

# The Every Student Succeeds Act (ESSA) and Minnesota

## Overview

The Every Student Succeeds Act (ESSA) preserves many of the same goals and priorities as No Child Left Behind (NCLB) and NCLB Flexibility Waivers. States are still expected to pursue educational equity for all students, as measured by student outcomes, access to high-quality educators, and opportunities to build college and career readiness. Under ESSA, however, states and districts have greater flexibility in many areas than they did under NCLB or the flexibility waivers issued in the past few years.

## Comparison of Key Topics Under NCLB, Waivers and ESSA

### Assessments

NCLB	NCLB Waivers	ESSA
<p>Math and reading or language arts assessments required in grades 3-8 and once in grades 10-12.</p> <p>Science assessments required once in each of: grades 3-5, grades 6-9, and grades 10-12.</p> <p>For all K-12 students identified as English language learners (ELL), annual English language proficiency assessments are required in each of: reading, writing, speaking, and listening.</p> <p>To make <b>Adequate Yearly Progress (AYP)</b>, 95% of a school’s population in each student group must participate.</p> <p><b>No limitations</b> on time spent testing.</p> <p><b>No cap</b> on participation in alternate assessments for students with severe cognitive disabilities (i.e. MTAS).</p>	<p>Math and reading or language arts assessments required in grades 3-8 and once in grades 10-12.</p> <p>Science assessments required once in each of: grades 3-5, grades 6-9, and grades 10-12.</p> <p>For all K-12 students identified as English language learners (ELL), annual English language proficiency assessments are required in each of: reading, writing, speaking, and listening.</p> <p>In Minnesota, to make Adequate Yearly Progress (AYP), 95% of a school’s population in each student group must participate.</p> <p><b>No limitations</b> on time spent testing.</p> <p><b>No cap</b> on participation in alternate assessments for students with severe cognitive disabilities (i.e. MTAS).</p>	<p>Math and reading or language arts assessments required in grades 3-8 and once in grades 10-12.</p> <p>Science assessments required once in each of: grades 3-5, grades 6-9, and grades 10-12.</p> <p>For all K-12 students identified as English Learners (EL), annual English language proficiency assessments are required in each of: reading, writing, speaking, and listening.</p> <p><b>AYP system eliminated.</b> Schools are still expected to reach 95% participation for each group, but <b>the consequences for missing that target are up to the state.</b></p> <p>States <b>may set a limit</b> on time spent testing.</p> <p><b>1% statewide cap</b> on participation in alternate assessments for students with severe cognitive disabilities (i.e. MTAS).</p>

### Implications for Minnesota

Minnesota’s current assessment structure will be largely unaffected by ESSA.

The new 1% cap on alternate assessment participation will require some consideration. It is unclear how it would be decided which students could not take alternate assessments, and this has significant implications given that assessment options are documented in students’ Individualized Education Programs (IEPs).

## Report Cards

<i>NCLB</i>	<i>NCLB Waivers</i>	<i>ESSA</i>
<p>Annual state and LEA report cards <b>must include</b> student achievement, graduation rates, and the distribution of “highly qualified” teachers (those with full state certification and licensure, at least a 4-year degree, proof of knowledge in their fields, and – for new teachers – passing scores on relevant subject tests).</p> <p>Data <b>must be disaggregated</b> by race, ethnicity, gender, disability status, migrant status, English proficiency, and economically disadvantaged status.</p>	<p>Annual state and LEA report cards <b>must include</b> student achievement, graduation rates, and teacher qualifications.</p> <p>Data <b>must be disaggregated</b> by race, ethnicity, gender, disability status, migrant status, English proficiency, and economically disadvantaged status.</p>	<p>Annual state and LEA report cards <b>must include</b> student achievement, graduation rates, and different information on teacher qualifications (including how many teachers are inexperienced, teaching with emergency/provisional credentials, and/or teaching out of their field of certification/ licensure; each of these should be reported overall and specifically for high-poverty schools).</p> <p>Data <b>must be disaggregated</b> by race, ethnicity, gender, disability status, migrant status, English proficiency, and economically disadvantaged status.</p> <p>In addition to NCLB requirements, data <b>must also be disaggregated</b> by homeless status, foster status, and military family status.</p> <p>State and LEA report cards must include <b>measures of school quality, climate, and safety, including rates of in-school suspensions.</b></p>

### Implications for Minnesota

The new requirements for accountability reporting and the added student categories will require major changes to the Minnesota Report Card. This will require significant work on MDE’s part and will likely require new data collections from districts and/or cross-agency data sharing.

