Evolution of the Federal Role

The Pendulum of Education Policy
From Waivers to ESSA

- **2002:** No Child Left Behind signed into law
- **2007:** No Child Left Behind expires
- **2009:** Stimulus passes which includes Race to the Top, School Improvement Grants, and Grants to Improve Assessments
- **2009-2015:** NCLB waivers
- **4 Congressional reauthorizations attempts**
  - 2007
  - 2011
  - 2013
  - 2015
Governors and state legislatures believe that a high-quality education for all children and state flexibility can and should coexist in a reauthorized ESEA. With this in mind, they have produced recommendations that:

- Improve the ESEA governance structure to allow for more collaborative input at the state and local level;
- Integrate and align ESEA programs with state early childhood education, postsecondary education and workforce development;
- Ensure that all students – regardless of their disability, race, economic status or English proficiency – in urban and rural schools receive a high-quality education;
- Return control over K-12 education accountability and school improvement strategies back to states while providing high expectations for student success; and
- Support and incentivize state led strategies and innovations to prepare, recruit, retain, evaluate and reward high-quality teachers and school leaders.
ESSA: A Christmas Miracle

- House and Senate Processes
  - Bipartisan and Republican Bills

- Bipartisan Consensus
  - House passes ESSA - 359 to 64
  - Senate passes ESSA - 85 to 12

- NGA’s first endorsement of federal legislation in 20 years
<table>
<thead>
<tr>
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<th>NCLB</th>
<th>ESSA</th>
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<tr>
<td>Standards</td>
<td>State but, under ESEA waivers, Feds required Common Core or sign off by higher ed</td>
<td>State</td>
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<td>Assessments</td>
<td>State with Federal review and approval</td>
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<td>Interventions</td>
<td>Federal States choose among options</td>
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<td>AYP/School Rating</td>
<td>Federal</td>
<td>State must incorporate certain indicators for all students and each subgroup</td>
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<td>Long-term Goals</td>
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<td>Teacher Evaluations</td>
<td>Federal under ESEA waivers</td>
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## Federal Education Policy Status Chart

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<thead>
<tr>
<th>In ESSA</th>
<th>Out Of ESSA</th>
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<tr>
<td><strong>New</strong></td>
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<tr>
<td>• Role for the Governor</td>
<td>• Federally-determined educator evaluation systems</td>
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<td>• State-determined accountability system with workforce integration</td>
<td>• Federally-defined “college- and career-ready” standards</td>
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<td>• State identification of low-performing schools</td>
<td>• Federal “Highly Qualified Teacher” definition</td>
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<td>• Expectation of state intervention in low-performing schools</td>
<td>• Federally-prescribed ratings for low-performing schools</td>
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<td>• 7% reservation for state intervention in schools</td>
<td>• Portability</td>
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<tr>
<td>• Title II formula change</td>
<td>• Mandated private tutoring and transportation for low-performing schools</td>
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<td>• Non-conditional waivers from statutory provisions</td>
<td>• Adequate yearly progress (AYP)</td>
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<td>• Early childhood education program for governors</td>
<td>• Federally-prescribed corrective action</td>
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<td>• Block grant for state and local innovation</td>
<td>• School Improvement Grants</td>
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<td></td>
<td>• Federally-prescribed intervention strategies for low-performing schools</td>
</tr>
<tr>
<td><strong>Maintained</strong></td>
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<tr>
<td>• Disaggregation of student subgroups</td>
<td>• Required public school choice and tutoring for low-performing schools</td>
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<tr>
<td>• State rating of schools</td>
<td>• Race to the Top</td>
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<tr>
<td>• Annual testing in math and language arts; grade-span testing in science</td>
<td>• Secretary of Education’s authority to issue conditional waivers</td>
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<tr>
<td>• Required period (no more than 4 years) for intervention in schools with low-performing population and subgroups</td>
<td>• 40 competitive and formula grant programs</td>
</tr>
<tr>
<td>• 95% participation rate required for state assessments</td>
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<tr>
<td>• State-determined academic standards</td>
<td></td>
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<tr>
<td>• Supplement, not supplant with flexibility for determining compliance</td>
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<tr>
<td>• Maintenance of effort</td>
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<tr>
<td>• 21st Century Learning Centers</td>
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</table>
Standards in ESSA

- The state must set “challenging state academic standards” in math, language arts, & science. State may set standards in other subjects.

