

Every Student Succeeds Act (ESSA) Summary

On Dec. 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA), a long-awaited overhaul of federal education law. Passed with bipartisan support, ESSA represents a shift from broad federal oversight of primary and secondary education to greater flexibility and decision making at the state and local levels. The law replaces the No Child Left Behind Act.

The list below outlines some, but not all, of the work and activities supported by ESSA.

OVERVIEW

- ESSA replaces NCLB and reauthorizes the Elementary and Secondary Education Act for fiscal years 2017-2020.
- Provides greater flexibility and decision making to the states.
- Current ESEA waivers expire Aug. 1, 2016; states must continue to support identified priority and focus schools through the transition period.
- Full implementation begins July 1, 2017.

CONTENT STANDARDS

- Requires “challenging” English language arts and mathematics standards aligned to credit-bearing, remediation-free coursework in state university system.
- Requires at least three performance levels.
- Specifically prohibits the U.S. Department of Education from mandating or incentivizing states to adopt or maintain a specific set of standards.

ASSESSMENTS

- Retains current testing requirements by grade level and subject area: mathematics and English language arts in grades 3-8 and once in high school; science once each in the elementary, middle and high school grades.
- Maintains the requirement for results disaggregated by student subgroups.
- Permits use of national assessments such as ACT or SAT for high school testing.
- Permits adaptive testing.
- Permits out-of-level testing for high school mathematics in eighth grade.
- Maintains the requirement that 95 percent of students participate in state assessments; states must factor participation in their report cards.

ACCOUNTABILITY/REPORT CARDS

- Requires states to submit (for U.S. Department of Education approval) accountability plans to take effect beginning with the 2017-2018 school year.
- Report cards must “meaningfully differentiate” school performance.
- Report cards must contain at least four measures including achievement, graduation and at least one other measure, which may be a “growth” measure.
- Requires measures be disaggregated by subgroup; prohibits use of “super subgroups.”
- Replaces AYP with state-defined measures.
- Requires at least one non-academic measure of quality disaggregated by subgroup (i.e. college readiness, student engagement, access to advanced coursework).

- Academic measures must be weighted more heavily than nonacademic measures.
- Requires short- and long-term goals to close achievement and graduation gaps.

ENGLISH LANGUAGE LEARNERS

- Moves accountability from Title III to Title I for English language learner students.
- Retains states' inclusion of English language learners' test scores after being in the U.S. one year.
- Permits, but does not require, states to include English language learners' scores for the first year in the U.S. in schools' ratings; requires English language learner students to take both English language arts and mathematics assessments.
- Requires a measure of growth for English language learner students in year two in the U.S. and beyond.
- Beginning with the third year in the U.S., English language learner students' scores are treated the same as other students.
- States must establish standardized, statewide entrance and exit procedures for English language learner identification and services.

EARLY CHILDHOOD

- Creates a preschool development grant program; competitive grants ensure quality preschool programs are accessible and aligned to kindergarten readiness.
- Early childhood programs are eligible for literacy funding.

SCHOOL IMPROVEMENT – STATE REQUIREMENTS

- States must identify schools for “comprehensive support and improvement” and annually notify districts which schools require “targeted support and improvement.”
- At a minimum, states must identify schools in the lowest 5 percent of performance, high schools with graduation rates below 67 percent and those schools with persistently poor performance by subgroups at least every three years.
- States must annually notify districts when one or more subgroup is consistently underperforming.
- States must establish exit criteria for identified schools.
- SIG grants are eliminated; states may set aside up to 7 percent of Title I, Part A funding for school improvement.

SCHOOL IMPROVEMENT – DISTRICT REQUIREMENTS

- Develop comprehensive support and improvement plans for identified schools; plans must be approved by the school, district and state.
- Engage stakeholders in the planning process.
- Requires that district plans address a “well-rounded” program of instruction.
- Requires districts to explain how they will provide programs for homeless students and programs outside of school for neglected or delinquent children.
- Support and improvement plans must be evidence-based, based on school-level needs assessments and address resource inequalities.
- Districts are responsible for monitoring all interventions.
- Schools that primarily serve students who have dropped out of school or are at-risk of dropping out may be allowed differentiated improvement activities.
- Districts may provide students with the option to transfer to another public school, including paying for student transportation costs (up to 5 percent of their Title I allocations).
- Districts whose schools do not demonstrate significant improvement after a period of time (not to exceed four years) may be subject to more rigorous, state-determined actions.

TEACHER QUALITY

- Requirement for teacher and principal Highly Qualified Teacher status is eliminated.
- Federal requirement for educator evaluations is eliminated; however, states must implement equity plans to ensure economically disadvantaged and minority students are not disproportionately served by ineffective, out-of-field or inexperienced teachers, principals and other school leaders.
- States must develop and report measures of equitable access.
- Districts must notify parents of their rights to request and receive information regarding the professional qualifications of their children's classroom teachers.

DISTRICT INVOLVEMENT IN DECISION MAKING

- Specifically limits federal intrusion in local school administration, including the development of budgets.
- Requires local school board input in federal rulemaking in key areas such as testing and accountability.
- For some ESSA provisions, the U.S. Department of Education will use the "negotiated rulemaking" process, which can include local school board representation.

TITLE PROGRAM FUNDING

- Title I: Schools with less than 40 percent poverty may operate schoolwide programs with state waiver.
- Title II: Revises the state grant formula to reflect greater support for states with higher numbers of students in poverty.
- Title II: National activities funded by reservation rather than by separate appropriation include:
 - Teacher and School leader Intervention Fund;
 - Literacy Education for All;
 - Results for the Nation (LEARN);
 - American History and Civics Education;
 - Supporting Effective Educator Engagement;
 - School Leader Recruitment and Support;
 - Technical Assistance and National Evaluation;
 - STEM Master Teacher Corps.
- Title II: Permits greater flexibility in funds for professional development, capacity building (including differential pay systems for high-need subjects), induction and mentoring programs. Provides greater flexibility in the use of funds to include library/media, early childhood, arts, STEM and gifted instruction.
- Title III: Maintains formula grants to states.
- Title IV: Authorizes State Supports and Academic Achievement Grants in which grants receive formula grants and allocate 95 percent to districts to better serve disadvantaged students.
- Continues separate authorization for programs including:
 - Education Innovation and Research;
 - Community Support for School Success;
 - School Safety and Academic Enrichment.
- Authorizes 21st Century Community Learning Centers as a separate, stand-alone program.
- Maintains public charter schools as a separate program with changes to accountability.

OTHER PROVISIONS

- Includes provisions designed to address barriers to achievement for students in foster care.
- Includes provisions to improve opportunities and outcomes for students involved in the juvenile justice system.
- Creates the Weighted Student Funding Pilot for districts, which would allow districts to consolidate federal, state and local dollars for purposes of setting up a weighted per-pupil funding system.
- Maintains the requirement that federal funds be used to "supplement, not supplant."
- Continues the "maintenance of effort" requirement.
- Creates Innovative Assessment Pilot and Competency-Based Pilot programs.