



The Every Student Succeeds Act: Educator Evaluation

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 policymaking and allows states more authority to design their own education, assessment, and accountability systems.

The move away from federal to state and local authority in the new law is particularly apparent in the area of educator evaluation.

Over the last several years, the federal government established parameters for educator evaluation and tied the adoption of those parameters by states to significant funding and ESEA accountability relief. For example, between 2009 and 2012 the federal Race to the Top (RTTT) program provided more than \$5 billion in competitive grants to several states that agreed, among other things, to develop and administer educator evaluation systems that include measures of student achievement and growth.¹ Pennsylvania was a recipient of \$41 million in federal RTTT funds in 2011, much of which funded the development of the state's Educator Effectiveness System. Act 82 of 2012, which includes the framework for the current Educator Effectiveness System, was adopted, in part, to incorporate the Race to the Top priorities. Its requirement to rate teachers and principals in significant part on the basis of student performance and growth has strong legislative support independent of the federal RTTT funding incentive.

ESSA, however, turns the tide on what had been a trend toward federal intervention in educator evaluation. Specifically, ESSA addresses the federal role in educator evaluation in two important ways:

¹ For a more detailed description of the RTTT grant and Educator Effectiveness System, please see PSEA's Advisory, [Teacher Evaluation and Race to the Top in Pennsylvania](#).

- Title I (Improving Basic Programs operated by State and Local Educational Agencies) specifically ***disallows the US Department of Education from prescribing any educator evaluation requirements as a prerequisite for approval of a state Title I plan.*** As a matter of fact, ESSA Title I specifies that USDOE is not authorized to require a state to develop or implement any teacher or school leader evaluation system.
- Title II (Preparing, Training, and Recruiting High-Quality Teachers, Principals, or Other School Leaders) provides formula grants to states that may be used to design and implement teacher and school leader evaluation systems that are based in part on evidence of student academic achievement and/or growth. However, ***use of Title II funds for this purpose is entirely optional; states may choose instead to use these funds to improve educator recruitment, retention, induction, professional learning, certification, preparation, or equitable distribution.*** In addition, ESSA prohibits the use of Title II funds to support any program that limits or overturns existing collective bargaining rights.

Conclusion. ESSA makes a significant move away from federal intervention in educator evaluation policies. It asserts clear state authority to determine whether to develop a statewide educator evaluation system and, if so, to determine the content, structure, and consequences of the system. ESSA does not require states to make any changes to any existing educator evaluation system.

Because ESSA does not require any changes to the educator evaluation system and also because several aspects of Act 82 continue to be broadly supported by the state legislature, *all* Pennsylvania educators who want to see changes to the Educator Effectiveness System will need to advocate for a valid, reliable, and fair system that provides meaningful feedback to educators on their professional practice.²

PSEA supports a system that holds all educators accountable for attaining high standards of professional practice and measures attainment in multiple, valid, and reliable ways. PSEA also supports a system of professional learning that helps all educators do their best work for students and communities in the Commonwealth.

For more information about the Every Student Succeeds Act and Pennsylvania’s plans for implementation, PSEA members may contact Carla Claycomb in PSEA’s Education Services Department, cclaycomb@psea.org. PSEA members also can view a 1-hour webinar for Act 48 credit that explains the contents of the new ESSA in more detail on PSEA’s [Online Learning Portal](#).



² See, for example, the Pennsylvania Association of Elementary and Secondary School Principals (PAESSP)/Pennsylvania Association of School Administrators (PASA) White Paper on Educator Effectiveness and Evaluation published in PAESSP’s May 2015 *The Pennsylvania Administrator*.