



ESSA UP CLOSE

*A guide to the practical impacts of the
Every Student Succeeds Act*

Introduction

If it lives up to its lofty ambitions, the Every Student Succeeds Act (ESSA) promises a sea change in education policy, and one that more closely mirrors the individualized instruction that educators aspire to give each of their students.

Signed into law in 2015, ESSA shifts the lion's share of responsibility to states, which have newfound control over long-term goals and how they are measured, as well as how to help struggling schools. The law also offers greater flexibility in how states and districts use federal dollars. Title I provides more leeway for a broader range of programs, and a consolidated grant program can potentially help states and districts leverage technology to improve learning and non-academic conditions. As states began filing draft accountability plans in the first half of 2017, some of the contours of this historic transition from federal to state oversight have come into greater focus.

Yet much remains unclear. The Trump administration's interpretation of the law — and how it intends to treat the draft accountability plans that states have already submitted — remains largely untested. The March approval of the Congressional Review Act scrapped some Obama-era guidance for implementing ESSA and was followed by an April executive order issued by President Trump that suggested a continuing emphasis on limited federal oversight. On the ever-contentious funding side, a continuing resolution has provided a short-term roadmap for

how the federal government will allocate education dollars, but the Trump administration's own budget proposals and how its education department will provide guidance on implementing ESSA remained uncertain at the time this paper was published.

However, for district leaders and educators, the law has succeeded in doing one important thing — shifting decisions about teaching and learning closer to actual classrooms.

“Despite the back and forth in D.C., states are focused on creating plans that are best for the kids in their state,” Chris Minnich, executive director of the Council of Chief State School Officers (CCSSO) said this spring.¹

To help school leaders take advantage of this rapidly evolving environment, this white paper explains the key provisions of ESSA and identifies opportunities for states and districts to innovate and use the flexibility built into the new law to deliver better educational outcomes. This includes the creation of personalized learning environments that help meet the individual needs of students at all levels — high-performing, low-performing and those in between.

“(ESSA) is about imagination, bold plans and determined implementation,” Mark Tucker, president of the National Center on Education and the Economy, wrote in a blog post about the law. “This is a golden opportunity for the states that choose to grab it.”² ▴



ESSA & Accountability

The end of the No Child Left Behind (NCLB) era marks a shift away from nearly two decades of federal oversight of schools through uniform accountability measures. Starting with the 2017-18 school year, states must identify goals for their schools, measure their progress toward meeting them and oversee interventions for those schools that miss the mark.

These accountability systems are at the heart of the plans state education departments are currently submitting to the U.S. Department of Education for review. Sixteen states and the District of Columbia submitted their plans before the first deadline in March 2017; the rest have until September 2017 to file plans for the 2017-18 school year.

While the U.S. Education Department had only approved plans for peer review at the time this white paper was published, the law itself spells out the details of what states must do:

- Set long-term goals for student achievement
- Develop accountability systems, administer testing (yearly for English/language arts and math in grades 3-8 and once in high school, as well as at least once for science in elementary, middle and high school) and report test scores
- Encourage student participation in testing by factoring participation rates into schools' overall test scores or ratings
- Identify struggling schools and those with specific student populations that struggle
- Oversee district and school-level interventions for struggling schools and subgroups. While ESSA does away with prescriptive intervention models for the lowest-performing schools, the law requires states to oversee locally developed plans and intervene after a maximum of four years without improvement.



The opportunity:

It's not yet clear what elements of state plans the U.S. Department of Education will (and will not) approve. However, critics of the initial plans submitted by many states point to missed opportunities to go beyond NCLB. While the law sets a floor that states and districts must meet, the flexibility afforded states in creating the components of their accountability systems offers new opportunities to set the bar higher for all students.

Long-Term Goals

In their plans, states must identify learning goals that include:

- Increased proficiency levels on assessments
- Closed proficiency gaps and/or reduced numbers of students or subgroups who aren't proficient
- Higher graduation rates
- English-language proficiency standards for English language learners (ELLs)



The opportunity:

States can set goals that emphasize improving outcomes for the lowest-performing students, including historically underserved populations, ELLs and others.

