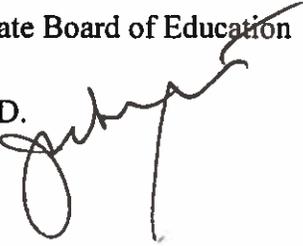




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TO: Members of the State Board of Education
FROM: Jack R. Smith, Ph.D. 
DATE: February 23, 2016
SUBJECT: Transitioning to the *Every Student Succeeds Act*

PURPOSE:

To provide an overview of the *Elementary and Secondary Education Act/Every Student Succeeds Act* and the Department's initial plan for transitioning to the new federal law.

BACKGROUND/HISTORICAL PERSPECTIVE:

The primary federal law governing K-12 education in the United States, the *Elementary and Secondary Education Act* (ESEA), was enacted in 1965 as part of President Lyndon Johnson's "War on Poverty." Since 1965, the law has been reauthorized several times including the 2002 rewrite known as the *No Child Left Behind Act* (NCLB). In December 2015, Congress was able to reach bipartisan agreement on an ESEA reauthorization bill and passed the *Every Student Succeeds Act* (ESSA), signed by President Obama on December 10, 2015.

EXECUTIVE SUMMARY:

The 2002 *No Child Left Behind Act* (NCLB) was due for an update in 2007 and when Congress had not acted by 2011, the U.S. Secretary of Education offered states an opportunity to apply for relief from some of the provisions of the law in exchange for certain additional requirements. Maryland took advantage of this opportunity with an initial ESEA Flexibility Request approved in June 2012 for school years (SY) 2012-13 and 2013-14, followed by an extension for SY 2014-15 and a three year renewal, beginning in SY 2015-16. Maryland's system of public education must now transition from the hybrid of rules and regulations under NCLB and ESEA Flexibility to the provisions of the ESSA.

The Maryland State Department of Education is in the process of planning for a smooth transition to ESSA that will result in consistent implementation across Maryland's 24 local school systems.

ACTION:

For Information only

Every Student Succeeds Act (ESSA)

Maryland State Board of Education
February 23, 2016

Today's Objectives

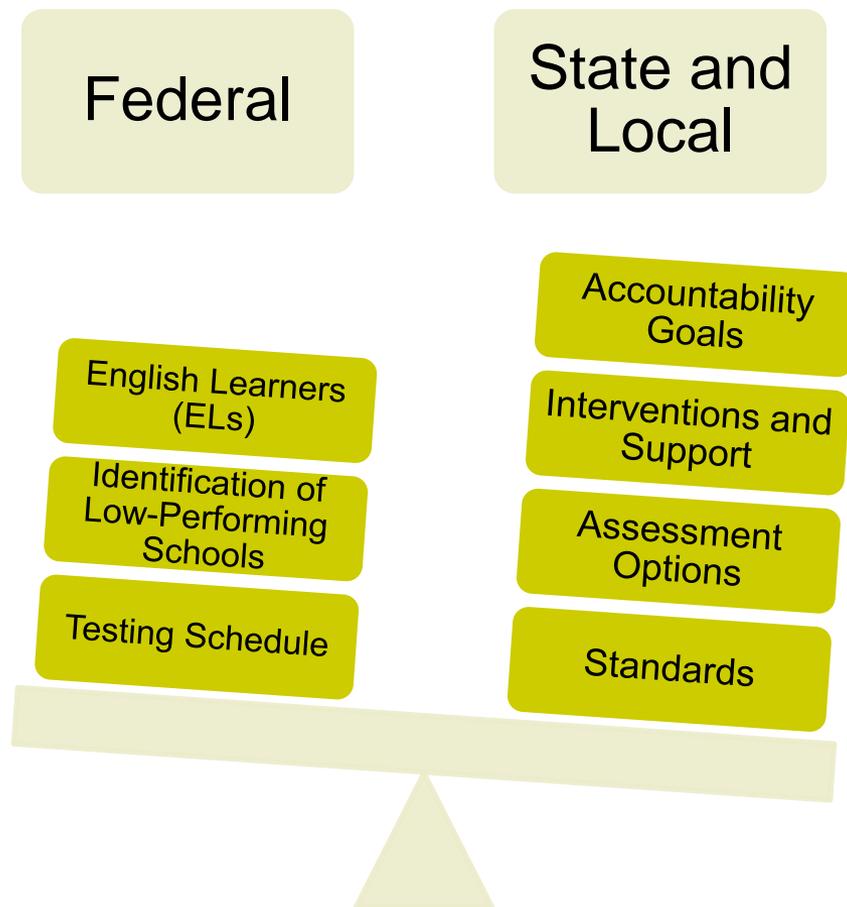
- What is the process and timeline for implementation?
- What are the most substantive changes?
- A brief comparison of Elementary Secondary Education Act (ESEA)/No Child Left Behind (NCLB) and ESSA
- What is Maryland doing to prepare for the transition and the new law?

