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**Our Students. Their Moment.**

# **For Permanent Adoption: Commissioner's Regulations Related to New York's Approved ESSA Plan**

**Presented to the Board of Regents  
March 11, 2019**

# Overview: From ESSA Plan to Regulations

- **October 2016:** Every Student Succeeds Act State Plan Development Activities
- **November 2016:** Development of New York's Every Student Succeeds Act State Plan and ESSA State Plan High Concept Ideas
- **December 2016:** Development of New York's Every Student Succeeds Act State Plan
- **January 2017:** Development of the New York State Every Student Succeeds Act Plan and ESSA State Plan High Concept Ideas and Proposed "High Concept Idea" Summaries -- Supports and Improvements for Schools 12/1/2016 and Survey of School Quality and Student Success Indicators
- **March 2017:** ESSA Public Retreat
- **April 2017:** Board of Regents Meeting on ESSA (April 4)
- **May 2017:** Every Student Succeeds Act Draft State Plan for Public Comment
- **June 2017:** Every Student Succeeds Act State Plan: Update on Public Hearings and Public Comment
- **July 2017:** Board of Regents Public Retreat, with Proposed Changes to Final draft plan for submission; State Dashboards Presentation; Next Generation Assessments Presentation; Social, Emotional, Health and Mental Health, and Attendance Issues Presentation; Stakeholder Feedback Analysis Presentation
- **September 2017:** Revised Draft Every Student Succeeds Act State Plan and Associated Waivers

# Overview: From ESSA Plan to Regulations

- **January 2018:** USDE Review and Approval of New York's Every Student Succeeds Act State Plan
- **March 2018:** Every Student Succeeds Act Financial Transparency
- **April 2018:** Proposed Amendments to Sections 100.2(ff), 100.2(m), 100.18, 100.19, and Part 120 of the Commissioner's Regulations and the Addition of a new Section 100.21 of the Commissioner's Regulations Relating to the implementation of the State's Approved Every Student Succeeds Act (ESSA) Plan
- **June 2018:** For Emergency Action: Proposed Draft Commissioner's Regulations Related to New York's Approved ESSA Plan
- **September 2018:** Proposed Emergency Adoption of Amendments to Sections 100.2(ff), 100.2(m), 100.18, 100.19, and Part 120 of the Commissioner's Regulations and the Addition of a New Section 100.21 of the Commissioner's Regulations Relating to the Implementation of the State's Approved Every Student Succeeds Act (ESSA) Plan
- **November 2018:** Proposed Emergency Adoption of Amendments to Sections 100.2(ff), 100.2(m), 100.18, 100.19, and Part 120 of the Commissioner's Regulations and the Addition of a New Section 100.21 of the Commissioner's Regulations Relating to the Implementation of the State's Approved Every Student Succeeds Act (ESSA) Plan
- **February 2019:** The Public Release of ESSA School and District Accountability Determinations, as required by Section 100.21 of the Commissioner's Regulations and the State's United States Department of Education (USDE) Approved Every Student Succeeds Act (ESSA) Plan

# Board of Regents Actions Related to Commissioner's Regulation 100.21

Date	Board of Regents Action
April 2018	Approved posting the draft regulations for public comment.
June 2018	The Department presented the Board of Regents with a summary of the comments received through June 4, 2018 and resulting revisions to the regulations. The Board of Regents took Emergency Action on ESSA regulations, effective July 1, 2018. A 30 day public comment period commenced on the revised regulations.
September 2018	Board of Regents took a second emergency action to implement the revised regulations, based upon extensive public comment. A 30-day public comment period commenced on the revised regulations.
November 2018	Board of Regents adopted the regulations by a third emergency action. The regulations adopted were identical to those adopted in September 2018.
December 2018	Board of Regents adopted the regulations by a fourth emergency action. A few changes were made from those adopted in September based on interactions with field and based on public comment. A 45-day public comment period commenced on the revised regulations.
February 2019	Board of Regents adopted the regulations by a fifth emergency action to ensure that the emergency rule adopted at the December 2018 meeting remained continuously in effect until it could be adopted at the March 2019 Meeting.

