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Our Students. Their Moment.

**Development of New York's
Every Student Succeeds Act (ESSA)
State Plan**

**Presented to the Board of Regents
December 12, 2016**

Full Board Presentation Agenda

Today's discussion will focus on the issuance of USDE final ESSA rules related to accountability; data reporting, including new fiscal transparency requirements; state plans; assessments; and the Department's draft High Concept Ideas related to standards and assessments.

1. Commissioner Elia 15 minutes
2. Scott Marion, National Center for the Improvement of Education Assessment 30 minutes
3. Board of Regents Discussion 45 minutes

Today's Discussion

- In advance of the meeting, members of the Board of Regents were provided with:
 - ESSA State Plan Timeline
 - Status of Commissioner's Recommendations in Every Student Succeeds Act (ESSA) Rulemaking
 - ESSA – Accountability, State Plans, and Data Reporting: Summary of Final Regulations
 - State Template for the Consolidated State Plan Under the Every Student Succeeds Act
 - CCSSO - Financial Transparency
 - Proposed “High Concept Idea” Summaries, Challenging Academic Standards and Assessments

Overview of ESSA Rulemaking

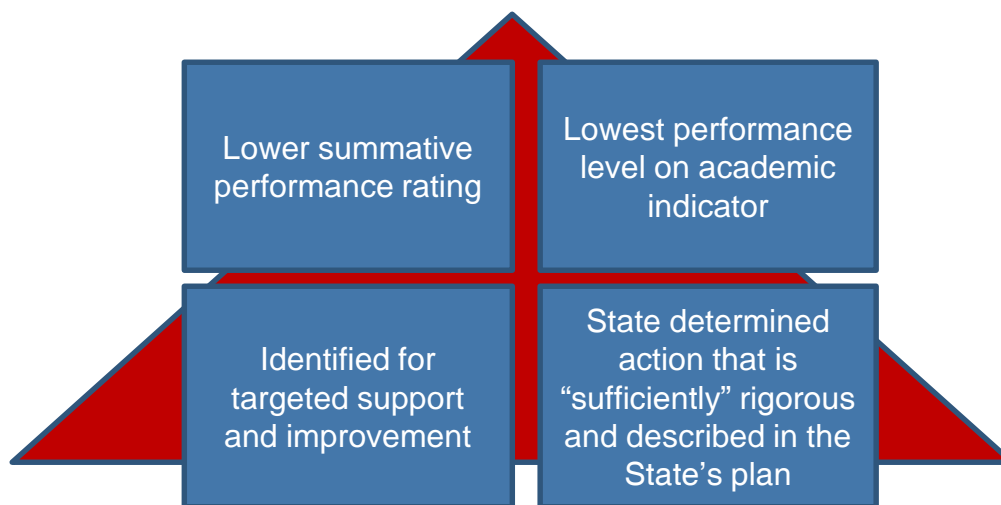
- The USDE officially published the final rule related to accountability, data reporting, and state plans in the Federal Register on November 29, 2016. The rule is effective on **January 28, 2017**.
- The rule covers accountability provisions included in Title I and consolidated state plan requirements of ESEA.
- With a few notable exceptions, the final rule follows the same structure as the Draft Rulemaking.
- On Wednesday, December 7, the United States Department of Education issued final rulemaking on assessments and the Innovative Assessment Demonstration Authority. The rule is effective on **January 9, 2017**.
- Final rulemaking related to supplement not supplant has not yet been issued.

Major Changes: Draft Rulemaking versus Final Rulemaking

Issue	Draft Rulemaking	Final Rulemaking
Identification Start Date	States start identification of schools using new accountability system requirements before the start of the 2017-2018 school year.	States start identification of schools using new accountability system requirements before the start of the 2018-2019 school year.
Plan Submission Dates	Two windows for submission –March 6, 2017 and July 5, 2017.	Two submission windows maintained with delayed dates –April 3, 2017 and September 18, 2017.
Academic Achievement and 5 th Indicator	States required to select indicators that are supported by research that shows connection to student achievement.	Expands draft rulemaking requirement to include research showing student learning, such as grades, advance coursework, persistence, etc.
95% Assessment Participation	State option must be as “equally” rigorous as USDE options specified in the rulemaking.	State option must be “sufficiently rigorous” to improve student participation and meet participation requirements.
School Improvement minimum grant amounts	States required to make grants of \$500,000 to comprehensive support schools and \$50,000 to targeted support schools.	States permitted to adjust grant sizes based on school’s size, identified needs, and selected interventions.