State Accountability Systems

While states have leeway to develop a system of tracking their schools' performance on an annual basis, each accountability system must include at a minimum:

- Academic achievement
- Another academic indicator, such as student growth or graduation rates
- English language proficiency
- Another indicator of "school quality" or "student success"

The indicator of school quality or student success represents uncharted territory for many states. So far, states have proposed:

- Student engagement and school climate, including measures from student surveys
- Attendance, including measures of chronic absenteeism
- College and career readiness, including measures based on acceleration, remediation, persistence and/or AP/IB course completion
- English language proficiency in schools with large numbers of ELLs
- 9th-grade academic progress
- Time spent in non-academic programs in K-8, including art, library and physical education
- Post-secondary outcomes

Some states also are considering scores in non-tested subjects for the first time.



The opportunity:

States can use multiple measures and new indicators to develop richer ways of determining whether their schools are meeting the needs of every student, including those who are performing well above or well below grade level.

Assessment

Even under NCLB, states were responsible for their own assessments. However, the flexibility in ESSA opens the door for next-generation assessments, including ones that:

- Measure individual student growth
- Measure achievement using multiple statewide interim assessments that, when combined, yield an annual score
- Incorporate multiple measures, including student growth, portfolios, projects and extended performance tasks
- Include adaptive elements that adjust the difficulty of questions to more accurately measure whether students are performing above or below grade level
- Replace state assessments with rigorous national tests, including the SAT or ACT

The law allows up to seven states to apply for permission to pilot innovative assessments, including competency-based systems that measure discrete student skills with a broader range of performance tasks. Participating states have the option of beginning in a handful of districts and

scaling up to the state level by the end of the demonstration period.



The opportunity:

Together, many of these components align with a vision of instruction that personalizes and adapts to individual student needs. Interim assessments and adaptive testing elements, for example, help pinpoint specific areas of need in time for teachers to intervene. Portfolios, projects and extended performance tasks also could incorporate socio-emotional measures of student learning.

Teacher Requirements

The “highly qualified” designation introduced by NCLB is no longer the law of the land. While ESSA does away with this once-daunting NCLB provision, the new law still allows — but does not require — states to evaluate teachers based on student achievement and use federal funds for that purpose.



The opportunity:

By ceding teacher qualifications to the states, ESSA offers greater leeway in the hiring and training of new teachers. States also can decide how extensively to use student test scores in their teacher evaluation systems, providing the opportunity to place greater emphasis on actionable feedback aligned with professional development and other targeted support to help educators address areas that need improvement. ▲



ESSA & Funding

There is also flexibility in how ESSA governs the use of federal funds. Across each title of the law, states and districts can take advantage of funding flexibility to select the practices and tools — including technology — that work best for their specific student populations, families and educators.

TITLE I: Greater Flexibility to Address Instructional Needs

Overall, ESSA gives states and districts more latitude to address instructional needs for all students — including gifted and talented students, and targeted subgroups — under Title I. Along with changes that allow more high schools to qualify for funding, Title I does away with NCLB's School Improvement Grants (SIG) while increasing the overall amount of funding states must devote to school improvement. States now must use 7 percent of their Title I allocation for school improvement, but they are no longer constrained by a prescribed menu of intervention options. Lower-performing schools can tap a comprehensive range of resources to improve basic programs, including:

- Academic and instructional improvements or interventions
- Initiatives focused on improving teacher capacity to use data to differentiate instruction
- Programs that foster awareness of and preparation for college and careers, including advanced classes and/or dual enrollment
- Before- and after-school programs, career education and internship opportunities
- Targeted technology-based interventions
- A broader overall range of targeted supports, which require a needs assessment and a plan that uses “evidence-based interventions”
- Discrete funding opportunities for migrant children and programs that support prevention/integration of neglected, delinquent and at-risk students
- A direct student services provision that allows states to provide districts funding to support deeper learning, including personalized learning, distance learning and credit-bearing AP/IB courses

Title I also remains the source of federal funding to support state assessment programs, including the new Innovative Assessment and Accountability Pilot that allows up to seven states to experiment with new approaches to testing, as described on page 4.



The opportunity:

States and districts can use Title I funding to support innovative methods to improve instruction, including blended and personalized learning models.

Title I funds for assessments present opportunities beyond developing the richer assessment systems described on page 4. They also may provide an avenue for states and districts to improve access to assessment data in the classroom and present results in accessible and understandable formats for all stakeholders, such as improved school report cards or dashboards.