- The state must demonstrate that standards are aligned with credit-bearing coursework in higher education & relevant career & technical education standards.

- Assures that the final result of academic standards reviews will not be influenced by any federal entity.
  - At least 19 states are currently or recently conducting these reviews.
High-Stakes Testing

Tests

One Federal Measure

AYP

State & Local Testing Layers

One-Size Fits-All Assess.

Label and Punish

No Child Left Behind
Assessment in ESSA

- Multiple Measures
- Mixed Delivery
- Innovative Assessment
- 95% Participation Rate
- HS Exam Substitute
- Testing Reduction Resources
- State Goals
- State School Ratings
- Annual Tests
Accountability in ESSA

- State must create accountability system with long-term goals, interim progress measures, & annual state/district report cards

- State must make annual determinations of student & school performance - for all students and subgroups (no super subgroups)
School Improvement - Then

School Improvement Grants

Corrective action
Restructuring

No Child Left Behind

Turnaround
Restart
Closure & Consolidation
Transformation

National Governors Association
School Improvement - Now

- **Comprehensive Support and Improvement:**
  - Lowest-performing 5% of Title I schools;
  - High schools with <67% graduation rates; and
  - Schools with underperforming subgroups

- **Targeted Support and Improvement:**
  - Schools with consistently underperforming subgroups

- **Choose your own “evidence based” school improvement strategy**

- **State and Local Resources:**
  - 7% Title I set-aside
  - Optional local 3% Title I set-aside
Teachers & Principals

- Eliminates federal requirement for educator evaluation systems with indicators prescribed by the U.S. Secretary of Education
- Title II - continues to support efforts to enhance teacher & principal quality
- Opportunity to strengthen the development and support of effective principals (optional 3% set-aside to enhance school leaders)
From Early Childhood to Workforce

- Preschool Development Grants for governors
- Early childhood education transitions to K-12
- Early childhood educator development
- Early Education & English language learners

- State education goals aligned with workforce development plan and state career and technical education initiatives
- Career and guidance counseling programs
- Industry-recognized credentials
- State plan alignment with Workforce Innovation and Opportunity Act
Governor’s Role

- **ESSA creates a role for governors in federal education policy by including provisions to:**
  - Require state education agencies to develop the state plan with governors;
  - Create a process for engagement of state education agencies with governors and their staff; and
  - Require opportunity for gubernatorial sign off on the ESSA state plan.

- **ESSA was completed due to collaboration and it will only succeed with collaboration**

- **Allows for gubernatorial collaboration with state education agencies while monitoring their capacity to implement ESSA**
What will the Department Do?

- Guidance and Dear Colleague Letters
- Peer Review
- Public Input
- Notice of Proposed Rulemaking

Areas to Watch
- Accountability
- School Improvement
- Assessment
Creativity & Innovation Over Compliance
Mandates Gone

• “Mother, May I” Waivers
• Common Core
• Adequate Yearly Progress
• Test-Based Accountability
• School Turnaround
• Highly Qualified Teacher
• Teacher Evaluation
Secretary Prohibitions

- Standards
- Assessments
- Weights of indicators in accountability systems
- Identify low-performing schools
- Fix low-performing schools
- Achievement goals and graduation rates
- Teacher evaluation systems
Strengthening the Education Pipeline
Collaboration to Ensure Every Student Succeeds
NGA’s Support of States

- NGA ESSA Implementation Task Force
- Assist governors with state plan development
- Help states navigate the political process around state legislative and regulatory actions re: ESSA
- Assist states working with the federal government on state-specific issues
- Working with congressional leaders to ensure the U.S. Department of Education adheres to congressional intent
- Assist with short-term policy (e.g. policy reviews, summit/coalition building, data retreats; cross-state learning opportunities; new tools)
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