At present, Minnesota only collects in-school suspension (ISS) data for students with disabilities. If MDE must post all ISS information in a state report card, additional data sharing and collections systems (e.g. with the Office of Civil Rights) will need to be explored.

## Title I Accountability Goals and Measurements

<b>NCLB</b>	<b>NCLB Waivers</b>	<b>ESSA</b>
<p>Each state required to have an AYP definition that sets <b>annual measurable objectives (AMOs)</b> for <b>all student groups</b> to reach <b>100% proficiency</b> on state assessments by the 2013-14 school year.</p> <p>High schools also report <b>graduation rates</b>; elementary and middle schools report <b>an additional academic indicator</b>.</p> <p>Schools required to maintain testing participation rates at <b>95% or higher</b>.</p>	<p>States required to set <b>new AMOs based on one of the following</b>:</p> <ul style="list-style-type: none"> <li>- Cutting each achievement gap in half by 2017</li> <li>- Reaching 100% proficiency for all student groups by 2020</li> <li>- A state-developed plan</li> </ul> <p>Required accountability measurements (testing, graduation rates, etc.) unchanged from NCLB, although <b>new indexes</b> and the use of growth measurements allowed.</p> <p>(In MN, the Multiple Measurements Rating [MMR] system uses growth as well as proficiency on the MCAs, and still depends on AYP calculations for some components.)</p> <p>Schools required to maintain testing participation rates at <b>95% or higher</b>. Title I schools are ineligible for the Reward or Celebration Eligible recognitions if participation is below 95%.</p>	<p>Instead of AYP toward AMOs, each state must set its own <b>ambitious long-term goal</b> with <b>interim progress measurements</b> for all student groups. This is similar to the World’s Best Workforce (WBWF) legislation.</p> <p>Core accountability measurements <b>must include</b>:</p> <ul style="list-style-type: none"> <li>- Academic achievement on state assessments</li> <li>- Growth or another academic indicator for elementary or middle schools</li> <li>- Graduation rates for high schools</li> <li>- Progress on <b>English language proficiency</b> for English learners (previously under Title III), with flexibility for the recently arrived.*</li> <li>- At least one measure of <b>school quality or student success</b> (e.g. student engagement, college/ career readiness, school climate and safety, advanced coursework access and completion, etc.)</li> </ul> <p>States are <b>allowed to create opt-out provisions</b> and to <b>determine the consequences</b> for testing participation rates below 95%.</p>

### Implications for Minnesota

Minnesota will bring together stakeholders to design the state’s accountability system under ESSA. This is also an opportunity to align state and federal accountability efforts (WBWF and MMR) and to build off and improve our current systems.

The new accountability system will need to include progress in achieving English language proficiency (measured on the ACCESS test) and whichever measure(s) of school quality or student success are identified, as well as variations on its existing components.

Additional engagement and deliberation will be needed to determine what steps the state will take to support a 95% participation rate in testing.

\* For accountability purposes, during their first year of enrollment, **recently arrived English learners** may:

- Not take the reading test and have their math and English language proficiency test results excluded; **or**
- Take the reading test with their results excluded, and only be included in the growth calculation during their second year.

