The Every Student Succeeds Act:
A Summary of Federal
Policy and Implications for Maine

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Executive Summary

The federal Elementary and Secondary Education Act (ESEA) of 1965 was reauthorized by Congress in December 2015 under the Every Student Succeeds Act (ESSA). ESSA pursues many of the same education policy goals as its predecessor policy, known as No Child Left Behind (NCLB). These goals include improved equity of access to education for all students and improved educational outcomes for all students. This is accomplished through strong state and local education accountability systems that identify and intervene in underperforming schools, as determined largely by student outcomes on statewide learning assessments and high school graduation rates.

However, the new law takes a less prescriptive approach to how states define and pursue their goals for students. Under ESSA, states are charged with setting ambitious goals based on rigorous learning expectations, identifying measures that will evaluate whether schools are meeting expectations, and implementing systems of supports for schools that are low-performing. While student assessment data and graduation rates must still be included as under NCLB, states have increased flexibility to incorporate additional valid and reliable measures and to determine how much each indicator will count in the accountability system.

School districts must also define local goals and priorities. They have greater input into how they will use federal funds from various formula grants to achieve their targets, with state approval. Schools identified as low-performing have more latitude in selecting strategies for interventions that meet local needs.

There is also increased emphasis on involvement of stakeholders in both state and district-level accountability plans and reporting. Other parts of the law highlight the priorities of broadening the scope of a well-rounded education to include more core subjects, and improved preparation of students for college and careers. Areas of priority include rural schools and certain student subgroups, including students with disabilities, economically disadvantaged students, and English Learners.

The added flexibility brings the prospect of relief from some federal constraints as well as an opportunity to improve alignment of federal, state, and local programs. It also imposes more responsibility on the state and on school districts. This has implications for both state and local capacity to comply with the law.

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Introduction

The *Elementary and Secondary Education Act* (ESEA) was initially adopted in 1965 and is the major federal education law governing state and local school accountability requirements and federal entitlement funding programs for K-12 students. This law was reauthorized in December 2015 under the *Every Student Succeeds Act* (ESSA). ESSA replaces the former version of this federal law known as the *No Child Left Behind Act* (NCLB).

The Maine Education Policy Research Institute (MEPRI) was contracted by the Joint Standing Committee on Education and Cultural Affairs of the Maine state legislature to provide a report on ESSA at the outset of the 128th legislative session. The purpose of the report is to conduct a policy analysis of the key points of ESSA, summarizing the major changes in the federal law, and to highlight points of intersection with existing Maine state education policy. Therefore, this report provides a high-level overview of ESSA. More detailed guidelines can be found from the U.S. Department of Education (https://www.ed.gov/essa), and additional resources are included at the end of this report. Staff in the Maine Department of Education also have detailed knowledge of the new law and how it impacts state practice, and are a key resource.

The main findings of the report are organized in two parts. Part I summarizes key topics of federal education policy articulating accountability requirements for state education agencies (SEAs) and local education agencies (LEAs, or school districts). In that section we describe major goals of the legislation and which components are the same or changed in the federal law. The findings are grouped into nine topic areas, so that readers may more easily find information on areas of particular interest. We also provide short excerpts from key sections of the law for reference at the end of each topic section. Part II describes specific goals and changes in both the structure of federal funding programs and anticipated funding levels for selected programs. That section is organized by the numbered entitlement programs. Funding for some initiatives has been shifted from one block grant program to another and, in other areas, states will have more flexibility to choose how federal funds are spent.

There is a certain amount of inherent overlap across the policy and funding topics addressed in this report, and therefore some degree of repetition in themes. However, the organization should allow readers to focus in on particular topics of interest and obtain the important points regarding those topics, without having to jump to other sections of the report.

Implementation Timeline: Statute, Rules, & Potential Policy Changes

The Every Student Succeeds Act was enacted on December 10, 2015 after being passed by Congress and signed by President Obama. Amendments affecting non-competitive funding allocations to states (i.e. formula or block grants) went into effect July 1, 2016. The statute requires the U.S. Department of Education to promulgate rules governing its implementation; the effective dates of the regulations vary by when they were issued by publication in the Federal Register as final rules. To date (January 2017), final rules have been issued in December 2016 for state assessment requirements (under Title I Parts A and B), which became effective on January 9, 2017. Final rules were also issued on November 28, 2016 for the accountability, state plans, and data reporting provisions; these significant rules require at least 60 days before enactment and become effective on January 30, 2017. Implementation of the new accountability system will start July 1, 2017 for the 2017-2018 school year. Comprehensive support schools will be identified in 2018-19, and targeted assistance schools are to be identified in the following year (2019-20).

Proposed rules have been released for the "supplement, not supplant" provisions for Title I funding, but have not been finalized at the time of writing. No other major rules have been proposed. Since these three areas (assessment, accountability, and supplement not supplant) broadly cover the key aspects of ESSA statute, additional regulations are not anticipated.

Because a new executive administration will take office on January 20, 2017—including anticipated appointment of a new Secretary of Education pending successful confirmation hearings—the possibility exists that the January 30 effective date of the rules related to accountability systems could be postponed by executive order. This would delay implementation of ESSA until new rules are developed, released and enacted.

Methods and Data Sources

This policy review and analysis drew on multiple sources of information about the new federal legislation known as ESSA. These sources included the original text of the federal statute, summaries and guidelines issued by the U.S. Department of Education, and summaries and analyses of the policy developed by prominent education organizations such as the National Conference of State Legislatures (NCSL), the Council of Chief State School Officers (CCSSO), the American Federation of Teachers (AFT), and the National Education Association (NEA). Our approach for this report was to review specific components of the law and to cross-check information across several sources to ensure accuracy and to provide balanced perspectives. We shared draft summaries and discussed each component as a team. In order to allow time for report preparation, we reviewed policy guidance available up to the date of December 31, 2016. Additional guidance and information about ESSA requirements will continue to be available from the U.S. Department of Education in the coming months as the law is implemented and states seek further clarity on aspects of the law. Because of the aforementioned possibility that the incoming federal administration could delay the effective date of the accountability rules, relevant text from the ESSA statute is provided for each section in Part I, and excerpts from regulations are provided in selected sections where they differ substantively from statute.

ESSA Policy Goals and Major Themes

ESSA pursues many of the same education policy goals as NCLB. These goals include improved equity of access to education for all students and improved educational outcomes for all students. In addition, strong state and local education accountability systems are envisioned to track school and student performance, identify underperforming schools, and assist students with evidence-based interventions. However, the new law takes a less prescriptive approach to how states will pursue these goals, and seeks to highlight certain areas needing increased attention. Areas of priority include rural schools and certain student subgroups, including students with disabilities, economically disadvantaged students, and English Learners.

Broadly, what is new with ESSA is a greater degree of flexibility for states to determine which measures to include in their accountability systems and what targets to set for improved student outcomes. SEAs and LEAs have greater latitude also in selecting strategies for school interventions. While the reduction of federal constraints provides some welcomed relief and opportunity, it also imposes more responsibility on SEAs and LEAs, which has implications for both state and local capacity and financial cost to comply with the law. There is also increased emphasis on involvement of stakeholders in both SEA and LEA accountability plans and reporting. Other parts of the law highlight the priorities of broadening the scope of a well-rounded education to include more core subjects, and improved preparation of students for college and careers. The recurring themes of equity and access, a well-rounded education, college and career readiness, flexibility and choice at the state and local levels, and increased stakeholder involvement are found throughout ESSA. These are described briefly below as well as in later sections of the report.

Equity and Access for All Students

ESSA maintains many aspects of NCLB that promoted equitable opportunities for all students. Some of these continuing expectations include annual testing, the collection and public reporting of educational data and progress for students by subgroups, teacher equity plans, the "supplement vs supplant" provision, and the use of federal funds to provide access and opportunity for a high-quality education for all students. In addition, ESSA adds some new provisions for low-performing schools to report their financial allocation to support low performing students to demonstrate they are targeting funds for the students who need it the most. Charter schools also come under increased scrutiny for providing access and enrollment to students from different subgroups, for reporting on school performance and progress for students in subgroups, and for reporting on financial performance. Throughout ESSA, there is a strong priority for SEAs and LEAs to demonstrate that the learning needs of certain subgroups are being met, particularly for traditionally underserved subgroups such as students with disabilities, educationally disadvantaged students (e.g., homeless and foster care youth), and English Learners. This requirement applies to charter schools as well.

Well-Rounded Education for All Students

The new law expands the scope of a high quality and well-rounded education beyond what was formerly required through NCLB. ESSA charges states and LEAs to develop their own curricular visions and strategies to include the following content in

students' education: writing, engineering, music, health, technology, computer science, career and technical education and physical education. These content areas are in addition to the existing core academic subjects: ELA, civics and government, mathematics, history, geography, science, foreign languages, economics and arts. There is increased flexibility for the use of Title I, II and IV funds to deliver both in-school and out-of-school programs incorporating these content areas.

College and Career Readiness

Career readiness is mentioned throughout ESSA. One example of this new level of priority, career and technical education is now a core academic subject, as mentioned above. Further, the state's academic standards are to be aligned with entrance requirements for credit-bearing coursework in the system of public higher education and relevant state career and technical education standards. Also the state's academic and career and technical education content should be coordinated through instructional strategies such as experiential learning opportunities and emphasizing skills that are important to high-demand occupations.

