

THE EVERY STUDENT SUCCEEDS ACT: Implications for Equity in Ohio

Updated July 2016

The Every Student Succeeds Act (ESSA) is legislation that rewrites the *Elementary and Secondary Education Act* and replaces the *No Child Left Behind Act* (NCLB). The new law represents new opportunities for shaping education policy and recasts the federal, state, and local roles in ensuring educational equity. **Input and support from a broad and politically inclusive set of stakeholders is critical to the successful development, implementation, and ultimate sustainability of ESSA in the states.**

ESSA represents a shift in roles and responsibilities through a redistribution of centralized control toward more localized input and planning. The law's increased flexibility poses significant risks for communities where

there is little engagement or political will to make meaningful improvements on behalf of underserved students and schools. However, it also presents great opportunities for state-based civil rights and equity communities and local education leaders to develop and strengthen a comprehensive system of accountability and improvement based on local context and with support from local stakeholders: **civil rights organizations, family and community groups, teachers and educator groups, organized labor and education personnel, early education and childcare providers, faith-based organizations, researchers and advocacy organizations, elected officials, student groups, teacher educators and others from higher education, school boards, and the business community.**

Broadly speaking, in collaboration with stakeholders, states and districts will be required to:

- **set long-term goals for their schools and students**, including student achievement and rates of high school graduation;
- **measure performance and progress** via indicators based on student academic achievement, graduation rates, student growth, English language proficiency, and through an additional indicator (or indicators) of school quality or student success;
- **identify schools in need of additional support** based on the above indicators for all students and by subgroup;
- **write plans for intervention** in schools with the lowest performance and the highest need; and
- **determine how funds will be distributed and effectively used** to support these interventions and supports.

The law also includes some key shifts in how states and districts will address early education, English language proficiency, educator equity, and at-risk students. For more in-depth information about these and other requirements and opportunities within ESSA, please refer to the list of referenced resources on the last page of this document.

Throughout this document, **new requirements and opportunities for potential decision points within ESSA are indicated with an arrow: DP**



To support SEAs as they engage state stakeholders in the process of aligning current policy with ESSA, Partners *for* (in collaboration with several members of our Network and others) has put together a *Handbook for Meaningful Stakeholder Engagement*. The *Handbook*, along with a companion brief, "*In Consultation With... The Case for Meaningful Stakeholder Engagement*," are available here:

[Download the Handbook](#)
[Download the Case](#)

The Development of ESEA, in Brief:

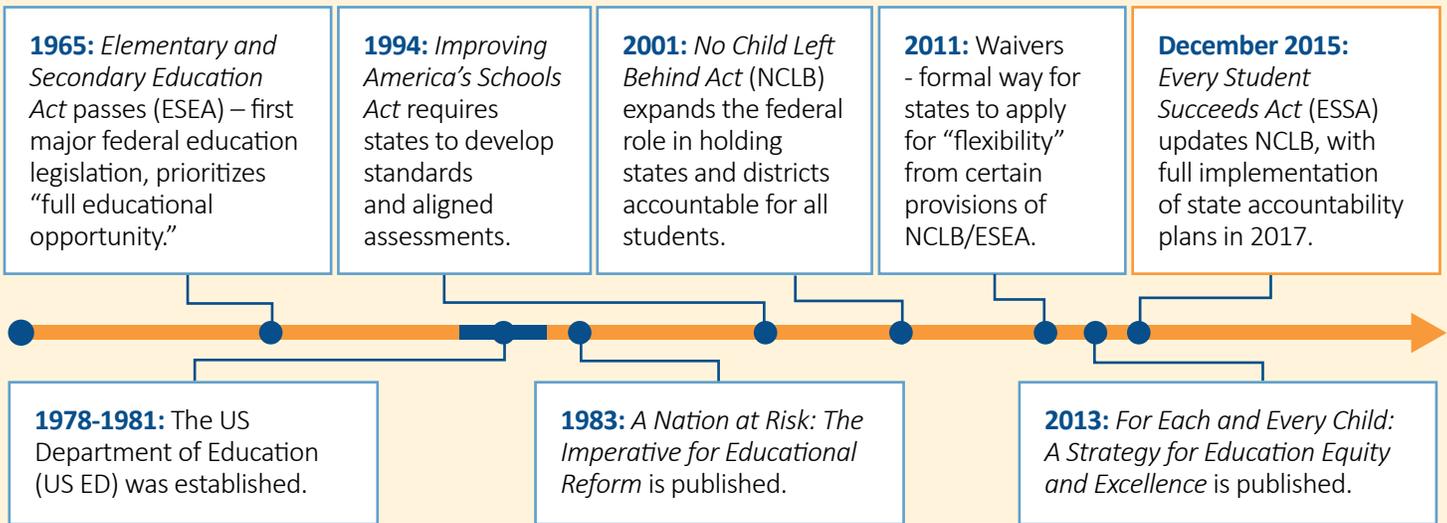


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Goals for Student Achievement

DP **ESSA:** States must set long-term goals with measurements of interim progress for student achievement in ELA and math (as measured by proficiency); high school graduation rates; and English language proficiency.

The goals and interim progress measures must take into account the improvement to make significant progress in closing proficiency and graduation rate gaps.

Currently in OH: OH's Race to the Top (RttT) strategy outlines long-term goals for academic achievement and progress, K-3 literacy, and closing achievement gaps, achievable by 2020:

- Reduce performance gaps by 50%
- Reduce the gap between OH and best-performing states by 50%

Moving Forward: OH will need to align these goals with ESSA, and engage with **OH stakeholders** around this decision point.

Goals for High School Graduation Rates

ESSA: States must set a long-term goal for 4-year high school graduation rates with measurements of interim progress.

In addition, states **may** set goals for extended-year high school graduation rates, but those goals must be higher than the 4-year graduation rate goal.

Currently in OH: OH's RttT strategy outlines long-term goals for graduation rate, achievable by 2020:

- Increase graduation rate by 0.5% each year
- Reduce graduation rate gaps by 5%
- Increase the number of students who graduate from high school remediation-free for college and career readiness

OH measures a 5-year graduation rate.