## School Improvement

<b>NCLB</b>	<b>NCLB Waivers</b>	<b>ESSA</b>
<p>Schools that miss AYP for a certain number of years undergo corrective action and restructuring following <b>one of four federally prescribed models</b>.</p> <p>States receive money for competitive <b>School Improvement Grants (SIG)</b> to support school improvement work.</p>	<p>States must identify <b>Focus, Priority, and Reward schools</b>.</p> <p>Priority schools (those in the lowest 5% of the accountability system) must implement <b>plans aligned to seven turnaround principles</b>.</p> <p>Focus schools (the 10% of schools with the largest achievement gaps) implement <b>plans to address particular low-performing student groups</b>.</p> <p>Reward schools (those in the highest 15% of the accountability system) receive <b>recognition</b>.</p> <p>In Minnesota, <b>Regional Centers of Excellence (RCEs)</b> support Priority and Focus schools' efforts. Two other school types are identified:</p> <ul style="list-style-type: none"> <li>- <b>Celebration Eligible</b> schools (the 25% directly below the Reward schools) may apply to be recognized as Celebration schools.</li> <li>- <b>Continuous Improvement</b> schools (the lowest 25% that are neither Priority nor Focus schools) set aside 20% of Title I funds for school improvement efforts, to be coordinated with their districts.</li> </ul> <p><b>SIGs are retained</b> as competitive funds for schools improvement work.</p>	<p><b>Comprehensive support and improvement plans</b>, approved by MDE and the LEA, are required for:</p> <ul style="list-style-type: none"> <li>- The lowest 5% of schools on the accountability system</li> <li>- High schools with graduation rates &lt;67%</li> <li>- Schools where any student group (based on race/ethnicity, disability status, and economic status) routinely performs at the same level as schools in the lowest 5%</li> </ul> <p><b>Targeted support and improvement plans</b>, to be developed with, approved, and monitored by their LEAs, are required for schools where student groups are "consistently underperforming" (a term which requires federal clarification).</p> <p><b>SIG program eliminated</b>. The <b>state set-aside for school improvement increases from 4% of Title I funds to 7%</b>, of which 95% must go to support low-performing schools.</p> <p>MDE may permit <b>differentiated improvement activities</b> for high schools primarily focused on <b>dropout and/or credit recovery</b>, and <b>may exempt those with less than 100 students</b> from improvement activities.</p>

### Implications for Minnesota

Minnesota already identifies (a) the lowest 5% on the MMR as Priority schools and (b) high schools with low graduation rates.

Minnesota can continue using the Regional Centers of Excellence without major changes.

There should be little change in the amount of federal funds available for school improvement. The 7% set-aside is roughly equivalent to the sum of SIG funds and the 4% set-aside under NCLB.

Additional engagement and deliberation will be needed to determine under what circumstances Minnesota will differentiate improvement activities for and/or exempt dropout/credit recovery high schools.

## Educator Effectiveness

<i><b>NCLB</b></i>	<i><b>NCLB Waivers</b></i>	<i><b>ESSA</b></i>
States required to ensure <b>all teachers</b> in Title I programs are <b>highly qualified</b> and to have a plan to ensure that all teachers teaching in core academic subjects are highly qualified.	<p>Maintained the highly qualified teacher requirements.</p> <p>Added the requirement that states and LEAs use data-informed <b>teacher and principal evaluation and support systems.</b></p>	<p>States must now <b>address disparities</b> in access to <b>ineffective, inexperienced, and out-of-field teachers</b>, and describe the measures they will use to evaluate and publicly report progress towards elimination of those disparities.</p> <p>Educator evaluation systems are <b>permitted, but not required.</b></p> <p><b>The Title II formula</b> (a source of educator effectiveness funding) <b>was modified</b> to target states with higher concentrations of students from low-income families.</p>

### Implications for Minnesota

Minnesota’s teacher equity plan set forth strategies to close equity gaps related to teacher experience and qualifications. ESSA also requires states to consider ineffective teachers.

Minnesota’s state and local teacher and principal evaluation systems do not require any changes under ESSA.

Minnesota’s Title II allocation is projected to decrease.

