The Ball’s In Our Court:
The Every Student Succeeds Act (ESSA) and the New Way Forward for Federal Involvement in Education

Joe O’Reilly, Ph.D.
Mesa Schools
joreilly@mpsaz.org

Janice Palmer
ASBA
jpalmer@azsba.org
Today's Presentation Will Cover Arizona & Federal Changes in...
The law is moving from “no child left behind,” with a focus on the lowest performers, to “every student succeeds” which focuses on a broader range of students, achievement gaps and what we mean by success.
Assessment Flexibility

Teacher evaluation is now a state issue

New accountability models and consequences

Fiscal flexibility

Limited USDOE powers

The State Is In The Driver’s Seat
We No Longer Will Have Someone Else to Blame
• March 2016  
  Negotiated rulemaking panel*
• April 2016  
  USED proposes rules*
• June 2016  
  USED publishes rules,  
  60 day comment period
• August 2016  
  Arizona’s waiver expires,  
  16-17 is a transition year
• August 2017  
  Full implementation of ESSA begins

Timeline of an “Orderly Transition”

*https://cdn-files.nsba.org/s3fs-public/reports/2016-02-25-ESSA-Next-Step-Kline-Scott.pdf?wy4SPIcn7cix_JvWGckwyW0pmXFoc6f0
• In 2016/17…
  • For the most part Title I will be under NCLB rules
  • 95% tested is required and will be treated under NCLB rules (if you don’t test 95% you don’t make your goal)
  • States will develop short-term and long-term goals to replace AMOs
  • HQ is not required but states will still have to implement their equitable teacher distribution plans (and the plan may rely on HQ)
  • School Improvement will continue to focus on the lowest performers, the biggest gaps and the least number of grads. States can continue to work with current schools or a new list identified by March 1st.
  • Schools identified due to ELLs are frozen for this year (those identified remained identified, new schools are not added).

ESSA TRANSITION 2016-17

http://www.edweek.org/ew/articles/2015/12/07/the-every-student-succeeds-act-explained.html
ASSESSMENT
• Assessments are statewide
• ELA & Math in 3-8 and once in high school
• Science once in 3-5, 6-9, 10-12
• ELL English proficiency test
• Test could be one summative test or a compilation of performance on several tests during the year
• Tests could be computer adaptive instead of every student getting the same questions

ESSA Assessment
• A state could create a list of “nationally recognized high school academic assessments” (e.g., SAT, Cambridge) as acceptable. LEAs could then ask to use it instead of a test measuring state standards
• Up to seven states could apply for a pilot assessment and accountability demonstration program
  • It could be competency based assessments, embedded performance assessments, demonstration of mastery, etc.
AZ Assessment Changes
• Currently we use the same test using different parts (i.e., AzMERIT ELA, AzMERIT Math)
• Proposals: Schools get to choose approved alternative assessments and ADE uses those for accountability
  • Ducey’s comments when signing SB1289
  • SBE request (https://azsbe.az.gov/resources/f-school-letter-grade-accountability)
  • A menu of assessments – SB 1321 / HB 2544
  • Opt-Out – SB 1455

Legislature is Discussing Local Assessments
• Directs SBE to adopt a menu of locally procured achievement assessments.

• Allows LEAs, serving grades 9-12, to select an assessment to administer from the menu, beginning in School Year (SY) 2018

• Allows LEAs, serving grades 3-8, to select an assessment to administer from the menu, beginning in School Year 2019*
  • *May be an issue with USDOE depending on federal rules and regulations and waiver

• Requires AzMERIT assessment adopted by SBE to be included on the menu.

SB 1321
• Determines LEAs that select an **assessment** from the menu to be in compliance with statewide **assessment** requirements.
• Directs SBE to adopt rules and procedures regarding the menu of assessments.
• Requires the provider of a proposed **assessment** on the menu to provide evidence that the **assessment** is high quality, demonstrate that the **assessment** meets or exceeds SBE’s adopted academic standards, demonstrate that the **assessment** scores can be equated for state accountability purposes, have a third party evaluate the **assessment**, and provide a copy of the **assessment** scores to ADE.
• Provides legislative intent

**SB 1321 (cont.)**
• Requires an LEA to provide alternative assessment options for any student that has opted into the alternative local assessment
• Requires the LEA to report the number of students that take the alternative local assessment and the achievement of students on that alternative local assessment to the department of education.
• Requires the LEA to use the results of the alternative local assessment for all of the following:
  1. Factored in to the calculation of the school or school district achievement profile classification pursuant to section 15-241.
  2. Information contained in the school report card distributed pursuant to 15-746.
  3. Factored into performance classifications adopted pursuant to section 15-203, subsection a, paragraph 38 or performance based compensation systems adopted pursuant to section 15-977.
  4. Used in the determination in section 15-701 to determine whether the pupil’s reading ability is sufficient to promote that pupil from third grade.
ACCOUNTABILITY
States will create an accountability system with long term goals and indicators of progress (short term goals).

States have to report on all students and all subgroups.

