



ESSA UPDATES

MARCH 2017 | WASHINGTON, DC

AGENDA

- Our Challenge
- The Good News: Progress to Date
- The Challenge: More Work to Do
- ESSA Policy Updates
 - State Plan
 - Accountability
- FY 2017 Allocations Update



OUR CHALLENGE

- Protecting Underserved Children & Youth
- Raising Expectations
- Closing Opportunity Gaps
- Improving Student Outcomes

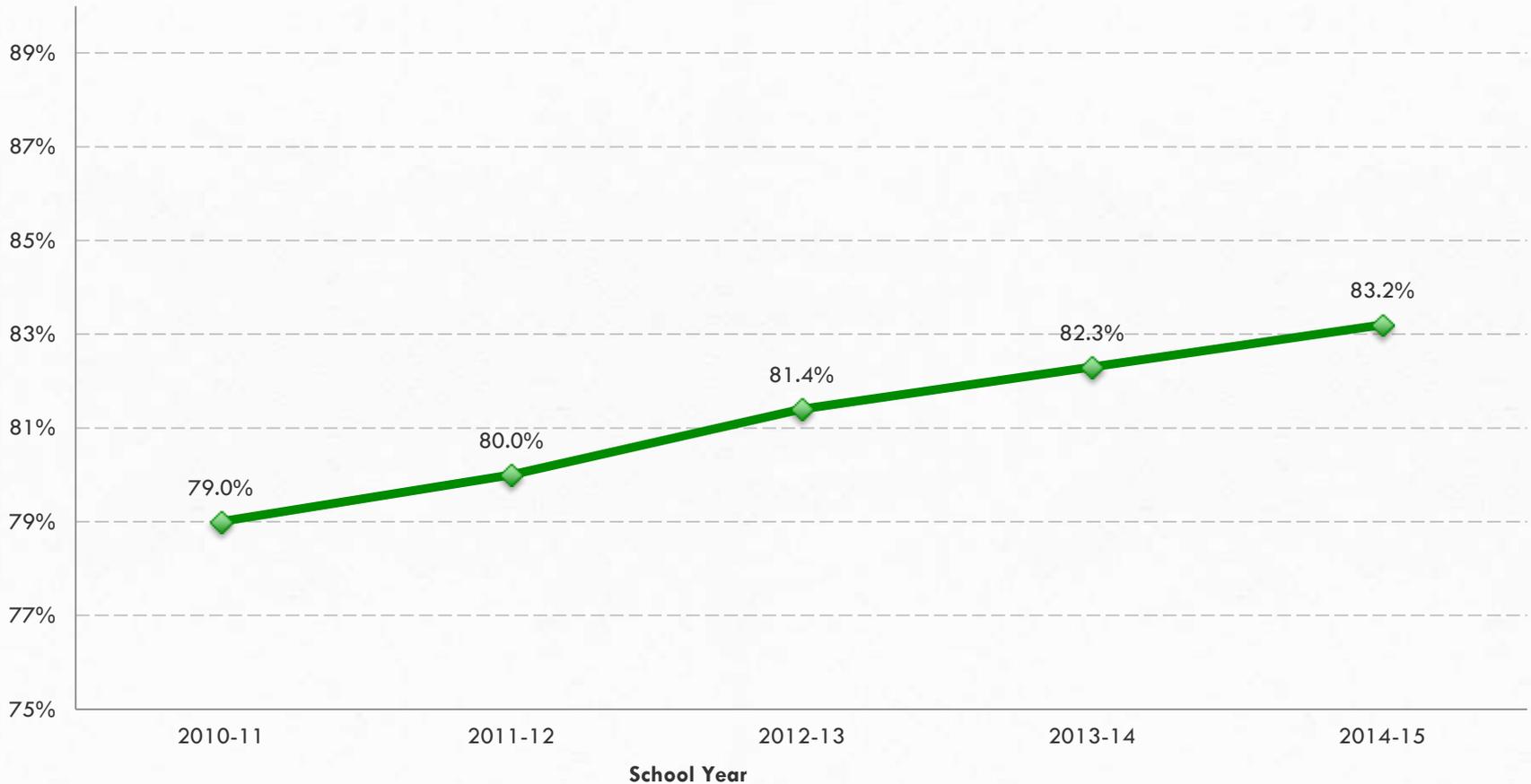




**THE GOOD NEWS:
AMERICA'S PROGRESS
IN IMPROVING EDUCATION**

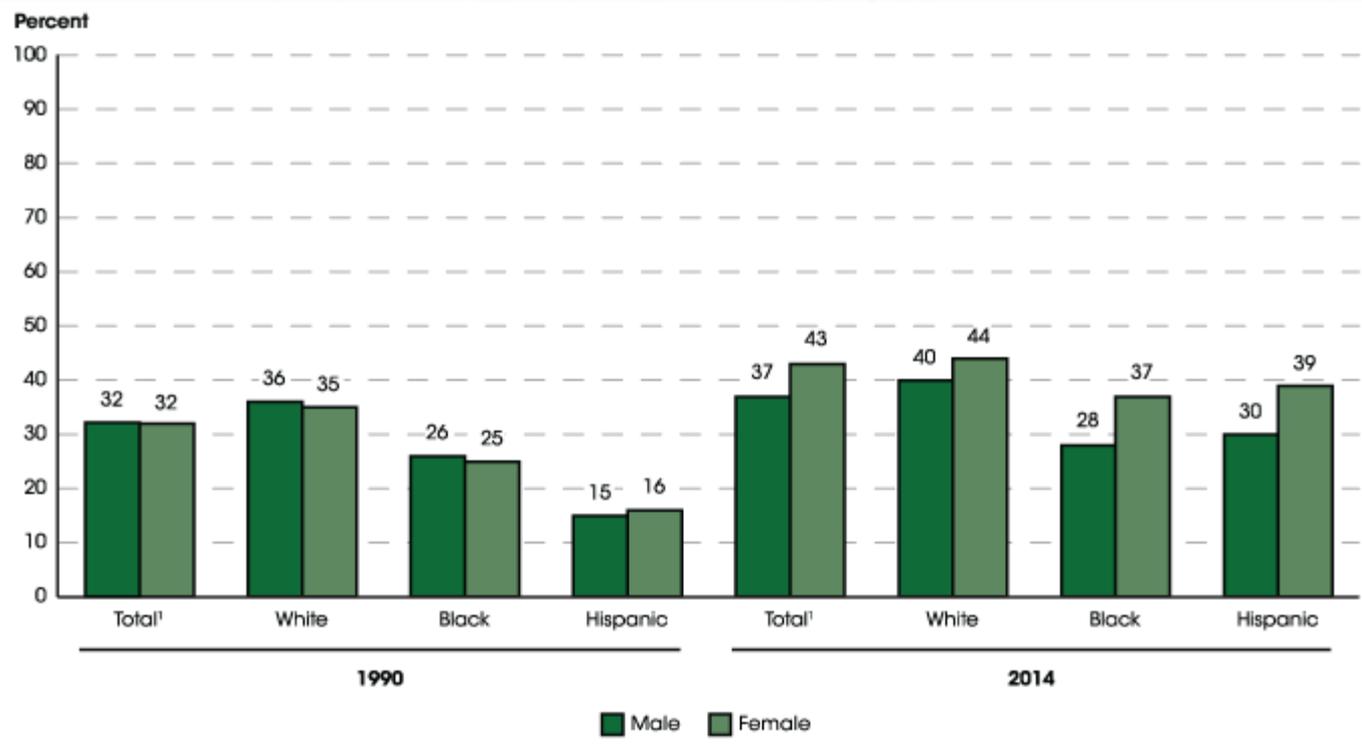
GRADUATION RATES

PROGRESS TO DATE



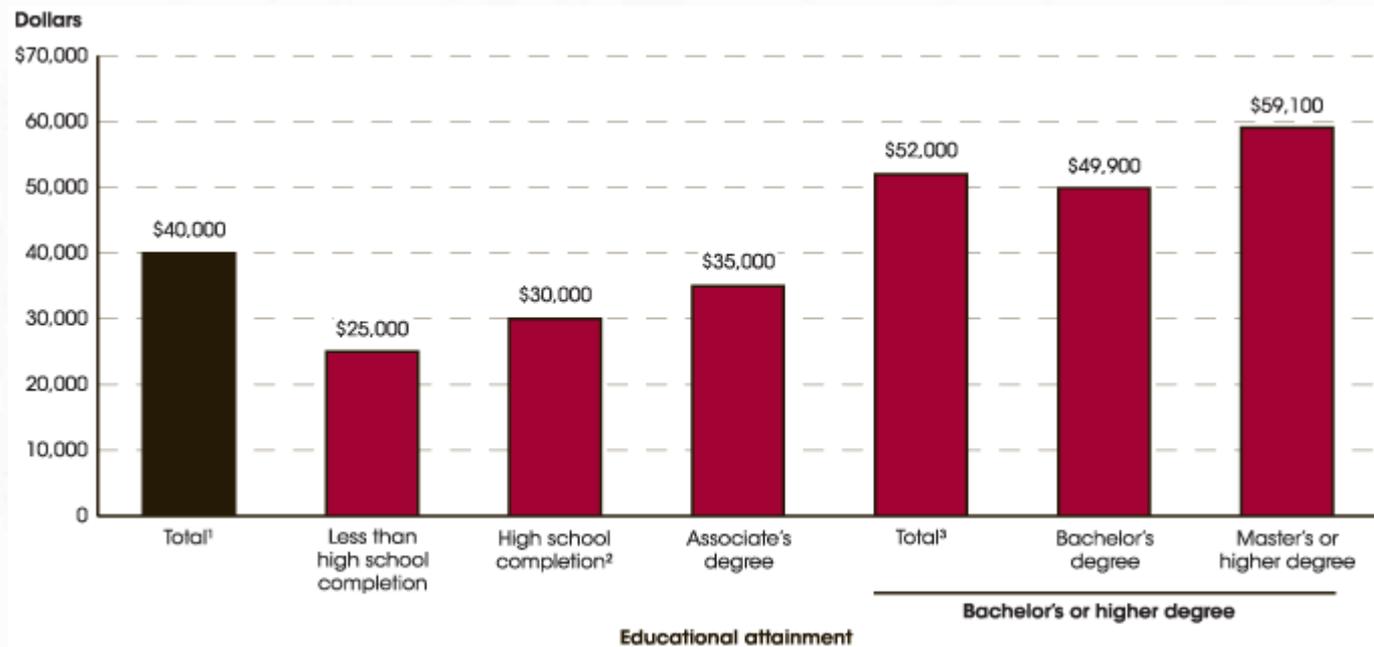
COLLEGE PLACEMENT RATES

FIGURE 4. ENROLLMENT RATES OF 18- TO 24-YEAR-OLDS IN POSTSECONDARY DEGREE-GRANTING INSTITUTIONS, BY RACE/ETHNICITY AND SEX: 1990 AND 2014