Moving Forward: OH will need to ensure that its graduation goals are aligned with ESSA. If OH decides to maintain the 5-year graduation metric, goals must be higher than those for 4-year graduation.

Accountability Indicators

ESSA: ESSA requires states to utilize a multiple-indicator accountability system that includes the performance of all students and each student subgroup in each indicator. The required accountability indicators are:

For elementary, middle and high schools:

- Achievement in ELA and math as measured by proficiency on statewide assessments*
- English language proficiency rates*

DP • *At least 1 additional indicator of school quality or student success that allows for meaningful differentiation among school performance, can be disaggregated, and is valid, reliable, statewide, comparable (e.g., rates of school discipline, chronic absenteeism) (See page 4 for more)*

Currently in OH: OH uses multiple measures using:

- annual assessments in ELA, math, science, and social studies for grades 3-8, and ELA and math for 10th grade;
- Value-Added Measure (VAM) in ELA/math (all students and students with disability, gifted, and bottom 20%);
- progress in closing achievement gaps in ELA/math;
- high school graduation (4 and 5-year); and
- "Prepared for Success" indicator (participation rates in AP, IB, college admission tests, and achievement of industry credentials).

Moving Forward: OH will need to make annual determinations and report on the indicators outlined

Accountability Indicators - Continued

For elementary and middle schools:

- A measure of student growth or other academic indicator that allows for meaningful differentiation in school performance*

For high schools:

- 4-year graduation rate (in addition, states may use an extended-year graduation rate)*

DP * This indicator must carry “substantial” weight. In the aggregate, these indicators must carry “much greater weight” than the indicator(s) of school quality or student success.

in ESSA. Specifically, OH will need to determine appropriate weights for these indicators, with academic indicators receiving “substantial weight” individually and collectively making up a “much greater weight” than the additional indicator(s) of school quality or student success. **OH stakeholders** have an opportunity to work together to determine the most appropriate weights for the state’s system.

Additional Accountability Indicators and N-Size

DP **ESSA:** For all schools, states must include at least 1 additional indicator of school quality or success that allows for meaningful differentiation among student groups (e.g., school discipline, chronic absenteeism).

DP States must set the minimum number of students from a subgroup needed for reporting and accountability purposes. The N-size must be the same for all subgroups and for all indicators.

DP NOTE: states may include **more than one** additional indicator of school quality or success so long as that indicator is measured for all students and subgroups.

Currently in CO: Colorado's “Prepared for Success” indicator could be considered an “additional indicator.” However, Colorado does not currently include indicators of school quality and success that do not include student performance, such as school climate or chronic absenteeism.

Moving Forward: OH should further consider how schools and districts will measure and report EL proficiency for elementary, middle, and high school. “Prepared for Success” could be used as the additional indicator required by ESSA. This measure might be enhanced by adding consideration of chronic absenteeism and/or school climate – indicators that are immediately relevant to elementary, middle, and high schools.

These considerations provide an opportunity for **OH stakeholders** to design and implement the use of EL proficiency metrics and to determine the appropriate additional indicator(s) for the state’s system.

Report Cards and Data Reporting

ESSA: Annual state and district report cards are required. The following are a subset of the information required by ESSA to be included on the state and district report cards:

- DP** • Long-term goals, measures of interim progress for all students and subgroups, on all accountability indicators;
- DP** • Minimum number of students for subgroups (N-size);
- The system used to meaningfully differentiate among schools (including indicators and their specific weights, methodology for differentiating schools, and schools identified for *Support & Improvement* and respective exit criteria) (see page 6);
- Performance on annual assessments (See page 9) disaggregated by: economic disadvantage; each major racial and ethnic group; gender; disability, English learner (EL) and migrant status; homeless; foster care; and military-connection.
- DP** • Educator Equity: professional qualifications of teachers overall and in high-poverty schools compared to low-poverty schools, including the percentage of teachers who are inexperienced, teaching with emergency or provisional credentials, or who are not teaching in the field they are certified;
- DP** • Measures of school quality, climate, and safety, which may include data reported as part of US ED's Office for Civil Rights Data Collection; and
- Early Childhood Data: percent of students enrolled in preschool programs.

Currently in OH: OH's annual School Report Cards align to its progress goals and measures of its accountability system (i.e. Achievement, Progress, Gap Closing, Graduation Rate, K-3 Literacy and Prepared for Success), as well as data on finance and gifted/talented students. Schools and districts are given an A-F grade for each component.

OH also has report cards on career tech and community schools (charter) dropout prevention and recovery schools.

Moving Forward: The breadth and depth of reporting for ESSA (e.g. educator equity, early childhood and civil rights) is not currently included as part of OH's report card framework, but should be built out as part of the report card roll out process.

OH will also be required to determine N-size, to show how the number is statistically sound, and collaborate with **OH stakeholders** (e.g., teachers, principals, other school leaders, and parents) in determining the minimum number.

Finally, state report cards must be presented in an understandable and uniform format that is developed in consultation with **parent and family stakeholders**, and in a language parents and families can understand.

Schools Identified for Comprehensive Reform Based on *Performance of All Students*

ESSA: States must identify schools for *Comprehensive Support & Improvement*, at least once every 3 years:

- the lowest performing 5% of Title I schools; and
- all high schools with a graduation rate at or below 67%.



NOTE: *Targeted Support and Improvement* schools (see below) that are consistently underperforming over a period of time, and that fail to achieve state determined “**exit criteria**,” must be reclassified by the state as *Comprehensive Support & Improvement* schools.

Currently in OH: *Priority* schools are the schools in the lowest 5% of Title I schools based on academic proficiency and lack of progress across all students; OR, Title I high schools with a graduation rate less than 60%; OR, *SIG* schools implementing a school intervention mode; AND, schools with an overall grade of “F” for 3 consecutive years. *Watch* schools are Title I schools with a “D” or “F” for 2 consecutive years; OR any school that does not show satisfactory progress and achievement as outlined by the state.

