

THE EVERY STUDENT SUCCEEDS ACT:

Implications for Equity in Mississippi

Read ahead material for February 25, 2016 webinar

Passage of the *Every Student Succeeds Act (ESSA)*

represents new opportunities for shaping education policy and recasts the federal, state, and local roles in ensuring educational equity. There is inherent risk in the increased state autonomy especially 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 participate in strengthening a comprehensive system of accountability and improvement.

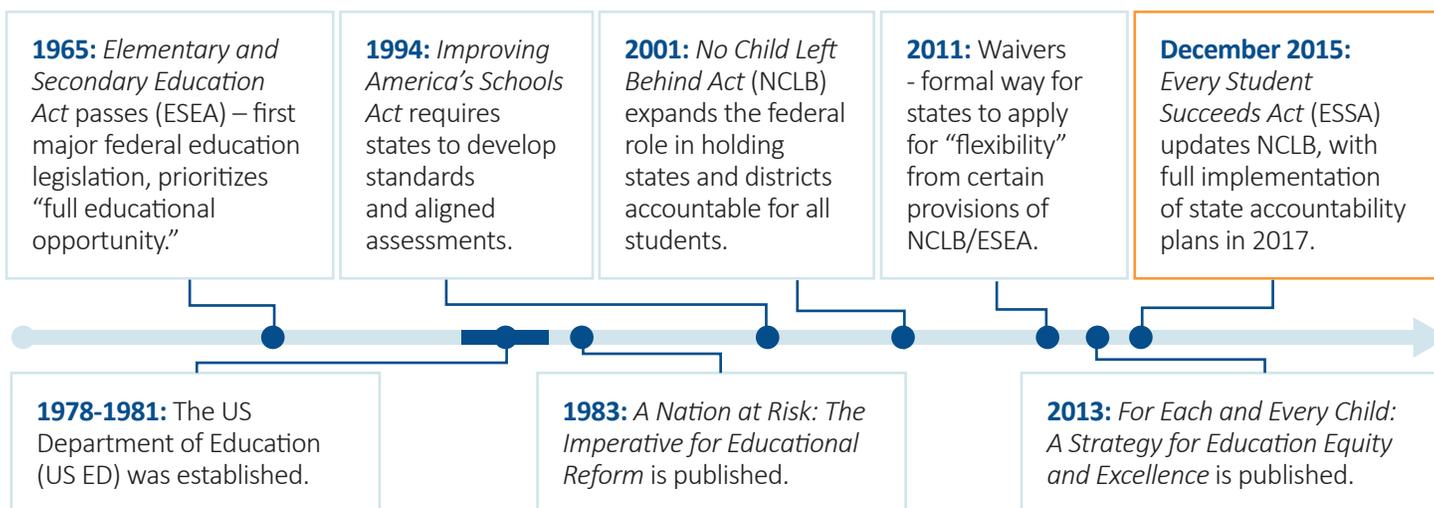
Input and support from a broad and politically inclusive set of stakeholders toward the development of state-specific equity agendas/strategies is critical to the successful development, implementation, and ultimate sustainability of ESSA in the states. The final three

pages of this document outline specific opportunities for stakeholder engagement in ESSA (see Appendix A).

There are several **decision points** that the Mississippi Department of Education will need to address in revising the state's accountability plan. Each of these decision points represent an opportunity for Mississippi stakeholders to help design and implement effective and equitable accountability and support systems that best meet the needs of students, educators, and decision-makers. The range of stakeholder groups that need to be engaged in this process include: civil rights organizations, family/community groups, teachers and educator groups, organized labor and education personnel, researchers and advocacy organizations, elected officials, student groups, teacher educators and others from higher education, school boards, and the business community.

Decision points are indicated with an arrow: 

The Development of ESEA, in Brief:



Goals for Student Achievement

NCLB: A federally set goal of 100% “proficiency” in math and English language arts (ELA) by 2014. States determine annual targets to get there.