EARNINGS BY EDUCATIONAL ATTAINMENT

FIGURE 2. MEDIAN ANNUAL EARNINGS OF FULL-TIME, YEAR-ROUND WORKERS AGES 25–34, BY EDUCATIONAL ATTAINMENT: 2014

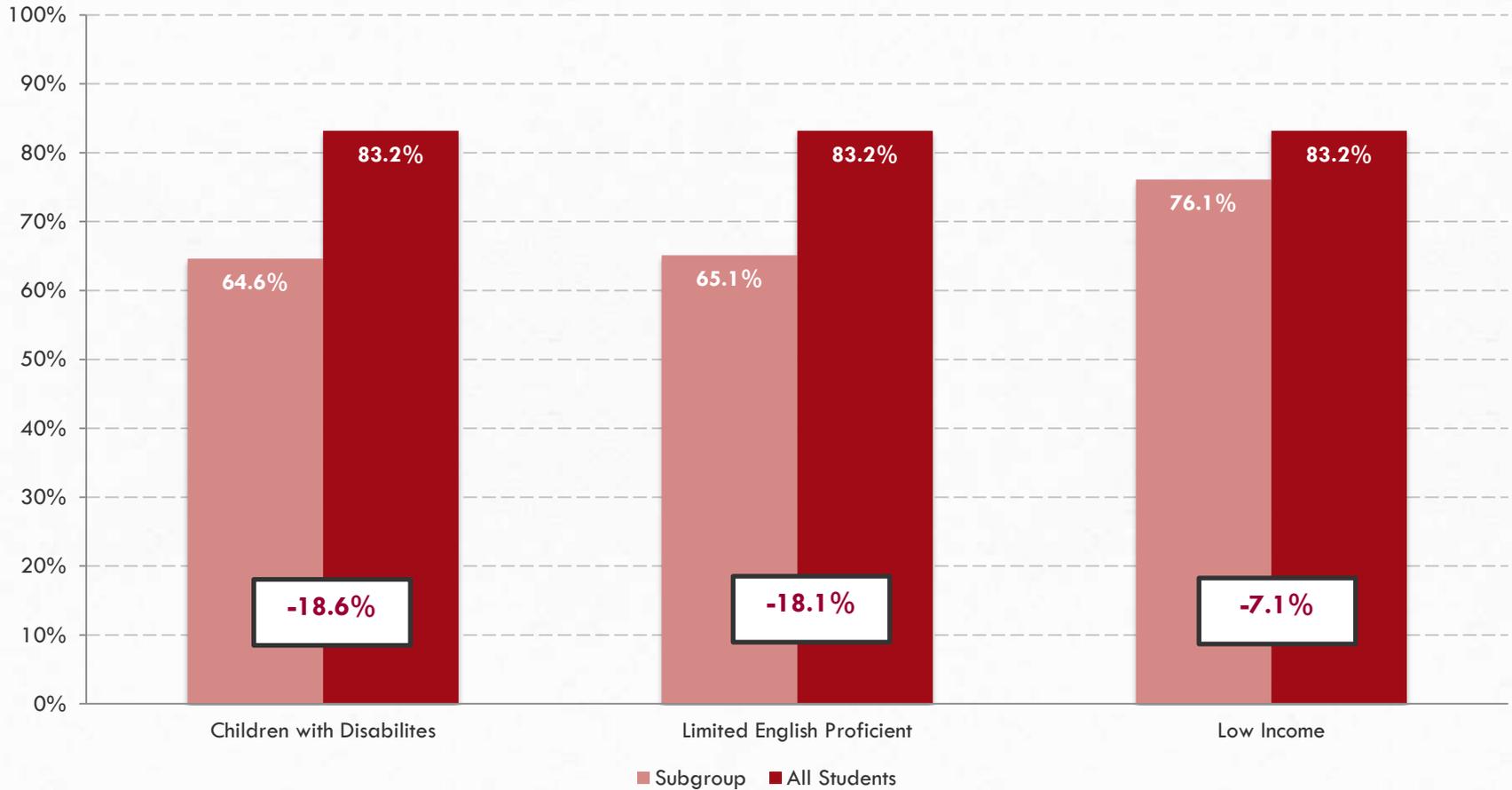




**THE CHALLENGE:
MORE WORK TO DO**

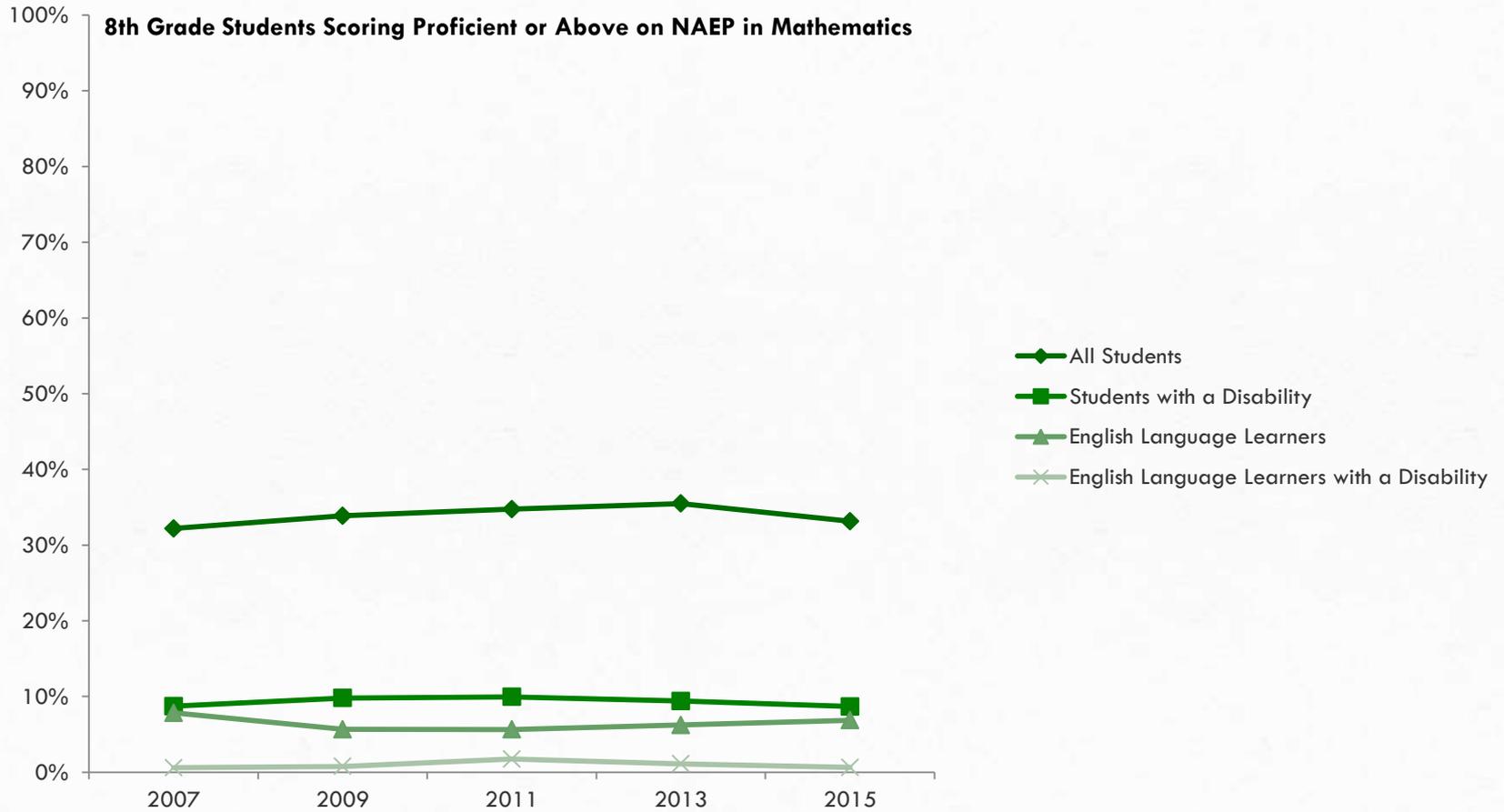
GRADUATION RATES

DROP-OUT RATES



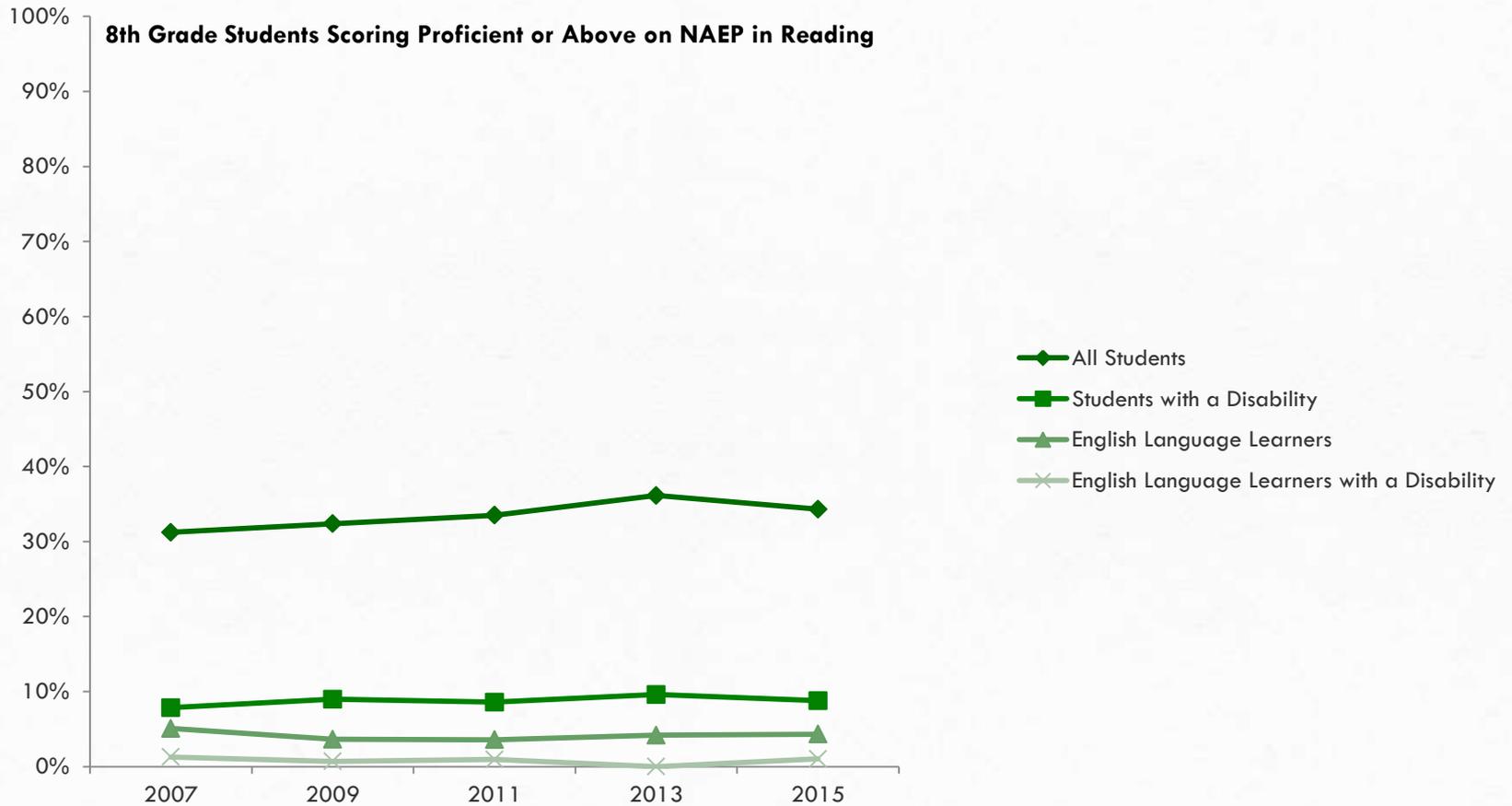
NAEP

8TH GRADE MATHEMATICS



NAEP

8TH GRADE READING





ESSA Updates



CONSOLIDATED STATE PLANS

- ED released a revised template for consolidated State plans on **March 13, 2017**
 - Includes only information that is “absolutely necessary” for consideration of a State plan, consistent with section 8302(b)(3) of the ESEA
 - Includes a crosswalk to the previous State plan template to leverage work done to date
- Consolidated State plan or individual program State plans must be submitted on one of two deadlines established by the Secretary:
 - **April 3, 2017**
 - **September 18, 2017**



FINAL REGULATIONS

ED has regulated in the following areas:

- Title I, Part A – Assessments
 - Final regulations effective on **January 9, 2017**
- Title I, Part B – Innovative Assessment Demonstration Pilot
 - Final regulations effective on **January 9, 2017**

Update on other regulations:

- Accountability and State plans
- Supplement, not Supplant under Title I





Statewide Accountability Systems & School Improvement

ESEA Section 1111(c) and (d)



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(c) OF THE ESEA: GOALS

- Each State must establish ambitious long-term goals and measurements of interim progress for all students and each subgroup of students in two areas:
 - **Academic achievement** as measured by proficiency on annual statewide assessments;
 - **Graduation rates** as measured by the four year adjusted cohort graduation rate (ACGR) and, at the State's discretion, extended-year ACGRs; and
- Each State must establish ambitious long-term goals and measurements of interim progress for English learners in one additional area:
 - Increases in the percentage of such students making **progress in achieving English language proficiency (ELP)** as measured by the statewide ELP assessment.



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(c) OF THE ESEA: INDICATORS

- Each State must establish at least five indicators that can be disaggregated by subgroup to annually measure :
 1. For all schools, **academic achievement**, as measured by proficiency on the annual assessments (and may also include growth for high schools);
 2. For elementary and secondary schools, a measure of **student growth** or **another valid and reliable statewide academic indicator**;
 3. For high schools, the **four-year ACGR** and, at the State's discretion **extended-year ACGRs**;
 4. For all schools, **progress in achieving ELP**, as defined by the State and measured by the statewide ELP assessment; and
 5. For all schools, at least one indicator of **school quality or student success**.



