



**OVERVIEW OF PROPOSED  
REGULATIONS: ACCOUNTABILITY,  
STATE PLANS & DATA REPORTING  
NATIONAL FORUM ON EDUCATION STATISTICS  
JULY 2016**

# EVERY STUDENT SUCCEEDS ACT

## TRANSITION AND IMPLEMENTATION

- States and districts should **continue to implement** the activities and programs they have in place now through the end of the 2015-2016 school year.
- The majority of funds in 2016-2017 school year will be administered in accordance with NCLB.
- ED is **receiving input from a variety of stakeholders** to help support high-quality transition to, and implementation of, the new law.
- Transition FAQ's and additional resources are available on our ESSA webpage at [www.ed.gov/ESSA](http://www.ed.gov/ESSA).



# NOTICE OF PROPOSED RULEMAKING

## ACCOUNTABILITY, DATA REPORTING, AND STATE PLANS UNDER ESSA

### ■ **Extensive Stakeholder Input:**

- Official request for information and two public meetings (DC and CA)
- Over 200 meetings held across the country and hundreds of public comments considered

### ■ **Major Provisions:**

- Accountability
  - Statewide Accountability Systems
  - Supporting Low-performing Schools
- Data Reporting
- Consolidated State Plans

### ■ **Comment period closes on August 1, 2016**



# NOTICE OF PROPOSED RULEMAKING

## ■ Preamble

- Executive Summary, including purpose of this regulatory action
- Summary of the Major Provisions of this Regulatory Action
- Costs and Benefits
- Particular Issues for Comment
- Background, including description of public participation
- Significant Proposed Regulations
  - Statute
  - Current Regulations
  - Proposed Regulations
  - Reasons
- Regulatory Impact Analysis

## ■ Proposed Regulations

- NPRM available at: <http://www.ed.gov/essa>



# GOALS & MEASUREMENTS OF INTERIM PROGRESS

- States set their own ambitious **goals and measurements of interim progress**, using the **same multi-year timeline** to achieve the State's long-term goals for all students and for each subgroup of students.
- Each State must establish long-term goals and measurements of interim progress for, at a minimum, **academic achievement, graduation rates, and English language proficiency**.
- **Academic achievement** must equally measure math and ELA.
- States **must** set graduation rate goals for the 4 year adjusted cohort graduation rate and **may** include extended year cohort graduation rates.
- Must take into account the improvement necessary for each subgroup of students to make significant progress in closing statewide gaps.



# STATEWIDE INDICATORS

- Proposed regulations help states create robust accountability systems that include multiple **indicators**.
- Each indicator must have **at least 3 performance levels**.

Elementary and Middle Schools	High Schools
Academic Achievement Indicator	Academic Achievement Indicator (may include student growth)
Academic Progress Indicator (may include student growth)	Graduation Rate Indicator
Progress in Achieving English Language Proficiency Indicator	Progress in Achieving English Language Proficiency Indicator
Indicator(s) of School Quality or Student Success	Indicator(s) of School Quality or Student Success



# SUMMATIVE RATING & INDICATOR WEIGHTING

- In order to increase transparency, the proposed regulations require states to assign a **comprehensive, summative rating** for each school.
- Consistent with the requirement for indicators, each State must have at least **3 summative ratings**, but ED does not prescribe the format of these ratings.
- Each State and LEA must **report a school's summative rating, as well performance on each indicator.**
- **The proposed regulations do not prescribe or suggest percentages for any indicators, or a range for weighting,** but emphasizes academic indicators that the law requires be afforded “substantial” weight individually and “much greater” weight in the aggregate.
- States would demonstrate their accountability systems meet this requirement through three back-end checks.



# VALID AND RELIABLE ACCOUNTABILITY SYSTEMS

- The proposed regulations **do not prescribe** how participation rates must be factored in to state accountability systems
- States may choose among suggested options or propose their own equally rigorous strategy for addressing low participation rates in schools where fewer than 95% of all students or 95% of each subgroup of students participate in assessments.
- The proposed regulations ensure States consider each subgroup separately; no **super-subgroups** can be used in place of an individual subgroup.
- Any State proposing to use an **n-size** larger than 30 students must submit a justification in its state plan, including data on how the larger n-size affects the number and percentage of schools held accountable for subgroups.
- Proposed regulations ensure all schools are included and treated equally, including all **public charter schools**, in State accountability systems.



