Decoding The Every Student Succeeds Act (ESSA)

What you need to know about the new federal education law.

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About Whiteboard Advisors

Whiteboard Advisors is a multidisciplinary agency specializing in education regulatory analysis, business development, complex research, and communications for highly regulated markets like education and health and wellness.

Our team of policy wonks, geeks, and storytellers brings an unmatched understanding of the political and policy landscape to bear on organizational strategy.
Neurosis is the inability to tolerate ambiguity.

-Sigmund Freud

-Bill Daggett, PhD
ESSA ensures that "all children receive a high-quality education and close student achievement gaps." It focuses on learning, interpreting key terms, and allowable expenses across states and districts to improve conditions for learning. Fiscal flexibility allows for a broader interpretation of "allowable costs." States and districts are devolved policy decision making, and the Secretary is largely prohibited from influencing this. The "allowable uses" of funds are broader.

**Risks**
- Students: What is best for schools to focus on?
- Fiscal feasibility allows for a broader interpretation of allowable costs.

**Opportunities**
- A broader interpretation of "allowable costs" allows schools to focus on what is best for students.

A New ESEA Chapter
More opportunity for innovation - like competency based education and assessment programs.

OPPORTUNITIES
The ESSA allows schools and districts to explore new assessment models and new mastery learning models.

RISKS
Change requires advocacy and it can be difficult to change long standing practices and habits.

3. Rethinking assessments.
ESSA focuses on useful assessments, and assessment innovation at the state and local level.

4. Renewed Focus on evidence.
Using evidence to drive intervention and professional development.

1. New accountability framework.
New accountability models that reach beyond simple proficiency to growth, and other indicators.

2. Locally developed interventions.
Comprehensive support & improvement (CSI) and Targeted SI are coupled with an SEA 7% Title I reservation -- SIG.

A New ESEA Chapter

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Tight Timelines

ESSA Timelines

2016

2017
NCLB’s basic requirements carry over.

And accountability demonstration program.

ESSA allows up to 7 participating states to pilot a three-year assessment.

Innovative CBE Pilot.

COE or the state assessment.

Districts may use a locally selected, nationally recognized assessment in:

- Multiple state-wide interim assessments during the academic year.
- A single summative assessment;

Administered in:

At the state’s discretion, the assessments may be:

- ELA, Math, and Science, not less than one time in each of the three grade spans: 3-5, 6-9, and 10-12.
- M+ELA, 3-8, and at least once in grades 9-12.

Next Generation Assessments

ESSA begins to create new summative assessment options.
Each State that receives a grant shall receive an annual grant amount of not less than $1,500,000.

Each State shall reserve not less than 20 percent of the grant funds awarded to the State under this section to make subgrants to LEAs or consortia of such LEAs to examine:

- (A) The schedule of assessments
- (B) For each state assessment:
  - (i) The purpose for which the assessment is used;
  - (ii) The legal authority for the administration of the assessment;
- (C) Feedback on such system from stakeholders to make sure the exams are understood and useful
- (D) Feedback on the actual implementation of the assessments

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Next Generation Assessments
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<td>To what will our educators be held “accountable”?</td>
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- **Elementary and Middle Schools**
  - Academic Achievement Indicator (may include student growth)
  - Graduation Rate Indicator
  - Progress in Achieving English Language Proficiency Indicator(s)

- **High Schools**
  - Academic Progress Indicator (may include student growth)
  - Graduation Rate Indicator
  - Academic Achievement Indicator

Very different than NCLB.

To what will our educators be held “accountable”?
Take a closer look at „Indicator(s) of School Quality or Student Success”

ESSA requires that the indicators:

- Measure the performance of all students in all public schools, including public charter schools
- Allow for comparison between subgroups of students
- Demonstrate variation across schools in the state
- Are likely to increase graduation rates or academic achievement
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State working response:

Members of the Accountability Workgroup repeatedly identified the following school indicators:

- 8th/9th Grade on track (K-12 indicator)
- Chronic absenteeism and/or attendance (K-12 indicator)
- HS curricular measure AP/IB/dual/CTE (9-12 indicator)
- PreK-2 indicator (2 groups)
- 8th/9th Grade on track (K-12)

Broader Accountability

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- Demonstrate variation across schools in the state
- Allow for comparison between subgroups of students
- Include public charter schools
- Measure the performance of all students in all public schools, including public charter schools

Broader Accountability
How will states use all of these data?

**ESSA Requires:**

- Each State and LEA must report a school’s summative rating, as well performance on each indicator.
- Assign a comprehensive, summative rating for each school. Consistent with the requirement for indicators, each State must have at least 3 summative ratings for each school.
- Assign a comprehensive, summative rating for each school.
- The State will use this information to make meaningful differentiation amongst schools.

