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Our Students. Their Moment.

**Elementary and Secondary Education Act
(ESEA) Reauthorization/Every Student
Succeeds Act (ESSA)**

Presented to the

Members of the Board of Regents

May 16, 2016

Background Information

- The ESEA was last reauthorized in 2001 as the No Child Left Behind Act.
- A Joint House-Senate Conference Committee reported out the “Every Student Succeeds Act” (ESSA) to both houses on November 30, 2015.
- December 2, 2015: The ESSA was passed by the US House of Representatives.
- December 9, 2015: The ESSA was passed by the US Senate.
- December 10, 2015: President Obama signed the bill into law.
- December 2015 and January 2016: United States Department of Education (USDE) issued “Dear Colleague” letters.
- February 2016: USDE issued ESSA Transition FAQ.
- March and April 2016: USDE conducted negotiated rulemaking sessions on supplement not supplant and standards and assessments.

Major Programs Funded Through ESSA

Title IA: Funding for Schoolwide Programs and Targeted Assistance Schools	Title IV: 21st Century Schools, Charter Schools, Magnet Schools, Family Engagement, Education Innovation and Research, Promise Neighborhoods, School Safety, and Academic Enrichment
Title IB: State Assessment Grants	Title V: Rural Schools
Title IC: Education of Migratory Children	Title VI: Indian, Native Hawaiian, and Alaska Native Education
Title II: Preparing, Training and Recruiting High Quality Teachers, Principals and Other School Leaders	Title VII: Impact Aid
Title III: Language Instruction English Learners and Immigrant Students	Title IX: Homeless Children and Youth

The BIG Picture

- Some provisions of No Child Left Behind (NCLB) and/or of the ESEA flexibility waiver, especially as related to assessment and reporting requirements, are maintained.
- There are areas where states now have significantly more flexibility than under NCLB or the ESEA flexibility waiver, particularly in terms of standards, accountability, and educator evaluation systems.
- The Secretary's authority to issue regulations and non-regulatory guidance in order to interpret the provisions of the statute have been significantly circumscribed.
- More funding is now distributed through block grants.

Timeline

- ESEA Flexibility Waivers sunset on August 1, 2016 except for certain provisions related to Priority and Focus Schools.
- Some provisions of ESSA, such as those pertaining to homeless youth, take effect later this year.
- However, most of the provisions of ESSA, especially those related to allocational grant funds, do not take effect until the 2017-18 school year. Consequently, there are special transition rules for 2016-17.
- Accountability provisions of ESSA begin with the 2017-18 school year, or possibly later.

Overview of the Every Student Succeeds Act

This month's presentation will focus on the provisions of ESSA that deal with standards, parent and family engagement, and accountability metrics.

In the coming months we will discuss assessments, the process for differentiating school performance, supports and interventions for identified schools, and requirements pertaining to teacher and principal certification and evaluation.

Overview of the Every Student Succeeds Act

Standards

Requirements:

- Standards must be aligned to college and career/technical education standards.
- Standards must include no less than three levels of achievement.
- Standards must include English language proficiency standards that assess the proficiency levels of English learners.
- Standards do not have to be Common Core Learning Standards.

Opportunities:

- More flexibility for States in developing and implementing state standards.
- States need not submit their standards to USDE for review, but states must demonstrate alignment to college and career/technical education standards.

Overview of the Every Student Succeeds Act

Accountability

Requirements:

Schools will be held accountable for:

- Language Arts/Reading, Mathematics, Graduation Rate (which could be measured based upon a four-year or an extended year graduation cohort).
- At the high school level a measure of student growth, if determined appropriate by the State.
- At the elementary and middle school level, a measure of student growth or another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.
- Progress of English learners in achieving English language proficiency.
- Not less than one indicator of school quality or student success.

Overview of the Every Student Succeeds Act

Accountability

NY State's ESEA Flexibility Waiver sunsets on August 1, 2016.

Requirements:

NY State must develop an accountability plan for submission to the USDE that establishes the following:

- Ambitious long-term goals.
- A system for annual measurement of all students and each subgroup.
- A system that allows the State to annually differentiate among schools based on performance indicators for all students and for each student subgroup.
- A methodology for identification of schools in need of intervention and criteria by which schools can exit accountability status.
- A process for determining state and district action in schools identified as in need of intervention through required improvement plans.

Overview of the Every Student Succeeds Act

Accountability

Opportunities:

- Non-academic indicators can be part of the State accountability system.
- States can choose the indicator(s) of school quality or success.
- States can choose to include a measure of growth, and can use an extended graduation rate.
- States may use student growth or another valid and reliable statewide academic indicator for elementary and middle school accountability.
- States have flexibility in developing the methodology for using indicators to differentiate among schools.