Waivers: States set annual goals that either:

- reduce by half the percentage of students who are not proficient within 6 years;
- are set in annual equal increments toward the goal of having 100 % proficiency by 2020; or
- are ambitious but achievable and must be approved by the US Department of Education (US ED).

DP **ESSA:** States must set long-term goals for student achievement with measurements of interim progress.

Currently in MS: The MS state accountability task force specifies goals.

- Goal 1: Mobilize resources and supplies to help ensure that all students exit 3rd grade reading on grade level.
- Goal 2: Reduce the dropout rate to 13% by 2015.
- Goal 3: Have 60% of students scoring proficient or advanced on assessments of the Common Core State Standards by 2016 with incremental increases of 3% each year thereafter.

Moving Forward: MS will need to align these goals with ESSA, make them long-term, and engage with **MS stakeholders** around this decision point.

Goals for High School Graduation Rates

NCLB: States must set a long-term high school graduation rate goal and annual targets for meeting that long-term goal that are “continuous and substantial” (as defined in federal regulation).

Waiver: Same as NCLB.

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

DP 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 MS: The state's waiver set a long-term goal of increasing its graduation rate to 85% by the 2017-2018 school year, with interim goals of 81% in 2016-17 and 77% in 2015-16. The state uses a 4-year cohort graduation rate.

Moving Forward: MS will need to report on graduation rates disaggregated by subgroup, not just for all students. In addition, MS may consider setting goals for extended-year high school graduation rates.

Accountability Indicators

NCLB: For elementary and middle schools, states must:

- administer annual assessments (grades 3-8, in math and ELA); and
- include 1 indicator selected by the state.

For high schools, states must:

ESSA: For elementary and middle schools, states must:

- administer annual assessments (grades 3-8, in math and ELA); and
- include a “measure of student growth” or other academic indicator that allows for meaningful

Currently in MS: The state's accountability system assesses four indicators (“components”):

- proficiency (based on statewide assessments and end-of-course assessments required for graduation; only scores of proficient and above are counted);

Accountability Indicators - Continued

- administer annual assessments (at least once, in math and ELA); and
- track graduation rates.

Waivers: Multiple indicators are permitted.

- differentiation among student groups.
- For high schools, states:
- must administer annual assessments (at least once, in math and ELA);
 - must track 4-year graduation rate (states **may** also use an extended-year graduation rate); and

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- **may** include student growth based on annual assessments.

- growth (increase of performance/proficiency from one year to the next);
- graduation rate (4-year cohort);
- acceleration (beginning 2015-16 school year participation and performance combined); and

10 measures within those components include: reading proficiency, math proficiency, science proficiency, U.S. history proficiency; reading growth (all students and the lowest 25%), math growth (all students and the lowest 25%); graduation rate; acceleration.

Moving Forward: MS will need to make annual determinations and report on the indicators outlined in ESSA. Specifically, MS 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. **MS stakeholders** have an opportunity to work together to determine the most appropriate weights for the state’s system.

Additional Accountability Indicators

NCLB: N/A

Waivers: Multiple indicators are permitted.

ESSA: For All Schools, states must:

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- include annual English language (EL) proficiency rates; and
- 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).

Moving Forward: MS does not currently use EL proficiency as an indicator in its accountability system. The state will have to measure and report EL proficiency at the elementary, middle, and high school levels and will need to incorporate EL proficiency in a more significant and relevant way in its state accountability system moving forward.

Additionally, MS will need to determine which additional indicator(s) that measure school quality or student success is most appropriate for its student population.

These gaps provide an opportunity for **MS stakeholders** to work together to design and implement the use of EL proficiency and to determine the appropriate additional indicator(s) for the state’s system.

Report Cards and Data Reporting

NCLB: Annual state and district report cards are required, including:

- performance on academic assessments;
- graduation rates;
- an additional indicator for all students; and
- information on teacher qualifications.

All data must be disaggregated by subgroup.

Waivers: Annual state and district report cards are required.

ESSA: Annual state and district report cards are required and must include information on:

1. State’s accountability system, including:

- 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); and
- DP** • a system for meaningfully differentiating schools, including schools identified for *Comprehensive Support & Improvement* and respective exit criteria.