Flexibility and Choice

Under ESSA, states have more flexibility in defining what constitutes a high quality and well-rounded education, how school performance and student academic progress will be measured and the relative weight of each measure, targets and deadlines for improved student outcomes, and what strategies and interventions will be used for schools identified as needing improvement. State accountability systems must include all public schools including public charter schools. Indicators of school and student performance will include both academic and other indicators to provide a more holistic view of performance and progress. Further, the law articulates a new emphasis on locally-designed school improvement plans rather than a "one size fits all" approach that was a common point of contention with NCLB. Interventions for low-performing schools must utilize evidence-based practices that have been demonstrated to be effective, but the choice of strategies and interventions can be selected to fit local needs.

Stakeholder Engagement

SEAs and LEAs are charged with responsibility for engaging certain stakeholder groups, including state policymakers, educators, parents and others, to consult in developing their vision and the comprehensive state and local education improvement plans, and to develop a statewide and local report cards summarizing school performance and progress for student subgroups. However, this is not a one-time event that happens only in the initial stage. ESSA requires substantive consultation with stakeholder groups at multiple points during the design, development and implementation stages to ensure state and local voices are included. Maine established an ESSA Advisory Group with broad stakeholder representation to provide input into the comprehensive state plan, and that group currently has a meeting scheduled on January 31, 2017 to finalize its recommendations for the state plan.

Part I: ESSA Policies and New Accountability Systems

Section A: State Plans

What does ESSA say about this area, and how is it different from NCLB?

Each State Educational Agency (SEA)—i.e. the Maine Department of Education for our state—is required to submit a consolidated state plan to receive federal funding. The intent is for states to develop comprehensive plans for leveraging federal resources across multiple funding streams to achieve its goals. Per federal regulations, the state plan must be developed with timely and meaningful consultation with a range of stakeholders, and must address five components:

1. Consultation and Coordination
2. Challenging Standards and Academic Assessments
3. Accountability, Support and Improvement for schools
4. Supporting Excellent Educators
5. Supporting all Students

The dates for submission of the state plan to the U.S. Department of Education are April 3, 2017, or September 18, 2017. The plan will be reviewed for federal approval within 120 days. Thus only plans submitted in the April 2017 cycle will receive feedback prior to the start of the 2017-18 school year, which could potentially help districts that want to pilot some aspects of the new data collection and reporting system before the policies are in effect in 2018-19.

The **Consolidated State Plan** is different in both development and content requirements. The five components reflect larger themes in ESSA of substantial stakeholder involvement, promotion of a well-rounded education for students, and support for equity of high quality educational access and opportunity across all student populations.

1. Consultation and Coordination

ESSA requires substantive stakeholder involvement in developing state plans, including at a minimum, the Governor, members of the State legislature and State board of education, local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders, representatives of private schools students, early childhood educators and leaders, specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents. The SEA may include additional members if they choose.

The **Consultation** language differs from NCLB through its more explicit requirements for both the SEA and local districts to involve an array of specific stakeholders, including parents, in the development of their plans and report cards. The SEA must substantiate who and how stakeholders were involved in the development of the content of the state plan. The **Coordination** component is similar to past expectations in requiring coordination of efforts across the different federal titles. The movement toward a consolidated state plan instead of individual state applications for each formula funding grant is intended to improve these coordination efforts.

2. Challenging Standards and Academic Assessments

States must adopt challenging standards, as with NCLB, and preserve annual testing requirements for reading/language arts and mathematics in grades 3-8, and once in high school. Science must be tested once in each grade span, and English Learners must be assessed for proficiency annually in grades K-12. The SEA will ensure that it will meet the statutory requirements for coordination of related standards and assessments. Additional details are included in Section G, Student Assessment.

This component is like past requirements for academic standards in ELA, math and science. ESSA has added that these standards must be aligned with entrance requirements for credit-bearing coursework in the public higher education system and the relevant career and technical education standards. Also, the U.S. Secretary of Education is prohibited from coercing states to adopt a particular set of academic standards.

3. Accountability, Support and Improvement for schools

States must establish ambitious long-term and interim goals. Baseline and interim progress measures for all students and subgroups of students will guide distribution of funds, program emphasis and implementation, and the state's accountability system. The state's goals for all students and subgroups of students must include at a minimum:

- An indicator of student academic achievement
- Another indicator of student academic progress for elementary and middle schools, and four-year graduation rate for high schools (additional extended timeframe graduation rate goals are optional)
- English proficiency for English Learners (ELs) within a state-determined timeline
- At least one additional statewide measure of school quality or student success, which may vary for elementary, middle, and high school levels.

The timeline for the progress of students and subgroups of students is based on the state's goals and target dates. The state's accountability system must provide for meaningful differentiation of schools and classify them into at least three clearly described performance levels. The system must also identify the lowest-performing 5% of schools in the state for "comprehensive support and improvement" and those that consistently have an underperforming subgroup(s) of students for "targeted support and improvement." States and must develop and implement programs and strategies to assist the identified schools. Because accountability and school support are such broad and pervasive themes, all of the remaining sections in Part I have some relevance to this plan component.

The key distinction from NCLB in the Accountability, Support and Improvement for Schools component in the ESSA state plan is its specificity. Rather than providing prescriptive federal targets and timelines for adequate yearly progress as was the case under NCLB, each SEA must now describe its own long-term goals, the baseline for its goals, its interim measurements, and its timeline for attaining the goals for each subgroup.

The improvement models for schools identified under ESSA as low-performing are also less directive. States must identify just two categories of schools in need of improvement based on performance of individual and subgroups of students: Comprehensive Support and Improvement schools and Targeted Support and Intervention

schools. The approach under NCLB had additional performance categories and required the lowest performing schools to choose one of four specific improvement models defined by federal policy in order to receive financial support. Under ESSA, states have the flexibility to work with schools and districts to choose among any evidence-based strategies and interventions that align with the specific needs identified by the state and the LEA.

Per the regulations finalized in December 2016 and effective on January 30, 2017, the new accountability categories are to be in place for identifying schools in need of *Comprehensive Support* for the 2018-19 school year, and schools for *Targeted Suppor*t in 2019-20.

4. Supporting Excellent Educators

ESSA's *Preparing, Training and Recruiting Teachers, Principals or other School Leaders* section is much like the prior policy under NCLB. Its purpose is to provide resources for states to develop and improve the effectiveness of teachers and leaders. However, ESSA ends the federal push for teacher evaluations based on student assessments. The provisions for supporting educator quality are guided by the requirements for Title II funding, which are described in more detail in the Part II: Funding section of this report. There are changes in the types of programs that can be supported and strategies for funding.

The Supporting Excellent Educators component of the state plan must address strategies for improving the educator workforce, including alignment to states' existing approved educator equity plans. There is no longer a requirement for the inclusion of teacher evaluations in the accountability system (teacher evaluation is described more fully in its own section of this report). The "highly qualified" teacher definition is eliminated; SEAs are only required to document that teachers are certified in the areas they teach.

5. Supporting all Students

The final state plan component for Supporting All Students provides specifics about how Title IV funds will be used and the identification of underperforming schools. There are two new funding mechanisms: the *Direct Student Services* and the *Student Support and Academic Enrichment* grants. SEAs are required to reserve funds for School Improvement activities (block grants to all districts), and may reserve funds for the Direct Services Program (to be distributed at the discretion of the SEA and LEAs based on their goals in the state plan). More on the funding programs and amounts is in the Part II: Funding section about Title IV, Improving Basic Programs operated by the state and LEAs.

There are requirements that most subgroups of students must be given the same length of time to reach the subgroup goals established in the state plan. For groups that are behind, the goals must consider the improvement needed to make "significant progress" in closing those achievement gaps. Students identified with a disability have up to two years to reach proficiency and former English Learners are allowed up to four years after exiting the special services supports to reach proficiency. Proficiency levels are defined by the state in the plan.

Connections to Maine Policy and Practice

The consolidated state plan provides the opportunity and challenge to build an accountability system that aligns to Maine's unique vision and priorities for students, schools, and districts. In particular, Maine's state plan will need to align with the proficiency-based diploma systems that districts are in the process of developing and implementing. There are several key areas of possible policy intersection that may be considered in the plan development:

- The flexibility afforded in ESSA to allow states to select school accountability and assessment measures offers a future opportunity to incorporate student-level proficiency data from districts' new systems into the state plan. While such data are not yet available, the potential exists to incorporate additional subject areas and to build on districts' work to assess student learning based on multiple measures.
- The proficiency-based approaches being implemented in many Maine school districts have an increased emphasis on student-paced learning. This may have implications for the amount of time needed to complete diploma requirements, thus suggesting that use of extended graduation rates may be desirable to align to school practices.

In light of the current emphasis on proficiency-based diploma systems, in 2016 Maine lawmakers passed L.D. 1253, An Act to Improve the Evaluation of Elementary and Secondary Schools. The Act guides some aspects of ESSA implementation through amendment of Maine statute in 20-A MRSA, Chapter 222, §6214. This state legislation parallels some aspects of the ESSA-required state plan because it a) requires establishment of a revised report card system, b) stipulates some stakeholder groups that must be included in a task force to provide recommendations on the new reporting, and c) identifies several explicit accountability measures that must be considered by the task force for potential inclusion in report cards. The Maine Department of Education has convened an ESSA Advisory Group to serve the dual purposes of stakeholder engagement for the ESSA-required state plan and requirements of the new law.