At least once every 3 years states must identify:
- Comprehensive Support & Improvement (CSI) schools: the lowest performing 5% plus any high schools with less than a 67% graduation rate
- Targeted Support & Improvement (TSI) schools: schools with consistently underperforming subgroups
• Indicators:
  • Proficiency on state tests in reading and math
  • Proficiency on AZELLA
  • High schools – graduation rate
  • Other factor such as growth that can be broken out by subgroups
  • A non-academic indicator such as student engagement, post-secondary readiness, AP test taking, school climate, etc.
• States decide how to weight the indicators

ESSA Indicators
• States must:
  • Identify and intervene with the bottom 5% of schools at least every 3 years
  • Intervene in high schools with less than 67% graduation rate
  • Identify where subgroups are struggling
  • The “Bottom 25%,” a super subgroup, is no longer a subgroup for accountability
• Districts with identified schools must develop plans with stakeholders that address the indicators. Plans must include evidence-based strategies and resource equity.

• Students at such schools are eligible for public school choice.

• If schools don’t meet exit criteria after four years of support, the state will take more rigorous action.

ESSA Consequences
Arizona Accountability
A. Notwithstanding any other law, the department of education may not assign schools or school districts letter grade classifications pursuant to section 15-241, Arizona Revised Statutes, for school years 2014-2015 and 2015-2016 in order for the department of education, subject to the approval of the state board of education, to develop and implement a revised accountability system for schools and school districts.

B. Notwithstanding subsection A of this section, the department of education shall continue to collect and publish data in school years 2014-2015 and 2015-2016 concerning the academic performance indicators for schools and school districts prescribed in section 15-241, Arizona Revised Statutes, subsections C and D.

C. For the purposes of section 15-241, subsections K through L, Arizona Revised Statutes, and sections 15-241.01 and 15-537 and chapter 19 of this title, Arizona Revised Statutes, and subject to final adoption by the state board of education, the department of education shall develop criteria to identify schools and school districts for school years 2014-2015 and 2015-2016 that demonstrate a below average level of performance.
Schools Will Be Identified As Below Average for 14-15

- Less than 100 A-F Points AND
- AzMERIT passing rates lowest among similar schools
- AND any one of these additional indicators (if applicable):
  - Declining persistence and/or grad rates
  - Lowest student growth scores
  - Lowest 2013 & 2014 AIMS passing rates
15-16 State Accountability Depends on New Legislation
D. THE ACHIEVEMENT PROFILE FOR SCHOOLS, SCHOOL DISTRICTS AND CHARTER HOLDERS SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING ACADEMIC PERFORMANCE INDICATORS:

1. MULTIPLE MEASURES OF ACADEMIC PERFORMANCE OR OTHER ACADEMICALLY RELEVANT INDICATORS OF SCHOOL QUALITY APPROPRIATE TO ASSESS THE EDUCATIONAL IMPACT OF A SCHOOL, DURING THE ACADEMIC YEAR, AS DETERMINED BY THE STATE BOARD OF EDUCATION.

2. ACADEMIC PROGRESS ON STATEWIDE ASSESSMENTS ADOPTED PURSUANT TO SECTION 15-741 IN ENGLISH LANGUAGE ARTS AND MATHEMATICS.

3. ACADEMIC PROGRESS ON ENGLISH LANGUAGE LEARNERS ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 15-756, SUBSECTION B, SECTION 15-756.05 AND SECTION 15-756.06.

4. PROGRESS TOWARD COLLEGE AND CAREER READINESS FOR ALL SCHOOLS, INCLUDING GRADUATION RATES FOR SCHOOLS, SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT OFFER INSTRUCTION IN ANY OF GRADES NINE THROUGH TWELVE.

Measures Proposed In SBE's New Legislation – SB 1430
TEACHER EVALUATION
There are no ESSA teacher evaluation rules

**Arizona State Law is now more restrictive than federal law**

ESSA Teacher Eval Rules
There are no HQ rules in ESSA
• The state’s plan must indicate how the state is going to measure and ensure that Title I students are not taught by disproportionately more out-of-field, inexperienced and/or poorly performing students.
• IDEA has rules on teachers of students with disabilities
E. The governing board shall prescribe specific procedures for the teacher performance evaluation system, which shall include at least the following elements:
1. At least two actual classroom observations …
2. Specific and reasonable plans for the improvement of teacher performance as provided in subsection H of this section.
3. Appeal procedures for teachers who disagree with the evaluation of their performance, if the evaluation is for use as criteria for establishing compensation.
4. Training requirements for qualified evaluators.
5. A plan for the appropriate use of quantitative data of student academic progress in evaluations of all certificated teachers. …
F. The governing board may waive the requirement of a second classroom observation for a continuing teacher …
G. The results of an annual evaluation conducted as provided in this section shall be in writing or provided in electronic format to the certificated teacher …. 
H. Each evaluation shall include recommendations as to areas of improvement in the performance of the certificated teacher if the performance of the teacher warrants improvement. … [the]board designee shall provide professional development opportunities for the certificated teacher to improve performance and follow up with the teacher after a reasonable period of time for the purpose of ascertaining that the teacher is demonstrating adequate performance.
FISCAL FLEXIBILITY

(A full discussion of fiscal impact is a whole session in itself)
• State set aside for schools identified for improvement is 7% plus an optional 3% for Direct Student Services
• Supplement not Supplant: your method, not your actual expenses will be examined
• 49 programs replaced by a $1.7 billion Student Support and Academic Enrichment block grant

Fiscal Changes
SUMMARY

• State control
• Assessment
• Accountability
• Teacher Evaluation
• Fiscal flexibility
Here is the Theme for Testing & Accountability in Arizona Today

https://www.youtube.com/watch?v=IjGHwGkFIFw