Partners *for*
Each and Every Child

THE EVERY STUDENT SUCCEEDS ACT:
Implications for Equity in Colorado
June 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 final version of this document will be available on June 16th, 2016. A draft version of the *Handbook*, along with a companion brief, "*In Consultation With... The Case for Meaningful Stakeholder Engagement,*" are available here:

Download the Handbook (DRAFT)   **Download the Case (DRAFT)**
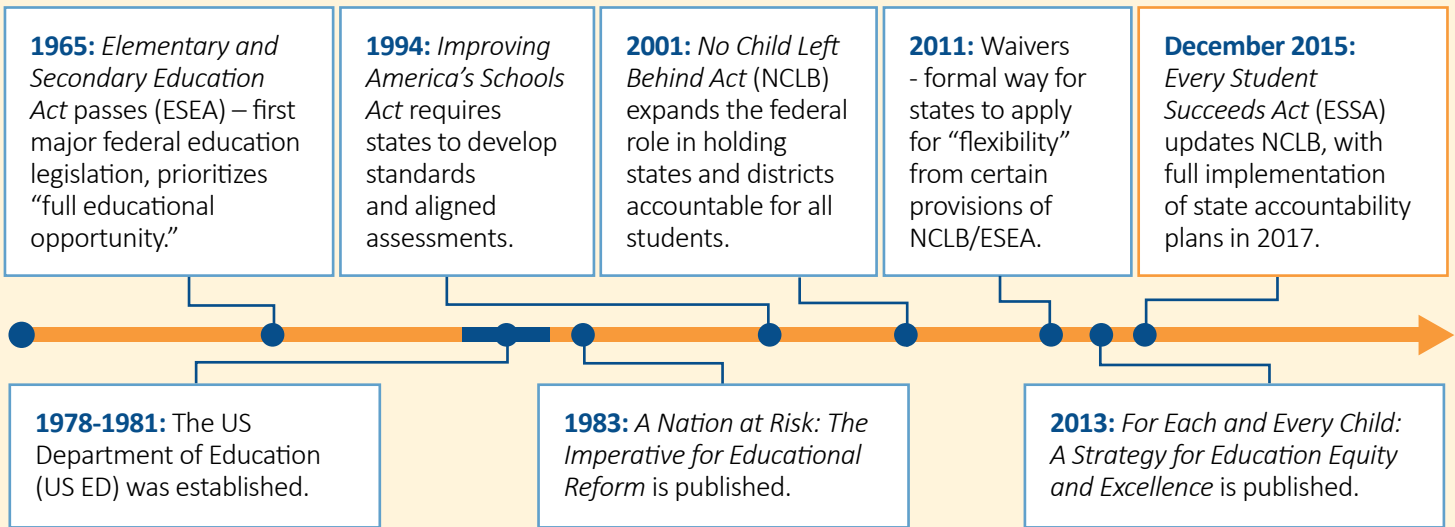
The Development of ESEA, in Brief:

1965: *Elementary and Secondary Education Act* passes (ESEA) – first major federal education legislation, prioritizes "full educational opportunity."

1994: *Improving America's Schools Act* requires states to develop standards and aligned assessments.

2001: *No Child Left Behind Act* (NCLB) expands the federal role in holding states and districts accountable for all students.

2011: Waivers - formal way for states to apply for "flexibility" from certain provisions of NCLB/ESEA.

December 2015: *Every Student Succeeds Act* (ESSA) updates NCLB, with full implementation of state accountability plans in 2017.

1978-1981: The US Department of Education (US ED) was established.

1983: *A Nation at Risk: The Imperative for Educational Reform* is published.

2013: *For Each and Every Child: A Strategy for Education Equity and Excellence* is published.

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Goals for Student Achievement

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 CO: Goals for achievement are based on all districts reaching "cut-points" based on the median (50th %ile) school performance (academic achievement, school performance frameworks 2010), with the long term goal of all schools reaching the 90th %ile by the 2015-16 school year.