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(c) OF THE ESEA: ANNUAL MEANINGFUL DIFFERENTIATION

- Each State must establish a system of annual meaningful differentiation that:
 - Is **based on all indicators** in the State's system for all students and each subgroup of students;
 - Affords **substantial weight** to each of the indicators except the indicator of school quality or student success;
 - Affords **much greater weight** in the aggregate to the indicators of academic achievement, the other academic indicator, graduation rates, and progress in achieving ELP than it does to the school quality or student success indicator or indicators, in the aggregate; and
 - Includes differentiation of any school with at least one subgroup of students that is **consistently underperforming**.



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(c) OF THE ESEA: ADDITIONAL FACTORS FOR CONSIDERATION

- **Subgroups:** Each State must include economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, and English learners.
- **N-Size:** States must establish a statistically sound minimum number of students that is the same for all students and each subgroup of students.
- **Participation rate:** States must factor 95% participation rate into calculating performance on the indicator of academic achievement and in the State's system of annual meaningful differentiation.
- **Partial attendance:** States may not include within the indicators students who have not attended the same school for at least half of the school year, but must include students who attended a school for less than half the year in report cards (replaces Full Academic Year consideration).



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(c) OF THE ESEA: IDENTIFICATION OF SCHOOLS

- Each State must identify schools for support and improvement based on the system of annual meaningful differentiation, including schools for **comprehensive support and improvement** and **targeted support and improvement**.
- Identified schools are eligible for funding under section 1003.
- States must identify three types of schools for **comprehensive support and improvement at least once every three years**:
 1. At least the lowest-performing five percent of all Title I schools;
 2. All public high schools with a graduation rate of 67% or less; and
 3. All Title I schools with a subgroup performing as poorly as the lowest-performing five percent of Title I schools that has not improved after implementing a targeted support and improvement plan for a State-determined number of years.



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(c) AND 1111(d) OF THE ESEA: IDENTIFICATION OF SCHOOLS

- States must continue to identify schools based on the performance of student subgroups.
- States must annually identify any school with a consistently underperforming subgroup, as defined by the State, for **targeted support and improvement**.
- States must also identify, based on statutory requirements, certain schools for **additional targeted support** (which must include a review of resource inequities).
- If a school receives Title I funds and is identified in category (2) above and does not successfully implement a targeted support and improvement plan within a State-determined number of years, it must be identified for comprehensive support and improvement.



STATEWIDE ACCOUNTABILITY SYSTEMS

SECTION 1111(d) OF THE ESEA: COMPREHENSIVE SUPPORT AND IMPROVEMENT

- For each school identified for comprehensive support and improvement, the **LEA must develop and implement** a comprehensive support and improvement plan that:
 - Is informed by all the indicators;
 - Is based on a school-level needs assessment;
 - Includes **evidence-based** interventions;
 - Identifies resource inequities to be addressed through implementation of the plan;
 - Is approved by the school, LEA, and State; and
 - Is monitored and periodically reviewed by the State.
- The **State must** develop exit criteria to determine when comprehensive support and improvement schools may exit status.





Supplement Not Supplant

ESEA section 1118(b)



SUPPLEMENT NOT SUPPLANT

IN GENERAL

The statute requires an SEA or LEA to use Title I funds only to supplement the funds that would, in the absence of those Title I funds, be made available from State and local sources for the education of students participating in Title I programs, and not to supplant such funds.

ESEA section 1118(b)(1)

SUPPLEMENT NOT SUPPLANT

SPECIAL RULE

According to the statute, no LEA shall be required to—

- Identify that an individual cost or service supported with Title I funds is supplemental; or
- Provide Title I services through a particular instructional method or in a particular instructional setting in order to demonstrate compliance.

The special rule applies to both schoolwide programs and targeted assistance programs.

ESEA section 1118(b)(3)



SUPPLEMENT NOT SUPPLANT

DEMONSTRATION OF COMPLIANCE

Under the statute, to demonstrate compliance with the supplement not supplant requirement, an LEA must **demonstrate** that the **methodology** used to **allocate State and local funds** to its schools ensures that **each Title I school receives all of the State and local funds it would otherwise receive** if it were not receiving Title I funds.

ESEA section 1118(b)(2)



SUPPLEMENT NOT SUPPLANT

METHODOLOGIES

An LEA has significant flexibility in adopting a **methodology** to meet the new supplement not supplant requirement. The methodology must—

- Allocate **State and local funds** to schools in the LEA;
- Provide **each Title I school** the State and local funds it would receive were it not a Title I school—i.e., be **neutral** regarding a school's Title I status.

An LEA must be able to **demonstrate compliance**—i.e., that it has implemented its methodology.



SUPPLEMENT NOT SUPPLANT

A WORD OF CAUTION

Consistent with the statute, if an LEA is required by law to provide funding to schools for a specific purpose, the LEA must provide such funds to Title I schools on the same basis as it provides such funds to non-Title I schools, subject to application of the “exclusion” provision.

