Appendix – Major Requirements of the Every Student Succeeds Act

The Every Student Succeeds Act (ESSA) is the latest set of amendments to the Elementary and Secondary Education Act of 1965 (ESEA). The previous set of ESEA amendments was the No Child Left Behind Act (NCLB). The largest federal K-12 program aiding public education is Title I of ESEA. Title I funds are intended to help school districts with the additional costs associated with educating students from low-income families, many of whom are academically behind their more advantaged peers. Title I dollars are distributed to states and school districts on the basis of a formula that takes into account the number of children from low-income families who reside in the district. Districts then distribute funds to schools based on the proportion or number of enrolled students from low-income families.

Like NCLB, the ESSA amendments to Title I contain broad requirements for states to establish academic standards in math, English language arts (ELA), and science, and to test students’ mastery of these standards. States must develop an accountability system to determine (1) which Title I schools are the lowest-performing and (2) which public high schools have low graduation rates. States must also provide assistance to these identified schools to help them improve student achievement. What follows is a summary of the major provisions of ESSA that are important to understand in reading this report.

State Plans

State education agencies (SEAs) must develop a plan outlining how they will fulfill the major requirements of ESSA. In developing the plan, the SEA must engage in “timely and meaningful consultation” with stakeholder groups, including the governor, state legislators, state board of education, school districts, Indian tribes, principals and other school leaders, other educators and school staff, parents, and charter school leaders. The U.S. Secretary of Education, through a peer-review process, will review each state plan and approve it or ask for revisions.

Standards

In order to receive Title I funds, states must demonstrate that they have challenging academic standards in math, ELA, and science that are aligned with (1) entrance requirements for credit-bearing coursework in the state system of public higher education and (2) relevant state career and technical education standards.

States may also adopt alternate academic achievement standards for students with the most significant cognitive disabilities if those standards are aligned with the state’s challenging academic content standards, promote access to the general education curriculum, are designated in a student’s Individualized Education Program, and meet other requirements.

States must demonstrate that they have English language proficiency standards.

Assessments

States must demonstrate that they have a set of high-quality academic assessments that are aligned to state math and ELA content standards and are administered in grades 3-8 and once in grades 9-12.
States must also assess student knowledge in science at least once in each of the grade spans 3-5, 6-9, and 10-12. The tests may be administered as a single summative assessment or through multiple statewide interim assessments during the academic year that result in a single summative score. The assessment results must be disaggregated by subgroups of students, including:

- Major racial and ethnic groups
- Economically disadvantaged students
- Children with disabilities
- English learners
- Gender
- Children of migrant parents

States must test 95% of all students and 95% of students in each subgroup.

Alternate assessments. The state may administer alternate assessments, aligned with alternate academic standards, for students with the most significant cognitive disabilities. The total number of students taking these exams must not exceed 1% of all students in the state who are assessed in each subject.

English language proficiency assessments. States must demonstrate that school districts will assess the English language proficiency of all English learners using an assessment aligned with the state’s English language proficiency standards.

Locally-selected assessments. School districts can administer their own assessments in lieu of the state assessment if the district selects a “nationally recognized high school academic assessment” that has been approved by the state. The state has to develop technical criteria for approving the local assessments, and the assessment must be aligned to the state’s academic content standards and meet other requirements.

States may also set targets on the aggregate amount of time devoted to the administration of assessments by grade, and express that in terms of instructional hours.

Accountability System

ESSA outlines the types of indicators that states must use to determine which Title I schools and high schools with low graduation rates are identified for extra attention and assistance. For each of the indicators, states must establish interim and long-term goals for all students and for each subgroup of students. States can have additional indicators, but the following must be part of each state’s accountability system:

Elementary and middle schools

- Academic achievement as measured by the state math and ELA assessments
- Another academic indicator, which may be student growth
- Progress of English learners in attaining English proficiency
- One or more measures of school quality/student success
High schools
- Academic achievement as measured by the state math and ELA assessments
- Graduation rate
- Progress of English learners in attaining English proficiency
- One or more measures of school quality/student success

Each of the indicators must measure the performance of all students as well as the performance of each subgroup of students.