Moving Forward: Since these goals were set, CO has adopted the Colorado Measures of Academic Success (CMAS) state standards. CO will need to reset goals that are aligned with ESSA, and engage with **CO stakeholders** as these goals are determined.

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 CO: 4 year Graduation rates (disaggregated for subgroups: low-income, minority students, English learners (EL), and students with disabilities) are already used in CO's "Postsecondary and Workforce Readiness" accountability indicator (see below), but the reported rates don't include targets or goals.

Moving Forward: CO will need to set a 4-year graduation rate goal with measures of interim progress, and may choose to include a 5-year rate. **CO Stakeholders** should be engaged in this determination.

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*
- *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 CO: 4 major indicators are used, with varied weights for elementary, middle, and high schools:

- **Academic Achievement:** percent of students scoring proficient or advanced on CO assessments. For more on assessments see page 10.

- **Academic Growth:** both normative (median) growth and adequate growth based on annual goals, using the Colorado Growth Model.

- **Academic Growth Gaps:** academic progress disaggregated by subgroups for normative and adequate growth. Subgroups include low-income, minority students, students with disabilities, ELs, and Catch Up/Keep Up students (students who achieved "proficiency" in the current year who achieved "partially proficient" or "unsatisfactory" in the previous year or whose current rate of growth will allow them to reach proficiency in 3 years; or by 10th grade/Students who are on track to stay proficient for 3 years or by 10th grade).

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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.

- **Postsecondary and Workforce Readiness:** includes 4-year graduation rates (disaggregated by subgroup), dropout rates, and average Colorado ACT composite scores.

CO classifies all districts based on performance on these indicators, and requires that districts develop and implement a unified plan, depending on their accreditation rating. See Schools Identified for Comprehensive Reform, page 6 for more.

NOTE: Due to the transition to new assessments, CO's HB15-1323 accountability ratings were put on hold for SY 2014-15.

Moving Forward: CO will need to report on annual determinations of progress based on the indicators outlined in ESSA. Specifically, CO must ensure that its academic indicators carry substantial weight (see page X) within the accountability system.

CO currently measures English proficiency through the Academic Growth Gaps measure. However, the state will have to measure and report English proficiency in a more significant and relevant way in its state accountability system moving forward.

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.

Moving Forward: CO will need to determine which additional indicator(s) that measure school quality or student success is most appropriate for its student population. For example, CO should consider expanding some of the measures included in the school report cards (see Report Cards and Data Reporting page 5) to be included in explicitly in the accountability system such as chronic absenteeism, course availability, or school climate.

CO will also need to determine appropriate weights for all 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. This provides an opportunity for CO to collaborate with **CO stakeholders** to design and implement these new considerations.

CO should collaborate with **CO stakeholders** in determining N-size for subgroup data reporting.

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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 10) disaggregated by: economic disadvantage; each major racial and ethnic group; gender; disability, English learner 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 CO: CO's Schoolview offers report cards for every school and district using dashboards that include performance on current accountability indicators.

District Performance Framework Reports must include:

- student performance comparison with other similar districts and comparisons of student performance over time and among student groups;

- rates of grade completion, mobility and truancy; and

- financial data

School Performance Framework Reports must include:

- student performance comparison to schools in the same district and in the state and comparisons of student performance over time and among student groups;

- rates of grade completion, mobility and truancy;

- percentages of students who are not tested or whose scores are not included in indicators;

- occurrences of student conduct and discipline code violations (e.g., incidences involving drugs, alcohol, violence, etc.);

- student enrollment data (e.g. low-income students, enrollment stability, and average daily attendance);

- availability of preschool, full-day kindergarten, and before- and after-school programs;

- teacher/staff data (e.g. student-teacher ratios for each grade level, average years of experience, and the number of teachers with advanced degrees);

- course availability (e.g. arts, health education and P.E., economics, language, history, geography, civics, career and technical education, concurrent enrollment courses, opportunities for civic or community engagement, Internet safety or school library programs, AP, IB or honors courses, Montessori curricula, extracurricular activities and athletics, credit recovery programs and assistance for re-enrollment); and

- availability of student health and wellness supports and services.