# SCHOOL IDENTIFICATION

- States must identify certain schools for **comprehensive support and improvement** once every three years.
  - Bottom 5% of Title I schools, based on the summative rating
  - High schools with graduation rates below 67% for all students based on the four year-adjusted cohort graduate rate; and
  - Title I schools with chronically low-performing subgroups that do not improve after receiving “additional targeted support”
- States must identify schools with “**consistently underperforming**” subgroups for **targeted support and improvement** annually.
  - States must identify schools for **additional targeted support and improvement** once every three years.

# SCHOOL IMPROVEMENT PLANS & INTERVENTIONS

- All identified schools must develop a comprehensive or targeted support and improvement plan.
- SEAs and LEAs must ensure that stakeholders, including parents, teachers, principals, and other school leaders are engaged in conducting the needs assessment and
  - Parents must be notified if their student attends an identified school and told how they can engage in developing the plan.
  - The plans must be publically available.
  - The plans must describe how stakeholder input was received and any changes that were made as a result.
- LEAs must review and approve targeted support plans.
- SEAs and LEAs must review and approve comprehensive support plans.
- Allows schools, districts, and states to select **evidence-based intervention or strategy** tailored to local needs.

# TIMELINE FOR IMPLEMENTATION

- Under the proposed regulations, States must submit state plans in either March 2017 or July 2017.
- The proposal requires that all states identify schools for **comprehensive** and **additional targeted support** for the first time in the **2017-2018 school year**, with annual identification of schools with consistently underperforming subgroups for targeted support beginning in the **2018-2019 school year**.
- **All schools are eligible for a planning year in the year of identification (e.g., 2017-2018) but must implement interventions in the following year (e.g., 2018-2019).**
- States may **update their accountability systems** as they are able to include new indicators or new measures within their indicators.

# DATA REPORTING UNDER ESSA

REQUIREMENTS IN SECTION 1111(h)(1)(C) OF ESEA

# ANNUAL STATE AND LEA REPORT CARDS

## PROPOSED §§200.30 AND 200.31

- A key challenge faced by States in meeting current report card requirements has been developing clear, effective formats for the timely delivery of complex information to a wide range of stakeholders
- Proposed requirements are intended to promote improvements in this area by ensuring that:
  - States and LEAs work with stakeholders to develop report cards that include timely and essential information to inform educational improvement for all kids
  - Report cards include a full set of accountability information in an easily accessible manner



# ANNUAL STATE REPORT CARDS

## PROPOSED §200.30 – OVERVIEW SECTION INFORMATION

Information	Details
<b>Academic Assessments</b>	Disaggregated reading/language arts, mathematics, and science results in each of State’s academic assessments
<b>Academic Progress</b>	Disaggregated results for each measure within the Academic Progress indicator for public elementary schools and secondary schools that are not high schools
<b>Graduation Rate</b>	Disaggregated four-year adjusted cohort graduation rates, and if adopted by the State, any extended-year adjusted cohort graduation rate data
<b>School Quality or Student Success</b>	Disaggregated results for each measure within each indicator of School Quality or Student Success
<b>English Language Proficiency</b>	The number and percentage of English learners achieving English language proficiency on the State’s English language proficiency assessment



# ANNUAL LEA REPORT CARDS

## PROPOSED §200.31 – OVERVIEW SECTION INFORMATION

LEA	School
All information required on the State report card overview section	
Identifying information, including, but not limited to, the name, address, phone number, email, student membership count, and status as a participating Title I school	
For all students and each subgroup of students described in proposed accountability regulations, <b>information on achievement on the State’s academic assessments</b> in reading/language arts, mathematics, and science of students served by the LEA <b>compared to students in the State as a whole</b>	For all students and each subgroup of students described in proposed accountability regulations, <b>information on achievement on the State’s academic assessments</b> in reading/language arts, mathematics, and science of a school’s students <b>compared to students served by the LEA and the State as a whole</b>
Identification for comprehensive or targeted support and improvement and the reason for such identification	
Summative rating(s)	