Test Participation

- States may use one of four methods to respond to test participation rates that fall below the 95 percent threshold:



- Schools not meeting the 95 percent participation requirement are required to develop an improvement plan that is approved and monitored by the local educational agency.
- Any students in an accountability group in excess of five percent who do not participate in a State ELA or math assessment must be considered non-proficient for accountability purposes.

Identification

Timing

- Identification under new accountability structure must take place for the 2018-19 school year, based data available in 2016-17 and 2017-18 school years.
- Identification of chronically low-performing subgroups does not have to take place until 2019-20 school year.

Comprehensive Support and Improvement

- Data can be averaged over a period of up to 3 years.
- Identification must take place at least once every 3 years.
- Requires that states use four-year adjusted cohort graduation rate (excludes use of extended year graduation rate) when identifying schools for graduation rate.

State Report Cards



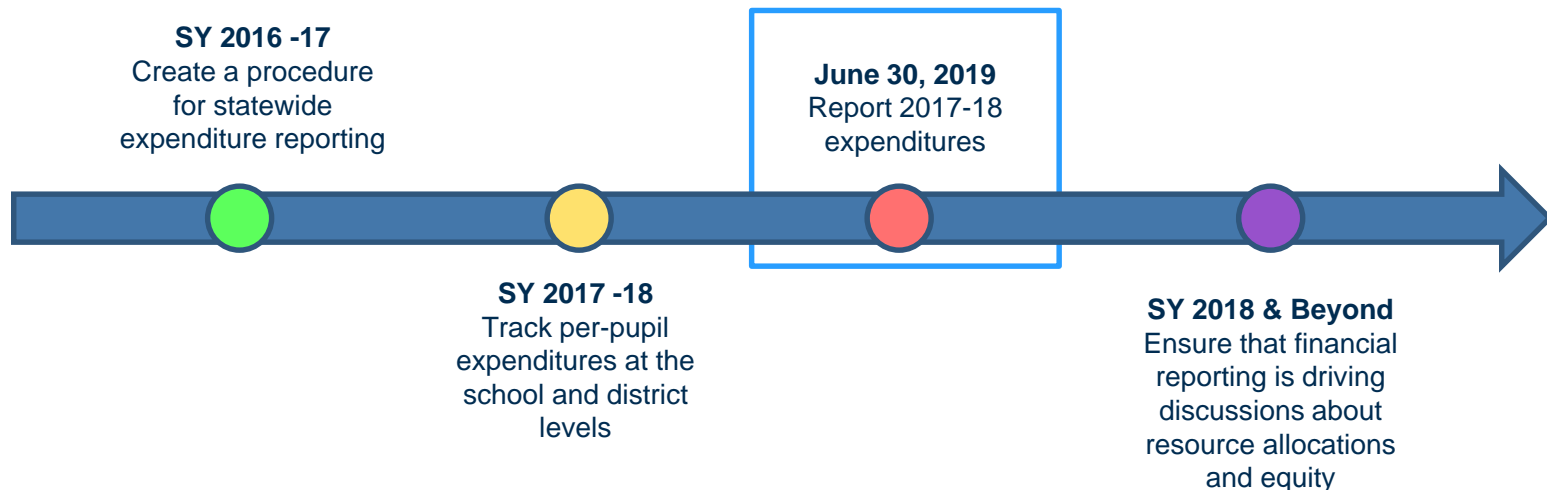
- Regulation provides “data dashboard” as one example of how to report data.
- In addition to the reporting requirements included in the statute, states must also include, for each authorized public chartering agency in the state:
 - The percentage of students in each subgroup in each charter school, compared to the percentage in the LEA from which the school draws a significant portion of its students;
 - Academic achievement for each charter school, compared with the achievement in the LEA.
- State report cards must be disseminated by December 31 of each year; however per pupil expenditure data need not be released until June 30.
- Student achievement data must be presented in two ways:
 - Based on a denominator of either 95 percent of students who are required to be tested or the number of students actually assessed, whichever is larger; and
 - Based on the number of students with a valid test score.
- States must report postsecondary enrollment data by high school if obtaining it. If states are not collecting and reporting this data, they must say when they will start reporting.

Requirements and Opportunities in ESSA's Per Pupil Expenditure Requirements

- Title I Part E of ESSA requires states to make public and report to the Secretary the per-pupil expenditures for each LEA and school in the state for the preceding fiscal year.
- The reporting must be disaggregated by source of fund expenditure (federal, state, and local).
- Per pupil expenditures include, but are not limited to, expenditures for administration, instruction, instructional support, student support services, pupil transportation services, operation and maintenance of plant, fixed charges, preschool, and net expenditures to cover deficits for food services and student body activities.
- While the State Education Department currently collects some of this data, or similar data, at the district level through State Aid fiscal data collections processes such as the ST-3, the Department's collection pertains to revenue source, not expenditure of such funds.
- The Department does not currently collect this data at the school level.