The Maine Department of Education prepared an analysis of the similarities and differences between ESSA and L.D. 1253. The key alignment issues are:

- L.D. 1253 specifies implementation of a report card system beginning with the 2018-19 school year, the same year that ESSA requires identification of schools for comprehensive supports.
- L.D. 1253 specifies the use of student proficiency measures in all content areas of the learning results and its guiding principles, whereas ESSA includes only reading/Language arts, mathematics, and science in the accountability system.
- L.D. 1253 specifies some measures that are optional under ESSA, namely use of a 6-year graduation rate and use of post-secondary measures as available (readiness, persistence, and completion)
- L.D. 1253 further specifies several measures that must be considered for inclusion, but are not mandatory.
- The constituent groups specified for stakeholder input in L.D. 1253 (via the "school accountability work group") vary slightly from those required under ESSA.

Maine's ESSA advisory group represents a broad cross-section of interests, and presents an uncommon opportunity for conversations about the state's priorities and needs. At the time of writing, the group has convened three times, with an additional meeting planned for January 31, 2017. The draft state plan will be released for input and comment before it is finalized by the Maine Department of Education and submitted for federal approval. Thus legislators will have an opportunity to influence the final content, including the state's interim and long-term goals and strategies.

One challenge that is emerging in the MDoE's work to date is the heavy workload involved with development of the state plan. With the shift from specific federal mandates to state ownership of accountability systems, states must muster resources (including time, money, and expertise) to carry out the new work created by ESSA. Moreover, this is not a one-time start-up investment. Once the plan is created, additional state personnel will likely be needed to implement and monitor the new systems. For example, the addition of flexibility to choose from a broad range of evidence-based interventions means that there must be qualified staff dedicated on an ongoing basis to helping those schools identified as low-performing to select programs that are consistent with the principles of effectiveness and address the learning needs of the target student groups. The full extent of capacity needs will likely not be understood until after the state plan has been fully developed.

Related Statutory Language

CONSOLIDATED STATE PLAN
Section 8302 [20 U.S.C. 7842], Part (a)(1) states that "In order to simplify application requirements and reduce the burden for State educational agencies under this Act, the Secretary, in accordance with subsection (b), shall establish procedures and criteria under which, after consultation with the Governor, a State educational agency may submit a consolidated State plan or a consolidated State application meeting the requirements of this section for—(A) each of the covered programs in which the State participates; and (B) such other programs as the Secretary may designate." **Part (b)(1)** further specifies that "In establishing criteria and procedures under this section, the Secretary shall collaborate with State educational agencies and, as appropriate, with other State agencies, local educational agencies, public and private agencies, organizations, and institutions, private schools, and representatives of parents, students, and teachers." In detailing the required contents of the plans, **Part (b)(2)** directs the Secretary of Education to "establish, for each program under this Act to which this section applies, the descriptions, information, assurances, and other material required to be included in a consolidated State plan or consolidated State application." Clarification in **Part (b)(3)** states that "The Secretary shall require only descriptions, information, assurances (including assurances of compliance with applicable provisions regarding participation by private school children and teachers), and other materials that are absolutely necessary for the consideration of the consolidated State plan or consolidated State application."

Related Regulatory Language

CONSOLIDATED STATE PLAN
"299.14 (a) Purpose. Pursuant to section 8302 of the Act, the Department defines the procedures under which an SEA may submit a consolidated State plan for any or all of the programs listed in § 299.13(j). **(b) Framework for the consolidated State plan.** Each consolidated State plan must address the requirements in §§ 299.15 through 299.19 for the following five components and their corresponding elements: (1) Consultation and coordination. (2) Challenging academic standards and academic assessments. (3) Accountability, support, and improvement for schools. (4) Supporting excellent educators. (5) Supporting all students."

CONSULTATION AND COORDINATION
"§ 299.15 (a) Consultation. In its consolidated State plan, each SEA must describe how it engaged in timely and meaningful consultation consistent with § 299.13(b) with stakeholders in the development of each of the four components identified in §§ 299.16 through 299.19 of its consolidated plan. The stakeholders must include the following individuals and entities and must reflect the geographic diversity of the State." A list of 15 different stakeholder groups is then provided.

CHALLENGING ACADEMIC STANDARDS AND ASSESSMENTS
"§ 299.16 (a) In its consolidated State plan, if the State administers end-of-course mathematics assessments to high school students to meet the requirements under section 1111(b)(2)(B)(v)(I)(bb) of the Act and uses the exception for students in eighth grade to take such assessments under section 1111(b)(2)(C) of the Act, describe how the State is complying with the requirements of section 1111(b)(2)(C) and applicable regulations; and (b) In its consolidated State plan, each SEA must describe how the State is complying with the requirements related to assessments in languages other than English consistent with section 1111(b)(2)(F) of the Act and applicable regulations."

ACCOUNTABILITY, SUPPORT AND IMPROVEMENT FOR SCHOOLS
"§ 299.17 (a) Long-term goals. In its consolidated State plan, each SEA must describe its baseline, measurements of progress, and long-term goals, and describe how it established its ambitious long-term goals and measurements of interim progress, for academic achievement, graduation rates, and English language proficiency, and its State-determined timeline for attaining such goals, consistent with the requirements in section 1111(c)(4)(A) of the Act and §200.13."

SUPPORTING EXCELLENT TEACHERS
"§ 299.18 (a) Educator development, retention, and advancement. In its consolidated State plan, consistent with sections 2101 and 2102 of the Act, [...] the SEA must describe (1) The State's system of certification and licensing of teachers and principals or other school leaders; (2) The State's strategies to improve educator preparation programs consistent with section 2101(d)(2)(M) of the Act, particularly for educators of low-income

and minority students; and (3) The State's systems of professional growth and improvement, for educators that addresses induction, development, consistent with the definition of professional development in section 8101(42) of the Act, compensation, and advancement for teachers, principals, and other school leaders [...]."

SUPPORTING ALL STUDENTS

"§ 299.19 (a) Well-rounded and supportive education for students
(1) In its consolidated state plan, each SEA must describe how it will use title IV, part A funds and funds from other included programs, consistent with allowable uses of funds provided under those programs, to support State-level strategies and LEA use of funds designed to ensure that all children have a significant opportunity to meet challenging State academic standards and career and technical standards, as applicable, and attain, at a minimum, a regular high school diploma consistent with § 200.34.

Section B: Local Educational Agency (LEA) plans

What does ESSA say about this area?

Districts (LEAs) that receive Title I funds must submit school improvement plans for those schools identified as needing support, including plans for professional development. The school will be accountable for their goals and benchmarks in their improvement plan. As with the state plan, district plans require substantial inclusion of stakeholders from the community. Plans are reviewed and approved by the SEA.

How is it different from NCLB?

Districts did not develop individualized school plans under NCLB. Under ESSA, LEAs have much more flexibility in their choices of improvement strategies and funding. They are also more responsible and accountable for progress. This includes greater stakeholder engagement (through involvement in the LEA improvement plan and report card development), and ensuring that all information is easily understood, including by parents.

Connections to Maine Policy and Practice

The flexibility under ESSA for districts to choose their own interventions affords the ability to improve alignment with their current contexts. They can select, with support from the state, programs and services that coordinate with each district's priorities and other activities. This has the potential to increase relevance as districts can plan more holistically for all of their needs, leveraging federal resources more efficiently. This includes the ability to link improvement efforts to ongoing work in implementing proficiency-based education systems, educator evaluation plans, and other district priorities.

However, LEAs and schools will require the capacity to collect and analyze their available data to identify areas needing attention, and to select evidence-based interventions to achieve improved results for students. This may be particularly challenging for small and rural districts.

The opportunity exists for development of infrastructure to support districts in this needs assessment and planning process. Supports could be built at the Maine Department

of Education, through district or regional collaboratives, through partnerships with higher education, or other models. In addition, there is potential for greater interdistrict cooperation with units facing similar needs or selecting the same evidence-based interventions (i.e. consulting with each other about their successful strategies and lessons learned).

Related Statutory Language

LOCAL EDUCATIONAL AGENCY PLANS
Section 1112 [20 U.S.C. 6312], Part (a)(1)(A) specifies the requirements for districts to submit plans after consultation with stakeholders, stating "A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that— (A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), administrators (including administrators of programs described in other parts of this title), other appropriate school personnel, and with parents of children in schools served under this part;" Additional parts of Section 1112 specify thirteen different components that must be included in LEA plans, seven assurances that districts must provide regarding certain policies and practices, details on parent notification under right-to-know requirements, and parent engagement expectations.

Section C: State and District Report cards

What does ESSA say about this area?

States are required to publish a statewide report card. These annual report cards are to be clear and easily understood and accessible. Implementation is to begin in 2018 with data from the 2017-2018 school year data unless the SEA applies for a one time, one year extension. Each district receiving Title I funds must also publish a district report card using the same items as the state report card, and report cards must also be generated for individual schools that receive funds. While some of the measures included in the report cards resemble those used for accountability and identification of low-performing schools (section D), the two processes are distinct.

The state and LEA report cards are to be displayed on a central state website, and LEA report cards must also be available on each LEA's web site.

How is it different from NCLB?

While NCLB required public reports of state assessment results for different subgroups of students, the requirements for SEA and LEA report cards are expanded under ESSA. The components to be included in state and district report cards are:

- Details of the state accountability system, including goals, indicators, weights of indicators, and schools identified for Comprehensive Support and Improvement and Targeted Support and Improvement.