# STATE ACCOUNTABILITY SYSTEM

## PROPOSED §200.32 RESULTS

- Each State and LEA report card must include the number and name of each school identified for comprehensive and targeted support and improvement, including the reason for identification
- Each LEA report card must include for each school:
  - Performance level on each accountability system indicator
  - Results on each individual measure within each indicator, as applicable
  - Summative rating



# ACHIEVEMENT CALCULATIONS

## PROPOSED §200.33

Calculation Used for Accountability Purposes	Calculation Based on Valid Test Scores
<b>Numerator:</b>	<b>Numerator:</b>
Number of students proficient	Number of students proficient
<b>Denominator:</b>	<b>Denominator:</b>
<u>The greater of</u> the number equal to 95 percent of all students or 95 percent of each subgroup of students who are enrolled in the school, LEA, or State, respectively; <u>or</u> the number of enrolled students participating in the assessments	All students with a valid test score.



# HIGH SCHOOL GRADUATION RATE

PROPOSED §200.34

<b>ACGR Calculation – 2008 Regulations</b> <i>(current requirements)</i>	<b>ACGR Calculation – ESSA</b> <i>(new requirements)</i>
<b>Numerator:</b>	<b>Numerator:</b>
All students who graduate in four years with a regular high school diploma	All students who graduate in four years with a regular high school diploma + <b><i>All students with the most significant cognitive disabilities assessed using an alternate assessment aligned to alternate academic achievement standards and awarded a State-defined alternate diploma</i></b>
<b>Denominator:</b>	<b>Denominator:</b>
The number of students who form the cohort of entering first time students in grade 9 in the fall +/- Permitted adjustments	The number of students who form the cohort of entering first time students in grade 9 enrolled in high school <i>no later than the date by which student membership data is collected annually by the State for submission to NCES</i> +/- Permitted adjustments



# PER-PUPIL EXPENDITURES

## PROPOSED §200.35

- A State and its LEAs must:
  - Annually report per-pupil expenditures of Federal, State, and local funds on State and LEA report cards, disaggregated by source of funds
- A State must:
  - Develop a single, statewide procedure for LEAs to calculate and report **LEA-level** per-pupil expenditures of Federal, State, and local funds
  - Develop a separate single, statewide procedure that LEAs must use to calculate and report **school-level** per-pupil expenditures of Federal, State, and local funds
  - Provide a description of the uniform procedure for calculating per-pupil expenditures

# POSTSECONDARY ENROLLMENT

## PROPOSED §200.36(a) REPORTING INFORMATION ON POSTSECONDARY ENROLLMENT

- Where available, each State and LEA Report Card must include for each high school in the state the cohort rate at which students who graduate from high school enroll, for the first academic year that begins after the student's graduation:
  - In programs of public postsecondary education in the State
  - If available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State
- “Program of postsecondary education” has the same meaning as “institution of higher education” under section 101(a) of the Higher Education Act of 1965



# EDUCATOR QUALIFICATIONS

## PROPOSED §200.37

- State and LEA report cards must include, in the aggregate and disaggregated by high- and low-poverty schools, the percentage of:
  - Inexperienced teachers, principals, and other school leaders
  - Teachers teaching with emergency or provisional credentials
  - Teachers not teaching in the subject/field of certification or licensure

# NEXT STEPS

- Submit official comments and questions through the Federal Register Notice available at:  
<https://federalregister.gov/a/2016-12451>
- Main ESSA Web Page: [www.ED.gov/ESSA](http://www.ED.gov/ESSA)
- ESSA Resources, including link to the Notice, Fact Sheet, webinars that provide an overview of the Notice, and other ESSA resources:  
<http://www2.ed.gov/policy/elsec/leg/essa/index.html>
- Email Inbox: [ESSA.Questions@ed.gov](mailto:ESSA.Questions@ed.gov)

