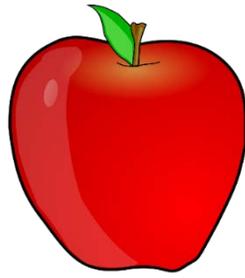


ABC



$$x = \frac{-b \pm \sqrt{b^2 - 4ac}}{2a}$$

# The Every Student Succeeds Act:

## A Briefing for North Dakota

---

Lee Posey  
State-Federal Relations Division  
National Conference of State Legislatures

Meet ESSA,  
the Every Student Succeeds Act

---

# THE WALL STREET JOURNAL.

“...the largest devolution of federal control  
to the states in a quarter century.”

## So...what's in the bill for states?

---

- Provision for stakeholder consultation
- Prohibitions on Secretarial/federal authority
- New approach for accountability
  - ❖ No more AYP!

# Implementation Timeline

---

- Negotiated rulemaking sessions on assessments and “supplement, not supplant” in March and April; proposed rules on assessments published with comments due September 9
- Proposed rules on state plans and accountability systems published; comments due August 1
- Current ESEA flexibility waivers end as of 8/1/2016
- Full implementation in the 2017-2018 school year

# Increased state responsibility for:

---

- Accountability
- Assessments
- Turning around low-performing schools and focusing on the performance of struggling students

# Teacher/Leader Policy

---

- Waiver requirement for teacher evaluation based on student growth as a significant factor goes away
- Teacher equity plans still required
- Options to use Title II to support school leaders

# State Accountability Systems

---

- Required indicators
  - Academic Achievement—measured by proficiency on annual assessments; for high schools states may also include a student growth measure
  - Academic Progress—for elementary and secondary schools that aren't high schools
  - Progress in Achieving English Language Proficiency
  - School Quality or Student Success
  - Graduation Rate—for high schools
- Academic measures must weigh more heavily than other indicators; test participation must be incorporated into the accountability system

# Provisions Regarding Subgroups of Students

---

- States must continue to disaggregate data by student subgroup at the state, LEA, and school level and set goals for the subgroups
- State accountability systems must identify any school in which a subgroup of students is consistently underperforming for targeted support and improvement.
  - Economically disadvantaged students
  - Students from major racial and ethnic groups
  - Children with disabilities
  - English learners

# Which schools require intervention?

---

- Schools that are in the bottom five percent
- Any high school failing to graduate  $\frac{1}{3}$  or more of its students
- Any school in which a subgroup of students is consistently underperforming

# Assessments:

## What didn't change from No Child Left Behind

---

- NCLB schedule of required statewide assessments
- Emphasis on every child being tested
  - 95% participation rate
  - If a parent opts a child out, no provision to remove the child from the calculation of the rate

# Assessments:

## New role, some flexibility

---

- Statewide assessments are one indicator in a multi-indicator system
- States can use federal assessment funds to audit their assessments
- General flexibility
  - Multiple measures of student achievement (may measure growth, may be delivered in the form of portfolios, projects, or extended performance tasks)
  - Use single summative or interim assessments resulting in a single summative score

# Assessments: Options

---

- Use of a locally selected, state approved “nationally recognized” high school assessment
- Exception for advanced math in the 8<sup>th</sup> grade
- Innovative assessment pilot (not part of negotiated rulemaking)

# Assessments: Innovative Assessment Flexibility Pilot

---

- Initially seven states (including consortium option)
- Waiting for additional information from U.S. ED
- Assessments can be administered by a subset of LEAs—but intent is to scale up to statewide use

# Assessments: Inclusion and Accommodations

---

- Alternate assessments for students with the most significant cognitive disabilities
  - Cap... states can only give these to 1% of students in a given subject
  - Individual districts can exceed the cap
  - States can get a waiver from the 1% requirement
  - No federal definition of “most significant cognitive disabilities,” but federal parameters
- Tests for English Language Learners
  - In general, a state must assess ELLs with “appropriate” accommodations
  - Assessments must be in the language most likely to yield accurate, reliable information about what the student knows and can do
  - Students must be assessed in reading/language arts in English if they have been in the U.S. for three years (and for two more years on a case by case basis)

# What kind of assistance do states have generally for school and student support?

---

- Title I funding set aside (7%) to be used for school improvement (instead of the NCLB School Improvement Grants)
- New Student Support and Academic Enrichment grants, broad uses

# New Student Support and Academic Enrichment (SSAE) Grants

---

- Purposes
  - Provide all students with access to a well-rounded education;
  - Improve school conditions for student learning; and
  - Improve the use of technology in order to improve the academic achievement and digital literacy of all students
- Funding for North Dakota if fully funded
  - Estimated to receive \$8,003,000 (source: FFIS)

# Other Title I Issues

---

- Portability...not in the bill, but there's a weighted student funding pilot that could allow some districts to experiment
- No formula change, but will study
- Accountability provisions for English Language Learners moved to Title I (previously Title III)

# Title II Changes

---

- Formula for Part A (Supporting Effective Instruction) grants amended
  - Gradual shift from 65% based on share of children in poverty and 35% based on share of children overall to 80% based on share in poverty and 20% overall by FY 2020
  - Gradually eliminates hold harmless allotment (by FY 2023)
- North Dakota
  - Estimated impact of formula, hold harmless change from FY 2017 to FY 2023
    - Increase of 4.3%
    - From \$10,833,000 in FY 2015 (actual) to \$ 11,303,000 in FY 2023 (estimated)

# Early Education Provisions

---

- Preschool development grants-- \$250 million
- Literacy grants allowable use
- Other permissive uses of funding for early education

# QUESTIONS? COMMENTS?

Lee Posey  
Federal Affairs Counsel  
202-624-8196  
[lee.posey@ncsl.org](mailto:lee.posey@ncsl.org)

Ben Schaefer  
Policy Specialist  
202-624-8667  
[ben.schaefer@ncsl.org](mailto:ben.schaefer@ncsl.org)

Visit the NCSL website at:  
[www.ncsl.org/essa](http://www.ncsl.org/essa)