2. Performance on annual assessments (ELA, mathematics, and science):

Performance of all students and subgroups disaggregated by: economic disadvantage; each major racial and ethnic group; gender; disability, English learner, and migrant status; homeless; foster care; and military-connection.

3. Educator Equity: Equitable distribution of teachers (and potentially school leaders). See page 10, “Educator Equity,” for more information.

DP **4. Civil Rights Data:** e.g., bullying and harassment.

5. Early Childhood Data: % students enrolled in preschool programs.

Currently in MS: The MS annual state and district report card includes:

- % students making 1 year's progress in 1 year’s time on the state assessment, with an emphasis on the progress of the lowest 25% in the school or district;
- the number of students who graduate in 4 years from a school or district with a regular high school diploma divided by the number of students who entered 4 years earlier as first-time 9th graders.
- % students scoring proficient or advanced on the current state assessments (ELA, math, science, history);
- % of students participating in statewide assessments for ELA, mathematics, and science; and
- the components of its accountability system with grades "A-F" assigned based on five performance categories.

Moving Forward: Currently, MS does not measure subgroups by N-size and instead measures subgroups that are included in the “lowest 25%” in schools, which may mask important information about students. Under ESSA, MS will be required to determine N-size, to show how the number is statistically sound, and collaborate with **MS stakeholders** (e.g., teachers, principals, other school leaders, and parents) in determining the minimum number.

Under ESSA, MS report cards will need to include educator equity, civil rights, and early childhood data.

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*

NCLB: No requirement for states to differentiate between schools based on degrees of improved performance or levels of need.

Waivers: States must classify the lowest performing 5% of Title I schools as *Priority* schools.

States must classify Title I high schools with a graduation rate below 60% as *Priority* or *Focus* schools.

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: Schools 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.

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Currently in MS: *Priority* schools are schools that have been identified as among the lowest performing in the State (total number must be at least 5% of the Title I schools in the state) or any school that receives an “F” for 2 consecutive years. *Priority* schools are responsible for implementing interventions for a minimum of 3 years.

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

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

Schools Identified for Targeted Reform Based on *Subgroup Performance*

NCLB: Any school that misses a performance target for any subgroup for 2 or more consecutive years is identified for improvement.

Waivers: States must classify 10% of Title I schools with the largest achievement gaps as *Focus* schools.

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 below the level used to identify schools for the bottom 5%** in the state for *Additional 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* schools.

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Currently in MS: *Focus* schools are schools that receive a “D” or “F” for 2 consecutive years, and are responsible for implementing interventions for a minimum of 2 years. Any schools identified as *Focus* will remain on the *Focus* list until the school meets the exit criteria.

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 **MS stakeholder engagement**.

Interventions and Supports for Struggling Schools

NCLB: Interventions escalate based on the number of years a school is identified for improvement. Interventions include:

- public school choice;
- supplemental educational services (e.g., tutoring);
- corrective action; and
- restructuring.

Waivers: *Priority* schools must implement comprehensive interventions that incorporate seven turnaround principles:

- strong leadership;
- effective teaching;
- redesigning school time;
- strengthening instructional program;
- using data to strengthen instruction;
- strengthening school climate; and
- family and community engagement.

Focus schools must implement interventions determined by the school district.

ESSA: 1. Comprehensive Support & Improvement Schools

States identify; districts write and submit plans; the state monitors. States intervene after no more than 4 consecutive years. District plans must:

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

2. Targeted Support & Improvement Schools:

Districts identify; schools write and submit plans; the district monitors. States and districts have to take more-aggressive action in schools where subgroups are “consistently underperforming,” despite local interventions. School plans must:

- be approved and monitored by the school district; and
- result in additional action for underperformance over a period of time determined by the district.

3. Additional Targeted Support Schools:

Districts identify schools. Schools must submit plans.

DP Failure to meet “exit criteria” results in reclassification by the state as *Comprehensive*. Plans have same criteria as *Targeted*, and must identify and address

DP resource inequities.

