, "highly qualified" data no longer collected and reported; no calculations made related to percentage of classes taught by highly qualified teachers Students taught by properly licensed and endorsed teachers Data collected through Master Schedule Collection (MSC) and Instructional Personnel and Licensure Report (IPAL) Title I school paraprofessionals must meet same qualifications required under NCLB
Eligible School Attendance Areas (Determining Eligibility)	Previous poverty threshold of 75% may be lowered to 50% for high schools at the discretion of the local education agency

Eligible School Attendance Areas (Reservation of Funds)	Funds set aside for homeless students may be determined based on needs assessment of homeless children and youth, which may be the same as assessment conducted under McKinney-Vento Homeless Assistance Act
Schoolwide Programs (Eligibility)	 School with less than 40% of students from low income families may apply for a waiver from the state education agency to operate a schoolwide program Currently operating schoolwide programs may continue, but must amend plan within first year of implementation of ESSA to comply with new schoolwide plan guidelines No school participating in schoolwide program is required to identify particular eligible children or to identify individual services as supplementary Eligible schools must develop comprehensive plan over the course of 1 year unless local education agency determines less time is needed to develop and implement the program
Schoolwide Programs (Stakeholder Engagement)	 Additional stakeholders who should be involved in the development of the plan include: Other school leaders; Paraprofessionals present in the school; The local education agency; Tribes and tribal organizations present in the community; Specialized support personnel (if appropriate) Plan developed with involvement of: Parents, Other members of the community to be served; Administrators; Teachers; Principals; Technical assistance providers; School staff; Students of a secondary school (if applicable)

Schoolwide Programs (Coordination of Services)	 Plan should be developed in coordination and integration with other federal, state, and local services, resources, and programs, including: Programs supported under ESSA; Violence prevention programs; Nutrition programs; Housing programs; Adult education programs; Career and technical education programs; Schools implementing comprehensive or targeted support and improvement activities Head start is one of the programs with which schools may coordinate
Schoolwide Programs (Plan Development)	 Provide description of schoolwide reform strategies that provide opportunities for all children Provide a description of schoolwide reform strategies that use methods and instructional strategies that strengthen the school's academic program, increase learning time, and help provide enriched and accelerated curriculum Provide a description of schoolwide reform strategies that address the needs of all children in the school, particularly needs of at risk students Plan development requires comprehensive needs assessment of entire school that takes into account academic achievement of students in relation to state standards
Parent and Family Engagement	 Formerly "parent involvement" Meaningful consultation now includes consultation with: Employers; Business leaders and philanthropic organizations; Individuals with experience in effectively engaging parents and family members in education Emphasis placed on fact that local education agency is not limited to only reserving 1% of allocation for parent and family engagement

- 90% of the 1% must be used at the school level
- Priority for receipt of paternal involvement funds should be given to high needs schools
- Funds must be used in at least one of the following ways:
- Supporting schools and non-profit organizations in providing professional development for personnel and parents regarding parent involvement strategies
- Supporting programs that reach parents and family members at home, in the community, and at school
- Disseminating information on best practices for increasing engagement of economically disadvantaged parents and family
- Collaborating with or providing subgrants to schools to enable them to collaborate with organizations successful in improving parent and family engagement
- Engaging in other activities that the local education agency deems consistent with its parent and family engagement policy

Discussion

The purpose of this research brief was to provide a general overview of the Every Student Succeeds Act and information regarding state accountability under the new law. With ESSA, States will have greater freedom in creating accountability systems that fit their individual needs, compared with regulations under No Child Left Behind.