- Disaggregated results on all accountability indicators, such as achievement on reading/language arts, mathematics and science on state assessments and graduation rates. (This includes subgroups including homeless students, students in foster care, and students with a parent who is a member of the Armed Forces.)
- Disaggregated assessment participation rates.
- Information on the acquisition of English language proficiency.
- The state's threshold for the minimum number of students (n-size) necessary to be included in subgroup reporting.
- Disaggregated results on the indicators that the state and its districts are already reporting to the Civil Rights Data Collection, including, but not limited to: access to advanced coursework, such as Advanced Placement (AP), International Baccalaureate (IB), and dual enrollment; exclusionary discipline rates; and chronic absenteeism.
- The professional qualifications of educators including the number and percentage of inexperienced teachers, principals, and other school leaders as well as teachers with emergency or provisional credentials and teachers who are not in a subject or field for which they are certified.
- State, local and federal per pupil expenditures, including actual personnel and non-personnel expenditures.
- The number and percentage of students with the most significant cognitive disabilities taking the alternate assessment.
- At the state level, results of the National Assessment of Educational Progress (NAEP), as compared with national averages (state report card only).
- Where available, for each high school, the disaggregated rates of students who graduate from high school and enroll in higher education.
- Other information as determined by the state or district

There are provisions protecting the privacy of individuals. The disaggregation of any data for State and/or LEA report cards or other reporting is not required if that disaggregation reveals personally identifiable information about any student, teacher, principal, or other school leader, or will provide data that is insufficient to yield statistically reliable information.

Connections to Maine Policy and Practice

The data elements required by ESSA in annual reports represent a shift from the publicly reported data in prior years. While most of the required elements have been available in the past, this is the first time they will be assembled in one spot. Some of the elements and student subgroups are new or have been compiled less than annually; other indicators have been collected and used internally by the Department but not posted publicly.

As described above in the State Plan section, the requirements put in place through the passage of L.D. 1253 in 2016 intersect with the development of a state report card system. The scale and scope of work required at the state level to collect, analyze, and aggregate school data will depend on the additional components, if any, that are selected

for the report card. The implementation of the report cards will be more difficult if substantial new data collection and analysis are required.

The selected measures will also impact district capacity to collect and report data in the required timeline. LD 1253 already stipulates new data reporting of student proficiency in all content areas and the guiding principles of the state academic standards, which presents a significant change for schools, districts, and the state.

Related Statutory Language

ANNUAL REPORT CARDS
Section 1111 (h)(1) states "(A) A State that receives assistance under [Title I] to disseminate widely to the public an annual State report card for the State as a whole [...]." "(B) the State report card shall be: (i) concise; (ii) presented in an understandable and uniform format that is developed in consultation with parents and, to the extent practicable, in a language that parents can understand; and (iii) widely accessible to the public, which shall include making available on a single webpage of the State educational agency's website, the State report card, all local educational agency report cards for each local educational agency in the State [...], and the annual report to the Secretary." Section (C) provides a detailed list of all required report components, which align to the bulleted list provided in the above narrative.

ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS
Section 1111(h)(2) states "(A) A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency." Subpart C details that the minimum requirements are the same as for the state report card, except for NAEP exam results.

Section D: School Measures (Annual Differentiation of School Performance)

What does ESSA say about this area?

States must establish a system to meaningfully differentiate schools on an annual basis. The system must be based on three required indicators and at least one additional indicator of school quality for all students and for each subgroup. This requirement replaces the federal definitions of adequate yearly progress that were formerly used to identify low-performing schools, and allows states to define how such schools will be determined.

The differentiation methodology must provide a single summative determination (rating) of each school from at least three distinct categories. It must also be able to identify two groups of schools for support and interventions (the *Comprehensive Support and Improvement* schools and *Targeted Support and Intervention* schools). More about these schools is included in the Support for Low Performing Schools (section E) and the Title IV funding sections of this report.

How is it different from NCLB?

Adequate yearly progress is now to be defined by each SEA, not the U.S. Department of Education. It must, however, apply the same high standards of academic achievement to all public elementary school and secondary school students in the state (including public charter schools). The measures must be statistically valid and reliable, result in continuous and substantial academic improvement for all students, measure the progress of public elementary schools, secondary schools and local educational agencies, and include separate measurable annual objectives for continuous and substantial improvement. ESSA specifies the use of at least four indicators in state accountability systems:

1. Academic achievement. Based on the long -term goals established by the state, all public schools are required to have an indicator of proficiency on annual assessments and, at the state's discretion, growth at the high school level only.
2. Another academic indicator. For elementary and middle schools, student growth or another valid and reliable statewide indicator is required. For high schools, 4-year graduation rate is required and adding extended graduation rate or other academic indicators is optional.
3. English proficiency. All public schools will have an indicator of progress for achieving English proficiency for ELs within a state determined timeline.
4. At least one additional indicator of school quality. All public schools will have at least one additional indicator of school quality or student success that is supported by research that high performance or improvement on measures is likely to increase student learning and provide a meaningful differentiation of school performance. Some examples might be: student engagement, grade point average, post-secondary readiness, career readiness, student access to/completion of advanced coursework, school climate/safety, and for high schools graduation rates, postsecondary enrollment or persistence.

The SEA must give substantial weight to each of the four indicators, and in the aggregate give much greater weight to the first three (academic) indicators compared to the one (or more) additional indicator of school success or quality.

The student performance subgroups to be disaggregated include each major racial and ethnic group, economically disadvantaged students as compared to students who are not economically disadvantaged, children with disabilities as compared to children without disabilities, English proficiency status, gender, and migrant status. In addition, students who are homeless, in foster care, or have a parent who is on active duty as a member of the Armed Forces must be tracked. Participation rates on state assessments are factored into the accountability system (with a minimum expectation of 95%), though it is not an actual school indicator. However a state can choose to devise their own system that is sufficiently rigorous for schools that just missed the 95% rate in a subgroup(s) due to students choosing to opt-out.

Also the SEA must, for the purpose of identifying low performing schools, determine its minimum subgroup size (n-size) for statistical reliability. A minimum or maximum student n-size is not specified, but those states wanting to exceed 30 students will need to demonstrate that schools are accountable for all subgroup performance.

Connections to Maine Policy and Practice

The requirement to select new indicators, and how they will be combined into a summative rating, is both an opportunity and a challenge. The potential exists to increase the relevance of the accountability system to Maine schools, and to improve educational equity in the process. However, the stakes are high—with funding and state monitoring implications for schools identified as low-performing—and the timeline for preparing the system for federal review is ambitious.

As discussed above in the State Plan section, Maine's process of choosing student measures should consider other state policy priorities, including the proficiency-based diploma system. While the diploma systems will not be fully implemented until 2020-21, current planning can take future possibilities into account.

In addition to selecting measures, the minimum reporting threshold is of critical importance for Maine. With its large number of small rural schools, use of a minimum number of 30 students for data reporting in any category would mean that many (possibly even a majority of) elementary schools would not be able to fully report subgroup data until multiple years of data become available. However, use of a substantially smaller minimum n size can result in data that fluctuate from year to year; this is potentially problematic for valid and reliable identification of low-performing schools. Maine currently uses a minimum n of 10 students in subgroup reporting.

Related Statutory Language

DIFFERENTIATION OF SCHOOL PERFORMANCE
Section 1111(c)(4)(C)(i) Requires that each State "establish a system for meaningfully differentiating, on an annual basis, all public schools in the State, which shall (i) be based on all of the indicators in the State accountability system for all students and for each subgroup of students." Subpart (ii) Requires that the system of annual meaningful differentiation afford substantial weight to each of the required indicators.

Section E: Support for low-performing schools

What does ESSA say about this area?

States and districts are required to conduct school support activities based on the state's and individual LEAs' improvement plans. The state must be able within its accountability system to identify two categories of schools: *Comprehensive Support and Improvement* and *Targeted Support and Intervention*. The state will establish uniform statewide exit criteria for any school implementing a *Comprehensive Support and Improvement* plan. LEAs with schools implementing *Targeted Support and Improvement* plans will establish their schools' exit criteria in their plan approval process.

The first of the two categories of low performing schools is the *Comprehensive Support and Improvement* schools. These schools must be identified at least once every 3 years. They include the lowest performing 5 percent of all Title I schools, and all high schools that fail to graduate 67 percent or more of their students.

- **State role**: The SEA will notify districts of identified schools, monitor and periodically review district improvement plans, and set exit criteria. If the exit criteria are not satisfied within a state determined number of years not more than 4 years, the state must take more rigorous actions, which may include addressing school-level operations. The SEA may establish alternative evidence-based strategies to be used by LEAs serving these schools.
- **District role**: The LEA will also develop and implement a comprehensive support and improvement plan that must include an initial needs assessment, evidence-based interventions, identify resource inequities, be informed by all report card indicators, and be approved by the State. LEAs may offer public school choice. If they do, they must give priority to the lowest-achieving students from low-income families.

The second category for low performing schools is the *Targeted Support and Intervention* schools. This category of schools includes any school in which any subgroup of students is "consistently underperforming" as determined in SEA's consolidated state plan.

- **State role**: Define "consistently underperforming" and notify districts of identified schools. Approve the LEA and school improvement plan.
- **District role**: Notify schools, develop and approve the specific school improvement plan, and monitor its implementation. If the school fails to improve after a district-determined number of years, the district must take additional action
- **School role**: Must develop and implement an evidenced-based plan that is informed by all the accountability indicators.