**State Working Response:**

"Illinois needs to develop an approach to meaningfully differentiate schools in order to provide parents and the public a sense of school quality. […]"

There was no clear agreement or consensus from stakeholders regarding the timeline for achieving interim and long term goals. "Illinois needs to develop an approach to meaningfully differentiate schools in order to provide parents and the public a sense of school quality. […]"
Once every 3 years beginning in 2017-2018, identify the lowest-performing 5% of all schools, and all public high schools failing to graduate 1/3 or more of students (a graduation rate of 67% or less). The state has a variety of ways to define the

in 2018-19, that meet the state definition annually beginning annually.

Every year, states notify districts of the subgroups

Targeted Support and Improvement

Comprehensive Support and Improvement

Locally Developed Interventions
State, district and stakeholders will develop a plan that:

- Is informed by all the indicators of the state accountability system;
- Includes evidence-based interventions;
- Is based on a school level needs assessment;
- Identifies resource inequalities, which may include a review of LEA and school level budgeting and program opportunities like AP, ed tech and more;
- Is approved and monitored by the district, the school, and the state; and
- Is approved by the state, district, school, and the state.

District, school, and stakeholders will develop a plan that:

- (Same points as above);
- Is approved and monitored by the district;
- Results in additional action after a number of years as determined by LEA and aligned with statewide exit criteria, which may include a review of intervention-based evidence-based interventions, which may include a review of LEA and school level budgeting and program opportunities like AP, ed tech and more;
- Is based on a school level needs assessment;
- Includes evidence-based interventions;
- Is informed by all the indicators of the state accountability system.

State, district and stakeholders will develop a plan that:

- CS1: Comprehensive Support and Improvement Plans
- TSI: Targeted Support and Improvement Plans

The interventions are left to negotiations with the state.

Locally Developed Interventions

Interventions

May get "promoted" to CS1.
Interventions

15

"Evidence-based." Otherwise in the

Better Interventions?

There are 4 tiers to the "evidence-based" requirement:

(I) strong evidence from at least 1 well designed and well-implemented experimental study; or

(II) moderate evidence from at least 1 well designed and well-implemented quasi-experimental study; or

(III) promising evidence from at least 1 well designed and well-implemented correlational study; or

(IV) demonstrates a rationale based on high quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; or

When used with respect to interventions or improvement activities or strategies funded by the State 7% set aside for CSL and TSI schools, the term "evidence-based" has to meet the requirements of (I), (II), or (III). Otherwise in the

The term "evidence-based" appears 58 times throughout ESSA. This term is used to
govern the use of funds and selection of activities and interventions throughoutNearly all major programs of the law.

Interventions
ED provides explicit guidance on the way the agency interprets "evidence based" interventions and practices.
Each district, as a condition of receiving Title I, provides a plan to ensure that all children receive high-quality education and to close the achievement gap(s). Key parts of the plan include:

- Developing and implementing a well-rounded program of instruction to meet the academic needs of all children.
- Identifying students who may be at risk for academic failure.
- Identifying and implementing instructional strategies intended to strengthen academic programs and improve school conditions.
- Identifying students who may be at risk for academic failure.
- Providing additional assistance to individual students the LEA or school determines need help in meeting the challenging academic standards.
- Developing and implementing a well-rounded program of instruction to meet the academic needs of all children.

New Plans, New Opportunities

Broader Allowable Uses

Each district, as a condition of receiving Title I, provides a plan to close the achievement gap(s). Key parts of the plan include:

- Identifying students who may be at risk for academic failure.
- Developing and implementing a well-rounded program of instruction to meet the academic needs of all children.
- Identifying and implementing instructional strategies intended to strengthen academic programs and improve school conditions.
- Identifying students who may be at risk for academic failure.
- Providing additional assistance to individual students the LEA or school determines need help in meeting the challenging academic standards.
- Developing and implementing a well-rounded program of instruction to meet the academic needs of all children.

Districts will have to merge their own new accountability plans into the state framework.
<table>
<thead>
<tr>
<th>Academic Failure</th>
<th>Instructional Strategies</th>
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<tbody>
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<td>Well rounded education is to provide an enriched curriculum and education experiences to all students.</td>
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<tr>
<td>The purpose of a well-rounded education is to provide an enriched curriculum and education experiences to all students.</td>
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### Old Approaches

- Science, technology, engineering, and mathematics
- Music and arts
- Foreign language instruction
- Accelerated learning programs
- High school redesign with dual or concurrent enrollment and early college high schools
- Civics instruction
- College and career counseling
- Social emotional learning (SEL)

### New Opportunities

- Early warning interventions
- Preventative actions
- Wrap around social services
- Identifying students who may be at risk of academic failure
- For education experiences to all students.

Once the needs have been identified, stakeholders should select relevant evidence-based activities, when evidence is available, that will have the likelihood of working in the local context. This begs questions about evidence and context.

<table>
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<th>Usable Broader Allowable Uses</th>
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Professional Development includes activities that are:

(A) an integral part of school and local educational agency strategies for providing educators with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging State academic standards; and

(B) are sustained (not stand-alone, 1-day or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.

NOTE: ESSA eliminates NCLB’s definition of “core academic subjects,” expanding the allowable use of Title II funds for professional development.

Professional Development includes activities that are:

ESSA provides a new definition of professional development.

