**Every Student Succeeds Act**

**Unofficial Quick Summary of Provisions**

**Relevant to Indistar, School Improvement, and Personalized Learning**

**Comprehensive improvement and support schools:**  the 5% lowest-performing schools in the state, high schools with less than a 67 percent graduation rate, and schools with one or more consistently underperforming subgroups over a number of years.

**Targeted support and improvement schools:** schools with one or more low-performing subgroups.

**Turnaround:** School Improvement Grants (SIG) no longer exist, but state set-aside under Title I for school improvement activities increased from 4% to 7%. Allocate at least 95% of the reserved funds to LEAs to serve comprehensive and targeted improvement schools. No required intervention models, but schools are required to use “evidence-based Interventions,” also called “evidence-based strategies.”

**Multi-metric Accountability:** ESSA requires statesto incorporate nonacademic factors into their accountability systems for a definition of school success that extends beyond traditional measures, such as standardized-test scores. Examples:

* student engagement
* access to advanced coursework
* school safety
* teacher engagement
* school climate
* social and emotional learning

**Universal Design for Learning.** States should adhere to principles of universal design for learning as they develop student assessments and include UDL in plans for comprehensive literacy instruction. UDL encourages multiple ways for teachers to present information and for students to engage in lessons and demonstrate what they know. A UDL lesson might include audiovisual components, illustrations, traditional lectures, enlarged print, or glossaries so that students can have easy access to unfamiliar terms. Universal design for learning also encourages teachers to assign students a variety of activities such as group projects, multimedia presentations, drawings, or music.

**Personalized Learning.** ESSA’s new direction for assessment opens the opportunity for competency-based models, also encouraged by the new Innovative Assessment pilot project. The multi-metric accountability systems may include assessments relative to aspects of personalized learning.

ESSA provisions for direct student services allow states to reserve 3% of Part A funds for direct student services, of which 99% must go to districts for purposes including:

* Enrollment and participation in academic courses not otherwise available at a student’s school;
* Credit recovery and academic acceleration courses that lead to a regular high school diploma;
* Activities that assist students in successfully completing postsecondary credit (including Advanced Placement and International Baccalaureate courses), which may include reimbursing low-income students to cover part or all of the costs of fees for such examinations;
* Components of a personalized learning approach, which may include high-quality academic tutoring; or
* Transportation to allow a student enrolled in a school identified for Comprehensive Support and Improvement to transfer to another, higher performing public school, if an LEA does not reserve funds as part of its school improvement and support activities.

**Evidence-based Interventions and Strategies**

ESSA moves away from the NCLB term “research-based” to a more flexible interpretation of “evidence-based.” ESSA defines the term “evidence-based” and distinguishes between activities with “strong,” “moderate,” and “promising” support based on the strength of existing research. The law also includes a fourth category of evidence-based consisting of activities that have a research-based rationale but lack direct empirical support, but these must be accompanied by “ongoing efforts to examine the effects” of the activity on student outcomes.

Districts with low-performing schools will design their own "[evidence based](http://blogs.edweek.org/edweek/inside-school-research/2015/12/essa_waves_at_tiered_evidence.html)” plans to turn those schools around, and each state will determine what qualifies as evidence within the tiered framework.

Any strategy or intervention can be considered evidence-based if it shows a statistically significant effect on improving student outcomes or other relevant outcomes. The definition actually encompasses four separate standards of research. The first three tiers, modeled on the Investing in Innovation, or i3, grant program, are required for the law’s accountability-related school improvement programs:

* Strong evidence includes at least one well-designed and -implemented experimental study, meaning a randomized controlled trial. Very few school improvement models have actually met it so far.
* Moderate evidence includes at least one well-designed and -implemented quasi-experimental study, such as a regression discontinuity analysis, in which researchers might look at differences in outcomes for students who scored a point above and below the entrance cutoff score for a particular program or intervention.
* Promising evidence includes at least one well-designed and -implemented correlational study that controls for selection bias, the potential differences between the types of students who choose to participate in a particular program and those who don’t.
* If a state or provider can show that a program’s rationale is based on high-quality research or a positive evaluation that suggests it is likely to improve student or other important outcomes, that is enough, as long as the program or intervention has ongoing self-evaluation as well.

**Suggested Components of Support and Improvement System (consistent with but not specified in ESSA; from CCSSO and other sources)**

1. School and District Diagnostic Reviews
   1. create a culture of continuous improvement in all districts
2. Differentiated Supports and Interventions
   1. Aligned to district/school improvement plan
   2. Include process for state to provide on-going monitoring and review
3. Exiting School Improvement Status or More Rigorous Action
   1. Define exit criteria
   2. Determine “what next” if criteria not meant in four years; state-run district, for example
   3. Gradual release, tapering of state supports
4. Direct Student Services
   1. academic courses not otherwise available at a student’s school, career and technical education, credit recovery and acceleration, courses and exams (such as AP and IB),
   2. “components of a personalized learning approach,” and
   3. transportation for students to transfer to another public school

**CCSSO recommendation**

1. Make diagnostic reviews and continuous improvement process available to all districts and schools, with state supports and interventions differentiated based on performance and need.
2. Create networks of districts/schools to share best practices,
3. Promote the kinds of shifts in teaching, learning, and supports necessary to help all students master standards-based knowledge and skills – including shifts toward personalization, competency-based pathways, focus on “cognitive” and “non-cognitive” skills
4. Identify standards-aligned instructional practices.
5. Establish alternative evidence-based interventions that can be used by LEAs in comprehensive improvement schools.
6. Identify and improve, in partnership with districts, the specific competencies that teachers and principals need in order to successfully lead school improvement efforts.
7. Spotlight those schools that have improved performance for targeted sub-groups and have those building leaders share their approaches and expertise with school leaders who have similar issues.

