Brief Highlights of the Every Student Succeeds Act (ESSA)

The President of the United States signed the Every Student Succeeds Act (ESSA) bill into law on December 10, 2015. The Elementary and Secondary Education Act (ESEA) was eight years overdue for reauthorization, and the ESSA is a critical step forward. Here are some (but not all) aspects of the new law:

General

- It places many limitations on the authority of the US Secretary of Education and this includes the inability to require additions or deletions to a state's academic content standards or to prescribe specific goals of progress, specific assessments, weights of measures or indicators, etc.
- The U.S. Department of Education (USED) will still need to issue regulations but they cannot add new requirements that go beyond what is required in the law.
- All current ESEA Flexibility Waivers will be null and void as of August 1, 2016. However, any schools currently identified as priority and focus schools must be maintained for the 2016-17 school year.

State Plan

- There currently is no timeline established for when the new regulations will be issued or by when and how states will submit their plans to the USED.
- It requires involvement of various stakeholders including timely and meaningful consultation with the governor in the development of the state's plan. The governor must be given 30 days to sign the plan, but it can be submitted to the USED after the 30 days even if the governor does not sign it.
- Implementation of new state plans (once approved by the USED) will start with the 2017-18 school year.

Assessments, Accountability and Reporting

- It maintains annual assessments in grades 3-8 and high school.
- It reaffirms that states are in control of their standards (which must be challenging) and assessments.
- It sets parameters for a state's accountability systems, but gives each state the flexibility to design a school accountability system that best meet the needs of the students in the state. This will include the issue of "n-size" for subgroup accountability.
- It eliminates "adequate yearly progress" (AYP) as we knew it under NCLB.
- It maintains a 1% cap on students with the most significant cognitive disabilities, but applies the cap to the number of these students taking alternate assessments and not to capping the percentages of these students being deemed proficient for accountability purposes as under the former law. If an LEA exceeds the 1% cap, it will have to justify it to the state education agency.
- It provides for innovative assessment pilots at the state level so states can research new and improved methods of measuring student progress from year to year. Up to seven (7) states may be selected but that number could increase over time. It will be up to the Secretary of Education to determine the application process and timeline for submission to be one of the pilot states.

- The accountability plans must include goals for academic indicators (improved academic achievement on State assessments, a measure of student growth or other statewide academic indicator for elementary and middle schools, graduation rates for high schools, and progress in achieving proficiency for English Learners) and a measure of school quality and student success (examples include student and educator engagement, access and completion of advanced coursework, postsecondary readiness, school climate and safety). Participation rates on the assessments must also be included in the plan.
- Students with limited English proficiency will be allowed to remain in the English Learner (EL) subgroup for up to four (4) years after exiting the EL classification. This prevents the EL subgroup from always having students with the lowest levels of English proficiency for accountability purposes.
- It maintains many reporting requirements including the State Report Card (SRC). SRC data are expanded to include information on homeless students, foster youth, students of parents on active duty in the military, information on acquisition of English proficiency by English Learners and professional qualifications of teachers.

Teacher Quality

- It gives states the flexibility to work with local stakeholders to determine how educators should be evaluated and supported each year.

District and School Interventions

- There is no set of required federal sanctions, but interventions used in schools needing assistance and support must be evidence-based.
- States will have to identify, at a minimum, the lowest 5% of Title I schools and high schools with graduation rates lower than 67%. These are the schools that are part of Comprehensive Support and Improvement (CSI).
- LEAs must develop and implement CSI plans for lowest-performing schools – State must approve plans
- States also have to identify schools with consistently underperforming subgroups for Targeted Support and Improvement (TSI).

Funding and Formulas

- It eliminates the federal School Improvement Grants (SIG), but allows states to reserve 7% of Title I funds to make grants available to low-performing schools.
- A portion of State Assessment grants will be made available as a separate allocation to states to conduct audits of state or local assessments as a way to reduce redundant assessments.
- It combines some 50 programs into a big block grant under Title IV.
- Finally, it authorizes a Preschool Development Grants Program through the Department of Health and Human Services.

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