If any of the *Targeted Support and Improvement* schools has a subgroup of students performing as poorly as the bottom 5 percent of Title I schools in the state, that school must also identify resource funding inequities (federal and state) in its improvement plan. If the school does not meet their goals in their plan within a state-determined number of years, the school becomes identified for *Comprehensive Support and Improvement*.

For districts serving a significant number of identified schools (*Comprehensive or Targeted*), the SEA must periodically review their funding resource allocation and provide technical support. The SEA may take additional action to initiate improvement.

How is it different from NCLB?

What is different about this area is the elimination of the four federally proscribed school improvement models. There are two categories of low performing schools (*Comprehensive Support and Improvement* and *Targeted Support and Improvement)*, and the SEA and LEA work together to select specific school improvement strategies. Any strategy employed for improving schools must be evidence-based.

There are two methods specified in regulations (not ESSA statute) to determine if an activity, strategy or intervention is evidence-based. Under the first method, the activity, strategy or intervention would have to have demonstrated a statistically significant effect on improving student outcomes or other relevant outcomes based on:

- strong evidence from at least one well-designed and well-implemented experimental study,
- moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or
- promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias.

The second method must demonstrate a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

The SEA will also establish uniform statewide exit criteria for any school implementing a *Comprehensive Support and Improvement* plan and make it public. For schools implementing *Targeted Support and Improvement* plans the LEAs will establish the schools exit criteria and make it public. Also the SEA can determine how long a school with a low performing subgroup that does not meet the improvement goals remains a *Targeted Support* school before becoming a *Comprehensive Support* school.

These school improvement plans are to be developed in partnership with stakeholders, including parents. An LEA with a school identified as needing support must also develop and implement a plan for improving student outcomes in the school.

ESSA no longer requires an LEA with an identified school to offer students the opportunity to enroll in another higher preforming school, but the LEA can choose to use up to 20% of Title I funds for transportation to another school.

Connections to Maine Policy and Practice

As with other new aspects under ESSA, this shift to greater local individualization of school improvement supports will require increased capacity to analyze data, conduct needs assessments, select appropriate interventions, and implement and evaluate the success of new programs. This suggests a need to develop additional infrastructure at the SEA level to provide guidance and oversight to districts. In addition, selection criteria should align to Maine's policy context, particularly with respect to proficiency-based diploma systems and the use of graduation rates to identify low-performing schools.

Related Statutory Language

STATE SUPPORT FOR LOW-PERFORMING SCHOOLS
Section 1003 [20 U.S.C. 6303], School Improvement, addresses requirements for states to provide technical assistance to districts, including the part (b)(1)(A) directive to "make grants to local educational agencies on a formula or competitive basis, to serve schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d)." Part (b)(2)(A) further requires states to "establis[h] the method, consistent with paragraph (1)(A), the State will use to allocate funds to local educational agencies." **Section 1111(d)(1) [20 U.S.C 6311]** further details policies related to Comprehensive Support and Improvement schools, and Section 1111(d)(2) describes Targeted Support and Improvement schools.

Section F: Educator Evaluation

What does ESSA say about this area?

Teacher evaluations can be maintained in an accountability system but are no longer required. ESSA describes a good educator accountability system as a fair evaluation and support system for educators and school leaders based in part on evidence of student achievement, although not mandatory. It should include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders.

Increased flexibility allows LEAs to use funds to develop teacher and administrator evaluation systems as a part of their local accountability systems. States are required to report on professional qualifications of educators, and must ensure that low income students and students of color are not taught at disproportionate rates by ineffective, out of field or inexperienced teachers. They must measure and report on progress toward eliminating inequities. The SEA must incorporate its "teacher equity plan" outlining how they are addressing the need for all students to have a qualified teacher.

How is it different from NCLB?

What makes this different from the previous ESEA under NCLB is the elimination of required teacher evaluations in an accountability system. SEAs have the option to revise teacher and principal evaluation systems that were developed to obtain waivers of prior NCLB requirements. A LEA's accountability plan that includes a teacher evaluation system must be approved by the SEA.

The "highly qualified" teacher requirement is eliminated. LEAs and SEAs must now report on the certification of teachers in the areas teachers teach to ensure they meet the SEA certification requirements.

The reporting requirements for use of funds are extensive if a SEA uses Title II to support teachers. If so, the SEA and LEA are required to consult with stakeholders in their development of plans for the use of those funds.

Connections to Maine Policy and Practice

Maine currently has substantial state and district investment in the development of educator evaluation systems that are based in part on student assessment results. Current statute and Department of Education rule Chapter 180 provide specificity about the types of measures that must be incorporated in districts' teacher and administrator evaluation systems. These systems must include measures of student achievement. School districts are piloting their final evaluation systems in 2016-17 and will fully implement them in 2017-18. Policymakers must decide whether to maintain the current state requirements, in which case districts will need to continue their ongoing work, or to change the state policy and allow districts to have increased flexibility in their evaluation systems.

The ESSA requirements will likely require increased accuracy and timeliness than is currently available in state data about certifications of all currently employed Maine public school teachers. In particular, it may represent a shift in how data need to be collected and analyzed from the "highly qualified teacher" definition used under NCLB. The Department is working to implement an updated certification records system that would allow

improved coordination with state staffing data, and to identify any new data that will need to be collected. Under revised funding rules, it may be possible to use federal funds to improve data systems in order to comply with the new requirements.

Related Statutory Language

FUNDING FOR SYSTEMS OF EDUCATOR DEVELOPMENT
Section 2101 describes the permissible use of federal funds for teacher evaluation system development in Part (c)(4)(B)(ii) "Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal, or other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders." No part of ESSA requires states to evaluate teachers based on student achievement.

Section G: Student Assessment

What does ESSA say about this area?

Student assessment is a major part of state and local education accountability systems, as described earlier under sections A-E. The federal statutory language on student assessment is provided in those sections of this report. Under ESSA, student assessment results continue to be important for:
1) Determining progress toward long-term educational outcome goals;
2) Identifying lower performing schools; and
3) Tracking variation and achievement gaps for different subgroups of students.

Student assessment results may be used for educator evaluation, depending on the state's determination of this policy.

Most requirements for student assessment under ESSA are similar to NCLB. The consolidated state plan must include challenging academic content and achievement standards and continue the annual testing for ELA and mathematics for grades 3-8 and once at the secondary level. In addition, the law requires assessment in science once in each grade span for elementary (3-5), middle (6-9), and secondary levels 10-12). The law continues the required minimum of 95% participation in assessment and efforts to improve in areas where participation rates are low, for certain subgroups for example.

How is it different from NCLB?

The new law provides more flexibility over the form of student assessment generally and the assessment used at the secondary level. For example, assessments can include portfolios, projects or extended performance tasks.

For students in special education with the most severe cognitive disabilities, only 1% of students can take alternative assessments. States may use computer-adaptive assessments and may assess students' proficiency above or below grade level.

The state may determine if students' annual score is based on one summative assessment or combined results of assessments over the school year.

ESSA requires annual state and local report cards on educational outcomes for states and school districts receiving Title 1 funding. The report cards must include disaggregated results for different student subgroups on all accountability indicators, such as assessment participation rates, number and percentage of students taking the alternative assessment, and assessment results for ELA, math, and science (see also section B). In addition to reporting disaggregated results for the usual subgroups of students (racial/ ethnic groups, economically disadvantaged, students with or without disabilities, English proficient, gender, and migrant status), results must also report for students who are homeless, in foster care, or have a parent on active duty in the Armed Forces (see also sections B and D).

The SEA can request funding to conduct a state and local assessment audit to determine what assessments are currently administered in the state and for what purpose, which may help to reduce inefficiencies or redundancies in student testing.

Under Title III, Part A, ESSA addresses the inclusion of English Learners (ELs) in assessment programs and accountability reporting. The explanation and definitions around EL students is quite detailed. EL students who have been enrolled in a U.S. school for less than 12 months, states have two choices:

- For one year, exclude the EL from taking the ELA assessment, and exclude the results of math and English proficiency tests from the accountability system; OR
- Assess the EL on all tests the first year, but for the purposes of accountability: exclude the year 1 results, include only growth in year 2, and include proficiency and growth in year 3.

States may include previously identified ELs in the EL subgroup for not more than 4 years. Once EL students are receiving services an LEA can continue no more than two additional consecutive years assess them with an alternative assessment.

Connections to Maine Policy and Practice

ESSA requirements for student assessment provide important opportunities as well as challenges. Broadly, some key opportunities include:

- More flexibility in ways of assessing students;
- Increased attention to educational achievement and equity for certain student subgroups (homeless, foster care, students with parents in the Armed Forces, migrant students, and ELL students). Maine has seen more than a 16% increase in their immigrant population during the 2010-2013 timeframe;
- Flexibility regarding the role of assessment and student growth measures as part of state and local accountability systems and educator evaluation.

One significant challenge will be the development of comprehensive student data systems for the state and local districts, which include the additional student subgroups required for reporting under ESSA.

The accountability and reporting requirements under ESSA will continue to require the state and local districts to develop annual report cards that include the required data and disaggregated data, such as student assessment participation rates and results. This information will be shared with the public through an online "data dashboard" or similar method. The SEA may need to revise or augment the statewide student data collection system to collect local assessment data, tabulate statewide results, and report results as required in a state report card. Districts may need to adjust data collection and reporting processes to include all required elements in their local report cards.