However, it should be noted that there current legislation in Congress related to the enforcement of ESSA was recently passed in Congress.²¹ On March 8, 2017, House Joint.Resolution 58 was passed by the House and Senate dismantling the teacher preparation program accountability system. ²⁰ On March 9, 2017, House Joint Resolution 57, ESSA's Accountability and State Plans Rule was passed by both the House and Senate.²⁰ This resolution overturned the accountability plan requirements of ESSA. On March 10, 2017, H.R.1510, proposing the elimination of the US Department of Education, was assigned to a congressional committee.²² These pieces of legislation impact the relationship between the state and federal government and ultimately determine what is required of the state regarding accountability in education. As a result, questions still remain regarding changes to Virginia's education system.

Resource List

The following is a list of resources that may be helpful in understanding the impact of the Every Student Succeeds Act.

A Union of Professionals -

Every Student Succeeds Act: A New Day in Public Education

This site provides answers to frequently asked questions regarding standards, assessments, and accountability; English language learners; teachers; paraprofessionals; charters; equity and funding; and timelines under ESSA.

http://www.aft.org/sites/default/files/essa faq.pdf

Council of Chief State School Officers' Major provisions of Every Student Succeeds Act (ESSA) related to the education of English learners

This report provides details of ESSA regarding services provided to English language learners. http://www.ccsso.org/Documents/2016/ESSA/CCSSOResourceonESSAELLs02.23.2016.pdf

Every Student Succeeds Act (ESSA): ESSA implementation resources for educators

Created by ASCD, this website provides answers to frequently asked questions regarding accountability under the new ESSA guidelines. This site provides information on criteria states will use to create accountability systems, weight of each criteria, how schools will be identified as in need of improvement, and testing of subgroups of students.

http://www.ascd.org/ASCD/pdf/siteASCD/policy/ESSA-Accountability-FAQ May112016.pdf

National Conference of State Legislatures Summary of the Every Student Succeeds Act, Legislation Reauthorizing the Elementary and Secondary Education Act

Explains the information contained in most of the titles of ESSA. http://www.ncsl.org/documents/educ/ESSA_summary_NCSL.pdf

National Education Association: ESSA implementation begins

This website contains a list of linked PDF documents, which provide information on numerous topics regarding ESSA guidelines.

http://www.nea.org/essabegins

ProExam Blog: Where are we with ESSA's non-academic factors

This blog post contains information on the non-academic factors required to assess schools under the new ESSA guidelines. The author provides links to other reports on non-academic factors. http://connect.proexam.org/blog/where-are-we-with-essas-nonacademic-factors

Promising changes for special education under ESSA

This post on the NEA Today site explains changes for special needs students under ESSA. http://neatoday.org/2016/06/30/special-education-essa/

The Every Student Succeeds Act (ESSA): A comprehensive guide

This site provides an overview of ESSA. It shows the information contained within each Title and provides links to descriptions of laws that are referenced within ESSA. http://www.everystudentsucceedsact.org

The Every Student Succeeds Act: An ESSA overview

This post is part of the Education Week website. The author provides a brief breakdown of ESSA guidelines.

https://www.edweek.org/ew/issues/every-student-succeeds-act/

TNTP accountability under ESSA: How states can design systems that advance equity and opportunity

This website contains a downloadable report explaining how states can implement systems of accountability.

http://tntp.org/publications/view/evaluation-and-development/accountability-under-essa-How-States-Can-Design-Systems-That-Advance-Equity

Virginia Department of Education Every Student Succeeds Act

This resource explains the steps Virginia is taking to comply with ESSA. The PDF documents found at the bottom of the page provide helpful information comparing NCLB and ESSA for each Title of the Act. http://www.doe.virginia.gov/federal programs/esea/essa/index.shtml

United States Department of Education: Every Student Succeeds Act (ESSA)

This website contains links to documents issued by the United States Department of Education regarding ESSA, including the template for state-determined accountability plans and communication from the secretary of education.

https://ed.gov/policy/elsec/leg/essa/index.html

United States Department of Education: Every Student Succeeds Act State and Local Report Card Non-regulatory Guidance

This document details the required elements for state and local education agency school report cards. https://www2.ed.gov/policy/elsec/leg/essa/essastatereportcard.pdf

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