Moving Forward: OH will have to reclassify schools identified for support and improvement in different ways based on all of the annual accountability indicators, disaggregated by subgroup.

For each *Comprehensive* school identified by the state, and each district, **in partnership with stakeholders**, should locally develop and implement a *Comprehensive Support & Improvement* plan for the school to improve student outcomes. Plans must be approved by the school, district, and state, and must include evidence-based interventions, a school-level needs assessment, and an identification of resource inequities – all areas of opportunity for **OH stakeholder engagement**.

Schools Identified for Targeted Reform Based on *Subgroup Performance*

ESSA: States must identify, annually, any school with a subgroup of students that is consistently underperforming based on all of the indicators in the state accountability system for *Targeted Support & Improvement*.

States must also identify schools where the performance of any subgroup of students is at or below the level used to identify Title I schools for the bottom 5% in the state for *Targeted Support & Improvement*. If these schools fail to meet “**exit criteria**,” (state-defined and for a state-determined period of time) they will be reclassified as *Comprehensive Support & Improvement* schools.



Currently in OH: OH identifies *Focus* schools using 3 steps:

- Determine the pool and calculate the percentages (10% of Title I schools)
- Identify schools that have subgroup(s) with low achievement (based on a three-year timeline)
- Identify schools that have subgroup (s) with a low graduation rate (based on three-year timeline; N-size of 30)

Moving Forward: Each *Targeted* and *Additional Targeted* school should develop and implement school-level plans **in partnership with stakeholders** (e.g., parents, teachers, principals, school leaders). Plans must be approved by the district and must include evidence-based interventions and an identification of resource inequities – areas of opportunity for **OH stakeholder engagement**.

Interventions and Supports for Struggling Schools

ESSA:

1. Comprehensive Support & Improvement Schools

At least once every 3 years, states must identify the lowest-performing 5% of Title I schools and high schools with graduation rates at or below 67% for *comprehensive*, locally-determined, evidence-based intervention.

Districts have the responsibility of developing improvement plans which must:

- be informed by all of the accountability indicators;
- be evidence-based;
- be based on a school-level needs assessment;
- be approved by the school, district, and state;
- be monitored and periodically reviewed by the state; and
- identify resource inequities to be addressed.

2. Targeted Support & Improvement Schools:

Annually, states must identify any school with any student subgroup that is “consistently underperforming” based on all indicators in the state accountability system. Those schools must receive targeted, locally-determined, evidence-based intervention. Schools have the responsibility of developing improvement plans which must:

- be informed by accountability indicators;
- be evidence-based;
- be approved and monitored by the district; and
- result in additional action for underperformance over a period of time determined by the district.



3. Additional Targeted Support Schools:

A school with a subgroup performing at the level of the lowest-performing 5% of all Title I schools must also be identified. These schools must identify resource inequities to address through the implementation of its improvement plan in addition to meeting the requirements described above.

Currently in OH: Only *Priority* and *Focus* schools have needed to implement “research-based improvement strategies” that support early literacy in elementary school, and college and career readiness and planning for middle and high schools.

A *Priority* school that does not show compliance or progress is put on probationary status. Possible consequences include withholding of Title I and/or SIG funds, replacement of the principal, or justification that the principal can lead an effective turnaround process (non-SIG only).

Focus and *Watch* schools must submit an improvement plan to the state outlining plans for closing subgroup gaps.

OH recognizes that districts are a critical component of school transformation and support, and requires that districts with *Priority* schools create District Improvement Plans.

Moving Forward: OH should align *Priority* and *Focus* school interventions and supports with those required for ESSA's *Comprehensive*, *Targeted*, and *Additional Targeted* schools. See page 6 for more information about how these schools must be identified.

ESSA also only requires districts to submit improvement plans for their *Comprehensive* schools, without specific implications for district level changes. OH's existing differentiated intervention guidance and support system for districts could serve as an important capacity-building infrastructure that strengthens OH's approach to continuous improvement.

In addition, OH's strategies for *Priority* school interventions can provide a local body of evidence to inform all school and district interventions under ESSA, which must be “research-based.”

State and districts must locally develop plans for interventions and supports for *Comprehensive*, *Targeted*, and *Additional Targeted* schools in consultation with **OH stakeholders**.

Intervention Timeline

ESSA: *Comprehensive Support & Improvement* schools have 4 years to meet state-set criteria that allow them to exit the *Comprehensive* intervention status. If they do not meet these criteria, they must implement more rigorous **state-determined interventions**, which may include school-level operations.

DP

Any school with a subgroup performing at the level of the lowest-performing 5% of all Title I-receiving schools and implementing Targeted interventions must reach state-set "**exit criteria**" by a state-set **time period** or the school will be identified for *Comprehensive Support & Improvement*.

Currently in OH: Schools exit *Priority* status when they are no longer in the bottom 5% of combined ELA/math proficiency, or have a high school graduation rate over 60%.

Schools that fail to meet exit criteria after 3 years are subject to sanctions, including corrective action plans, withholding of payments, or an Academic Distress Commission to manage, restructure, and/or close schools. Schools exit *Focus* status when they demonstrate subgroup(s) improvement.

Moving Forward: OH's current intervention timeline generally aligns to ESSA requirements, although OH currently provides schools 3 years to meet exit criteria, instead of ESSA's 4 years.

Aligning the timeline and determining the required interventions are opportunities for **OH stakeholder engagement**.

School Improvement Funding

ESSA: States must use 7% of Title I allocations for school improvement activities. States will determine if these funds are distributed by formula or competitive grants.

DP

States **may** use 3% of Title I allocations for "direct student services," in consultation with districts, including:

- Advanced Placement (AP), International Baccalaureate (IB), and other advanced coursework; career and technical education that leads to an industry-recognized credential;
- credit recovery programs;
- personalized learning; and
- transportation from *Comprehensive Support & Improvement* schools to higher performing schools.

Currently in OH: Districts with *Priority*, *Focus*, and/or *Watch* schools are required to prioritize resource allocation of their 20% set-aside of Title I dollars to fund additional targeted interventions and supports for those schools.