Currently in MS: *Priority* schools: Each district works with its *Priority* Schools to set annual goals; MS approves the annual goals with consultation with the district. If a school does not improve after 2 years in the process, state conservatorship is a possibility. The MS Code requires that schools failing for 2 consecutive years may be transformed into a New Start School under the administration and control of the MS Recovery School District within the state. Schools failing to exit *Priority* status after 3 years will be required to attend all MDE training regarding turnaround principles that align to the approved implementation/action plan for the school.

Focus schools: MDE staff provide additional support and quarterly follow-up training for any school not exiting *Priority* or *Focus* status after 3 years of implementation. This training and support is aligned to the turnaround principles, is different and more rigorous when compared to support provided to other *Priority* and *Focus* schools, and is required for all schools that have not met exit criteria.

Moving Forward: MS will need to align *Priority* and *Focus* school interventions and supports with those required for ESSA's *Comprehensive*, *Targeted*, and *Additional Targeted* schools. See page 5 for more information about how these schools must be identified.

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

Intervention Timeline

NCLB: Schools must meet increasingly rigorous targets each year or implement interventions that escalate annually toward 100% proficiency in 2014.

Waivers: *Priority* schools must implement interventions for at least 3 years.

States set criteria to enable schools to exit *Priority* status.

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

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 MS: *Priority* school interventions must be implemented for a minimum of 3 years. If the school's grade level improves, the school will take the higher grade level but continue to be considered as a *Priority* school for federal reporting and continue to implement the *Priority* school interventions for the 3-year minimum.

Focus school interventions must be implemented for a minimum of 2 years. If the school's grade level improves, the school will take the higher grade level but continue to be considered a *Focus* school for federal reporting and will continue to implement the *Focus* school interventions for the 2-year minimum.

Moving Forward: MS need to determine a timeline for intervention that aligns with the requirements under ESSA. Determining both the timeline and the required interventions are opportunities for **MS stakeholder engagement**.

School Improvement Funding

NCLB: A separate federal funding stream is authorized for school improvement. States are required to implement specific intervention models to receive funding.

Waivers: States can be eligible for *School Improvement Grants (SIG)* to support school improvement activity.

ESSA: States **must** use 7% of Title I allocations for school improvement activities.

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

- Advanced Placement, International Baccalaureate, and other advanced course work;
- 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 MS: *Priority* schools are required to spend "up to 20%" of their Title I funds on improvement.

Focus schools are required to spend 10% of their Title I funds on improvement.

Moving Forward: In order to receive ESSA's school improvement resources, the state and local districts must develop implementation plans with input from **MS 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, MS might consider the strategic opportunity of using Title II professional learning funds to support teacher and staff development in high-poverty schools.

Standards

NCLB: States must adopt challenging academic standards.

Waivers: States must adopt federally-approved college and career ready standards.

DP **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 MS: Mississippi College and Career Ready Standards (MCCRS) are aligned with Common Core, and based on proficiency needed for students to attend college.

Moving Forward: MS will need to demonstrate that the MCCRS are "challenging" under the new law.

Assessments

NCLB: States must assess at least 95% of all students annually in grades 3-8, and at least once in high school, in math and ELA.

Waivers: States must assess at least 95% of all students annually in grades 3-8, and at least once in high school, in math and English language arts.

Innovative assessments allowed on a limited basis.

ESSA: States **must** assess at least 95% of all 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.

DP States **may** use an alternate assessment to assess up to 1% of students with the most significant cognitive disabilities in each grade level and subject (approximately 10% of all students in special education).

Currently in MS: The state's new Mississippi Assessment Program (MAP) assesses students using online, computer-based tests in grades 3-8 in ELA and math. The ACT is administered to all students classified as Juniors.

Beginning in the 2016-2017 school year, the 3rd grade ELA assessment will be used for promotion/retention decisions as required by current state law.

MS has a goal of 95% assessment and must report on progress towards this goal as part of its annual report card.

Moving Forward: MS will need to meet or surpass their goal of 95% assessment for compliance, and will need to determine if it will use an alternative assessment for the subset of students with the most significant cognitive disabilities.