NOTE: student performance data includes overall and disaggregated by subgroup.

Report Cards and Data Reporting - *Continued*

Moving Forward: The breadth and depth of CO reporting aligns well with ESSA requirements. CO will need to further explore how they will report on educator equity; CO is already set up well to do so given the data reporting at the school level on teacher and staff data. CO should collaborate with **CO stakeholders** in determining the any additional reporting measures.

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 CO: The School Performance Framework scores and assigns to each school one of four accreditation categories based on performance on accountability indicators. All schools must develop an improvement plan based on their rating (*Performance, Improvement, Priority Improvement,* or *Turnaround*). Turnaround plans require Commissioner approval.

Priority schools are those that have not met state expectations for attainment on the performance indicators (i.e. *Priority Improvement* or *Turnaround* plan type):

- A Title I school with the lowest 5% on achievement; and/or

- A Title I (or Title I eligible) high school with graduation rates less than 60% over several years.

Schools are able to exit *Priority* school status only by receiving at least 47% of the framework points (if identified by low achievement) or by achieving a graduation rate over 60% for two consecutive years (if identified by low graduation rate).

Moving Forward: CO will have to align reclassification of schools identified for support and improvement differently based on all of the annual accountability indicators, disaggregated by subgroup.

For each *Comprehensive* school identified by the state, 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 **CO stakeholder engagement**.

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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 CO: *Focus* schools are those that:

- Have a subgroup or subgroups with low achievement over a locally-determined number of years; and/or,

- Title I (or Title I eligible) high schools with a subgroup or subgroups with graduation rates less than 60% over a number of years.

Moving Forward: Each *Targeted* and *Additional Targeted* school will develop and implement school-level plans in **partnership with stakeholders.** Similar to the current *Performance, Improvement* and *Turnaround* Plans, new plans must be approved by the district, include evidence-based interventions, and identify resource inequities – areas of opportunity for **CO 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;

Currently in CO: All schools are required to develop annual Unified Improvement Plans (UIP) describing how they will improve student achievement and publish their Plans on SchoolView. *Turnaround* and *Priority Improvement* schools and districts must select one "state-specified intervention" in their UIP:

- Employ a state-approved lead turnaround partner

- Reorganize oversight and management structures

- Restructure schools to "innovation" schools or school zones (clustering with similar schools in the district)

- Converting to a charter school or significantly re-negotiating and revising the charter contract

- Hiring a public or private entity with "significant record of success" to manage the school

For *Turnaround* districts, CDE also assigns districts a dedicated Turnaround Support Manager who works in collaboration with the superintendent.

Moving Forward: CO should align interventions and supports with those required for ESSA's *Comprehensive*, *Targeted*, and *Additional Targeted* schools. (See pages 6-7 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. CO's existing differentiated intervention guidance and support system for

Interventions and Supports for Struggling Schools - *Continued*

- 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.

DP► **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.

districts and schools (including UIPs) could serve as an important capacity-building infrastructure that strengthens CO's approach to continuous improvement.

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 CO: Districts classified as *Priority Improvement* or *Turnaround* must submit plans annually. A school or district may remain in *Priority Improvement* or *Turnaround* for a maximum of five years, after which the state must remove accreditation. At this stage, options include district reorganization, state takeover, conversion to charter, granting of innovation status, or school closure.

Moving Forward: CO will need to update it's 5-year intervention timeline to align with ESSA's 4-year timeline to meet state-set intervention criteria. Building awareness of the new timeline and determining the appropriate interventions for the highest need schools are both areas of opportunity for **stakeholder engagement in CO**.

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 CO: CO offers a variety of targeted grant programs for improvement schools, and received ~$5.2 million annually as a School Improvement Grant (SIG) from the federal government 2014-16.