Those funds can support:

- supplemental instruction for PreK-3 literacy;
- supplemental services to improve the building or district lowest report card grade component;
- supplemental services to build capacity to implement dropout prevention strategies;
- services to improve college and career readiness; expanded learning time opportunities focused on improving literacy; and/or
- district-wide teacher professional development on the above activities.

Moving Forward: In order to receive ESSA's school improvement resources, the state and local districts must develop implementation plans with input from **OH stakeholders** (e.g., policy makers, district leadership, representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders, specialized instructional support personnel, paraprofessionals, administrators, other staff, parents and families). In addition, OH might consider the strategic opportunity of using Title II professional learning funds to support teacher and staff development in high-poverty schools.

Standards

ESSA: States must demonstrate that their challenging academic standards are aligned with entry-level course requirements in the state’s public system of higher education and the state’s career and technical education standards.

NOTE: The US Secretary of Ed. cannot mandate, direct, control, coerce, or exercise any direction or supervision over standards adopted or implemented by the state.

Currently in OH: OH’s current PreK-12 college and career ready standards are already aligned to the OH Board of Regents’ College Readiness Expectations, which inform the statewide guaranteed credit transfer system and the higher education placement policy.

Moving Forward: OH will need to demonstrate that the PreK-12 college and career ready standards are "challenging" under the new law.

Student Assessment

ESSA: States must:

- assess at least 95% of all students and include participation rates in the state accountability system;
- DP** • assess students annually in grades 3-8, and at least once in high school, in math and ELA, with science assessments required at least once in each grade span (3-5; 6-9; 10-12);
- not assess more than 1 % of students using an alternate assessment for students with the most significant cognitive disabilities; and
- make “every effort” to develop assessments in languages other than English that are present to a “significant extent” in its participating student population.

States **may**:

- DP** • use computer adaptive assessments, interim assessments that result in a single summative score, and/or complementary assessments that use projects, portfolios, and extended performance tasks.
- DP** • allow districts to use a locally-selected, nationally-recognized high school assessment in place of the required statewide high school assessment;
- DP** • apply to implement an *innovative assessment and accountability pilot*, which may include the use of competency- or performance-based assessments that may be used in place of the annual statewide assessments (flexibility will only be afforded to up to 7 states, and a consortia not to exceed 4 states); and
- DP** • set a target limit on the aggregate amount of time spent on assessments.

Assessment Audit Grants are available for states to audit the number and quality of assessments statewide and by district; and to provide district subgrants to improve assessment systems and capacity to use results to improve teaching and learning.

Currently in OH: All kindergarten students take the Kindergarten Readiness Assessment. In grades 3-10, all students take the appropriate high quality state assessment (grade-level or end of course exams in mathematics, ELA, science and social studies).

OH does offer an alternate assessment for students with significant cognitive disabilities.

OH has two pilot assessments from its 2012 waiver: performance based assessments (PBAs) and formative assessments. The PBA pilot includes workshops on developing, implementing, and scoring performance based assessments. The formative assessment pilot (2011-14) creates a portfolio of assessment strategies and practices available to other districts as part of OH's Model Curriculum.

Moving Forward: OH will need to ensure at least 95% participation and will need to ensure compliance with the percentage of students participating in the alternative assessment.

Ohio is in an ideal position to take part in the *Innovative Assessment/Accountability Pilot*. The state will need to determine if it will focus on a subset of districts (i.e., those that have been part of the Innovation Lab Network), apply for the state as a whole, or join with a consortia of states.

If OH does apply for the pilot, the design and implementation plans should be developed in consultation with **OH stakeholders representing students with disabilities, EL learners, and other vulnerable children** (e.g., teachers, principals, and other school leaders; LEAs; parents; and civil rights organizations). OH will need to specify how parents can learn about the system at the beginning of each year of implementation, and engage and support teachers in developing and scoring assessments that are part of the innovative assessment system.

Educator Equity

ESSA: States no longer need to define and track Highly Qualified Teachers (HQTs), but states must develop, report and share plans describing how they will identify and address educator equity disparities that result in poor and minority students being taught by ineffective, inexperienced, or out-of-field teachers at higher rates than other students.

DP States must collect and publicly report data on these disparities and describe the metrics used to determine the disparities. States must also report on, where available, the annual retention rates of effective and ineffective teachers, principals, and other school leaders.

DP States *may* use federal professional development funds to increase access to effective teachers for students from low-income families and students of color.

Districts must describe how they will identify and address educator equity, and must have mechanisms to notify parents regarding the professional qualifications of their child's teacher.

Currently in OH: Ohio's Educator Equity Plan (2015) was written to address found disparities in access to excellent educators. As part of the analysis done to write the plan, Ohio found the following **Equity Gaps:**

- Low-income and minority students disproportionately attend schools where they take courses taught by out-of-field, unqualified, inexperienced, and/or ineffective teachers, and attend schools with ineffective principals.

Four Educator Equity Strategies were identified:

1. Strengthen educator preparation.
2. Target hiring and deployment barriers.
3. Improve teaching and learning conditions.
4. Provide data to encourage strategic staffing and educator development.

Engagement Efforts to Date: To involve stakeholders in the development of their Educator Equity Plan, ODE invited a diverse array of stakeholders to participate in an equity work group that worked to define key terms, determine appropriate data measures, review equity data, determine appropriate monitoring tool(s), analysis of root causes, development of strategies, and final review of the Plan prior to submission. ODE also created an equity homepage that was used for public comment and on-going progress updates.