**Select ESSA Changes and Provisions**

1. A school or LEA that is identified in the 2015-2016 school year as a priority or focus school under ESEA flexibility or as a school or LEA in improvement, corrective action, or restructuring, as applicable, under NCLB must continue to implement interventions applicable to the school or LEA through the 2016-2017 school year.
2. State or LEA need not comply during the 2016-2017 school year because those provisions are not continued under ESSA:

* State and LEA to report performance against AMOs;
* School to notify parents when their child has been assigned to, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified;
* State to provide certain types of school supports and recognition;
* LEA hire highly qualified teachers; that each State and LEA report on progress toward all teachers being highly qualified; and that each LEA ensure that paraprofessionals meet certain qualifications and perform certain duties
* LEA not making progress toward all teachers being highly qualified to create and implement an improvement plan and requires the State to provide technical assistance to such LEA
* State to establish annual measurable achievement objectives (AMAOs)
* LEA receiving Title III funds that fails to meet one or more of the AMAOs to provide notice to parents of such failure.

1. Each State with an approved ESEA flexibility request must continue to implement that request through the 2015-2016 school year. All ESEA flexibility requests are null and void as of August 1, 2016.
2. A State with priority and focus schools as identified under an approved ESEA flexibility request must continue to implement interventions applicable to such schools through the 2016-2017 school year.
3. A State implementing ESEA flexibility must select one of the following options with regard to their priority and focus school lists:

Option A: Do not exit schools and maintain current identification. A State may “freeze” its current lists of priority and focus schools as of December 9, 2015 (the day before the date of enactment of the ESSA). The State may not exit schools from the current lists. These are the schools that will continue to implement their approved interventions through the remaining months of the 2015-2016 school year and in the 2016-2017 school years. **If a State chooses Option A, can it exit schools at the end of the 2015-2016 school year?** No. As stated in the December 18, 2015 *DCL*, a State choosing Option A may not exit schools at the end of the 2015–2016 school year. **If a State chooses Option A, can it add schools to its priority and focus school lists in order to ensure that 5 percent and 10 percent, respectively, of all Title I schools implement interventions through the 2016-2017 school year?** Yes, but not required to.

Option B: Exit schools and identify new priority and focus schools. A State may exit priority and focus schools that meet the State’s approved exit criteria and identify new priority (at least 5 percent of Title I schools) and focus (at least 10 percent of Title I schools) schools based on more recent data. These schools would implement their approved interventions through the 2016-2017 school year. As stated in the December 18, 2015, *DCL*, a State selecting this option must provide updated lists of priority and focus schools to ED by **March 1, 2016.**

1. Must an LEA in a State implementing ESEA flexibility include on its LEA report card the names of schools it serves as focus and priority schools for the 2016-2017 school year? Yes. An LEA in a State implementing ESEA flexibility must report on its LEA report card following the 2016–2017 school year the names of schools served by the LEA as priority and focus schools for the 2016-2017 school year.
2. All ESEA flexibility waivers are null and void on August 1, 2016, but priority and focus schools must continue to implement interventions beyond August 1, 2016.
3. ED will not require a State or LEA to comply with the following requirements of the ESEA, as amended by NCLB, so that a priority or focus school is able to continue to implement appropriate interventions in the 2016-2017 school year:

* Section 1003(a), which requires a State to distribute at least 95 percent of the funds it reserves to allocate to LEAs for use in Title I schools in improvement, corrective action, or restructuring;
* Section 1114(a)(1), which requires that a school have at least a 40 percent poverty rate to be eligible to operate a schoolwide program;
* Section 6123(b), which limits the amount of certain federal funds an LEA may transfer between programs;
* Sections 6213(b) and 6224(e), which require a State to permit an LEA that fails to make AYP to continue to participate in the Small, Rural School Achievement program and to receive a grant under the Rural and Low-Income School program only if the LEA uses funds to carry out ESEA section 1116; and
* Sections 1113(a)(3)-(4) and (c)(1), which require an LEA to rank and serve eligible schools according to poverty and allocate Title I funds to schools in rank order of poverty.

1. States are NOT required to develop, or to submit for ED’s review and approval, AMOs for school years 2014-2015, 2015-2016, or 2016-2017.
2. AYP calculations are not required for schools and LEAs based on 2014-2015, 2015-2016, or 2016-2017 school year assessment results. However, a State may choose to calculate AYP for schools and LEAs.
3. ED is not requiring States to comply with the requirements in section 1117 of the ESEA, as amended by NCLB, beginning in the 2016-2017 school year, which requires a State to provide support for LEAs and schools receiving Title I, Part A funds and recognition of schools that close achievement gaps and exceed AYP targets.
4. State Plans to Ensure Equitable Access to Excellent Educators, which each State developed to ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers, remain in effect for the 2015-2016 and 2016-2017 school years for all States. Section 1111(g)(1)(B) of the ESSA contains a similar requirement that low-income and minority children not be served at disproportionate rates by ineffective, inexperienced, and out-of-field teachers. ED will provide additional information on this new requirement in the future.