Evidence for PD is higher
ED provides a suggested PD framework:

1. Identify local needs
2. The evidence base and the local identified local needs align with chosen interventions
3. Selecting a strategy, the evidence base and the local capacity are considered when selecting a strategy;
4. There is a robust implementation plan;
5. Information is gathered regularly to examine the strategy and to reflect on and inform next steps.

The Expectation for PD is higher because:

- Title II, Part A interventions are more likely to result in sustained, improved outcomes for students if:
  1. Chosen interventions align with identified local needs
  2. There is a robust implementation plan
  3. The evidence base and the local identified local needs align with chosen interventions
  4. There is a robust implementation plan
  5. Information is gathered regularly to examine the strategy and to reflect on and inform next steps.
Title II funding structure sends most of the funds to districts

The Expectation for PD is higher
New SNS: Districts will now have to demonstrate that the methodology used to allocate state and local funds to each school ensures that the school receives all of the state and local funds it would otherwise receive if it were not receiving assistance under this part. In other words, the method of distributing state and local funds must ensure that schools get their due of state and local funds, whereas Title I fiscal rules, SNS and Schoolwide in particular, are different.

Fiscal Flexibility

Broader Spending Discretion
includes a review of LEA and school level budgeting.

CSI schools must identify resource inequalities, which may

Comprehensive Support and Improvement:

in the state for the preceding fiscal year:

disaggregated by source of funds for each LEA and each school

includes the per pupil expenditure of Federal, State and local funds,

includes the per pupil expenditure of Federal State, and local

includes:

State and district report card minimum requirements

transparency

There is a subtle but important move toward fiscal

Broader Spending Discretion, but...
All LEAs are authorized to receive at least $10,000. Does the LEA get more than $30,000?

YES

NO

Does the LEA get at least $10,000 authorized to receive?

YES

NO

The district is only required to provide an assurance of one category under the 20/20/60 allocation:

* At least 20% towards well-rounded educational programs;
* At least 20% towards safety;
* Up to 60% to support the effective use of tech.

Title IV Block Grant

Local Program Control
ED’s Title IV framework provides a recommended approach. Title IV activities are more likely to result in sustained, improved outcomes for students if:

1. Chosen interventions align with identified local needs;
2. Identified local needs are considered when selecting a strategy;
3. There is a robust implementation plan;
4. Adequate resources are provided so the implementation is well-supported;
5. Information is gathered and used regularly to examine the strategy and to reflect on how it can be improved.

Evidence Title IV Block Grant
At least 20% towards well-rounded educational programs; at least 20% toward safety & health; and up to 60% to support the effective use of tech.

What will be the key enforcement lever going forward? Equity.

ED is not just relying on ESSA compliance. The stakes are higher. Whether a school and district is faithfully carrying out the law will be a civil rights matter. ED has even made this point directly in the proposed rules for the law’s funding requirements. "The ESEA was first passed in 1965 to address enormous inequities in educational opportunities provided to low income students and children of color,” the Secretary King writes. "It became law around the same time as the Civil Rights Act and the Voting Rights Act of 1965 to address enormous inequities in educational opportunities provided to low income students and children of color. "The ESEA was intended to reduce and ultimately eliminate disparities in educational quality."
LEARN invests in improving state literacy instruction plans and distributes funding across the learning spectrum for students in LEAs in high needs schools.

The state has to provide not less than 15% for birth-Kindergarten grants, not less than 40% for K-5 grants, and not less than 40% for grades 6-12 grants. It does not prescribe what has to happen, but only that the programs must be:

- "evidence-based"
- "high-quality, comprehensive literacy instruction," which the law defines:

Please note: This is NOT Reading First (2006). Remember this OIG report?

Opportunity to focus on reading instruction:

http://www2.ed.gov/about/offices/list/oig/aireports/i13f0017.pdf

LEARN & "Comprehensive Literacy Instruction"

LEARN invests in improving state literacy instruction and ensures "evidence-based" and high-quality "comprehensive literacy instruction," which the law defines.

Opportunity to focus on reading instruction:

http://www2.ed.gov/about/offices/list/oig/aireports/i13f0017.pdf
Opportunity to invest in Early Learning

- Preschool Development Grant, $250M. This is about planning and coordination of services.
- Explicit references to the inclusion of early learning and the use of title funding for early learning programs.
- Report Cards must include: “the number and percentage of students enrolled in preschool programs;”
- Provider plans shall describe, if applicable, how the local educational agency will support, coordinate, and integrate services provided under this part with early childhood education programs.
- If an LEA uses Title I, it must ensure that such services comply with the performance standards established under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)).
- May use Title II funds to help teachers and principals to meet the needs of preschool students as they transition to elementary.
- Explicit references to the inclusion of early learning and the use of title II funds, $250M. This is about planning and coordination of services.

Small Investment and lots of encouragement
New Era in School Management

Focus on a well-rounded education.

Localized control for interventions and improvements that are evidence based.

Data, information management, transparency, fiscal flexibility +

Localization, evidence-based interventions.