Assessment: Flexibility and Innovations

NCLB: N/A

Waivers: N/A

DP **ESSA:** States **may** use:

- computer adaptive assessments that include items above or below students' grade level;

Currently in MS: Computer assessments are available as part of the MAP assessment program.

Moving Forward: MS will need to consider the opportunity to apply for

Assessment: Flexibility and Innovations - *Continued*

- interim assessments during the year that result in a single summative score; and/or
- complementary assessments that use projects, portfolios, and extended performance tasks.

DP In high schools, districts **may** implement nationally recognized assessments that meet state and federal technical standards, approved by “peer review” and the state.

Innovative Assessment/ Accountability pilot criteria:

- DP** • Participating states **may** pursue a variety of innovations, e.g., entirely performance-or competency-based.
- DP** • Participants **may** begin with a subset of districts, but the system must eventually apply statewide.

DP *Assessment Audit Grants* are available for states to:

- audit the number and quality of assessments statewide and by district; and
- provide district subgrants to improve assessment systems and capacity to use results to improve teaching and learning.

specific *Assessment Audit Grants* to provide a structured process to get feedback from teachers, school leaders and administrators, on the supports they need to better use assessment data to improve instruction and how data can be regularly provided to communicate effectively with and build understanding of all stakeholders.

If MS applies for the *Innovative Assessment* pilot, the design and implementation plans should be developed in consultation with **MS stakeholders representing students with disabilities, English learners, and other vulnerable children** (e.g., teachers, principals, and other school leaders; LEAs; parents; and civil rights organizations). MS 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

NCLB: States must define Highly Qualified Teachers (HQT) and ensure their equitable distribution.

States must develop plans describing how they will identify and address any disparities that result in poor and minority students being taught by ineffective, inexperienced, unqualified, or out-of-field teachers at higher rates than other students

Waivers: Same as NCLB.

ESSA: States no longer need to define and track HQTs, but maintains that states 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, unqualified, 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.

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

Currently in MS: MS currently reports on high-qualified teachers by district and state across 3 measures:

- inexperienced teachers;
- inappropriately licensed teachers; and
- educator effectiveness, measured against both student achievement outcomes and standards-based teacher actions.

High poverty and minority students are disproportionately located in the lowest performing schools, which have half as many highly effective and 1.5 times as many ineffective teachers as high-performing schools.

MS Critical Teacher Shortage Act: Any district with over 10% of teachers who are inexperienced or inappropriately licensed is eligible for incentives to help recruit and retain highly qualified teachers.

Moving Forward: MS has already identified 10 districts with the highest educator equity gaps, and is working with districts to reduce those gaps. **MS stakeholders** should understand, assess, and refine the interventions used in these 10 districts to inform implementation of statewide strategies.

Title II fund allocations, which are specifically meant to support preparing, training, and recruiting high-quality teachers and principals, require state and local districts to work with **MS 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 high quality teachers and school leaders.

Teacher and Leader Evaluation Systems

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

Waivers: States are required to have and/or reform teacher and leader evaluation systems.

DP **ESSA:** 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 MS: MS's teacher evaluation system is the MSTAR. MSTAR assesses teachers based on "standards-based teacher actions" across 5 domains and 20 standards such as student engagement, learning delivery, as well as student achievement and progress on state assessments.

Moving Forward: MS will need to determine if or how it will use federal professional development funds and *Teacher and School Leader Incentive Fund* competitive grants to implement current or new evaluation systems. These decisions are important opportunities for **MS stakeholder engagement**.

Early Childhood Education

NCLB: Targeted resources are available for early childhood education. Services for children birth to school entry are an allowable use of Title I and Title II funds if districts choose to use funds in that way.

Waivers: Through a competitive process jointly administered by US ED and Health and Human Services (HHS), the *Race to the Top Early Learning Challenge Grants* provide new funds to states to invest in systems of quality, create and expand high quality opportunities for infants, toddlers and preschoolers, and improve coordination across the early childhood system.

