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## The Every Student Succeeds Act: State Accountability System Requirements

On December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA) which reauthorizes the Elementary and Secondary Education Act (ESEA) for four years and enacts significant changes from the previous iteration of the law, the No Child Left Behind Act (NCLB). In general, ESSA reduces federal intervention in state education policies and ***assigns more decision-making authority to individual states and local education agencies (LEAs)***. In terms of accountability provisions, ESSA reflects a substantial departure from NCLB because it provides broad accountability requirements for states but specifically limits the authority of the federal government to prescribe additional accountability provisions.

**Accountability under ESSA.** Like NCLB, ESSA requires every state to develop an accountability system for all public schools and LEAs that includes the results of annual standards-based state assessments (See PSEA's Advisory, *The Every Student Succeeds Act: Student Assessment*). Also like NCLB, ESSA requires that student test data be disaggregated by student subgroups, including by race or ethnicity, economic disadvantage, disability status, and English language learner status. In addition, the state must test at least 95 percent of all students and each subgroup of students annually but *each state is free to determine the role of the 95 percent indicator in the accountability system*.

In lieu of AYP, which was required under NCLB, *ESSA requires each state to establish long-term goals and measures of interim progress toward the goals*. ESSA does not place any restrictions on a state's goals except that the goals must apply to all students and every subgroup and must address, at a minimum, proficiency on state tests and high school graduation rates. State goals must reflect the improvement necessary to close math and reading proficiency rates and graduation gaps for student subgroups that lag behind state averages on these measures. Also, for English language learners, state goals must require increases in the percent of students who make progress in achieving English proficiency.

*The state may add any number of indicators of school quality and student achievement to its accountability system; however ESSA requires that, at a minimum, the accountability system must measure annually the following indicators for all students and for disaggregated groups of students within a school:*

For all public schools:

- Student proficiency on state math and language arts tests in grades 3 through 8 and once in high school;
- English language proficiency of English language learners in grades 3 through 8 and once in grades 9 to 12; and
- At least one indicator of school quality such as measures of student or educator engagement; student access to and completion of advanced coursework; school climate; school safety; or any other indicator of learning supports that the state chooses.

For elementary and middle schools:

- A measure of student growth or other academic indicator.

For high schools:

- Four year graduation rate (in addition, states may use an extended graduation rate).

ESSA requires that the state accountability system assign “much more” weight in the aggregate to student test scores, graduation rates, and an indicator for elementary and middle schools than to the school quality indicator(s), but *the exact weight of each measure in the accountability system is determined solely by the state*. The results of all school accountability indicators at the state, LEA, and school level must be publicly reported each year in state, LEA, and school “report cards.” The annual state report cards also must include several additional indicators. PSEA plans to develop an Advisory describing state, LEA and school report card requirements under ESSA.

**Consequences for Schools that Struggle in the State Accountability System.** ESSA requires states to ensure *two kinds of support* are provided to schools that struggle to attain the state’s long term goals or measures of interim progress.

**Targeted Support.** Beginning in 2017-18, and once a year thereafter, the state must inform LEAs annually of any schools that have consistently underperforming (as defined by the state) student subgroups. *Schools with significantly underperforming student subgroups must develop and implement a Targeted Support and Improvement Plan (TSI)* to improve the academic outcomes of the student subgroup(s) that generated the notification. The Plan must be developed in collaboration with stakeholders (including teachers; See PSEA’s Advisory, The Every Student Succeeds Act: Educator Involvement in Decision-Making) and include evidence-based strategies. *Compliance with the plan is monitored by the LEA.* If the Plan is not successfully implemented in an LEA-determined period of time, then additional action must be undertaken by the LEA. If any school receiving targeted support has one or more student subgroups that would, on their own, be identified in the lowest 5 percent in terms of student achievement in the state, then the Plan also must identify resource inequities (which may include a review of LEA and school level budgeting) and define strategies to reduce them.

**Comprehensive Support.** Beginning in 2017-18, and at least once every three school years thereafter, the state must determine from the accountability system which schools need

comprehensive support. Schools require comprehensive support if they fall into one or more of three categories:

- The lowest performing 5 percent of all schools receiving Title I;
- All high schools that graduate less than two thirds of their students; or
- Schools with at least one student subgroup performing at the level of the lowest-performing 5 percent of Title I schools that do not improve through targeted improvement within a state-specified period of time.

When a school is designated as in need of comprehensive support, *the LEA, in partnership with stakeholders (including educators), must develop and implement a Comprehensive Support and Improvement Plan (CSI) for the school.* The Plan must include evidence-based interventions founded on a school-level needs assessment. The Plan also must identify resource inequities, which may include a review of LEA and school level budgeting, to be addressed through implementation of the Plan. The Plan initially must be approved by the school, LEA, and state and is monitored and periodically reviewed by the state.

*The state must establish statewide exit criteria for schools receiving comprehensive support and, if the exit criteria are not met within a state-determined number of years (not to exceed four) then the state must intervene more rigorously. The state also may intervene in any LEA with a significant number of schools that are consistently identified by the state for comprehensive or targeted support. The state has the authority to define allowable interventions for schools that fail to meet exit criteria.*

Like NCLB, ESSA specifies that the school improvement provisions do not affect employees' rights under federal, state or local laws or under collective bargaining agreements.

**Restrictions on Federal Involvement in State Accountability Systems.** In a number of ways, ESSA specifically prohibits the US Department of Education from restricting or defining state accountability actions. Specifically, the Secretary is ***prohibited*** from the following:

- Requiring new accountability provisions other than those provided in the law;
- Requiring new accountability criteria other than those provided in the law;
- Requiring a state to add any accountability requirements that are outside the scope of the law;
- Requiring a State to add or delete any specific elements of the state's academic standards;
- Prescribing long-term goals or measurements of interim progress for all students, for any subgroup(s) of students, or for English language learners. This prohibition applies to the length of time set by states to meet goals and/or the progress expected in meeting such goals;
- Prescribing specific academic assessments or assessment items;
- Defining the indicators that states include in their accountability system, including any requirement to measure student growth;
- Prescribing the weight of any measure or indicator used to identify or differentiate schools;

- Delineating the specific methodology to identify schools for comprehensive or targeted support;
- Defining any specific school support or improvement strategy that the state or LEA must implement as part of Comprehensive or Targeted Support;
- Influencing exit criteria for Comprehensive Support except as provided in law.

**ESSA Accountability in Pennsylvania.** Pennsylvania policymakers are beginning to consider the myriad changes to the state accountability system that are possible under ESSA. PSEA continues to advocate for an accountability system that diagnoses and supports specific needs of struggling schools rather than a system which dismantles them.

As Pennsylvania begins to consider possible changes to the state accountability system permissible under the new law, there are a number of opportunities for educators to be involved at the school, district, and state level. PSEA staff and governance are engaged in discussions at the state level concerning appropriate components of the state accountability system and evidence-based interventions that are likely to improve student achievement. Local leaders in LEAs with schools that are likely to qualify for targeted or comprehensive support also should begin to consider the role of the local in developing support plans (which must be developed with input from educators). As always, PSEA UniServ Representatives are prepared to assist and guide local leaders and members as they become involved in local ESSA implementation issues. UniServ Representatives also will work with a cross-divisional staff work team that is focused on implementation issues.

For more information about accountability provisions in ESSA, PSEA members may contact Carla Claycomb, PSEA Director for Education Services, [cclaycomb@psea.org](mailto:cclaycomb@psea.org).

