THE EVERY STUDENT SUCCEEDS ACT OF 2015: WHAT IT MEANS FOR EQUITY AND ACCOUNTABILITY IN CALIFORNIA

The Education Trust–West

Thirteen years after the No Child Left Behind Act (NCLB) became law, the Every Student Succeeds Act (ESSA) of 2015 sets a new course for the federal role in public education. While not perfect, ESSA maintains many of the best elements of the old law and improves upon some of its shortcomings.

ESSA includes the following fundamental protections for vulnerable students:

1. Annual statewide assessments to provide objective, comparable data on how all students are performing;
2. Consistent, state-adopted standards for all children that are aligned with the demands of college and careers;
3. Comprehensive public reporting on outcomes and opportunities to learn for all groups of children, including per-pupil expenditures, access to rigorous coursework, and measures of school climate;
4. Statewide accountability systems that include gap-closing goals for student outcomes, meaningful differentiation between schools based on the progress of all students and each group of students;
5. The requirement that district and state leaders act when any group of students is consistently underperforming; and
6. Attention to, and a commitment to addressing, inequities in access to ineffective, out-of-field, and inexperienced teachers.

FROM DUAL ACCOUNTABILITY SYSTEMS TO A SINGLE, STRONGER SYSTEM

ESSA requires that every state have a statewide accountability system, along with related school support and improvement activities, by the 2017-18 school year. This timing aligns well with California's work to implement the Local Control Funding Formula (LCFF) and redesign its accountability system. California is on track to adopt "evaluation rubrics" (EC 52064.5) and other components of a new accountability system by the beginning of the 2016-17 school year. By the start of the 2017-18 year, those rubrics will likely include data from a variety of sources, including growth scores from the Smarter Balanced assessments. And although California's Academic Performance Index (API) remains on the books (EC 52052), the state legislature is likely to revisit this core component of the state's education accountability system in 2016.

With ESSA, California has an opportunity to adopt a single new accountability system that serves state needs and also satisfies federal requirements. For too long, districts, schools, and communities have seen scores and designations from two different systems — and often the signals from those two systems conflicted. That confusion can now be replaced with a single, more meaningful accountability system that promises to protect and support all students, particularly California's most vulnerable students.

CRITICAL DECISIONS CALIFORNIA LEADERS MUST MAKE NOW

However, there are some provisions of ESSA that will affect critical decisions California is poised to make related to school and district accountability in the coming months. If California's education and policy leaders don't carefully consider and address the implications of ESSA now, as they are debating evaluation rubrics and the future of the API, our state could easily end up, once again, with two parallel accountability systems. Below, we describe the requirements of ESSA that have the most urgent and important implications for the future of school accountability in California.

1. STATEWIDE GOALS

What ESSA Requires: Each state is required to set statewide, long-term goals and interim progress targets for improving outcomes for all students and each subgroup. Subgroups that are further behind must make more rapid progress in order to close proficiency and graduation rate gaps.

What This Means for California: In 2013, California passed a law requiring the State Board of Education to develop and adopt standards for school and district performance and expectations for improvement (EC 52064.5). However, the State Board of

Education is currently considering a proposal that would measure each district and school's performance and growth against state averages, not against aspirational, long-term, or gap-closing targets. But under ESSA, this proposal would not fly. California would instead need to be clear on its long-term goals for, at minimum: proficiency on state assessments in reading and math; four-year high school graduation rates; and the percent of English learners making progress toward English-language proficiency. Further, it would need to set more aggressive improvement targets for subgroups of students who are currently further behind.

2. MULTIPLE MEASURES

What ESSA Requires: Each state must establish an accountability system based on multiple indicators, including (1) academic achievement, (2) another academic indicator - which must include graduation rates at the high school level, (3) English proficiency, and (4) At least one other valid, reliable, comparable, and statewide indicator of school quality or student success. All of these indicators must be disaggregated for each group of students. Each of the first three academic indicators has to carry "substantial weight," and in the aggregate, academic indicators must weigh "much more" than the fourth indicator of school quality.

What This Means for California: California has already moved toward a system of multiple measures, including measures of college and career readiness, school climate, and access and opportunity. However, some state education leaders have demonstrated reluctance to aggregate these measure into indices that would carry weights, which may have the effect of valuing each measure equally. ESSA makes clear that academic measures must carry more weight than school quality measures. Further, ESSA makes clear that measures must be statewide, and that non-standardized, local measures cannot be a component of a statewide accountability system — at least, not the system upon which the state rates schools and makes decisions regarding support and intervention.