Preschool Development grants are funded through annual appropriations (outside of NCLB structure).

DP **ESSA:** New authorization created for a *Preschool Development Grant (PDG)* program: Authorized at \$250M for FYs 2017-20. *PDG* is administered by 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.

Currently in MS: Before 2013, MS had no statewide preschool program. MS transferred authority for early childhood education from the Department of Human Services (MDHS) to MDE in 2013 through the Early Learning Collaborative Act (ELCA), which appropriated \$3,000,000 to fund 11 *Early Learning Collaboratives Grants* that include school districts, nonprofit groups, Head Start Centers, and private child-care providers to provide preschool.

Moving Forward: Under ESSA, MS 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. These decisions should be made with engagement of **MS stakeholders**, especially local early childhood and childcare experts.

Early Childhood Education - *Continued*

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.

DP The new legislation 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.

English Language Learners

NCLB: EL learners are not a reported subgroup within the Title I accountability provisions.

Title III funds and programs are to “ensure that Limited English Proficient (LEP) students attain EL proficiency, develop high levels of academic attainment in English, and meet the same challenging state academic content and student academic achievement standards as all children are expected to meet.”

States have flexibility to define the LEP/EL learner subgroup, as well as standards of EL proficiency and must annually assess and report on student performance on EL proficiency for English learners.

ESSA: Accountability for EL learners is shifted to Title I, which increases funding opportunities and visibility for EL learners.

States must:

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

Currently in MS: MS acknowledges in its flexibility waiver that its current system that uses the “lowest 25%” metric to identify subgroup proficiency (while increasing accountability for traditional subgroups vs. using N size) does not necessarily capture proficiency of all members of this subgroup. MS uses the World-Class Instructional Design and Assessment (WIDA)-ACCESS Placement Test (W-APT) for assessing EL learner needs.

Moving Forward: MS 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 moving forward.

ESSA’s explicit accountability focus on EL learners provides an opportunity for the state and local districts to work with and learn from **MS stakeholders** (e.g.,

English Language Learners - *Continued*

Waivers: Some waivers asked to give EL learners more than 1 year in a US school before integrating their ELA/math scores into Adequate Yearly Progress (AYP).

Note: Most EL testing flexibility requests were denied; FL was approved to 1) count EL learners after 2 years, and 2) substitute growth on reading assessments for proficiency.

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- disaggregate EL learners with a disability from EL learners in general.
- States have two options regarding timing for testing EL learners:
 - Include test scores after they have been in the country 1 year (consistent with current law); OR
 - Refrain from counting EL learners's test scores in a school's rating in their first year, but require EL learners to take both math and ELA assessments and publicly report the results.

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 MS provides sufficient resources to data infrastructure, student supports, and capacity building efforts.

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 learner strategy, and develop implementation plans with all **MS stakeholders**.

High Risk Students

NCLB: NCLB establishes the High School Graduation Initiative (HSGI) – the only program dedicated to dropout prevention and recovery.

States allowed to use extended year graduation rates for accountability purposes.

Waivers: HSGI is maintained under waivers.

States are allowed to use extended year graduation rates for accountability purposes.

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ESSA: HSGI is eliminated, but states **may** use an extended year graduation rate for accountability.

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A new funding program, the *Student Support and Academic Enrichment Grant*, may be used for dropout prevention and activities supporting a well-rounded education, improving school conditions, and digital literacy.

These grants allow states to:

- set-aside 3% of Title I funds for direct student services, provided by districts or partnerships, that may include accelerated credit recovery, rigorous coursework including early college high schools, dual enrollment, AP/IB; and/or

Currently in MS: MS has a statewide goal of achieving an 85% 4-year graduation rate by 2017-18.

MS currently requires that any high school with a graduation rate lower than 80% be placed in “restructuring status” and must implement a dropout prevention /high school completion plan.

MS’s current policy does not allocate specialized funds specifically for dropout prevention, aside from funding to support interventions within *Priority/Pocus* schools (of which graduate rate can be a trigger).

Moving Forward: MS now 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 **MS stakeholders**.

