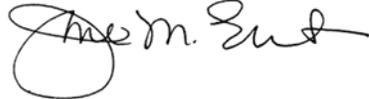




TO: The Honorable the Members of the Board of Regents
FROM: Jhone M. Ebert 
SUBJECT: Every Student Succeeds Act (ESSA) Draft State Plan
DATE: May 3, 2017
AUTHORIZATION(S): 

SUMMARY

Issue for Discussion

The purpose of this item is to present to the Board of Regents a draft Every Student Succeeds Act (ESSA) plan that meets the requirements of the ESSA statute.

Reason(s) for Consideration

Following presentation to the Board of Regents, the New York State Education Department (NYSED or the Department) will release the draft plan for public comment, as required by the ESSA statute.

Proposed Handling

This item will come before the full Board for discussion at the May 2017 meeting.

Background Information

On December 10, 2015, President Obama signed into law the Every Student Succeeds Act (ESSA). This bipartisan measure reauthorized the 50-year-old Elementary and Secondary Education Act (ESEA), which provides federal funds to improve elementary and secondary education in the nation's public schools and requires states and school districts, as a condition of funding, to take a variety of actions to ensure all children, regardless of race, income, background, or where they live, receive the education they need to prepare them for success in postsecondary education, careers, and citizenship. New York receives approximately \$1.6 billion annually in funding through ESSA.

Although Congress in February repealed the United States Department of Education (USDE) rulemaking for ESSA pertaining to accountability, data reporting, and state plans, the Every Student Succeeds Act (ESSA) remains in effect. Additionally, the rulemaking pertaining to the assessment provisions of ESSA are final and in effect. The dates for submission of State plans remain April and September 2017. A revised state template was provided by USDE to states on March 13, 2017.

In order to respond to the requirements of ESSA, the Department, with the guidance of the Board of Regents, has taken a two-pronged approach to the development of the draft ESSA plan. First, the Department has engaged stakeholders through the Title I Committee of Practitioners (COPs), the ESSA Think Tank, Regional public meetings held in fall 2016 and winter 2017, and surveys on concepts for possible inclusion in the draft plan. Second, the Board of Regents and the Department have sought the advice of national organizations and experts, such as the Council of Chief State School Officers (CCSSO); Brustein & Manasevit (a law firm recognized for its federal education regulatory and legislative practice); Linda Darling-Hammond and Kenji Hakuta from the Learning Policy Institute, and Scott Marion from the National Center for the Improvement of Educational Assessment.

In working with both stakeholders and national experts, the Department has developed several core documents that have served as the basis for the development of the draft state plan. The Department and the Think Tank collaborated to draft and refine the Characteristics of Highly Effective Schools, Guiding Principles, and an extensive list of High Concept Ideas. Once drafted, the Department surveyed the Think Tank, COPs, and the field for feedback on these documents. Most recently, the Department posted an online survey to gather stakeholders' preferences on potential indicators of school quality and/or student success, which received over 2,400 responses.

District Superintendents statewide assisted the Department by hosting Regional ESSA meetings in the fall and the winter. Over 120 fall and winter regional in-person meetings were held across the state in coordination with the state's 37 Boards of Cooperative Educational Services (BOCES) and the superintendents of the state's five largest City School Districts. These meetings were attended by more than 4,000 students, parents, teachers, school and district leaders, school board members, and other stakeholders and provided the Department with an additional opportunity to solicit feedback from meeting participants.

In March, the Board of Regents held a public ESSA retreat. Members worked with national experts, Linda Darling-Hammond and Scott Marion, to define a mission for the ESSA work, as well as discussed their views on what should be included in the new accountability system. These discussions continued at the April Board of Regents meeting.

Related Regents Items:

October 2016: [Every Student Succeeds Act \(ESSA\) 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 \(ESSA\) 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: [April 4 Board of Regents Meeting on ESSA](#)

Recommendations:

The ESSA statute requires that the State solicit public comment on the draft ESSA plans prior to submission to the USDE for approval. Additionally, the statute requires that the plan be provided to the Governor for 30 days prior to submission. In order to meet these requirements, and allow for sufficient time to collect and respond to public comment, staff recommend that following the presentation to the Board of Regents, the Department release a draft application for public comment. The draft application will be posted online.

Staff recommend that the draft application be posted for public comment, from Wednesday, May 10, 2017 through Friday, June 16, 2017. The Department will accept comments via email at ESSAcomments@nysed.gov and via mail to the NYS Education Department's Office of Accountability, 55 Hanson Place, Room 400, Brooklyn, NY, 11217.

Additionally, the Department will host a series of statewide public hearings from Thursday, May 11 to Friday, June 16, 2017 to gather in-person feedback on the plan. A list of the dates, times, and locations of the public hearings can be found on the Department's Every Student Succeeds Act (ESSA) web page, at <http://www.p12.nysed.gov/accountability/documents/ESSA%20Public%20Hearings.docx>.

At the June Board of Regents Meeting, staff will provide members with a summary of the public comments received. At the July Board of Regents meeting, staff will present a revised draft application for approval by the Board of Regents for submission for the Governor's review. At the September Board of Regents meeting, staff will recommend a final application for approval by the Board of Regents for submission to USDE.