TITLE II: Funding for Professional Development

ESSA authorizes — although it is up to Congress to fund — up to \$2.29 billion for PD, with an emphasis on place-based collaboration and learning over time instead of one-and-done PD sessions. The law also specifically calls out training to identify and serve students with specific learning needs, including the gifted and talented and those with disabilities. In addition, it covers technology-focused training, including PD that:

- Helps teachers and school leaders integrate technology
- Trains teachers and leaders on how to use data
- Ensures school personnel safeguards student data and follows privacy regulations



The opportunity:

While the amount of funding for Title II programs remains unclear, the law for the first time emphasizes the importance of training educators to use technology and data to improve instruction. ESSA also offers other titles to fund PD aligned with data, assessment and technology-focused initiatives, such as Title I and Title IV.

TITLE III: Funding for English Language Acquisition

Monitoring the language acquisition progress of ELLs is now part of states' overall accountability plans, which opens the door to greater funding under Title I as well as Title III-specific state grants to support language instruction for ELLs and immigrant students.



The opportunity:

Districts may be able to tap several sources of funding to develop coordinated supports for language acquisition and underserved student populations.

TITLE IV: Grants for Student Support and Academic Enrichment

Created by consolidating dozens of NCLB-era programs, the Student Support and Academic Enrichment Grant Program (SSAEG) authorizes — although once again it is up to Congress to fund — up to \$1.6 billion each year for innovative programs. If funded, these grants will emphasize strategic uses of technology. (The current continuing resolution provided \$400 million for 2016-17 and gave states the option of using either a formula or competitive grant program to distribute the funds to districts, although the Trump administration budget unveiled in May proposed zeroing it out altogether.) A coalition of more than 60 education groups issued a statement urging Congress to fully fund the grant program in future years, and if funding persists, the grants will allow districts to:

- Devote up to 60 percent of grant funding for innovative education technology strategies
 - In keeping with the emphasis on new uses of digital learning, only a set percentage of this funding can be used for technology infrastructure. While the law originally limited infrastructure spending to 15 percent of grant funding, that cap temporarily has been raised to 25 percent
- Ensure grant programs also support non-academic needs.
 - Twenty percent of grant funding must go to programs that support a well-rounded education, which can include programs that improve access to AP/IB courses, STEM, civic education, foreign languages and volunteerism
 - Another 20 percent must be used to

support safe and healthy students (including mental health services, positive behavioral intervention programs, and drug and violence prevention)

- Technology can play a role in both areas

The grant program isn't the only technology-focused opportunity under Title IV. Programs for 21st Century Community Learning Centers and rural and low-income schools provide districts with additional opportunities to partner with outside organizations to increase access to technology among rural and disadvantaged students and offer outside-of-school learning opportunities.



The opportunity:

The technology provisions of the grant program shift emphasis away from purchasing devices and other tech tools and encourage states and districts to develop more comprehensive strategies for their use, including personalized and blended learning.

A Comprehensive Approach to Federal Funding

To take advantage of the provisions and funding opportunities ESSA provides, districts must, as their states are already in the process of doing, develop comprehensive plans that address common needs across multiple programs and funding sources. District leaders who think about leveraging federal dollars in a more comprehensive way can mitigate the impact of future budget reductions. For example, while Title II provides funding for PD, districts can also identify staff development needs in Title I and Title IV grants and programs.



The opportunity:

Districts will have broad leeway to use federal funds to meet their specific needs. “Unless the state is very determined and has a clear plan on how to use these funds, [they are] still largely at the discretion of the district,” David DeSchryver of Whiteboard Advisors told *EdWeek*.³ ▲

Innovation In State Plans

Draft state plans demonstrate examples of innovative thinking in several areas, including:

Competency-based education.

New Hampshire's plan builds on an NCLB-era pilot that allows districts to assess student progress using performance-based measures based on real-world skills and problem solving.

Broader accountability measures.

Connecticut's next-generation accountability system is based on a dozen indicators, including measures of student growth and non-academic factors such as absenteeism, fitness and arts access.

ESSA & Data

While ESSA is built around flexibility, the one area in which the law increases federal compliance requirements involves data, including significant additions to the kinds of data schools and districts must collect and share. The law also charges districts with improving the quality of data and ensuring that teachers and leaders review assessment results and make use of the data.

New Data Requirements

- Breaking out new subgroups of vulnerable students, including foster children, homeless students and children from military families
- Per-pupil expenditures for each school
- ELLs who have been in a district for five or more years without becoming proficient in English
- School climate data based on indicators such as qualified teachers, attendance and discipline
- Post-secondary enrollment

ESSA also requires districts to cross-tabulate data to better identify trends and report more information on report cards.



