ESSA:
US Department of Education’s
Notice of Proposed Rulemaking

June 2016
What is it?

• **Proposed** rules published May 31, 2016; could still change.

• Comments due by August 1, 2016

• Not inclusive, but significant
What does it cover?

• **Accountability**
  – Statewide systems
  – School Improvement

• **Data Reporting – Report Cards**

• **Consolidated State Plans**
  – Stakeholder consultation
  – Equity
Accountability

System must include:

• Long term goals and measures of interim progress
• Indicators
• Inclusion of all students, all subgroups, and all schools
• Annual meaningful differentiation of schools
• Identification for comprehensive and targeted support
• School improvement plans
Accountability – Goals

Achievement:
- Based on grade-level proficiency in each of ELA and math
- Same for all students

Graduation Rate:
- Based on Four-Year rate
- If use extended year, must be more rigorous

English Language Proficiency:
- Uniform procedure, consistent and equitable
- Annual progress towards and achieving proficiency
- Applied consistently, but take into account unique factors
Accountability – Indicators

Overall:
• Valid, reliable, comparable across all LEAs
• Calculated the same way for all schools and with the same assessment(s), except for by grade span
• Able to be disaggregated by each subgroup
• Used no more than once
Accountability – Indicators

Achievement:

• Must measure grade-level proficiency on reading/language arts and math

• ELA and math must have equal weight

• 95% or more of all students in denominator

• Can include growth at HS level
Accountability – Indicators

Academic Progress (Growth):

• Either:
  – measure growth on the required assessments; or
  – another academic measure meeting requirements

• Produce varied results

• Supported by research showing that performance or progress is positively related to student achievement
Accountability – Indicators

English Language Proficiency:

• Measures progress towards proficiency in speaking, listening, reading, and writing, including academic English proficiency

• Takes into account proficiency and at state’s discretion, certain characteristics

• May include measuring an increase in the percentage of ELs scoring proficient over the prior year.
Accountability – Indicators

Graduation Rate:

- Four-year cohort rate
- Extended-year rate (up to seven years) can be a component
- Unclear if SD’s High School Completion fits in
- Flexibility for most severely cognitively disabled in theory possible; no state currently meets US ED’s standard
Accountability – Indicators

School Quality or Student Success:

• Produce varied results
• ADA precluded
• Supported by research showing that performance or progress is positively related to student achievement or graduation rates
Participation

• 95% factored into Achievement

• Additionally:
  – Assign a lower summative rating
  – Assign the lowest performance level on the Achievement indicator
  – Identify the school for targeted support
  – Another equally rigorous state-determined action that will lead to improvement in participation

• All schools that miss 95% must develop and implement an improvement plan
Subgroups

• Cannot create a super subgroup as a substitute for individual reporting
• Permits inclusion of ELs for up to four years after exiting
• Should former SPED students be counted for Achievement for up to two years?
Data – n size

• Must be below 30
• Can be different for accountability (statistically reliable) and report card (FERPA considerations)
Accountability – Differentiation

• Three categories within each indicator
• Result in one of three categories to describe summative performance

Substantial Weight:
• Academic Achievement
• Graduation Rate
• Growth
• ELP

Insubstantial Weight:
• School Quality or Student Success
Accountability – Differentiation

Weighting

• School Quality indicator cannot be used to keep a school out of school improvement unless significant progress on an academic indicator; inverse also true.

• A school receiving the lowest rating on any academic indicator does not receive the same summative rating as a school receiving the highest performance level on all of the indicators.

• If insufficient ELs, exclude the indicator and keep relative weights
School Improvement - Comprehensive

Lowest 5% of Title I
• All Students performance averaged over no more than 3 years

High Schools with <67% Four-Year Cohort Rate
• Averaged over no more than 3 years

Chronically Low-Performing Subgroups
• Subgroup(s) equal to lowest 5% that have not sufficiently improved over no more than 3 years (after having been in Targeted support)
School Improvement - Targeted

Low-performing Subgroup

• Each school with a subgroup(s) performing at or below the summative performance of all students in any of the schools designated for comprehensive support as lowest-performing 5% Title I schools

• Must be bumped to Comprehensive Support if no improvement.
School Improvement - Targeted

Consistently Underperforming Subgroup

- Performance over no more than two years
- Consider weighting of indicators
- Define consistently:
  - Not meeting interim progress or not on track for long-term progress;
  - Performing at lowest level on one indicator;
  - Performing at or below a state-determined threshold compared with the performance of all students;
  - Performing significantly below the state average for all students or significantly below the highest subgroup; or
  - Another state-determined definition.

- No requirement to bump to Comprehensive Support
School Improvement - Designations

Important Notes:
- School year of designation is the year following the data.
- Can go back and look at pre-ESSA data to make 2017-18 designations if averaging.
- Must be made by the beginning of the school year identified.

Comprehensive:
- At least once every three years, starting with 2017-18

Targeted:
- Consistently underperforming: annually, starting 2018-19
- Low performing at rate of bottom 5%: identified same year as comprehensive, starting with 2017-18
School Improvement - Comprehensive

- Require prompt parental notification;
- Schools must identify resource inequities, including ineffective, out-of-field, and inexperienced teachers and per-pupil expenditures;
- Interventions a school implements must be supported, to the extent practicable, by the strongest level of evidence that is available;
- Evidence-based interventions may be selected from a State-approved list of interventions;
- A school’s may include a planning year; and
- More rigorous actions if a school does not meet exit criteria (no more than four years), including new interventions supported by a strong or moderate level of evidence.
School Improvement - Targeted

- Same requirements of parental notification, evidence-based interventions, planning year

- Schools must identify resource inequities, including ineffective, out-of-field, and inexperienced teachers and per-pupil expenditures

- Establish exit criteria; if a school does not meet criteria (after no more than three years), implement additional actions that address why it did not meet the criteria
School Improvement - Resources

• Set-aside funds may not be used to serve schools identified for Targeted Support because they missed the 95% participation bar

• The SEA must provide at least $50,000 for each Targeted Support school and at least $500,000 for each Comprehensive Support school, unless the SEA can show that a smaller amount would suffice

• Give priority to an LEA applying to serve a Comprehensive Support school over an LEA applying to serve a Targeted Support school.
Report Cards

- Developed with parent input
- Accessible, regardless of language barrier or disability
- By December 31 following the data year
- Include reason school identified for improvement
- List of all LEAs and schools receiving school improvement funds, the amount, and the interventions implemented
- Overview to include statewide results for all students and subgroups
- Number and % of ELs achieving English language proficiency
- Student achievement must data be presented both with a denominator of 95% of students (or the number of students actually assessed) and the number of students with a valid test score
Questions?

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