Requirements and Opportunities in ESSA's Per Pupil Expenditure Requirements

The 2017-18 school year will be the first year of reporting for this new requirement with reporting deadlines of December 31, 2018 for academics and June 30, 2019 for fiscal.



ESSA Think Tank Workgroup

Challenging Standards and Assessments

Challenging Standards and Assessments Workgroup

Key High Concept Idea Themes:

- Identifying and providing the most appropriate assessments and testing conditions for the diverse population of students in New York State.
- Improving and supporting the value of standardized assessments.

Challenging Standards and Assessments Workgroup

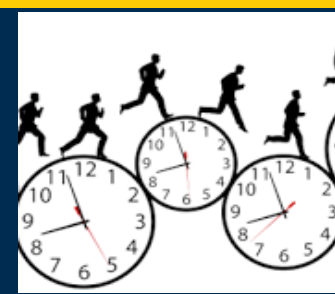
- High Concept Idea Needing Further Refinement:
Participation in State Assessments: To ensure all schools are provided with accurate measurement of their students' academic proficiencies, New York proposes to determine a State-designed action that will lead to improvement in the participation rate of schools that do not test 95 percent of their students (as opposed to an action designed by USDE).
- Concerns Raised:
 - Opposition to law's requirement for holding schools accountable for parental decisions regarding participation.
 - Need to differentiate between parental decisions as opposed to school staff actions.
 - Lack of clarity about what the state alternative would be and the way in which it would meet the equally rigorous (now sufficiently rigorous) requirement.

Challenging Standards and Assessments Workgroup

Key issues still being discussed:

- Increasing accommodations for Students with Disabilities and English Language Learners.
- Encouraging development and implementation of new types of assessments.
- Reconciling workgroup recommendations with ESSA and final regulations.

ESSA State Plan Timeline – December 2016 – April 2017

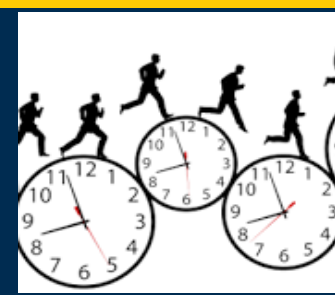


Timeline for Submission of ESSA Plan to USDE in September 2017

Activity	Date
December 2016 Board of Regents Meeting – Staff will present ESSA High Concept Ideas.	December 12 - 13, 2016
Field Survey on Measures of School Quality and Student Success.	December 2016/ January 2017
January and February 2017 Board of Regents Meeting – Staff will continue presenting ESSA High Concept Ideas.	January 9 - 10, 2017 February 13 – 14, 2017
Public Engagement – Survey and Regional Meetings Conducted.	February/March 2017 (TBD)
March to April Board of Regents Meetings – Continued discussion of ESSA plan.	March-April 2017

Please note: Timeline may change based on new presidential administration.

ESSA State Plan Timeline – April 2017 – July 2017



Timeline for Submission of ESSA Plan to USDE in September 2017

Activity	Date
May 2017 Board of Regents Meeting – Staff will present draft plan and seek permission to release for public comment.	May 8 - 9, 2017
The Department will release the draft plan for public comment.	May 10 – June 9, 2017
Proposed weeks for Public Hearings on Draft Plan. Regional staff will gather public comments on the draft plan.	May 17 – June 9, 2017
July 2017 Board of Regents Meeting – Staff will present any changes to the draft plan based on public comment, and request permission to send revised draft state plan to Governor.	July 17 - 18, 2017

Please note: Timeline may change based on new presidential administration.

ESSA State Plan Timeline – July 2017 – September 2017



Timeline for Submission of ESSA Plan to USDE in September 2017

Activity	Date
Application with Governor for 30 days.	July 19 – August 18, 2017
September 2017 Board of Regents Meeting – Staff will seek approval to submit final state plan to USDE.	September 11 - 12, 2017
Deadline to submit ESSA State Plan to USDE.	September 18, 2017

Please note: Timeline may change based on new presidential administration.

Part II of Today's Presentation

- Scott Marion, Executive Director, National Center for the Improvement of Educational Assessment will present on: Opportunities and Challenges in the Design of ESSA Accountability Systems.
- Center staff have thought long and deeply on issues related to assessment and accountability and has in the past assisted New York regarding issues related to No Child Left Behind accountability, including making presentations to the Board of Regents.