Overview of the Every Student Succeeds Act

Parent and Family Engagement

Requirements:

Parents must be informed among other things about:

- Information regarding the professional qualifications of the student's classroom teacher.
- Information on each assessment required by the State and, where feasible, the assessments required district-wide by the LEA.
- Information on the level of achievement and academic growth of the student on each of the State academic assessments.
- Timely notice when their child has been assigned, or has been taught for four or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Overview of the Every Student Succeeds Act

Parent and Family Engagement

Requirements:

- LEAs using Title I and/or Title III funds to provide a language instruction educational program must also implement an effective means of outreach specifically to parents of students identified as English Learners that includes holding and, notifying parents of opportunities for, regular meetings.
- LEAs with Title I, Part A allocations of \$500,000 or greater must reserve at least 1% of their funds for the purposes of carrying out the Parent and Family Engagement activities outlined above.

Overview of the Every Student Succeeds Act

Parent and Family Engagement

Requirements:

- LEAs must conduct affirmative outreach to all parents and family members as part of their implementation of programs, activities, and procedures for the involvement of parents and family members. LEAs must continue to develop jointly with, agree on with, and distribute to, parents of participating children written Parent and Family Engagement policies at both the LEA and school level.

Opportunity:

- States can determine the form and format for LEAs to meet the requirements for parent and family engagement.
- Aligns with the Office of Family and Community Engagement

Overview of the Every Student Succeeds Act

Development of State Plan:

“Developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents.”

Proposed Membership in ESEA Think Tank

Advocates for Children
Alliance for Quality Education
Association of Mathematics Teachers of New York State
Association of Small City School Districts
Aspira of New York
Buffalo Public Schools
Capital Area School Development Association
City University of New York
Children's Defense Fund
Commissioner's Nonpublic School Advisory Council
Conference of Big 5 School Districts
Council of School Supervisors & Administrators
Civil Service Employees Association (CSEA)
Disability Rights New York
Ed Trust New York
Educators 4 Excellence
Empire State Supervisors and Administrators Association
Early Childhood Advisory Council
High Achievement New York
Hispanic Federation
Learning Disabilities Association of NYS
Legal Aid Society
Long Island Association of Special Education Administrators
Lower Hudson Council of School Superintendents

Migrant Education Program
Middle Level Liaisons
National Art Education Association (NAEA)
National Association for Music Education (MENC)
National Association for Sport and Physical Education (NASPE)
National Association for Health Physical Education, Recreation, and Dance
Native American Indian Education Association of New York
New York Association for Career and Technical Education
New York Association for Pupil Transportation
New York City Charter School Center
New York City Department of Education
New York City Special Education Collaborative
New York Council of Special Education Administrators
New York Immigration Coalition
New York Schools Data Analysis Technical Assistance Group (DATAG)
New York State Art Teachers Association
New York State Association for the Education of Young Children
New York State Association of Bilingual Education
New York State Association of School Business Officials
New York State Council for the Social Studies

Proposed Membership in ESEA Think Tank

New York State Council of Educational Associations
New York State Council of School Superintendents
New York State Education Department
New York State English Council
New York State Federation of School Administrators
New York State Middle School Association
New York State Migrant Education Program Consortium
New York State Parent Teacher Association
New York State Reading Association
New York State Special Education Parent Centers
New York State School Boards Association
New York State School Music Association
New York State United Teachers
North East Charter Schools Network
Northeast Comprehensive Center
NYC Special Education Collaborative
Office of Mental Health

Pre-K thru Grade 3 Administrators Association
Regional Information Center Director Chair
Regional Special Education Technical Assistance Support Centers
Rochester City School District
Rural Schools Association
School Administrators Association of New York State
Science Teachers Association of New York State
Special Acts School District Association
Staff/Curriculum Development Network (SCDN)
State University of New York
Superintendent Representatives, chosen by District Superintendents
Syracuse Public Schools
Teachers of English to Speakers of Other Languages
The Business Council of New York State, Inc.
United Federation of Teachers
Yonkers Public Schools

District Superintendent's will be asked to nominate one superintendent from each Joint Management Team.

Next Steps

The Department will:

- Continue to become familiar with the provisions of the legislation.
- Begin consulting with stakeholders about the development of NY State’s plan.
- Bring to the Regents proposed “guiding principles” for development of the State plan.
- With Regents approval, share the guiding principles with the field for public comment.
- Ask the Regents to approve the guiding principles, as the basis for Department staff with consultation with the field, to develop a draft state plan.
- Seek permission from the Regents to release the draft plan for formal public comment.
- Revise the draft plan based on public comment and submit to the Board of Regents for approval.
- Submit to United States Department of Education after approval by the Board of Regents.