Grant programs targeted at improvement schools include:

- **Diagnostic Review and Planning Grant:** $50K for Title I Schools with a Turnaround, Priority Improvement or Improvement plan type

- **Reading Ignite Literacy Grant:** grant for supplemental reading instruction support, K-6 (includes targeted and intensive instructional interventions)

- **Connect for Success**: funding for Title I schools with a Priority Improvement or Turnaround plan type for implementation of structures and strategies found to be effective through the High Achieving Schools study for quality instruction.

- **Tiered Innovation Grant:** Supports districts with chronically low performing schools (Title I priority schools) by partnering with CDE for intervention to increase academic achievement; and utilizing state-approved turnaround providers.

Moving Forward: In order to receive ESSA's school improvement resources, the state and districts should look at the programs underway (mentioned above) and must develop implementation plans with input from **CO stakeholders.**

Another opportunity to fund school improvement resources, outside of Title I, is through the use of 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 Education cannot mandate, direct, control, coerce, or exercise any direction or supervision over standards adopted or implemented by the state.

Currently in CO: The CO P-12 Colorado Measures of Academic Success (CMAS) include standards for ELA, Math, as well as social studies, dance, music, visual arts, P.E., music, science, drama and world languages.

NOTE: CO was one of the states involved in the early development and feedback processes for the Common Core State Standards.

Moving Forward: CO will need to demonstrate that the Colorado Measures of Academic Success (CMAS) are "challenging" and aligned to the CO public system of higher education standards.

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Student Assessment

ESSA: States must:

- assess at least 95% of all students and include participation rates in the state accountability system;

- 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**:

- 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.

- allow districts to use a locally-selected, nationally-recognized high school assessment in place of the required statewide high school assessment;

- 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

- 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 CO: CO uses the new Colorado Measures of Academic Success (CMAS) assessments for Science (once per grade span) and Social Studies (once in elementary, middle school), and PARCC assessments for Math/ELA (annually, grades 3-9).

CO uses the CoAlt: Dynamic Learning Map to assess students with the most severe cognitive disabilities.

CO has a goal of 95% participation, and schools that fall below are required to address low participation rates as part of their UIP.

Statewide there are no formal mechanisms for these types of assessments.

Moving Forward: CO complies with testing requirements under ESSA. CO will need to ensure compliance with the subset of students participating in alternative assessments.

CDE, Colorado Education Initiative, and districts across CO are currently participating in an 18-month grant program to identify or produce a shared set of performance-based assessments aligned to both academic and non-academic competencies that could potentially be used in place of current state assessments at certain grade levels. This initiative may be an opportunity to explore innovative assessment possibilities.

CO will need to determine if the state will incorporate adaptive assessments, interim assessments, and/or complementary assessments (in general or through this particular initiative), and whether to participate in the Innovative Assessment pilot program. These decisions should be considered and made in consultation with **CO Stakeholders**.

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 CO: 99.15% of classes were taught by "HQT" teachers in SY 2013-14. The % students taught by non-highly qualified teachers is low and approximately even (~.5-2%) across income quartiles. However, the percent of minority students/high-poverty students that are taught by inexperienced teachers (less than 3 years of teaching experience) is much higher (~15%) than non-minority/low-poverty students, signifying a persistent challenge of teacher retention.

Strategies are focused on strengthening data and measurement, public reporting, and capacity building. CO also places explicit attention to supporting the development and retention of highly effective English Language Learner teachers, strengthening strategic human resources decision-making for LEAs, and alignment to curriculum and turnaround supports.

CO's overarching teacher equity goals include:

- Decrease in statewide teacher turnover;

- No student taught by an ineffective teacher (rated Ineffective or Partially Effective under CO rating system) for more than 2 consecutive years;

- Increase in Catch Up students (see page XX); and

- Decrease in the number of districts with identified gaps.

Moving Forward: CO will need to determine timelines for implementation and evaluation of educator equity interventions outlined in the Educator Equity Plan, as well as identify dedicated funding streams to support achievement of the state goals.