Moving Forward: Each of the four identified strategies in the state Educator Equity Plan include several sub-strategies that are specific and actionable. Some sub-strategies are ongoing, established initiatives while others will take long-term planning and support for development. The Plan commits to annually reporting the progress of the plan and to **engage stakeholders** on the needs of specific student groups. In collaboration with stakeholders, Ohio will need to determine the following:

1. **Data Analysis and Capacity:** how ODE will ensure the effective use of the Workforce Strength Index in recruitment, hiring, and professional development practices;
2. **Teacher Effectiveness:** how value-added measures might be refined to better identify effective teachers and what additional preparation and support will be provided to teachers and school leaders so they may work more successfully in high-needs schools and districts;
3. **Accessibility:** how/where ODE will report information so that it is easily accessible, available on public websites and in languages that parents of students enrolled in all schools in the state can understand;

Educator Equity - *Continued*

4. **Stakeholder Engagement:** in what specific ways ODE will ensure underrepresented communities and stakeholders not traditionally included (e.g. school support personnel, paraprofessionals) are fully engaged in the process (what will it take – roles, resources, priorities – to meaningfully engage with stakeholders on the identified strategies and sub-strategies in the Plan?) and how to facilitate feedback loops for two-way communication between ODE and stakeholders;
5. **Targeted Interventions and Supports:** how ODE will prioritize strategies to support schools identified for comprehensive or targeted support & improvement that are also contributing to disproportionate rates, as well as what accountability for the performance of low-income and minority students will look like, particularly for schools and districts where there are fewer low-income or minority students, and how differentiation in an accountability system might be balanced with assurances for achieving equity; and
6. **Funding/Title II:** how ODE will direct LEAs to use a portion of their Title II, part A funds to support educator equity strategies, particularly for LEAs with persistent educator equity gaps (note that Ohio’s Workforce Strength Index can inform these professional development and Title II funding decisions)

NOTE: Title II funding allocations, which are specifically meant to support preparing, training, and recruiting high-quality teachers and principals, require state and local districts to work with **OH stakeholders** (e.g., teachers, school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, parents, and community partners) to assess, develop, and refine strategies to meet the state’s goals around quality teachers and school leaders.

Teacher and Leader Evaluation Systems

ESSA: States are not required to have teacher and leader evaluation systems.

States **may** use federal professional development funds and Teacher and School Leader Incentive Fund competitive grants to implement teacher and leader evaluation systems based on student achievement, growth, and multiple measures of performance, and to inform professional development.

Currently in OH: As required by HB 153, the State Board of Education adopted the framework for the Ohio Teacher Evaluation System (OTES), which is based on multiple measures including performance and growth. The system, and a companion evaluation system for principals, have been in development & piloted since then. ODE expected full implementation of OTES in the 2015-16 school year.

Moving Forward: OH may decide to use federal professional development funds and/or *Teacher and School Leader Incentive Fund* grant funds to support the ongoing implementation of its system, and to continue to inform professional development.

These decisions are important opportunities for **OH stakeholder engagement**.

Early Childhood Education

DP **ESSA:** ESSA's provisions aim to promote:

- early learning coordination within communities;
- greater alignment with the early elementary grades; and
- early childhood education focused on capacity building for teachers, leaders, and other staff serving young children.

ESSA includes a birth to 12th grade literacy initiative, and also includes early childhood as a component of education and interventions for Native American and Alaskan Native students, dual language learners, and children experiencing homelessness.

A new authorization has been created for a *Preschool Development Grant* (PDG) program:

Authorized at \$250M for FYs 2017-20, the PDG is administered by the Department of Health and Human Services (HHS) jointly with US ED. Funds can be used to develop, update, or implement a plan to increase collaboration or coordination among existing early childhood programs and participation of children from low-income families in high quality early childhood programs. Secretaries of HHS and US ED are restricted from prescribing early learning development guidelines, standards, specific assessments, and specific measures or indicators of quality early learning and care.

In addition to the stakeholder engagement required in the development and implementation of PDGs, school districts will need to determine whether they plan to use Title I funds for early childhood education more

Currently in OH: OH's Early Childhood Development System is an interagency collaborative effort of the Ohio Departments of Education, Job and Family Services, Health, Mental Health, Developmental Disabilities, the Early Childhood Advisory Council, and the Ohio State Board of Education.

Moving Forward: OH school districts will need to determine if they plan to use Title I funds for early childhood education. If so, their plans must develop and describe the district strategy to support participating students' transition to local elementary schools.

Title I allocation, especially focused on early learning transitions, can further strengthen OH's Third Grade Reading Guarantee program to make sure students are on track for reading success by the end of third grade.

These decisions should be made with engagement of **OH stakeholders**, especially local early childhood and childcare experts.

Early Childhood Education - *Continued*

- DP** broadly. If so, their plans must describe the district strategy to support participating students' transition to local elementary schools. These decisions should be made with engagement of stakeholders, especially local early childhood and childcare experts.

English Learners

ESSA: Accountability for ELs is shifted to Title I, which increases funding opportunities and visibility for ELs. States must:

- DP** • include English proficiency as an indicator in their accountability systems;
- DP** • annually assess and report English proficiency, and students who have not attained English proficiency within 5 years of identification as an EL;
- DP** • clarify a standardized process for classifying ELs and re-designating students as English proficient; and disaggregate ELs with a disability from ELs in general.

States have two options regarding timing for testing ELs:

- DP** • Include test scores after they have been in the country 1 year (consistent with current law); OR
- Refrain from counting EL test scores in a school's rating in their first year, but require ELs to take both math and ELA assessments and publicly report the results.

In order to receive Title III funding to support EL programs, state and district plans must explicitly include parent, family, and community stakeholder engagement as part of their EL strategy, and develop implementation plans with all state stakeholders.

Currently in OH: OH currently provides guidance for the identification, assessment, and exit criteria for LEP and EL learners.

All students identified as EL learners must take the OH English Language Proficiency Assessment (OELPA), including EL learners with disabilities, and recently arrived.

Moving Forward: ESSA provides an opportunity to standardize and refine school and district practices with regard to identifying and supporting EL learners.

OH will have to measure and report EL proficiency at the elementary, middle, and high school levels and will need to figure out how to incorporate EL proficiency in a more significant and relevant way in its state accountability system.

ESSA's explicit accountability focus on EL learners provides an opportunity for the state and local districts to work with and learn from **OH stakeholders** (e.g., EL teachers and administrators and families of EL learners). Their guidance will be instrumental to clarifying a process for identifying, classifying, and redesignating EL learners; and ensuring that OH provides sufficient resources to data infrastructure, student supports, and capacity building efforts.