Both the state and local districts will need to collect and report assessment data for new student subgroups including: homeless students, students in foster care, or students with a parent on active duty in the Armed Forces. Given the higher rates of mobility for these student groups, it will be a challenge for school districts to 1) determine which students are in these groups; 2) which school district should include a student in their reporting; and 3) collect assessment results for these students.

These requirements thus have implications for the financial cost and staff time to revise database systems, enter data into these systems, and verify the accuracy of the state and local accountability report cards.

Related Statutory Language

STUDENT ASSESSMENT
Section 1111(b)(2) Academic Assessments, as enacted August 2, 2016, details updated laws regarding student testing. **Part 1111(b)(2)(A)** stipulates that "Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high quality student academic assessments in mathematics, reading or language arts, and science. The State retains the right to implement such assessments in any other subject chosen by the State." **Part (b)(2)(B)(v)** further specifies that "(I) in the case of mathematics and reading or language arts, be administered— (aa) in each of grades 3 through 8; and (bb) at least once in grades 9 through 12; (II) in the case of science, be administered not less than one time during— (aa) grades 3 through 5; (bb) grades 6 through 9; and (cc) grades 10 through 12; and (III) in the case of any other subject chosen by the State, be administered at the discretion of the State." Section 1111 Part (b)(2)(G) states that "Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency of all English learners in the schools served by the State educational agency. (ii) ALIGNMENT .—The assessments described in clause (i) shall be aligned with the State's English language proficiency standards described in paragraph (1)(F)."

Section H: Well-Rounded Education

What does ESSA Say About this Area?

ESSA mentions a well-rounded education more than 20 times. Well-rounded education is not a stand-alone program or activity, but ESSA has included it in Title I, Title II and Title IV sections as a goal for the use of those funds. A well-rounded education is characterized by an expansion of the core academic subjects that were previously supported with federal dollars (i.e. English Language Arts and mathematics).

How is it different from NCLB?

ESSA requires a SEA to describe how it will use funds to ensure a well-rounded and supportive education for all students. It has added new core academic subjects (writing, engineering, music, health, technology, computer science, Career and Technical Education (CTE), and physical education) to the existing core academic subjects (ELA, civics and government, mathematics, history, geography, science, foreign languages, economics and arts). It also has built increased flexibility of the use of Title I, II and IV funds into the law to be able to implement the range of subjects both for in-school and out-of-school programs.

Title I. Beginning with the 2017-18 school year, the SEA will have the option to reserve up to 3% of Title I funds to make awards to districts to provide *Direct Student Services*. Ninety-nine percent of these funds must be distributed to districts. These *Direct Students Services* grants could be used for supplemental courses, advanced courses, credit recovery, CTE, tutoring, or public school choice, including transportation to a different school unless such an option is prohibited by State law.

Title II. This Title is like NCLB, except there is a statement about the use of Title II funds to help teachers "integrate literacy" into a well-rounded education.

Title IV. The two major funding programs operated by the SEA and LEAs in Part A include; *Direct Student Services* grants and *Student Support and Academic Enrichment* grants. The amounts for these programs are based on the Title I allocation to the SEA.

Connections to Maine Policy and Practice

Given Maine's emphasis on eventually including eight academic content areas and the guiding principles in the Maine Learning Results in its accountability system, as required by 20-A MRSA, Ch. 222, §6214 (as amended by L.D. 1253 in 2016), this expansion of federal funding priorities allows for improved alignment to state practices. The expanded opportunities for supporting the development of well-rounded Maine students should be considered in development of the consolidated state plan.

Related Statutory Language

ACTIVITES TO SUPPORT WELL-ROUNDED EDUCATIONAL OPPORTUNITES
Section 4107 states that "Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop and implement programs and activities that support access to a well-rounded education and that-- (1) are coordinated with other schools and community based services and programs; (2) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community- based organization, or other public or private entity with a demonstrated record of success in implementing activities under this section; and '(3) may include programs and activities such as-- (A) college and career guidance and counseling programs [...], (B) programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution;(C) programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics, including computer science [.]"

Section I: Charter Schools

Charter Schools have been part of the ESEA since 1994. ESSA continues the federal role of encouraging and funding the development and expansion of public charter schools that was part of NCLB. The law regarding public charter schools outlines the same broad themes found elsewhere in ESSA for non-charter public schools: consultation with stakeholders; a program of challenging standards and academic assessments; a system of accountability that includes monitoring, evaluation, and improvement; and improving access for students. Specific goals for charter schools include increased parental involvement, stronger accountability for charter school fiscal operations and academic results, and reduced barriers for enrollment of educationally disadvantaged students (e.g., foster and homeless youth). The state must apply the same indicators of school performance for public charter schools as for non-charter public schools. Student performance data must be disaggregated by major subgroups, and reports of performance and progress must be made public. Accountability requirements are outlined in Part I of this report.

The federal government will continue to fund competitive grants to states that meet certain criteria as prioritized in ESSA. In turn, states may fund subgrants to local educational agencies or other groups to support planning and implementation of a public charter school. Funding is also available to assist public charter schools to obtain facilities through loans or bonds. Priority for state grants will be given to states that can demonstrate in their charter school laws and state plan that they:

- offer a high degree of flexibility for charters
- have an ambitious plan for their charter sector
- allow for at least one other authorizer besides school districts
- provide equitable funding for public charter schools
- have taken steps to ensure best practices in authorizing charters

A public charter school may not receive more than one subgrant during a 5-year period, unless that school can demonstrate to the state a minimum of 3 years of improved educational results for students. Public charter schools must demonstrate that they meet the learning needs of all students enrolled, including students with disabilities and English Learners.

Connections to Maine Policy and Practice

Implications for state education policy include possible revision of the state statute and administrative rules which describe the process for developing and approving public charter schools in Maine and possible revision of the cap on public charter schools which is currently set at 10 schools within a 10 year period ending in 2022 (Title 20-A, chpt. 112). Maine has approved 9 public charter schools and reauthorized two of those schools since the state law was established in 2012. The state may choose to create charter schools as a school turnaround strategy. The Maine Department of Education will have increased responsibility for monitoring public charter schools and providing assistance to schools. Federal education policy for public charter schools may change more substantially under the new presidential administration, based on early indications.

Part II. Funding

The amendments to ESEA under ESSA have substantial impacts on federal funding to states. The large formula grants (block grants) under most of the titles remain intact, though the new language often changes the requirements to permit expanded allowable uses. Federal funding levels appropriated in the approved legislation generally remain about the same for these continuing block grants, and then increase modestly between FY2017 and FY2020. However, appropriation levels are ultimately determined in the federal budget process, and the amounts authorized in ESSA are not a guarantee of future funding levels. With changes in leadership in both executive and legislative branches, funding priorities may see substantial shifts in the coming fiscal years.

A large number of smaller grant programs (totaling about $400M nationally) were eliminated. In their place, a new block grant, "Student Support and Academic Enrichment Grants," was added under Title IV and authorized at $1.6B.

The formulas used to determine each state's allocation of federal funds have also been amended. These formulas may vary across different titles, but generally are apportioned based on a combination of both student population and the proportion of students that are economically disadvantaged. In the coming years, student poverty levels will receive increasingly greater weight in the allocation methods. The allocation formula will shift from the current percentages of 65% based on share of children in poverty and 35% based on share of children overall to 80% based on share in poverty and 20% overall by FY 2020. Gradually ESSA eliminates the hold harmless allotment by FY 2023.

Table 1 provides a summary of Maine's current federal funding levels under the largest block grant programs in order to provide a general sense of the size and scope of the changes in various titles. Sections that follow describe the more substantive changes in selected funding titles in more detail.

Table 1. Summary of Selected Maine Federal Grant Funds

	FY2015 (Actual)	FY2017 (Estim.)	Notes
Title I	Improving the Academic Achievement of the Disadvantaged		
A – Grants to LEAs	$50.1M	$53.6M	Increased flexibility
A- School Improvement Programs	$1.7M SIG + 4% of state Title I total	$0 + 7% of state Title I total	Expanded funding and emphasis; replaces former SIG funding program (was outside of Title I)
B- State Assessments	$3.7M	$3.7M	No major changes
C- Migrant Education	$1.2M	$1.04M	No major changes
D- Neglected and Delinquent	$230K	$230K	No major changes
Title II	Preparing, Training, and Recruiting High Quality Teachers, Principals, and Other School Leaders		
A- Supporting Effective Instruction grants	$10.8M	$10.7M	Minor changes from NCLB
Math Science Partnerships	$760K	$0	Discontinued
Title III	Language Instruction for English Learners and Immigrant Students		
English Language Acquisition	$683K	$778K	Minor changes from NCLB
Title IV	21st Century Schools		
A. Student Support and Academic Enrichment Grants	$0	$ 2.4M	This is a new block grant program distributed based on Title I allocation criteria.
B. 21st Century Community Learning Centers	$5.6M	$4.9M	No major changes
C. Charter schools	$0	Must apply	Varies by program
Title V	Flexibility and Accountability - Rural Education Initiative		
Rural and Low Income Schools	$1.4M	$1.2M	Title V also allows transferability of funds between some titles to allow greater state flexibility.
Small, Rural School Achievement	$1.5M	$1.5M	

Source: U.S. Department of Education, Updated as of 12/14/2016
https://www2.ed.gov/about/overview/budget/statetables/

Supplement-Not-Supplant Rules

The requirement that federal funds are to supplement state and local funds, and not supplant them, continues under ESSA in Section 2301. The goal is that federal funds should be used to provide additional educational resources above what local districts provide on their own. This principle is most commonly associated with Title I, Part A grants to districts, and much of the statutory language is related to Title I. However the rule also applies to other block grants.