**Identifying Schools Needing Improvement**

States, using their accountability system, must “meaningfully differentiate” school performance in order to identify three types of schools for improvement and assistance:

- **Comprehensive support and improvement (CSI) schools.** The lowest-performing 5% of public Title I schools in the state and all public high schools that fail to graduate one-third or more of their students.
- **Targeted support and improvement (TSI) schools.** Public schools with one or more consistently under-performing subgroup of students.
- **Additional targeted support schools.** Public schools in which any subgroup of students, on its own, is performing at the level of the lowest 5% of Title I schools.

**Identifying CSI Schools.** The state must notify each school district of any schools identified as CSI schools. The school district, in partnership with stakeholders, must develop and implement a plan to improve student outcomes for each identified school. The plan must 1) be informed by the indicators; 2) include evidence-based interventions; 3) be based on a school-level needs assessment; 4) identify resource inequities; 5) be approved by the school, the school district, and the state; and 6) be monitored and reviewed by the SEA.

**Identifying TSI schools.** The state must notify school districts of schools identified as TSI schools. Each school receiving notice that it is a TSI school must develop a plan, in partnership with stakeholders, to improve student outcomes. The plan must 1) be informed by the indicators; 2) include evidence-based interventions; 3) be approved by the school district prior to implementation; 4) be monitored by the school district; and 5) result in additional action if the school does not improve sufficiently within a number of years determined by the school district.

**CSI and TSI Schools not exiting that status.** States must develop exit criteria for CSI and TSI schools. If a CSI school does not meet the exit criteria within a state-determined number of years, more rigorous, state-determined actions must be implemented. Title I schools that have been identified as TSI schools but do not meet the state exit criteria within a state-determined amount of time will be identified by the state as CSI schools and must follow the CSI requirements.

**School improvement grants.** States are required to reserve up to 7% of their Title I funds to support a statewide system of technical assistance and school district improvement activities. Of the funds reserved, 95% must be distributed to school districts, either on a competitive basis or by a formula grant, to serve schools implementing CSI activities. States must give priority in awarding grants to school districts that serve high numbers or percentages of CSI or TSI schools; demonstrate the greatest need for improvement grant funds; and demonstrate the strongest commitment to using the funds to
enable the lowest-performing schools to improve student achievement and outcomes.

Other state school improvement activities. SEAs must periodically review their allocation of resources for school improvement in districts that serve a significant number of CSI and TSI schools, and must provide technical assistance to these districts. Finally, the state may take action to initiate additional improvement in any district with a significant number of CSI schools that are not meeting the exit criteria, or in districts with a significant number of TSI schools. The additional improvement action can be alternative evidence-based strategies, determined by the state, to improve CSI schools.

Report Cards

States must issue annual state report cards that explain the state’s accountability system; the long-term and interim goals; the indicators used to measure progress towards the goals; the system for meaningfully differentiating all public schools in the state; the number of and names of CSI schools and TSI schools; and the exit criteria. The report cards must also include student achievement (proficiency) information for students as a whole and the student subgroups used for ESSA accountability. In addition, states must include in the report card achievement information for homeless students, foster care children, and children with a parent on active duty in the Armed Forces; however, the performance of these groups is not tracked for accountability purposes.

Other report card elements include the following:

- For the other indicator of academic performance in elementary and middle schools, and for the high school graduation rate, information showing how the subgroups performed on that other indicator as well as how homeless children and foster care children fared.
- For the school quality indicator, data for all students and the regular subgroups of students regarding their performance on those measures.
- Information on the progress of all students and student subgroups toward meeting the long-term state goals and the interim state goals.
- The percentage of students assessed as a whole and by subgroup.
- Data on school quality, climate, and safety (suspensions, expulsions, arrests, chronic absenteeism); preschool programs; and accelerated high school coursework to earn postsecondary credit, as reported by districts under the Education Department Organization Act.
- Data on the professional qualifications of teachers, disaggregated by low-poverty and high-poverty schools; per pupil expenditures of federal, state, and local funds; the number and percentage of students with the most significant cognitive disabilities taking the alternate assessment; state National Assessment of Educational Progress results; the postsecondary enrollment rate disaggregated by subgroups; and any other information the state thinks would be helpful.

Districts must prepare and disseminate annual report cards with information on the district as a whole and on each school in the district. States must ensure that each district collects all the same information that is required for the state report card and disaggregates it in the same manner as required for the states. These new elements must be included in the report cards for the 2017-18 school year.