NOTE: The data collected through ODE's Lau Resource Center might provide the basis for an analysis of Ohio's LEP/EL learner trends and the capacity needs of Districts and schools, e.g. data systems, training, and professional development needed to ensure appropriate identification, assessment and instruction of LEP/EL learners.

At-Risk Students

DP **ESSA:** HSGI is eliminated, but a new funding program, the Student Support and Academic Enrichment Grant, authorizes formula grants to states for three purposes: (1) provide students a well-rounded education; (2) improve school conditions; and (3) improve the use of technology to support digital literacy. These funds may be used to support dropout prevention and re-entry programs.

Currently in OH: The *Dropout Prevention and Recovery* program allows at-risk students to complete a competency-based instructional program rather than the OH core curriculum. Dropout recovery charter schools serve ~13,000+ students who have dropped out or are at risk of dropping out.

Early Warning System: Districts must identify students at risk of dropping out and develop success plan/ advising for those students.

Moving Forward: OH has the opportunity to take advantage of the *Student Support and Academic Enrichment Grant* program, and would need to determine which student supports to implement with this new funding. These decisions should be made in consultation with local **OH stakeholders**.

Funding

ESSA: The new law includes some funding provisions that include:

- Supplement not supplant requirements are maintained.
- Maintenance of Effort requirements for K-12 remain in place.
- DP** • A school with at least 40% poverty is eligible for Schoolwide Title I programs.
- The Title II formula shifts to a more significant weight on poverty (80% of the formula by 2020).
- *Weighted Student Funding (WSF)* pilot: 50 school districts working to improve school finance systems, including system evaluation.

Currently in OH: Districts use a combination of state funds, local sources such as property taxes and federal funds. Specifically:

- State General Revenue Fund (represents the largest source of elementary and secondary education funding)
- Ohio Lottery (profits)
- Tangible Personal Property (TPP) tax (reimbursement payments for lost property tax revenue due to phase out of the tax)
- kWh tax (reimbursement payments for reduction of property tax assessment rates on utility property)
- Property Tax Relief (state pays 10% of locally levied property taxes for residential and agricultural real property owners and an additional 2.5% for homeowners)

The amount of state funds that a district receives is based on a formula that takes into account student enrollment and the property wealth of the district.

Moving Forward: A full assessment should be conducted, with the input and engagement of multiple **OH stakeholder groups**, as to whether applying for the *WSF* pilot is feasible. Districts who apply to participate in the *WSF* pilot should develop their proposals with the input of **OH stakeholders** (e.g., teachers, principals, other school leaders, administrators of federal programs impacted by the agreement, parents, and community leaders).

Rural Schools

DP **ESSA:** Spending flexibility of *SRSA*- and *RLIS*-directed funds is expanded to best meet the needs of underperforming students and schools.

These funds can be used to support teacher recruitment and retention, teacher professional development, increasing access to educational technology, family engagement, ELL support, as well as partnerships that increase access to student enrichment, during and after the school day.

Currently in OH: OH received over \$5 million in *SRSA* (\$2.7m) and *RLIS* (\$3.12m) funding in 2014-15. Other Initiatives in OH to support rural schools include:

- *Teacher Incentive Fund (TIF)* grant (23 urban, suburban and rural districts, \$59 million for 5-year period 2010-15);
- Ohio Appalachian Collaborative (partnership between rural appalachian districts and Batelle for kids, districts with *TIF* & *SIG* grants received targeted TA); and
- ODE Urban and Rural Renewal Committee (state board of education advisory committee on interventions/improvements in poor performing schools/districts)

Moving Forward: OH should continue to utilize *SRSA* and *RLIS* funding and now has the opportunity to use these funds for increasing access to student enrichment, which is another opportunity for **MS stakeholder engagement**.

Charter Schools

ESSA: All public schools are included in the state's accountability system, including charter schools. States must:

- DP**
- establish charter school authorization standards, which may include approving, monitoring and re-approving or revoking the authority of an authorized public chartering agency based on charter school performance in the areas of student achievement, student safety, financial and
 - operational management, and compliance with all applicable statutes and regulations;
 - ensure charter school annual reports include academic measures that are part of the state accountability system (4 academic, 1 additional indicator), as well as adjusted 4-year and extended cohort graduation rates, disaggregated by subgroups, including plans for intervention and supports; and
 - provide assurance of equitable distribution of effective educators.

Currently in OH: "Community School" (Charter) Authorization Standards include:

- Outlined sponsorship parameters and authorization protocols, including capacity for monitoring, annual reporting of assurances and expenditures, and providing technical assistance.
- If the state board finds that an authorizer is not in compliance or not willing to comply with its contract, there is a hearing to determine next steps. The state might require: 1) the sponsoring authority to submit an improvement plan which must be approved by the state; 2) sponsorship authority may be revoked and the state may assume authorization of the schools for up to 2 years, or until a new sponsor is found.

Community School mandates include:

- Authorizers must evaluate community schools annually (measuring financial accountability and academic progress according to reasonable standards) and issue a report of the evaluation. Schools that fail to meet contractual requirements, have deficiencies in their financial management or governance, or have physically unsafe conditions for children are subject to suspension and termination.

Charter Schools - Continued

- HB 66 (passed June 2005) expands accountability requiring reporting of special education and related services.

Moving Forward: OH's community school/charter school authorization and accountability mandates fulfill most of the ESSA requirements, although community schools will now have to report disaggregated academic progress and resource distribution by subgroups, in addition to their current reporting on special education students and ensure equitable distribution of teachers.

Mitigating the Effects of Poverty

DP **ESSA:** Funds include competitive grants for supportive programs, such as *Full-Service Community Schools*, *Promise Neighborhoods* and *21st Century Community Learning Centers*. These grants are intended to expand equitable access to comprehensive student enrichment and supports, including integrated community partnerships and professional development for educators to work effectively with families and communities.