This includes funds needed to provide services that are required by law for students with disabilities and English learners. See, e.g., ESEA section 1114(a)(2)(B)

SUPPLEMENT NOT SUPPLANT

EXCLUSION OF SUPPLEMENTAL NON-FEDERAL FUNDS

Under the statute, an LEA may exclude from a supplanting determination *supplemental* non-federal funds expended in any school for programs that meet the intent and purposes of Title I.

ESEA section 1118(d)



SUPPLEMENT NOT SUPPLANT

“INTENT AND PURPOSES”

Under the existing Title I regulations, a program meets the intent and purposes of Title I if it either—

- Is implemented in a school with at least 40 percent poverty;
- Is designed to promote schoolwide reform and upgrade the entire educational operation of the school; is designed to meet the educational needs of all students in the school, particularly those who are not meeting State standards; and
- Uses the State’s assessment system to review the effectiveness of the program;

OR

SUPPLEMENT NOT SUPPLANT

“INTENT AND PURPOSES”

- Serves only students who are failing, or most at risk of failing, to meet State standards;
- Provides supplementary services to participating students designed to improve their achievement; and
- Uses the State’s assessment system to review the effectiveness of the program.

34 C.F.R. § 200.79(b)



SUPPLEMENT NOT SUPPLANT EXCLUSION

EXAMPLE #1

- An LEA offers after-school tutoring for any student who scores below proficient on the State's mathematics assessment.
- Paying for eligible students in a Title I school with Title I funds and eligible students in a non-Title I school with supplemental local funds would not violate the supplement not supplant requirement.
- This is true even though the Title I school would not receive its share of the supplemental local funds to provide tutoring to eligible students.
- Rather, the local funds to provide tutoring in the non-Title I school would qualify for the exclusion because they are supplemental and benefit students who, by virtue of being non-proficient in mathematics, are failing to meet the State's mathematics standards and thereby are eligible for Title I services.



SUPPLEMENT NOT SUPPLANT EXCLUSION

EXAMPLE #2

- An SEA has an “A-F” school grading system and identifies all “F” schools—both Title I and non-Title I schools—as comprehensive support and improvement schools.
- An LEA would not violate the supplement not supplant requirement if it uses Title I funds to implement interventions in its Title I “F” schools and uses supplemental non-Federal funds to provide the same interventions in its non-Title I “F” schools.

SUPPLEMENT NOT SUPPLANT EXCLUSION

EXAMPLE #3

The exclusion provision applies even if the activity is required by State or local law. For example:

- A State law requires all third-grade students to meet the State's proficient achievement standard in reading/language arts in order to be promoted to fourth grade.
- Any student who is not proficient at the start of third grade must be provided 90 minutes of supplemental services designed to improve his/her reading proficiency.



SUPPLEMENT NOT SUPPLANT EXCLUSION

EXAMPLE #3 CONT.

- An LEA would not violate the supplement not supplant requirement if it uses Title I funds to implement the required-by-law reading services in a Title I school and uses supplemental non-Federal funds to provide the same services in its non-Title I schools.
- Non-Federal funds to provide the reading services would qualify for the exclusion because they are supplemental and benefit only students who are failing to meet the State’s reading/language arts standards.
- This is true even though the Title I school would not receive its share of non-Federal funds to meet the State law requirement. This example is distinguishable from the examples under “a word of caution” above because the required-by-law services are supplemental and targeted at only at-risk students — *i.e.*, those for whom Title I is intended — rather than students who do not qualify for Title I services.



SUPPLEMENT NOT SUPPLANT

TIMELINE

The statute states that, no later than December 10, 2017, an LEA must meet the compliance requirement under ESEA section 1118(b)(2).

An LEA may demonstrate compliance before December 10, 2017 using the method the LEA used prior to enactment of the ESSA.

ESEA section 1118(b)(5)





Budget Updates: Title I, Part A Allocations

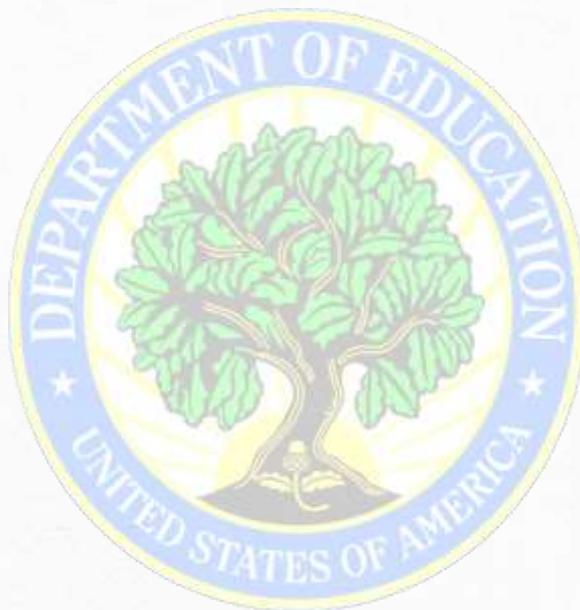
TITLE I ALLOCATIONS

FISCAL YEARS (FY) 2016 AND 2017

- ED will provide an updated set of assurances for States to receive FY 2017 funds on July 1, 2017.
- There is not a final FY 2017 appropriation yet.
- The FY 2017 continuing resolution expires April 28, 2017.
- Impact of continuing resolution on allocations:
 - FY 2017 (school year 2017-2018): ED expects to release preliminary allocations after there is a final appropriation.
 - FY 2016 (school year 2016-2017): once there is a final FY 2017 appropriation, ED will likely need to revise FY 2016 allocations for Title I-A, Title II-A, and School Improvement Grants (SIG).
- LEA Plans for FY 2017: SEAs must collect the assurance in section 8306 of the ESEA