Timeline and Implementation for ESSA

- ESSA was signed into law on December 10, 2015
- Current ESEA waivers expire August 1, 2016
- School year 2016-2017 is a transition year
- New ESSA provisions go into effect for the 2017-2018 school year
- Federal Fiscal Year (FFY) 2016 competitive and formula funding will flow through ESEA construct for school year 2016-2017; FFY 2017 dollars will flow through ESSA construct (in schools for 2017-2018 school year)

Substantive Changes

Federal v. State and Local Control in ESSA



Assessments

NCLB/ESEA Flex	ESSA
Must test in 3-8 and once in High School (HS) in ELA and Math Must test once in each grade band (3-5, 6-8, and HS) in Science	
Everyone must use the same assessment in each grade level	Local Education Agency (LEA) can use nationally recognized tests at the high school level with State approval
States are required to meet 95 percent participation and all non-test takers are counted as basic	States are still required to meet a 95 percent participation rate, but State determines consequences for not meeting 95 percent for LEAs/schools
	Innovative Assessment Pilot

Accountability

NCLB/ESEA Flex	ESSA
States were bound to Adequate Yearly Progress (AYP) with Annual Measurable Objectives (AMOs) to meet 100 percent proficiency by 2014	States choose their own goals, both long and short term addressing proficiency on assessments, EL proficiency and grad rates
Under Flex, states were required to have more than two indicators	Three academic indicators which include achievement, another academic indicator (grad rates at HS level possibly student growth at Elementary School/Middle School), and EL proficiency; plus a fourth “non academic” indicator measuring school quality or student success
	States determine the weight of each indicator although academic indicators must carry “much greater weight” than non-academic
Ninety-five percent participation must be part of State Accountability System	

Low Performing Schools

NCLB/ESEA Flex	ESSA
Schools either met AYP or did not- then consequences were determined by number of years NOT making AYP	States determine goals (AMOs) and consequences for not meeting goals
Priority Schools (bottom 5 percent of achievement)	Identify bottom 5 percent of schools AND Identify high schools with graduation rates < 67 percent (Comprehensive Schools)
Focus Schools (top 10 percent of largest gaps)	Schools with consistently underperforming subgroups (Targeted Schools)
Lowest Performing schools were required to choose from seven Turnaround Strategies	For comprehensive schools, LEAs determine evidence-based interventions with State approval
	For Targeted schools, schools develop plans approved by the LEA.
All strategies and interventions must be “research-based”	All strategies and interventions must be “evidence-based”

Teachers

NCLB/ESEA Flex	ESSA
Under Flex, States were required to create statewide Teacher Principal Evaluation systems with a student growth element	States may choose to develop a Teacher Principal Evaluation system and may use Title II, Part A funds
Teachers were required to be Highly Qualified	States determine teacher qualifications- Teachers in Title I schools must meet State certification/licensure requirements
States must describe how low-income and minority children enrolled in Title I Schools “are not served at disproportionate rates by ineffective, out-of-field, and inexperienced teachers...”	

English Learners (EL)

NCLB/ESEA Flex	ESSA
Accountability for ELs determined under Title III	Accountability for ELs determined under Title I
<p>A State may exempt a recently arrived EL student from one annual administration of the State's reading/language arts assessment</p> <p>Regulations also require that recently arrived EL students participate in mathematics assessments</p>	<p>With respect to recently arrived ELs who have been enrolled in a school in the US for less than 12 months, a state may select to exclude ELs from taking the Reading/Language Arts assessment the first year they are in the country; OR</p> <p>EL students take assessments and publicly report, but test scores will not count toward a school's rating in the first year with subsequent plans in years 2 and 3.</p>
Students continue to be a part of the EL subgroup for two years after completing the EL program	Formerly identified EL students may be identified in the EL subgroup for up to four years after completion of the EL program

