

# **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?

## Contact:

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