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 CO: To support districts in implementing new evaluation requirements under Senate Bill 10-191, CDE worked with a variety of stakeholders to design, develop and pilot the Colorado State Model Evaluation System for teachers and leaders (implementation Fall 2015 with ongoing input).

The teacher evaluation, includes 6 Quality Standards:

- content knowledge,
- classroom environment,
- facilitation of learning,
- reflection on practice,
- demonstrated leadership, and
- a standard based on multiple measures of student growth or learning over time (this measure accounts for 50% of the evaluation).

Principals will be evaluated on 7 Quality Standards:

- strategic leadership,
- instructional leadership,
- school cultural and equity leadership,
- human resource leadership,
- managerial leadership,
- external development leadership, and
- a measure of student learning (this measure accounts for 50% of the evaluation, and can include the score on the School Performance Framework).

The Quality Standards are measured using state developed rubrics, in addition to a separate measure of student-growth. These scores are combined to determine an overall effectiveness rating: Highly Effective, Effective, Partially Effective, or Ineffective.

Moving Forward: CO 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 **CO 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 Heath 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 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.

Currently in CO: CDE operates the Colorado Preschool Program (CPP), which serves students based on age, kindergarten enrollment eligibility, and other eligibility factor(s), such as eligibility for free or reduced price meals, need for language development, under-educated parent, poor social skills, and others.

Colorado applied for Preschool Development Grant funding in 2014 for SY 2015-16, but were not awarded.

Moving Forward: While the CPP served over 27,000 students in SY 2014-15, CDE has calculated that over 11,000 at-risk 4-year-olds still had no access to preschool through either CPP or Head Start in the same year. CO will need to determine if they will use Title I funds for early childhood education to expand the number of students the state is able to reach. If so, their plans must further develop and describe the existing and/or new strategy to support participating students' transition to local elementary schools. These decisions should be made with engagement of **CO 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;

- clarify a standardized process for classifying ELs and re-designating students as English proficient; and disaggregate ELs with a disability from ELs in general.

DP▶ States have two options regarding timing for testing ELs:

- 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 CO: CO is part of the WIDA network, and began using the ACCESS proficiency assessment in 2013 to assess English proficiency. ELs are initially identified using a home language survey and screened using the WIDA W-Apt assessment within 30 days of arrival to a school.

Schools must track data on EL performance until they are designated as "Fully English Proficient" (FEP) for two consecutive years, and score proficient on all other assessments. Students are re-classified as EL (or LEP) and continue to receive English language supports, until they meet the proficiency milestone.

Under the state's Academic Growth measure, ELs must advance 1 level on ACCESS each year for the first 4 levels of 5 (proficiency).

NOTE: The CMAS and PARCC assessments may be administered to ELs in a language other than English for up to 5 years.

Moving Forward: ESSA provides an opportunity to standardize and refine school and district practices with regard to identifying and supporting ELs. CO will have to measure and report EL proficiency at the elementary, middle, and high school levels and will need to determine how it will incorporate EL proficiency in a more significant and relevant way in its state accountability system.

ESSA's explicit accountability focus on ELs provides an opportunity for the state and local districts to work with and learn from **CO stakeholders** (e.g., EL teachers and administrators and families of ELs), and can serve to align CO investments in educator equity, capacity building, and public reporting Their guidance will be instrumental to clarifying a process for identifying, classifying, and re-designating ELs; and ensuring that CO provides sufficient resources to strengthen data infrastructure, student supports, and capacity building efforts.