# Regulatory Revisions through February 2019

While we received over 1,900 comments during the public comment period between May 2018 and November 2018, we received only 2 comments during the last 45-day comment period, which ended in February 2019.

Regulatory revisions through February 2019 included, but were not limited to these areas:

- Participation Rate
- N-size
- Out of School Suspensions
- School interventions
- Participatory Budgeting
- District Report Cards
- Translations
- Accountability for New York City High Schools
- Required Actions for Certain Schools under Registration Review (including schools in Receivership) that do not make progress.
- Petition Process for changes to Measures of Interim Progress

# Regulatory Revisions through February 2019 (cont.)

- Computation of Combined Composite Performance and Growth Level and Combined Composite Performance and Graduation Rate Level
- Computation of Academic Progress Level, English Language Proficiency Level, and Student Growth Level
- Leadership Team Support Report and Leadership Team Needs Assessment
- Identification of Target Districts
- Assignment of teachers to schools identified for Comprehensive Support and Improvement (CSI)
- Teacher transfers to/from identified schools
- Identification and appointment of leadership and staff to a new school replacing a closing SURR or Receivership School.

# External Reviews of New York's ESSA Plan

- The Bellwether Report
  - “New York’s documentation of its state support system is the strongest part of the state’s plan. It is **detailed, thorough, and has the potential to succeed**. New York plans to offer a differentiated system of supports to schools based on their identified needs and includes a **well-thought-out plan for use of evidence-based interventions**. Although many states make statements to this effect, **New York has put in place a comprehensive process** to ensure schools and districts are equipped to navigate the school improvement process.”
- University Council For Educational Administration
  - Identified New York as **one of nine exemplary state plans** due to its strong commitment to making investments in quality school leadership.

# ESSA Plan Implementation: Federal Funding

- Eligible districts and schools will receive the following allocations for 2018-19:  
Target District - \$25,000 per district;  
Comprehensive Support and Improvement School - \$25,000 per school; and  
Targeted Support and Improvement School - \$25,000 per school.
- For the 2018-19 school year, Target Districts must use these funds to support:
  - ✓ Participation in Target District Institutes;
  - ✓ Participation in Regional Training for Schools Receiving NYSED-led DTSDE support visits;
  - ✓ Administration of surveys to teachers, parents, and students;
  - ✓ Participation in the DTSDE review process and/or comprehensive needs assessments; and
  - ✓ Development of the 2019-20 improvement plans.
- In 2019-20, additional funds will be distributed through allocational grants. These funds will be used primarily to implement evidence-based interventions and other school improvement activities detailed in school and district improvement plans.
- 2019-20 funds will also support ongoing monitoring and evaluation of the improvement plans via comprehensive needs assessments; surveys administered to students, staff, and parents.



# ESSA Plan Implementation: Professional Development

- **Summer of 2018** – ten (10) regional trainings were held across the state to provide information on the new accountability system under ESSA.
- **January 2019**
  - Orientations for Target Districts and training on the required TSI needs assessments to be completed by the districts.
  - Informational webinar on new 2018-19 Title I School Improvement Grant Funding that is available to support initial planning and needs assessment efforts.
- **February 2019**
  - Orientation for Principals of CSI schools that are scheduled to receive DTSDE reviews during the 2018-19 school year.
  - Guidance memo provided additional information and guidance regarding the use of 2018-19 funds, including the process for supporting early implementation activities in recently identified CSI and TSI Schools.
- **March 26, 2019** - Target District Institute focused on school and district improvement planning.
- **Spring/Summer 2019** – Trainings will be held related to the 2019-20 Title I School Improvement Grant Funding.

# Next Steps