Prior to ESSA, districts did not have explicit standards for demonstrating they had met the supplement not supplant requirement. In common practice, districts focused on costs and used Title I funds to pay for programs or services that could be readily isolated in

their expenditure data from basic educational programs (e.g. academic supports received outside of the regular classroom). This method limits the types of costs that can be paid with federal funds. ESSA takes a new approach and focuses not on expenditures for services provided, but on funding allocations. The proposed rules require that districts demonstrate how they ensure that Title I schools receive all of the state and local funding that they would otherwise be entitled to if they were not a Title I school.

Under the proposed regulations, districts would have the flexibility to demonstrate compliance with supplement not supplant requirements in several ways by using:

- A weighted formula to allocate funds to schools with high percentages of disadvantaged students.
- A formula that allocates resources including staff positions and non-personnel resources to schools as a function of district averages in staff salaries and per-pupil expenditures.
- An alternative expert peer-reviewed test that allocates funds fairly, or
- Any other method that ensures that per-pupil funding in each Title I school is at least as much as the average of per-pupil funding in non-Title I schools in the district.

The regulations are still in the review phase; negotiated rulemaking was controversial and did not result in consensus. Draft rules were released by the Department of Education for public comment in August 2016, but the final guidance has not been released as of early January 2017. One major concern voiced by opponents of the rule is that school funding is largely driven by teacher salaries; schools with more experienced teachers typically have higher costs. Districts needing to rebalance funding levels between schools could choose to redistribute teachers rather than equalize funding even though this may have unintended negative consequences for students in Title I schools.

The supplement not supplant rules have the potential to substantially change practices in Maine school districts due to several factors. First, *per-pupil* funding levels in a school are greatly influenced by school size, as larger schools are able to achieve economies of scale in many areas (facilities, staffing, teacher support, administration, etc.). A district with a mix of large and small schools will likely have difficulty equalizing per-pupil funding levels if the larger schools have more disadvantaged students than the small schools. Secondly, Maine has a number of districts with only one school per grade level; they have a different context for determining how Title I funds are allocated across their schools. This, too, may create incentives to exclude some schools from Title I designation in order to balance funding, irrespective of the needs of students. Lastly, the small numbers of schools in many Maine districts means that the Title I and non-Title I per pupil funding amounts will be based on averages of only one, two, or three schools. This leads to wide variation and increases the chances of group differences that are based on external factors unrelated to the quality of educational programming provided to students.

It will remain important to closely monitor the federal rulemaking and guidance related to this provision, as there are strong indications that the controversial rules as proposed will be amended by the incoming administration. No matter what the regulations say once finalized, districts will require substantial support in interpreting the new rules and determining the allocation of Title I funds to maximize student benefit.

Title I: Improving the Academic Achievement of the Disadvantaged

As under NCLB, Title I of the reauthorization of ESEA under ESSA continues to focus on improving low performing schools, providing high quality education for economically disadvantaged students, and closing achievement gaps. Title I funds are to be used for developing and implementing a well-rounded program of instruction to meet the academic needs of all students, identifying students who may be at risk for academic failure, providing additional educational assistance to individual students in an LEA or school, and identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning. There are a handful of programs included under Title I, but the largest is Title I, Part A. In FY2016, Maine received $53.2M in Title IA funds.

At least 90% of Title IA funds are to be distributed to districts in block grants. Under ESSA, states must set aside 7% for school improvement and support activities. This is an increase from NCLB, in which states used 4% of their allocation for school improvement. However, the federal School Improvement Grant (SIG) program (that was not part of Title IA) has been discontinued, and the 3% increase in the Title IA state set-aside tends to be viewed as its replacement. In another change, states may now choose to set aside the remaining 3% of Title I funds for Direct Student Services. If they do not choose this option, the 3% is added to the amount distributed to districts by formula grants.

Grants to LEAs

Title IA Formula grants to districts constitute the largest federal education expenditure, totaling nearly $15B in FY2016. Maine districts received over $50M in federal Title IA funds in FY2015.

Fund uses under ESSA are more flexible than under NCLB. The SEA can establish targeted need areas or goals in the state plan that can be addressed using Title IA funds. LEAs can choose to use the state goals or define their own plan for the use of the Title funds.

School Improvement

The 7% state set-aside for school improvement must be used to support schools identified for Comprehensive and Targeted Support and Improvement by the state accountability system. At least 95% of the funds must go to schools, and the remaining 5% can be reserved by the state to implement the program and monitor districts' use of funds.

Direct Student Services

Beginning in the 2017-18 school year states may choose to reserve up to 3% of their Title IA funds to provide LEAs with Direct Student Services funds for programs and activities. Only 1% of the set aside may be retained by the state for administration, and likewise, only 1% of district funds may be used for administration. Districts must apply for the funds, and preference must be given to districts with high numbers schools identified for Comprehensive or Targeted Support and Improvement. Some examples of approved activities might include: supplemental courses, credit recovery, CTE, tutoring, online learning, college and career readiness initiatives, K-3 reading programs, or public school choice, including transportation to a different school.

Title II: Preparing, Training, and Recruiting High Quality Teachers, Principals, or Other School Leaders

ESSA's Title II, *Preparing, Training and Recruiting Teachers, Principals or other School Leaders,* Part A is very similar to the Title II Part A under NCLB. The focus of Part A is to improve the quality and effectiveness of educators including administrators. This is determined at the SEA and LEA levels. Part B has similar goals, but provides funds for selected activities on a competitive basis.

Part A

Part A maintains state block grants with the allowance for SEA and LEA priorities for their use to meet their goals and for the administration of Part A. States and districts are required to consult with stakeholders in their plans. The same funding level is authorized for Title II as for NCLB for 2017-2020. The SEA will receive a block grant and award subgrants to LEAs to accomplish the purposes of Title II. At least 92% of the state grant must be allocated to these district subgrants. The funds must be used for evidence-based programs consistent with the principles of effectiveness and address learning needs of all students. The SEA can provide an approved list of evidence-based interventions. An additional 3% of the state total can be included in district subgrants, or may be reserved for state-led efforts to support school leadership development (including preparation academies). Up to 2% of the state allocation can be reserved by the state for teacher preparation academies, and up to 1% can be used for state administration of Title IIA. The remaining 2% can be used for other approved state activities in support of educator quality.

SEAs are required to report on professional qualifications of educators (see more explanation of reporting in the Accountability section). A SEA must ensure that low income students and students of color are not taught at disproportionate rates by ineffective, out of field or inexperienced teachers and must measure and report on progress toward eliminating inequities. Title II funds can be used to improve the qualifications of teachers of low income students.

Part B

Title II, Part B is substantially different under ESSA. The funds in Part B will be awarded on a competitive basis to SEAs and LEAs or consortia of LEAs. The previous programs in NCLB were eliminated, including the state Mathematics and Science Partnerships (MSP) program, and consolidated into four new program areas:

1. Teacher and School Leaders Incentive Program,
2. Literacy Education for all, Results for the Nation,
3. American History and Civics Ed,
4. Programs of National Significance (Supporting Effective Educator Development, School Leader Recruitment and Support, Technical Assistance and STEM Master Teacher Corps).

Title III: Language Instruction for English Learners and Immigrant Students

The most substantial changes related to English Learners are in policy, not funding. As described above in Part I: Section G (Student Assessment), states are now required to give greater detail on the performance of English Learners in reporting and in

accountability systems. There are some changes to allow expanded permissible uses of Title III funds, and districts are required to use some funds for family and community engagement (formerly a permissible but not required function). There are no major changes in Title III funding authorizations or programs from NCLB.

Title IV: 21st century schools

The biggest change to Title IV is the addition of *Student Support and Academic Enrichment Grants,* authorized at $1.6 billion nationally. This is a new block grant program that replaces the Safe and Drug Free Schools program and several other smaller programs. It is distributed to LEAs based on Title I allocations, and is subject to supplement-not-supplant criteria. If the full authorized amount is appropriated, Maine could receive up to $5.6M. The use of the funds can be prioritized by the SEA. The LEA, however, is able to choose how to use and implement the funds within three areas:

1. *Well- rounded educational opportunities* (at least 20% of funds) include efforts to increase access to and success in a well-rounded educational experience, such as: increasing access to accelerated learning opportunities (AP and IB); Expanding access to STEM courses; and strengthening the teaching of American history/civics, foreign language, and volunteerism.

2. *Safe and healthy students' opportunities* (at least 20% of funds) include activities that foster safe, healthy, supportive, and drug-free schools and/or promote the involvement of parents, such as: school-based mental health services, anti-bullying campaigns, and implementation of school-wide positive behavioral interventions.

3. *Effective use of technology opportunities* (at least some funds, with no more than 15% on technology infrastructure) includes activities such as:
   - Providing resources, devices, or content to help teachers and administrators personalize learning;
   - Building capacity and infrastructure;
   - Developing or using strategies for the delivery of specialized or rigorous academic courses and curricula through technology.
   - Carrying out blended learning, including planning, design, and training;
   - Providing professional development on using technology to increase student achievement in STEM; and/or
   - Providing students in rural/remote/underserved areas with resources to take advantage of high-quality digital learning, including online courses.