ESSA (2015)	Colorado

At-Risk Students

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 CO: CO was awarded $18 million over 5 years, 2010-15, under the HSGI program. This grant supported the Colorado Graduation Pathways program, which supports the development of sustainable, replicable models for dropout prevention and recovery that:

- improve interim indicators (attendance, behavior and course completion),
- reduce the dropout rate, and
- increase the graduation rate for all students in Colorado's highest-need schools

Moving Forward: CO has the opportunity to take advantage of the Student Support and Academic Enrichment Grant program, and would need to determine what types of student supports (including local best practices, scalable models) would be eligible for the new funding. These decisions should be made in consultation with local **CO 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.
- 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 CO: The state's School Funding Formula takes into account of the following:

- Base funding (~$6K per pupil)
- Adjustment for cost of living by region
- District size
- Additional at-risk funding based on the number of FRPM eligible students (low-income)
- "Negative factor" that allows the state to cut school budgets by a set percentage if state allocation is not sufficient to meet full funding

Schools are primarily funded through a combination of local property and specific ownership (vehicle registration) taxes, and state revenues (including the State Education Fund, part of Amendment 23 that passed in 2000).

Finally, there are specific, and in some cases additional, avenues of funding for ELs (English Language Proficiency Act, 2014), as well as Gifted and Talented students and students with disabilities (Exceptional Children's Educational Act, 2013).

NOTE: In 2015-2016 the "negative factor" meant a ~12% cut to each school district, and while each

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Funding - *Continued*

district is still guaranteed minimum per pupil spending, this factor has often meant cuts to the additional funding for at-risk, ELL, and exceptional students.

Moving Forward: CO school funding levels lag in comparison to the national average, and the current avenues for school funding are not sustainable for school growth.

A full assessment should be conducted, with the input and engagement of multiple **CO 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 **CO stakeholders.**

Rural Schools

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 CO: 147 of the state's 178 school districts are considered rural or small rural, and account for 20% of CO's total student population. CO received ~$1.8 million in SRSA funding in 2014, allocated to just under 100 districts. CO also authorized ~$10 million in one-time funding for small rural districts under House Bill 15-1321 (implementation 2015-16).

Small rural schools (defined by number of students and distance from urban centers) also have some exemptions from reporting requirements under CO's accountability system: they can submit a combined district/school UIP, and can submit a two year UIP (instead of annual) if the district is not an Improvement school.

Moving Forward: The establishment of CO's Rural Education Council in 2011 provides an important infrastructure to solicit feedback and guidance on how ESSA opportunities can meet the unique needs of rural school districts, including policy accommodations and refinements that might be considered to ensure that CO meets the needs of rural districts.

ESSA (2015)	Colorado

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 CO: Charters are approved by each LEA and are considered to be semi-autonomous. Denied charter requests can be appealed to the Colorado State Board of Education (CSBE). The CSBE may also revoke a district-approved charter. Charter schools must use state assessments, and must abide by all accreditation (accountability and reporting) requirements.

CO received ~$36M in federal funding (2015-18) under the US ED Charter Schools Program State Educational Agencies (SEA) Grant, specifically intended to support the establishment of new charter schools and significant expansions of existing charter schools (renewal of previous grant of ~$44M 2010-15). There are currently over 225 charter schools in the state (2015-16).

Moving Forward: The recently introduced SB 188 and SB 16-187 propose measures to more evenly distribute local funding among charter and non-charter schools, and to consolidate fiscal reporting and authorization requirements for charter schools.

CO's charter school authorization and accountability mandates fulfill most of the ESSA requirements, but will need to ensure reporting on 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 CO: Colorado received ~$11.9 million in 21st CCLC funding for SY 2015-16, providing funding for over 100 programs that provide students (particularly at-risk student) with academic enrichment opportunities, and offer literacy and related educational development to families.

Services include tutoring, mentoring, science and technology programming, arts, sports, community service, or cultural activities, and are provided during non-school hours or periods when school is not in session (summer).

Moving Forward: Lessons learned from CO's efforts around 21st CCLC could guide and support statewide policy and funding efforts to expand strong and sustainable public/non-profit partnerships, particularly in more rural, less resourced areas of the state.

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)).

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**, which can be found at **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** immediately following the passage of the law, and has since produced an analysis of the Law's **opportunities and risks**. 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** 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**, and an **article** 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**. This and other resources can be found at **edexcellence.net**.

The National Urban Leaue (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** focused on ESSA that includes an **Overview of ESSA**. 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**. 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!)*