The opportunity:

While states are largely prepared for ESSA data reporting requirements, individual district capacity varies. District leaders can take advantage of funding opportunities for instruction, assessment and PD to create a comprehensive strategy that improves their ability to use data — and not just for annual accountability purposes. They also can focus on strengthening their ability to capture and analyze data, and train teachers and other personnel to use it to personalize classroom instruction. ▲

ESSA & Innovation

Along with shifting the balance of power closer to the classroom, ESSA was designed to encourage innovation. ESSA:

- Explicitly defines and describes digital and blended learning — and provides support and funding for investments in technology and training to enable new personalized teaching and learning strategies
- Encourages states to experiment with next-generation assessments that more accurately pinpoint students' current knowledge and provide more formative information to help them improve
- Emphasizes professional learning that is collaborative, intensive and grounded in educators' work
- Empowers states and districts to use data in more secure ways by providing safeguards and training to assure student privacy

Together, these priorities provide districts an opportunity to develop comprehensive personalized learning strategies that ensure each student is supported in highly individualized ways.



The opportunity:

Creating a personalized and flexible learning environment requires the use of digital resources, adaptive blending learning models, adequate data to inform decisions about instruction and areas of interest, and educators trained to build trusting and caring relationships with each student. ESSA's priorities and funding opportunities provide ways for districts to build capacity and train educators to use technology in all of these areas. ▲

Blended learning.

Rhode Island's 2020 strategic plan cites blended and digital learning as one of three components of its vision and details state and district roles in expanding its use.

English language acquisition.

Delaware's plan focuses on bilingualism and biliteracy as essential 21st-century skills, and includes metrics for measuring ELL growth and academic progress in its accountability plans.

Stakeholder engagement.

North Dakota's plan details the authentic involvement of a broad range of stakeholders, including parent groups, educators and tribal representatives, as well as structures to ensure continued stakeholder input throughout implementation.

Strategies For Districts

Many districts and their schools have served as pockets of innovation. Often they are the places where promising practices surface. ESSA arguably represents one of the greatest opportunities to bring many of these innovations to scale. To do so, their leaders must:

Identify priorities and sources of federal support. As described in this paper, comprehensive plans can allow districts to tap federal funding from multiple sources — but these plans must start with a unified vision of what schools are trying to achieve.

Conduct needs assessments. Required for many federal funding opportunities, needs assessments are a good place to start even when not specifically mandated. Understanding technology and training needs is critical to ensure new plans will work as they scale.

Build coalitions. ESSA requires stakeholder input, so school leaders should look at this as an opportunity to have a deeper conversation about what communities need from their schools and future citizens.

Identify potential resources — and partners. Like-minded districts, regional support centers and community organizations with shared goals all can collaborate on initiatives and provide technical assistance, training and other resources. Study other state plans for models. Draft plans from other states

may provide a roadmap for specific initiatives (see "Innovation in State Plans" on pages 6 and 7).

Encourage local innovation through greater flexibility. Just as ESSA shifted accountability from the federal government to the states, some states, including Kentucky, North Carolina and California, are ceding key decisions to local school boards. . This includes decisions about budgeting, curriculum and teacher evaluation. Encourage state education agencies to allow waivers, pilots or innovation zones for districts willing to experiment with new approaches.

Remember teachers. A nationwide survey of educators conducted by Educators for High Standards found that about half believe ESSA will improve education — but fewer than one in four felt their state education agency sought enough teacher input in developing its plan.⁴ Educators should play a key role in developing, monitoring and adjusting plans.

As stated at the beginning of this paper, ESSA has the potential to transform teaching and learning in our nation's schools. But it is up to innovative district leaders and educators to ensure that the promise of meeting the individual needs of every student translates into practice. It is our hope that this paper provides a roadmap to begin doing just that. ▴

Endnotes:

1. http://www.ccsso.org/News_and_Events/Press_Releases/States_Lead_on_Transition_to_the_Every_Student_Succeeds_Act.html
2. http://blogs.edweek.org/edweek/top_performers/2016/04/essa_time_for_the_states_to_seize_the_initiative.html
3. http://blogs.edweek.org/edweek/campaign-k-12/2017/05/essa_block_grant_changes_budget_deal.html
4. <http://www.educatorsforhighstandards.org/report-teacher-engagement-and-perspectives-on-essa/>

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