3. MEANINGFUL DIFFERENTATION BETWEEN SCHOOLS

What ESSA Requires: Each state must establish a system of meaningfully differentiating all public schools in the state. The school accountability system has to publicly identify and provide supports or interventions to at least three types of schools: (1) *Comprehensive Support and Improvement Schools* — the lowest performing 5 percent of Title 1 schools in the state and all high schools where less than two-thirds of students graduate, (2) *Targeted Support and Improvement Schools* — schools the state determines to be consistently underperforming for one or more subgroups based on the indicators listed above, and (3) *Additional Targeted Support Schools* — schools whose results for any student subgroup meet the criteria for the lowest performing 5 percent of Title 1 schools in the state for students overall.

What This Means for California: Some members of the California State Board of Education have expressed reluctance to "judge" schools or districts and have argued for a system that shares data about schools and districts without aggregating that information into labels or categories. ESSA makes clear that a dashboard of data is not sufficient; California must go one step further and meaningfully differentiate schools from one another. This matters, not just because ESSA requires it, but because the public deserves transparency into how schools are performing and which schools and districts are in need of support. California does not need to adopt labels that carry shame or blame. Instead, it can sort schools and districts into categories in a way that helps clearly convey which schools and districts are eligible for, or require, which levels of support and intervention, and for what reason.

4. SCHOOL SUPPORTS AND INTERVENTIONS

What ESSA Requires: For each of the three categories of schools listed above, states/districts must provide supports and interventions, and the state shall set aside additional Title 1 funds for that purpose.

- For *Comprehensive Support and Improvement Schools*, districts must develop, and the state must approve, an evidence-based improvement plan with input from stakeholders, including school leaders, teachers, and parents. The state must monitor progress against the plan and further intervene if the school doesn't improve within four years.
- *Targeted Support and Improvement Schools* must develop an evidence-based school-level plan with input from school leaders, teachers, and parents. This plan must be approved and monitored by the district. The district must monitor implementation and take action if the school doesn't improve.

- *Additional Targeted Support Schools* must also develop a school-level plan, similar to those for *Targeted Support and Improvement Schools*, but theirs must also address resource inequities. Although these schools are monitored by the district, if they don't improve they can become state-monitored *Comprehensive Support and Improvement Schools*. The state *may* also undertake additional improvement in any Local Education Agencies (LEAs) with a significant number of schools in these categories.

What This Means for California: Through 2013 LCFF legislation, California created a rough plan for providing technical assistance and interventions to LEAs (EC 52071-52072). While California's framework – which provides an escalating series of supports, advice, and assistance to school districts through county offices, the California Collaborative for Educational Excellence (CCEE), and finally the Superintendent for Public Instruction – is generally aligned with the spirit of ESSA, the statutes themselves differ in significant ways. There are a number of key differences that would need to be resolved in order to avoid ending up with two parallel state and federal accountability systems.

California law says that technical assistance and interventions shall be provided to *districts, charter schools, and county offices of education*, based on failure to improve outcomes across a certain number of years, student subgroups, and state priority areas. Counties provide the first level of assistance to districts, followed by the CCEE. If districts still fail to improve, the state may intervene. California's law is generally silent on how it will support individual schools, including schools that may be persistently failing to improve achievement and graduation rates for the most vulnerable students.

ESSA, however, directs supports and interventions to *schools*, not districts, with monitoring provided first by the district, with escalation to the state in the case of persistent underperformance. Under ESSA, at least 5 percent of California's Title 1 schools and every high school graduating less than two-thirds of students – which could total more than 500 schools – will need to develop plans that will need to be approved and monitored by the state. And if those schools fail to improve, the state will need to take more rigorous, state-determined action. This is not in alignment with California's ethos of "local control," as set forth by LCFF, and would likely require statutory change and thoughtful consideration regarding how the state can meaningfully support and monitor so many schools.

5. DATA DISAGGREGATION

What ESSA Requires: As compared with NCLB, ESSA requires additional data disaggregation. States must now disaggregate test scores and graduation rates by homeless status and foster care status, and they must also disaggregate test scores for children of active duty military parents/families.

What This Means for California: California was ahead of the curve when it identified foster youth as an unduplicated subgroup within LCFF, and when it required that LCAPs address goals and actions for foster youth and homeless youth (with the latter enacted in 2015). However, California now must take an additional step and disaggregate test scores and graduation rates for these youth. It must also begin collecting and reporting data on outcomes for children of military families.