Title IV: 21st Century Schools

- Part A: Student Support and Academic Grants includes activities to support:
 - Well-rounded educational opportunities
 - Safe and Healthy Students
 - Effective Use of Technology
- Part B: 21st Century Community Learning Centers
- Part C: Charter Schools
- Part D: Magnet Schools
- Part E: Family Engagement
- Part F: National Activities

STEM Provisions in ESSA

- Standards and Assessments:
 - Option for states to integrate engineering and technology concepts into science assessments
- Preparing, Training and Recruiting High-Quality Teachers and School Leaders
 - Allows for professional development to promote high-quality instruction in STEM
 - Provides Secretary with new authority to distribute competitive funding
- Student Enrichment Activities
 - May utilize Title IV, Part A funds for a variety of STEM enrichment activities and STEM-Specialty Schools

ESEA/ESSA Transition Goals

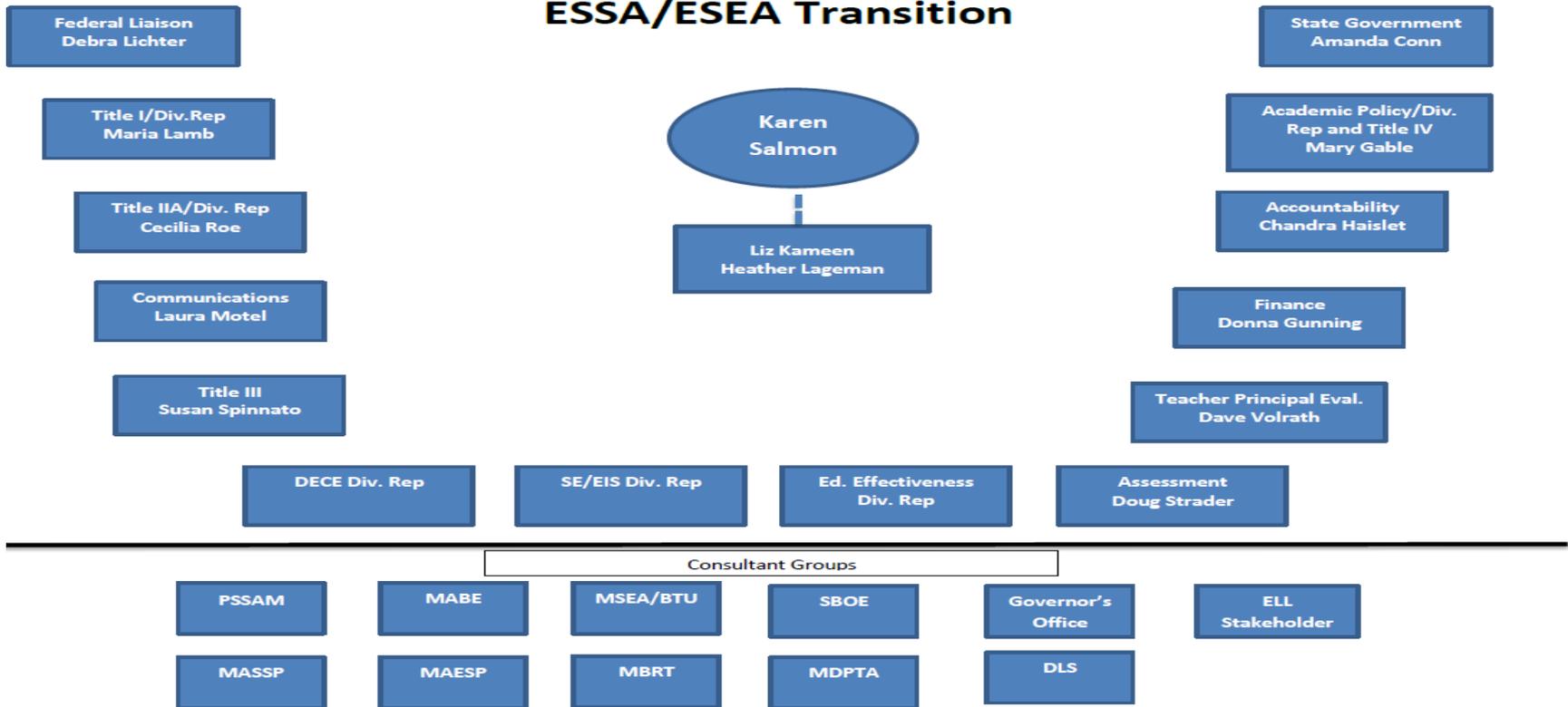
- A smooth transition from No Child Left Behind (NCLB)/Elementary and Secondary Education Act (ESEA) Flexibility to Every Student Succeeds Act (ESSA)
- Consistent implementation across Local Education Agencies