Currently in OH: HB 460/70 modifies a parent trigger bill to have "community learning center" models be a restructuring option for underperforming schools. While no funding is attached to the bill (passed October 2015), it outlines a process that includes community needs assessments, teacher voice and leadership, and public-private partnerships.

Moving Forward: The lessons from OH's growing community learning centers movement are integral to developing comprehensive school reform efforts that expand and deepen partnerships with community organizations, public agencies, hospitals, institutes of higher learning, and public sector partners. Specifically, OH's work highlights the importance of allocating resources to build partnership infrastructure (data systems, staff, professional development regional and cross-sector collaboratives).

OH's application for Title IV funding, and its plans to allocate funds to local districts and partnerships will need to emphasize and incentivize greater **collaboration between education decision makers**, including state and local agencies that fund before and after school programs, health and mental health agencies, after-school networks, and **representatives from OH stakeholder groups** (e.g., teachers, districts, and community based organizations).

In addition, competitive grant programs (e.g., *Promise Neighborhoods*, *Full-Service Community Schools*) provide an opportunity for deeper understanding of student, family and community needs, by working directly with **parents, families, and community stakeholders** in the planning and implementation of strategic programs.

**The table above has been adapted with permission from the following organization's materials: Alliance for Excellent Education (<http://all4ed.org/essa/>); EducationCounsel (<http://educationcounsel.com/?publication=summary-analysis-every-student-succeeds-act>); First Five Years Fund (<http://ffyf.org/resources/>).

APPENDIX A: Stakeholder Engagement in ESSA

The ESSA sections below highlight specific opportunities for engagement with various stakeholders in the state:

Title I, Section 1111 – State Plans

- *Development*: Requirement that to receive grant funds plan must be developed by SEA with timely and meaningful consultation with the Governor, members of the State legislature and the State board of education, LEAs, representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders, specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents (Sec. 1111(a)(1)(A)).
- *Public Comment*: Requirement that each state shall make the State plan publicly available for comment for no less than 30 days. Must be available electronically in an easily accessible format. Must happen before submission of the plan to the Secretary. Assurances must be provided in the plan that this has taken place.
- *Determining ‘N’ size*: States must demonstrate how it determined N size, including how it collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining the minimum number (Sec. 1111(c)(3)(A)(ii)).
- *Comprehensive Support and Improvement Plans*: For each Comprehensive school identified by the state, and in partnership with stakeholders (i.e., parents, teachers, principals, school leaders) locally develop and implement a Comprehensive plan for the school to improve student outcomes (Sec. 1111(d)(1)(B)).
- *Targeted Support and Improvement Plans*: For each Targeted school identified by the district, and in partnership with stakeholders (i.e., parents, teachers, principals, school leaders), shall develop and implement school-level Targeted plans (Sec. 1111(d)(2)(B)).
- *Assurances – Parent/Family Engagement*: Each SEA plan shall include assurances that the SEA will support the collection and dissemination to LEAs and schools of effective parent and family engagement strategies, including those in the parent and family engagement policy under section 1116 (Sec. 1111(g)(2)(F)).
- *State Report Card*: Must be presented in an understandable and uniform format that is developed in consultation with parents, and to the extent practicable, in a language parents can understand (Sec. 1111(h)(1)(B)(ii)).

Title I, Section 1112 – LEA Plans

- *LEA subgrants*: May only be received by the LEA if it has on file with the SEA an SEA-approved plan that is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and charter school leaders, administrators, other appropriate school personnel, and with parents of children in Title I schools (Sec. 1112(a)(1)(A)).
- *LEA plans*: In its plan, each LEA shall describe the strategy it will use to implement effective parent and family engagement under section 1116 ... and how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1115, will identify the eligible children most in need of Title I services (Sec. 1112 (b)(9)).

Title I, Section 1202 – State Option to Conduct Assessment System Audit

- *Application:* Applications for state assessment audit grants must include information on the stakeholder feedback the State will seek in designing the audit (Sec. 1202(d)(1)(B)).
- *State assessment system audit:* Each State assessment system audit shall include feedback on the system from stakeholders including, for example- how teachers, principals, other school leaders, and administrators use assessment data to improve and differentiate instruction; the timing of release of assessment data; the extent to which assessment data is presented in an accessible and understandable format for all stakeholders (Sec. 1202(e)(3)(C)).

Title I, Section 1204 – Innovative Assessment and Accountability Demonstration Authority

- *Application:* Applications for innovative assessments must demonstrate that the innovative assessment system will be developed in collaboration with stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children; teachers, principals, and other school leaders; LEAs; parents; and civil rights organizations in the State (Sec. 1204(e)(2)(A)(v)). The application shall also include a description of how the SEA will inform parents about the system at the beginning of each year of implementation (Sec. 1204(e)(2)(B)(v)), and engage and support teachers in developing and scoring assessments that are part of the innovative assessment system (Sec. 1204(e)(2)(B)(v)).

Title I, Section 1501 – Flexibility for Equitable Per-Pupil Funding

- *Assurances:* LEAs interested in applying for the weighted student funding flexibility pilot shall include in the application an assurance that the LEA developed and will implement the pilot in collaboration with teachers, principals, other school leaders, administrators of Federal programs impacted by the agreement, parents, community leaders, and other relevant stakeholders (Sec.1501(d)(1)(G)).

Title II, Section 2101 – Formula Grants to States

- *Application:* Each SEA shall meaningfully consult with teachers, principals, other school leaders, paraprofessionals, specialized instruction support personnel, charter school leaders, parents, community partners, and other organizations or partners with relevant and demonstrated expertise, and seek advice regarding how to best improve the State’s activities to meet the purpose of this title (Sec.2101(d)(3)(A)).

Title II, Section 2102 – Subgrants to LEAs

- *Application:* In developing the application LEAs shall meaningfully consult with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, parents, community partners, and other organizations or partners with relevant and demonstrated expertise and seek advice regarding how to best improve the State’s activities to meet the purpose of this title (Sec. 2102(b)(3)).