High Risk Students - Continued

- create an alternative school intervention and support process for “alternative” high schools in the bottom 5% of schools or in “dropout factories,” if the schools serve large portions of at-risk students and students who have dropped out.

Funding

NCLB: States and local school districts receive more federal funding than ever before for all programs. A large portion of these funds are provided through grants under Title I awarded to states and local education agencies to help states and school districts improve the education of disadvantaged students; turn around low-performing schools; improve teacher quality; and increase choices for parents.

The grant formula includes a 65% weight on poverty.

Waivers: Like NCLB, states are required to “supplement not supplant” federal funds for support. States are also required to follow Maintenance of Effort (MOE) provisions that requires them to maintain “fiscal effort” to districts.

Title II funding formula places a 65% weight on poverty.

DP **ESSA:** The new law includes some funding provisions and a new *Weighted Student Funding (WSF)* pilot:

- States and districts no longer have to show that their use of ESSA funds does not supplant state or local funding for the activity or program.
- Maintenance of Effort requirements for K-12 remain in place.
- Under NCLB, schoolwide programs were only allowed in schools with 40% poverty and above, ESSA allows higher-income schools to operate Title I programs for all students.
- *WSF* pilot: 50 school districts to continuously improve school finance systems, with evaluation.

The Title II formula shifts to a more significant weight on poverty (80% of the formula by 2020).

Currently in MS: The MS Adequate Education Program (MAEP) funding formula produces a base student cost, the amount that is required to provide each student an adequate education. Each district is required to provide up to 27% of the base student cost through local contribution (local taxes). The state funds the difference between what a local community is able to provide (up to a maximum of 27%) and the total base student cost. This amount is multiplied by the school district’s average daily attendance to calculate the district’s MAEP allocation.

The state has had problems with underfunding its education system in the past, and advocates have been pushing for fair funding in the state. For example, **Initiative 42** (November 2015) was a ballot initiative to hold the state legislature accountable for keeping its promise to fully fund its public schools.

Moving Forward: A full assessment should be conducted, with the input and engagement of **multiple MS 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 **MS stakeholders** (e.g., teachers, principals, other school leaders, administrators of federal programs impacted by the agreement, parents, and community leaders).

Rural Schools

NCLB: The Rural Education Achievement Program (REAP) initiatives are designed to help rural districts that may lack the personnel and resources to compete effectively for federal competitive grants and that often receive grant allocations too small to be effective.

The Alternative Uses of Funds Authority is a flexibility provision allows eligible rural districts to maximize rural grant programs, including the Small Rural School Achievement Program (SRSA) and Rural and Low Income School (RLIS) funds.

Waivers: N/A

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, EL support, as well as partnerships that increase access to student enrichment, in and out of the school day.

Currently in MS: Approximately \$5 million in total funds are available for rural MS schools, disbursed to qualifying districts based on a per pupil formula as recorded by average daily attendance records for the month of March.

Eligible MS school districts are those with 20% or more of the children ages 5-17 years are from families with incomes below the poverty lines and must be designated with a school locale code of 6, 7 or 8. These districts may apply directly to US ED for funds.

Districts and schools receiving these funds may use them for teacher recruitment and retention, professional development, educational technology, family engagement, violence and drugsprevention, and/or EL support.

Moving Forward: MS should continue to utilize this avenue of 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

NCLB: Charter schools are subject to state and district accountability, in accordance with state charter school law.

The charter authorizer is primarily responsible for holding charter schools accountable under Title I, including determining whether individual schools make AYP.

Charter schools must conduct the same reporting and intervention activities (e.g., steps after Program Improvement), and are also eligible to receive Title I funds,

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,

Currently in MS: The first MS charter schools were approved for the 2015-16 school year; only 2 have opened so far (both in Jackson).

The MS Charter Schools Act of 2013 requires that charter school applicants receive permission via a majority vote from the local school board in order to establish a public charter school in districts with an “A,” “B,” or “C” rating. The law prohibits private schools from becoming public charter schools and requires public charter schools’ enrollment of “underserved students” to be at least 80% of the underserved enrollment in the school district in which the charter schools are located.

