

What is ESSA? How is it different from No Child Left Behind?

The Every Student Succeeds Act (ESSA) was signed into law in December of 2015. It reauthorizes ESEA, the Elementary and Secondary Education Act of 1965, last reauthorized in 2002 as No Child Left Behind (NCLB). This act governs major federal programs for K-12 education, particularly Title I and its federal grants for schools serving large numbers of disadvantaged students.

NCLB included an unworkable measure of how schools and students were performing based on a single measurement (AYP, Adequate Yearly Progress) that took into account student test scores in reading and math as well as high school graduation rates. The law required 100 percent of students to be proficient in reading and math by 2014. It also included an inflexible series of interventions in schools if they did not make AYP. Eventually states were able to seek waivers from provisions of the law, but these waivers came with their own requirements, notably teacher evaluation based in part on multiple measures of student achievement. ESSA, on the other hand:

- highlights stakeholder engagement
- has strong limitations on secretarial/federal authority
- includes a new approach for accountability, as detailed below



State Accountability Systems under ESSA

States can design systems with multiple measures of how well students and subgroups of students are doing. There are federally required indicators of school and student performance; however, states have some choice on the indicators and the weight they have, and can add additional indicators. The required indicators are:

- academic achievement as measured by proficiency on annual assessments
- another measure of academic achievement (for schools other than high schools)
- the graduation rate (for high schools)
- progress of English Language Learners
- a measure of school quality and student success chosen by the state.

Testing

ESSA continues NCLB's schedule of federally required statewide assessments in reading, math and science; however, as noted above, ESSA allows the use of other measures of school performance. 95% of students must be tested in each subject; however, the participation rate is not one of the individual indicators in the accountability system. Alternative tests can be given to students with the most severe cognitive disabilities, but only 1 percent of students can be tested using these tests. States can use federal assessment funding to audit their assessment system to look at the issue of over testing. States can choose to administer the statewide assessment as a single test or break them into smaller parts given throughout the year as interim assessments. Assessments may be partially delivered in the form of portfolios, projects or extended performance tasks. ESSA provides some other options states may choose to pursue:

- Eighth-grade math students taking a higher level math class can take an end-of-course exam instead of the statewide assessment.
- States can allow Local Education Agencies (LEAs) to use a nationally recognized high-school assessment (such as the SAT or ACT) instead of the statewide assessment.
- States can apply to be part of the innovative assessment pilot to allow innovative assessments to be used in some districts or schools and eventually be scaled up statewide. That is an option initially for only seven states only, which will be chosen by U.S. Department of Education.

School Improvement

Schools must be identified as needing improvement if they fall into one of the following categories:

- schools in the bottom 5 percent in the state, as measured by the indicators
- any high school failing to graduate one-third or more of its students
- any school in which a subgroup of students (economically disadvantaged, members of major racial and ethnic groups, children with disabilities and English language learners) is chronically underperforming.

What Federal Resources Do States Have to Assist Low-Performing Schools under ESSA?

States can set aside 7 percent of Title I grants for LEAs for school improvement activities. They also have the new Student Support and Academic Enrichment grants, formula funding that could be used for three broad purposes: to provide all students with access to a well-rounded education; improve school conditions; and improve the use of technology to improve the academic achievement and digital literacy of all students. This grant program is currently authorized at \$1.6 billion; Congress will have to appropriate the money in the federal budget.

What Provisions of ESSA Can Help States Support Teachers?

The bill continues the Title II programs providing support to the teaching profession and changes the funding formula for grants to states so that the level of poverty in a state is a larger factor in the allocation. States can choose to reserve up to 3 percent of this funding to improve the principal pipeline. Title II also includes competitive funding that can be allocated for a variety of purposes, including efforts to support recruiting and retaining effective principals.

What's in the Bill for Students and the People that Support Them (Parents and Community Members)?

ESSA reauthorizes a number of programs that support children. These include parent engagement efforts and programs to support rural education, English language learners and Native American children. Some of these are competitive grant programs or have competitive components. There are provisions to ensure the continuity of education for foster children, and reauthorization of the McKinney-Vento Act, which provides services for homeless children and youth. The 21st Century Community Learning Centers provide opportunities for academic enrichment and needed services. They offer families of students served by community learning centers opportunities for active and meaningful engagement in their child's education, including literacy and related educational development. ESSA continues federal programs to support charter schools and magnet schools.

NEXT STEPS

Timeline for State Plans and Implementation

The U.S. Department of Education continues to issue guidance and proposed regulations on the new law. Regulating began with a negotiated rulemaking process in March and April of 2016 that resulted in a proposed rule on assessments, and in May, it released proposed rules on accountability systems, state plans and consultation. State education agencies have to develop their Title I or consolidated state plans with consultation from stakeholders before submitting the plans to the U.S. Department of Education. ESSA plans can either be submitted in March or July of 2017. ESSA will be fully in effect for the 2017-18 school year.

FOR MORE INFORMATION, CONTACT:

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