Title III, Section 3102 – English Language Acquisition, Language Enhancement, and Academic Achievement

- *Assurances:* SEA and specifically qualified agency plans must provide an assurance that the plan has been developed in consultation with LEAs, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders.

Title III, Section 3115 – Subgrants to Eligible Entities

- *Local Plans:* Local grants must describe how the eligible entity will promote parent, family, and

community engagement in the education of English learners and contain assurances that the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education in developing the plan.

Title III, Section 3131 – National Professional Development Project

- Grant use: Grants awarded under this section may be used to support strategies that strengthen and increase parent, family and community member engagement in the education of English learners (Sec. 3131(3)).

Title IV, Section 4106 – LEA Applications

- *Applications*: an LEA, or consortium of LEAs, shall develop its application through consultation with parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community based organizations, local government representatives (including law enforcement, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations, charter school teachers, principals, and other school leaders, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this subpart. The LEA or consortium shall engage in continued consultation with the entities described above (Sec 4106(c)(1)).

Title IV, Section 4203 – State Application

- *Applications*: SEAs shall submit an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before and after school programs and activities, heads of the State health and mental health agencies or their designees, statewide after-school networks and representatives of teachers, LEAs, and community based organizations and a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application if applicable (Sec. 4203(a)(13)).

Title IV, Section 4624 – Promise Neighborhoods

- *Application*: Eligible entities desiring a grant under this part must include in their application an analysis of the needs assets of the neighborhood identified including a description of the process through which the needs analysis was produced including a description of how parents, families, and community members were engaged (Sec. 4624(a)(4)(B)), and an explanation of the process the eligible entity will use to establish and maintain family and community engagement including how a representative of the members of such neighborhood will be involved in the planning and implementation of the activities of each award granted (Sec. 4624(a)(9)(A)).

Title IV, Section 4625 – Full Service Community Schools

- *Grant awards*: in awarding grants under this subpart, the Secretary shall prioritize eligible entities that are consortiums comprised of a broad representation of stakeholders or consortiums demonstrating a history of effectiveness (Sec.4625(b)(2)).

APPENDIX B: Resources for Further Information about ESSA

The following are overviews and analyses of ESSA from *Partners for Network* partners and others who have contributed to the national and local conversations about ESSA implementation. This list is not exhaustive, and will be updated as resources become available. We welcome your input on expanding and revising this list.

The Alliance for Excellent Education (The Alliance) is a nonpartisan policy and advocacy non-profit that focuses on high school transformation and policy implementation recommendations. They have produced valuable summary materials- both print and video- summarizing ESSA's implications for **accountability, assessments, high schools, teachers and school leaders, and Linked Learning**. These materials and more can be found at all4ed.org/essa. The Alliance is part of the *Partners for* advisory group, leading our national issue-based group in governance and accountability.

The American Federation of Teachers (AFT) is a national teachers union that represents 1.6 million members nationwide. AFT resources on ESSA can be found at aft.org/position/every-student-succeeds-act. The AFT is a member of the *Partners for* advisory group focused on teaching, leading and learning.

The Council of Chief State School Officers (CCSSO) is a nonpartisan nonprofit organization of public officials who head departments of elementary and secondary education in the states. CCSSO provides leadership, advocacy, and technical assistance on major educational issues. They have produced several materials, including a [FAQ on ESSA](http://ccsso.org/Resources/Programs/Every_Student_Succeeds_Act.html), which can be found at [ccsso.org/Resources/Programs/Every Student Succeeds Act.html](http://ccsso.org/Resources/Programs/Every_Student_Succeeds_Act.html). CCSSO is working with *Partners for* on ESSA implementation efforts in several states.

EducationCounsel (EdCounsel) is an education consulting firm that focuses on policy strategy, research, and implementation at the national level for all students. In December 2015, EdCounsel produced a [Summary Analysis of the Every Student Succeeds Act](http://educationcounsel.com) immediately following the passage of the law, and has since produced an analysis of the Law's [opportunities and risks](http://educationcounsel.com). These and more can be found at educationcounsel.com. EdCounsel is working with *Partners for* on analysis of federal policy, and is part of our advisory group focused on early childhood education.

Education Trust (EdTrust) is a national non-profit advocacy organization that promotes high academic achievement for all students at all levels, particularly for students of color and low-income students. EdTrust has many resources that can be found at edtrust.org/issue/the-every-student-succeeds-act-of-2015/, including an [overview](http://edtrust.org/issue/the-every-student-succeeds-act-of-2015/) of the law as it relates to Equity.

The National Education Association (NEA) is a national teachers union representing 3 million members nationwide. NEA's resources on ESSA can be found at nea.org/essabegins. The NEA is a member of the *Partners for* advisory groups focused on teaching, leading and learning, and governance and accountability.

National Council of La Raza (NCLR) is a nonpartisan voice for Latinos, leading research, policy analysis, and state and national advocacy efforts in communities nationwide. NCLR's resources on ESSA can be found at nclr.org, and include a webinar focused on [what the ESSA means for the Latino community](http://nclr.org), and an [article](http://nclr.org) on the same topic.

The Thomas B. Fordham Institute (The Fordham Institute) is a national non-profit research organization that aims to challenge and frame the educational debate, specifically around standards, school quality and choice, and capacity-strengthening for more effective, efficient, and equitable education. The Fordham Institute put together a video panel about ESSA called [Implementing ESSA: What to expect in 2016](http://edexcellence.net). This and other resources can be found at edexcellence.net.

The National Urban League (NUL) is a national non-profit focused on research and advocacy efforts that are grounded by the direct service and program experience of over 90 affiliates nationwide. The NUL produced a [series of webinars](http://nul.iamempowered.com) focused on ESSA that includes an [Overview of ESSA](http://nul.iamempowered.com). These and other resources can be found at nul.iamempowered.com.

The U.S. Department of Education (US ED) produced a [set of FAQs on ESSA](http://ed.gov/essa). This and other US ED resources can be found at ed.gov/essa.

These resources and More can be found at the
Partners for Each and Every Child website ([Click Here!](#))