Transition Process

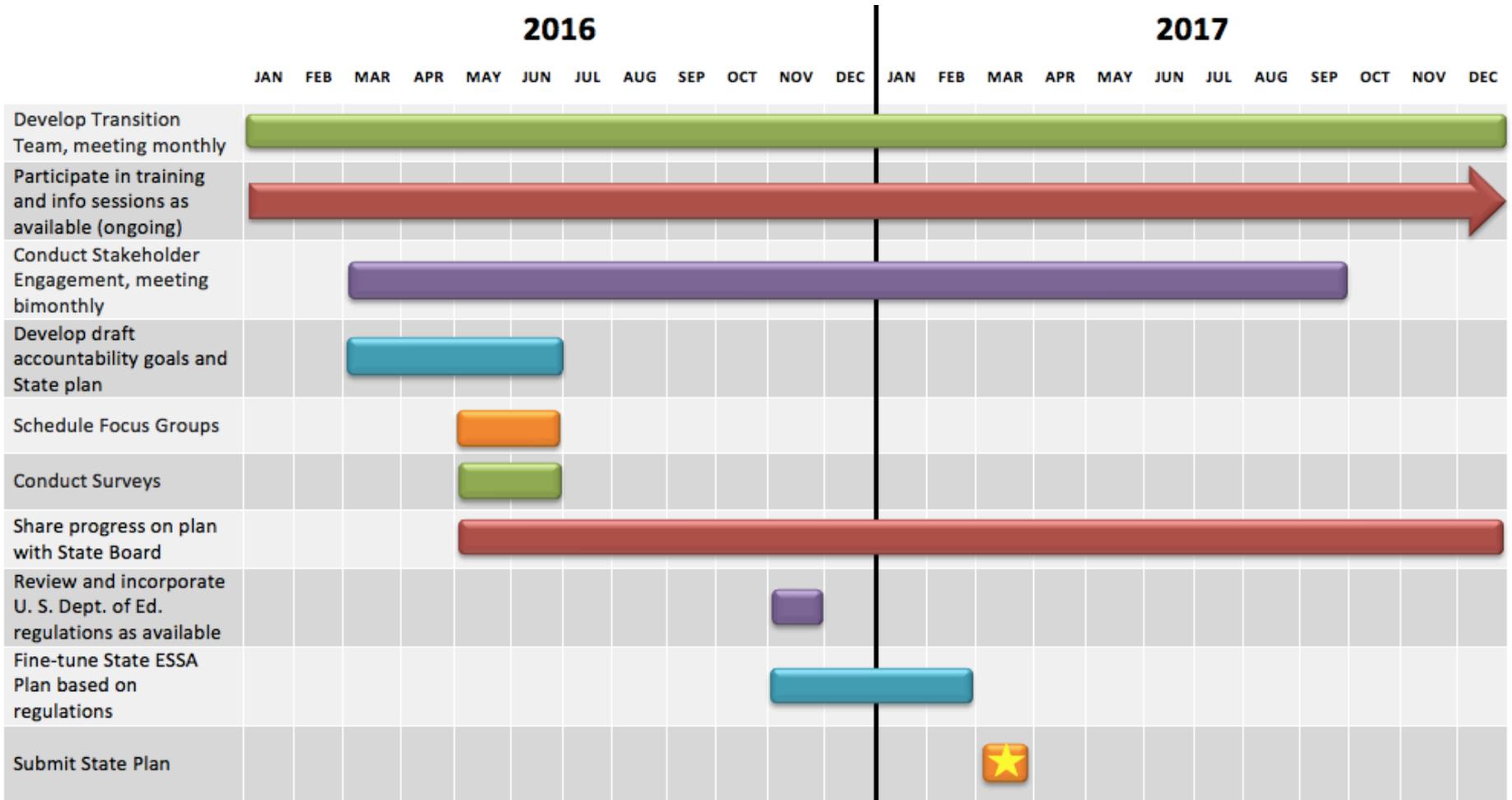
- √ Develop MSDE's ESSA team
 - Began January 2016
- Stakeholder Engagement Committee
 - Committee meets bimonthly
 - Initial Meeting March 24, 2016
- Schedule Focus Groups
- Conduct surveys
- Synthesize feedback

Maryland's Team

ESSA/ESEA Transition



Timeline



Questions?