## Optional Grant and Pilot Opportunities

<i>Grant/Pilot Opportunity</i>	<i>Implications for Minnesota</i>
<p>Competitive <b>Preschool Development Grants</b> are available for one year, and eligible for renewal. <b>Initial grants</b> can be used for a statewide needs assessment, strategic plan development for collaboration/coordination/quality improvement activities, maximizing parental choice among the existing programs and providers, sharing best practices, and/or improving overall quality of early childhood programs. <b>Renewal grants</b> can be used for addressing areas in need of improvement, expanding programs, and/or developing new programs. All grants require a 30% match (cash or in-kind).</p> <p>The <b>STEM Master Teacher Corps</b> is a competitive grant for creating a state-level effort to offer selected master STEM teachers opportunities to collaborate, participate in and lead high-quality professional development, and receive additional compensation for this work. This replaces in part the repealed Math and Science Partnership (MSP) program.</p> <p><b>Literacy program grants</b> previously implemented through appropriations legislation have been moved to the ESEA. These are for promoting literacy programs in low-income communities through grants to LEAs, consortia of LEAs, the Bureau of Indian Education, or eligible national nonprofits.</p> <p>Through the <b>Innovative Assessment Pilot</b> the federal Department may provide up to 7 states the authority to establish an innovative assessment system (e.g. competency-based assessments, instructionally embedded assessments, cumulative year-end assessments, etc.) to develop new ways to conduct statewide assessments.</p> <p>The <b>Education Innovation and Research program (the new i3)</b> will make grants to SEAs, LEAs, consortia, and others to support innovations to improve student achievement and attainment for high-need students.</p> <p><b>Title I Portability</b> is an option available to up to 50 LEAs nationwide for consolidating Title I funds with state and local funds on a weighted per-pupil basis, facilitating the portability of those funds if the student changes schools.</p>	<p>Minnesota could choose to pursue a grant to support the work the state has already done using past federal and state funds.</p> <p>MSP funds currently support 0.35 of a vital STEM specialist position at MDE. A STEM Master Teacher Corps grant could be used in part to continue supporting that position and sustaining the good work Minnesota has been doing in this area.</p> <p>These funds can be used in several ways, including strengthening school library programs, providing early literacy services, and supporting programs that regularly provide high-quality books to children from low-income communities. MDE could support LEAs and consortia pursuing such grants.</p> <p>If Minnesota pursued this pilot, it would offer an opportunity to begin developing alternatives to standardized tests that are higher quality, more useful, and superior for advancing educational equity. However, no funds are provided for participation, so the state would have to fund these efforts itself.</p> <p>Minnesota is eligible to apply for these grants as a state, or to encourage and assist interested LEAs.</p> <p>Minnesota districts' interest in this option is unknown. The process does not involve participation by the state department of education, however, so no statewide changes are required.</p>

## Additional Notable Changes

<i>Changes</i>	<i>Implications for Minnesota</i>
<p>State academic standards <b>must be aligned with relevant state career and technical education (CTE) standards.</b></p> <p>The state may now grant waivers to approve <b>schoolwide programs</b> under Title I <b>for schools with less than 40%</b> of students from low-income families.</p> <p>New provision of funds for the creation and expansion of <b>Native language immersion programs.</b></p> <p>LEAs may now choose to use a <b>state-approved, nationally-recognized high school academic assessment</b> in lieu of the standard state assessments.</p> <p>New opportunity to use federal funds to “assist schools in developing <b>effective school library programs,</b>” especially focused on digital literacy and improved academic achievement.</p> <p>The language about <b>charter schools</b> has shifted to focus more heavily on <b>quality</b> and include greater attention to <b>authorizers.</b></p> <p>Under NCLB, schools that routinely failed to make AYP were required to make <b>supplemental educational services (SES),</b> such as tutoring, available to students. LEAs with such schools were required to set aside 20% of Title I, Part A funds to fund SES and/or public school choice for those schools’ students. <b>ESSA eliminates these requirements.</b></p>	<p>The alignment with CTE standards will need to be clarified. Minnesota does not have state CTE standards (although districts are required to establish their own CTE standards).</p> <p>Minnesota will have to determine and communicate under what conditions, if any, such waivers will be granted.</p> <p>LEAs will now have some funding flexibility to implement or expand Native language immersion offerings.</p> <p>Minnesota will have to determine if the state will allow LEAs to pursue this flexibility. If the flexibility is granted, the state will have to determine which nationally-recognized high school academic assessments: (a) are aligned to state standards; (b) provide comparable, valid, and reliable data; (c) meet all other federal requirements for tests; and (d) provide “unbiased, rational, and consistent differentiation between schools.” (In an effort to reduce redundant and unnecessary testing, Minnesota has requested that the U.S. Department of Education not require states to satisfy all the preceding requirements, such as full alignment to state standards.)</p> <p>The new library language is expected to be of high interest to Minnesota’s library community and other interested individuals, which may create demand for a (partially or completely federally funded) MDE staff specialist for school library media.</p> <p>The recent state-level efforts to improve the quality of authorizer decisions are in alignment with ESSA’s priorities.</p> <p>Minnesota’s flexibility waiver had already allowed the state to move beyond these requirements, and so there should be little to no impact on Minnesota.</p>