see FAQs: www2.ed.gov/policy/elsec/leg/essa/essatransitionfaqs11817.pdf





Adjustments to the ED Allocations by States

TITLE I-A WITHIN-STATE ALLOCATIONS

PRIMARY CHANGES

- School improvement reservation under section 1003(a) of the ESEA in FY 2017 (school year 2017-2018), FY 2018 (school year 2018-2019), and subsequent years.
- New optional reservation for Direct Student Services (DSS) under section 1003A of the ESEA.
- State educational agency (SEA) application of the hold-harmless requirements for newly opened or significantly expanded charter school LEAs.

TITLE I-A WITHIN-STATE ALLOCATIONS

CHANGED REQUIREMENT: SCHOOL IMPROVEMENT RESERVATION (STEP 4A IN GUIDANCE)

- An SEA reserves funds for school improvement from an LEA's total Title I-A allocation (i.e., the sum of the LEA's allocations for Basic Grants, Concentration Grants, Targeted Grants, and EFIG).
- FY 2017: SEA must ratably reduce the Title I-A allocations of all LEAs to reserve the greater of:
 - 7 percent of the SEA's Title I-A award; or
 - Sum of the SEA's FY 2016 section 1003(a) reservation and its FY 2016 SIG award.



TITLE I-A WITHIN-STATE ALLOCATIONS

CHANGED REQUIREMENT: SCHOOL IMPROVEMENT RESERVATION (STEP 4A IN GUIDANCE)

- In FY 2018 and subsequent years, an SEA must:
 - Reserve the amount described under FY 2017; and
 - Follow the special rule in section 1003(h) by not reducing an LEA below its prior year's allocation in reserving funds for school improvement.

- Question C-1 in the fiscal guidance provides options for what an SEA considers an LEA's "prior year allocation."



TITLE I-A WITHIN-STATE ALLOCATIONS

NEW OPTIONAL RESERVATION: DSS (STEP 4C IN GUIDANCE)

- Under section 1003A an SEA may reserve up to three percent of its Title I-A award for DSS.
- If an SEA chooses to reserve funds for DSS, this reservation occurs after the SEA reserves school improvement funds (step 4a in fiscal guidance) and for administration (step 4b in fiscal guidance).
- The DSS reservation must be made by ratably reducing all LEAs, which may result in some LEAs receiving a Title I-A award that is less than 85, 90, or 95 percent of their prior year's allocation.



TITLE I-A WITHIN-STATE ALLOCATIONS

NEW REQUIREMENT: NEWLY OPENED OR SIGNIFICANTLY EXPANDED CHARTER SCHOOL LEAS (SUB-STEPS UNDER STEP 2B IN THE NOVEMBER 2016 FISCAL GUIDANCE)

- The ESEA now specifically requires an SEA to generate a hold harmless base for a newly opened or significantly expanded charter school LEA that reflects its new or expanded enrollment.
- Applies to each of the four formulas: Basic Grants, Concentration Grants, Targeted Grants, and FIG.
- In the Fiscal Changes and Equitable Services guidance (fiscal guidance), Step 2b explains how the hold harmless requirements for all LEAs works under each formula. The Step 2b sub-steps provide specific information on how to apply the hold harmless to newly opened and significantly expanded charter school LEAs.



ESSA RESOURCES

GUIDANCE

The Department has issued non-regulatory guidance on the following ESSA programs:

- Early Learning (January 17, 2017)
- Fiscal Changes & Equitable Services (November 21, 2016)
- Title IV, Part A – Student Support and Academic Enrichment Program (October 21, 2016)
- Supporting School Reform by Leveraging Funds in a Schoolwide Program (September 29, 2016)
- Title II, Part A – Supporting Educators (September 27, 2016)
- English Learners and Title III (September 23, 2016)
- Ensuring Educational Stability for Children in Foster Care (June 23, 2016)
- Education for Homeless Children and Youths Program (July 27, 2016)
- Using Evidence to Strengthen Education Investments (September 16, 2016)

Find this guidance and other technical assistance information at:

<https://www2.ed.gov/policy/elsec/leg/essa/index.html>



ESSA RESOURCES

TECHNICAL ASSISTANCE

- ED's Every Student Succeeds Act (ESSA) website:
<https://www.ed.gov/essa>
- ESSA Resources:
<https://www2.ed.gov/policy/elsec/leg/essa/index.html>



Questions?

THANK YOU



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