The MS Charter School Authorizer

Charter Schools - Continued

specifically for the purpose of carrying out the State and local accountability-related responsibilities, including activities to assist schools identified for improvement responsibilities, including activities to assist schools identified for improvement

Districts may list charter schools under their jurisdiction that have not been identified for improvement, corrective action, or restructuring as choice options. Similarly, if a charter school is identified for improvement, families must be notified of its status.

Waivers: Charter schools are part of the state’s system of differentiated accountability, recognition, and support, including using college and career ready standards and assessments, applying annual goals and identifying *Reward*, *Priority*, and *Focus* school (and associated interventions).

If a charter school is identified as a *Priority* or a *Focus* school, it may face revocation of its charter by its authorizer.

Charter schools must develop and implement teacher and principal evaluation and support systems consistent with state guidelines and meet all of the elements of the waiver.

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), 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.

Board (state controlled) is responsible for approving/authorizing applications for new charter schools through a competitive proposal process. Proposals must include descriptions of accountability systems, and standards.

Moving Forward: In addition to a formal process for authorizing charter programs, MS will now have to ensure annual reporting on indicators used for district schools under the state accountability system and ensure equitable distribution of teachers.

Mitigating the Effects of Poverty

NCLB: NCLB transfers administration of the *21st Century Community Learning Centers grant (21st CCLC)* from US ED to states, based on its share of Title I funding for low-income students.

NCLB also narrows the focus of *21st CCLC* from a community learning center model to an afterschool program model.

Services are provided to students attending high-poverty, low-performing schools, including academic enrichment activities; drug and violence prevention programs; counseling programs; art, music, and recreation programs; technology education programs; and character education programs. Literacy and related educational development services are available to families of children who are served in the program.

Waivers: N/A

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 MS: MS's priority for *21st CCLC* funding is given to programs serving students at *Priority, Focus, or Approaching Target* schools, schools located in geographical areas underrepresented by *21st CCLC* programs, and middle and/or high schools with programs that use an evidence-based bullying program.

Moving Forward: MS'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 MS stakeholder groups** (e.g., teachers, districts, and community based organizations).

Districts and community partners should learn from established and effective *21st CCLC* grant partnerships and the Delta Promise Neighborhoods initiative in order to deepen community partnerships and consider opportunities to leverage additional public and private funds. The funding guidelines outline significant opportunities for **input from a broad array of stakeholders** (e.g., specialized instructional support personnel, students, teachers, school leaders, community based organizations, law enforcement, child welfare agencies, public housing agencies) to help MS refine resource and program implementation priorities.

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 1005 – 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
- *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.
- *Comprehensive Support and Improvement Plans*: For each Comprehensive school identified by the state, and in partnership with stakeholders (e.g., parents, teachers, principals, school leaders) locally develop and implement a Comprehensive plan for the school to improve student outcomes.
- *Targeted Support and Improvement Plans*: For each Targeted school identified by the district, and in partnership with stakeholders (e.g., parents, teachers, principals, school leaders), shall develop and implement school-level Targeted plans.
- *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.
- *State Report Card*: Must be presented in an understandable and uniform format that is developed in consultation with parents, and in a language parents can understand.

Title I, Section 1006 – 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 schools.
- *LEA plans*: In its plan, each LEA shall describe the strategy it will use to implement effective parent and family engagement under section 1116...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 services under this part.

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.

- *State assessment system audit:* Each State assessment system audit shall include feedback on the system from stakeholders including- 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.

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 consultation 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. 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, and engage and support teachers in developing and scoring assessments that are part of the innovative assessment system.

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 consultation with teachers, principals, other school leaders, administrators of Federal programs impacted by the agreement, parents, community leaders, and other relevant stakeholders.

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.

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.

Title III, Section 3003 – 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.

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.

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.

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; 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; and an explanation of how the eligible entity will continuously evaluate and improve the continuum of high quality pipeline services to provide for continuous program improvement and potential expansion.

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.