Title IV encourages districts and local partners to provide a wide variety of programs and services to support locally-identified student needs. LEAs may join to create consortia to pool their resources.

Title V: Rural School Funding

ESSA refers to rural education more than 30 times, indicating that resources and support should be equitability supported, if possible. There are also specific programs targeted for rural schools in Title V and additional support in Title II and IV. This approach is like ESEA, although some programs have been consolidated and new activities are mentioned. The Rural Education Initiative is divided into two parts: the Small, Rural School Achievement Program and the Rural and Low-Income School Program.

a. Subpart 1—Small, Rural School Achievement Program
A LEA may use applicable funds in alternative ways providing no other provision of law does not allow it. A LEA can carry out local activities authorized under any of the following; Part A of title I, Part A of title II, Title III, and Part A or B of title IV. The LEA needs to inform the SEA that it is using the funds in alternative ways.

b. Subpart 2—Rural and Low-Income School Program
The SEA can award grants on a competitive basis to eligible LEAs for local authorized activities. Funds awarded to LEAs can conduct any of the activities authorized under; Part A of Title I, Part A of Title II, Title III, Part A of Title IV, and Parental involvement activities. To qualify a SEA has to submit an application for these funds.

This section of ESSA is different from NCLB as it provides a bit more flexibility for rural schools to consolidate funds and use them in ways they determine are necessary. The ESEA Rural Education Achievement Program (REAP) has been combined into this program.

The SEA does have to file an application to the Secretary to access the subpart 2 Rural and Low-Income School Program to be able to have access to these funds.

The needs of rural schools are also explicitly addressed in other Titles. One of the targeted activities in Title IV's *Student Support and Academic Enrichment Grants* is the effective use of technology to provide students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators. Other programs that specifically include rural schools or have a set aside for rural schools as part of a national competitive grant include:

- Title II, Part B, Section 2245. STEM Master Teacher Corps
- Title IV, Part F-1. Grants for Education Innovation and Research
- Title IV, Part F-2. Community Support for School Success.

Competitive grants

In addition to the formula grant funds discussed above, and subject to budget appropriations, ESSA authorizes additional grants to states and districts through competitive application. The SEA, individual districts, consortia of districts, or district partnerships (such as with higher education institutions or other eligible non-profits) may apply for funds. This requires districts to proactively monitor the availability of grant programs that are relevant to their needs, and to invest considerable effort in preparing

applications. Historically, this has placed smaller and rural schools at a disadvantage for participating in competitive grant programs as they lack the administrative capacity or expertise to marshal the necessary resources to apply. The SEA could potentially be in a position to advocate for these districts, as they must now review and approve LEA improvement plans. This provides an opportunity to identify districts that may be interested or may benefit from specific federal funding programs, and the state could facilitate districts' awareness of relevant competitions.

Conclusions

This report describes the policy goals and strategies articulated in the new federal education statute known as ESSA. ESSA continues the pursuit of broad goals outlined in the previous law known as NCLB, namely: improved student equity and access to a high quality and well-rounded education, strong accountability systems at the state and local levels that include rigorous standards and annual assessments, continued progress to improve student outcomes and close achievement gaps, support for the development of educators and school leaders, and assistance to low-performing schools and students. ESSA increases the focus on certain areas, such as preparing students for college and career readiness, and improved access to a quality education for traditionally underserved students (e.g., students in rural schools, economically disadvantaged students, disabled students, and English learners).

What really distinguishes ESSA from NCLB is the shift in strategies to accomplish these education goals. ESSA pursues a strategy of both increased responsibility and flexibility at the state and local levels. That is, state educational agencies (SEAs) will now set goals and target deadlines for improvement of student outcomes and school performance, and states will select appropriate academic and other measures as indicators of school quality and student success, rather than the federal government specifying goals and adequate yearly progress.

SEAs will need to distinguish three levels of school performance. Local educational agencies (LEAs, or school districts) will identify strategies that meet local needs for low-performing schools while utilizing evidence-based practices and effective interventions, rather than the federal government prescribing penalties and improvement strategies. SEAs and LEAs will both need to increase their efforts to engage stakeholder groups in all stages of developing and implementing improvement plans, and SEAs and LEAs will need to post data, through state and local report cards on school performance and student outcomes, that disaggregates for various student subgroup populations and is clear and transparent for public access.

The scope of the work to meet the new federal accountability requirements has many implications for state and local capacity and resources. As described in this report, the SEA and LEA report cards required by ESSA will assemble numerous data points in a single public report. In prior requirements, data were dispersed across multiple reports—some of which may not have been readily accessible—or were not publicly reported at all. Both the SEA and LEAs have responsibility to collect, disaggregate, report, and monitor student and school data, which includes both academic and other kinds of data. Further, there is some question about how some Maine schools will be able to comply with

reporting requirements, given the very small number of students in some subgroups at the school level. In addition, schools identified as low-performing may need assistance to select and implement evidence-based strategies for improvement. All of these efforts will require increased capacity and expertise at the state and local levels, and potentially the development of new partnerships regionally or with higher education or other supporting organizations to meet the capacity needs.

Implications for state education policy can be found at the intersection of federal and state policy for educational standards and assessment, accountability requirements, school improvement efforts, and support for educator quality. ESSA broadens the scope of "core" subjects for a high quality, well-rounded education by adding eight additional subjects, and requires states to align educational standards with entry requirements for post-secondary education and high-demand occupations. Data reporting requirements have increased at both the state and local level, and apply to all public and public charter schools. Some requirements have been discarded, such NCLB's requirement for educator evaluation systems that use student assessment data. All of these changes and others have implications for potential revision in Maine's education statutes and rules. Chief among these are policies (statutes and administrative rules) that describe the educational goals and standards for student learning known as the Maine Learning Results and Guiding Principles (Maine Revised Statutes, Title 20A, Chapter 222), the system of state education assessment (20-A MRSA, Chapter 222), requirements for reporting of school performance and student outcomes through a system of proficiency-based education and diploma requirements (20-A MRSA, Chapter 222), requirements for public charter schools in Maine (20-A MRSA, Chapter 112), career and technical education (20-A MRSA, Chapter 313) and vocational-technical institutes (20-A MRSA, Chapter 403), requirements for educator preparation (20-A MRSA, Chapters 501 and 502, and Education rule chapters 114 and 115), and implementation of educator effectiveness systems (20-A MRSA, Chapter 508 and Education rule chapter 180).

Finally, ESSA is taking effect as a new presidential administration takes office. This creates the potential for further changes in federal policy and guidelines for implementing ESSA. States with clear visions for their educational systems will be best positioned to concentrate unwaveringly on their long-term goals, and to maintain focus on policies and strategies that will attain better outcomes for students.

Implementation resources for districts and policymakers

Federal	
U.S. Department of Education ESSA Laws and Guidance webpage	www2.ed.gov/policy/elsec/leg/essa
Full Text of the ESEA as Amended by ESSA	www2.ed.gov/documents/essa-act-of-1965.pdf
Fact Sheet for Final Regulations on Assessments (Title I, Part A and B) (effective January 9, 2017)	www2.ed.gov/policy/elsec/leg/essa/essaassessmentfactsheet1207.pdf
Fact Sheet for Final Regulations on Accountability, State Plans, and Data Reporting (effective January 30, 2017)	www2.ed.gov/policy/elsec/leg/essa/essafactsheet170103.pdf
Summaries and Resources Prepared by non-Federal Sources	
National Conference of State Legislatures	www.ncsl.org/ncsl-in-dc/standing-committees/education/every-student-succeeds-act-essa-information-and-resources.aspx
Council of Chief State School Officers	www.ccsso.org/Resources/Programs/Every_Student_Succeeds_Act.html
(WestEd) Evidence-Based Improvement: A Guide for States to Strengthen their Frameworks and Supports Aligned to the Evidence Requirements of ESSA	www.wested.org/resources/evidence-based-improvement-essa-guide-for-states/
Upcoming Events	
EdWeek Virtual Event: Keys to ESSA Readiness (Weds. February 1, 2017, 1-5 pm)	www.edweek.org/ew/events/keys-to-essa-readiness-event.html

Additional References Used in Report Preparation

American Federation of Teachers Fact Sheets:
http://www.aft.org/position/every-student-succeeds-act

ESSA Authorization of Appropriations Compared to Current Appropriations:
https://www.nea.org/assets/docs/ESSA-%20Authorization-Appropriations-Compared-to-2016-Appropriations.pdfNEA

Report Addendum, January 26, 2017

In the one-week interval between report printing and presentation to the Joint Standing Committee on Education and Cultural Affairs on January 25, 2017, there were two substantial developments. First, the proposed federal regulations related to supplement not supplant (discussed in report Part II) were withdrawn on January 18th. Second, the incoming administration led by President Trump has issued an executive order that will delay implementation of the accountability regulations from January 30, 2017 to March 21, 2017. There may be additional changes before that new date. Because this report emphasized statutory language in the Every Student Succeeds Act and relied less on regulatory language, the majority of the report remains relevant. Unless specified as regulatory, policies described in the report should be presumed to be describing federal statute. However, report language that describes regulations stemming from U.S. Department of Education rules should be considered to be tentative.

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