

January 5, 2016

Dear District Administrators:

As you are aware, the Elementary and Secondary Education Act was reauthorized by Congress in December. This legislation, which is also being referred to as the Every Student Succeeds Act, represents a significant change from the prior law. It returns to states a great degree of authority to construct and design school accountability and school improvement models while maintaining a number of the constructs in the law with which you were previously familiar.

Following this letter is a brief summary of the provisions of the new law, but I wanted to first focus on some important components that have not changed.

Report Cards

There will still be report cards. States are required under federal law to continue to have accountability systems that differentiate among schools based on three (four for high schools) academic factors and a student success or school climate factor. Wisconsin's state law already requires a report card that meets many of these conditions. Wisconsin, as under the previous law, has the flexibility to determine whether additional pieces will be added to the report card in the future.

Academic Standards

States are still required to have standards and, as under the previous law, states set those standards. In Wisconsin, state law also clarifies that local school districts have the authority to adopt Wisconsin state standards or their own standards. This has not changed.

Testing

States are still required to test all students using the same assessment in grades 3-8 and once in high school in English language arts and math. A science test also continues to be required once at the elementary, middle, and high school levels. There will also continue to be a requirement that 95 percent or more of all students are tested.

School Improvement

States are still required to intervene and provide supports to low-performing schools. When states intervene is informed by the new law. For instance, states are still required to work with the bottom 5 percent of schools. States will now also be required to work with schools not graduating at least two-thirds of their students and those schools with large achievement gaps. What those supports and interventions look like for those schools may change, however, as they are now solely state and locally determined.

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Educator Effectiveness

There is no longer a requirement under federal law for a statewide teacher evaluation system. In Wisconsin, however, our state law requires our educator effectiveness system. This system remains unchanged under state law and we view the removal of the federal requirement as a positive change that allows us to focus on our state needs.

This brings me to what has changed. The document that follows provides a brief overview. I want to be clear that it is our intent to have a substantive stakeholder engagement process around these changes as we move forward together. We will have time for this as many of the provisions of the act don't go into effect until the 2017-18 school year.

More detailed information will be forthcoming. As always, the department will continue to publish the latest information related to ESEA on our website at www.dpi.wi.gov/esea. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Thompson".

Mike Thompson, PhD
Deputy State Superintendent

MT/mjc

ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) REAUTHORIZATION SUMMARY AND HIGHLIGHTS

TITLE I

STANDARDS AND ASSESSMENT

- States choose challenging academic standards in English language arts and math that are aligned to higher education.
- Maintains current assessment requirements: Math and English language arts in grades three through eight and once in high school; science once in elementary, middle, and high school.
- Requires 95 percent test participation by all students and subgroups. Allows states to create their own testing opt-out laws.

ACCOUNTABILITY

- States will have to submit accountability plans to the U.S. Department of Education. These new plans will start in the 2017-18 school year.
- Replaces Adequate Yearly Progress (AYP) with a state-defined system and federally-required components.
- States set short- and long-term goals on progress for all students and subgroups for: academic achievement on state tests, graduation rates, and English language proficiency for English learners (EL). Goals have to set an expectation that all groups that are furthest behind close gaps in achievement and graduation rates.
- State and local report cards continue to be required.
- States need to incorporate at least four indicators into their accountability systems. This includes three academic indicators: proficiency on state tests, English-language proficiency, plus some other academic factor that can be broken out by subgroup, which could be growth on state tests. (High schools have an additional academic indicator of graduation rates). States are required to add a fourth factor to be determined by the state as a measure of student success or school quality.
- Academic indicators must be weighted much more than other measures of student success or school quality.
- States determine how the 95 percent test participation on state assessments is to be factored into the accountability system, as well as consequences for not meeting the 95 percent participation threshold.
- States must “meaningfully differentiate” on annual basis schools and all subgroups in schools based on the aforementioned indicators.
- States are prohibited from combining different sets of students that would otherwise meet cell size into “super subgroups” for accountability purposes.
- Moves accountability for English language proficiency for English learners (EL) from Title III to Title I.
 - States can include English-language learners’ test scores after they have been in the country a year, as under prior law.
 - During that first year, it is optional for the state to count the EL students’ scores in a school’s rating, but ELs will need to take both of the assessments. In the second year, the state has to incorporate ELs’ results for both reading and math, using some measure of growth. In the third year in country, the proficiency scores of newly-arrived ELs will be treated as any other students’.
- States must establish standardized statewide entrance and exit procedures for EL identification and services.

SCHOOL IMPROVEMENT

Beginning with school year 2017-18 and at least once every three years, states identify schools for “comprehensive support and improvement” and annually notify local educational agencies (LEAs) for “targeted support and improvement.”

IDENTIFICATION FOR COMPREHENSIVE SUPPORT AND IMPROVEMENT

- States are required to set exit criteria for schools that are identified.
- Schools that meet the following criteria are required to be identified:
 - The five percent lowest performing in the state (as determined by the index and differentiation process).
 - High schools (including high schools that are not Title I schools) that graduate less than two-thirds of their students.
 - Schools for which a subgroup is consistently underperforming in the same manner as a school under lowest five percent category for a state-determined number of years.
- LEAs develop comprehensive support and improvement plans for schools identified. Plans are required to:
 - include evidence-based interventions,
 - be based on a school-level needs assessment,
 - identify resource inequities,
 - be approved by the school, LEA and State Educational Agency (SEA), and
 - be periodically monitored and reviewed by the SEA.
- LEAs can forgo implementation of the improvement activities for schools with less than 100 students enrolled.
- SEAs may allow differentiated improvement activities for high schools that predominantly serve students returning to education after dropping out who are significantly off-track to graduate from high school.
- LEAs may provide students with the option to transfer to another public school, including paying for transportation costs (up to five percent of their Title I allocation).
- After a state-determined period of years (not to exceed four years) the state is to take a more rigorous state-determined action if a school has not met the exit criteria.

NOTIFICATION FOR TARGETED SUPPORT AND IMPROVEMENT

- States must annually notify local educational agencies (LEAs) when one or more subgroups are consistently underperforming.
- Schools implement targeted support and improvement plans. Interventions must be evidence-based and must be approved and monitored by the LEA.
- Schools for which plans are developed where subgroup performance, on its own, would lead to identification for comprehensive support and improvement as in the lowest five percent must also identify resource inequities to be addressed through plan implementation.

SCHOOLWIDE PROGRAMS

- Schools who have less than 40 percent poverty may operate a schoolwide program if the school receives a waiver from the SEA to do so. The school must demonstrate how a schoolwide program will best serve the needs of the students in the school in improving academic achievement and other factors.

TITLE II

- Ends Highly Qualified Teacher (HQT) requirements.
- Teacher equity plan requirement is maintained. As part of the state plan, states are to 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, principals, or other school leaders. States are to describe the measures they will use to evaluate and publicly report on this requirement.

- Changes state grant formula to provide states with higher number of students in poverty receive funding that is reflective of their student populations.
- National activities funded through reservations rather than separate authorization of appropriations, including:
 - Teacher and School Leader Incentive Fund
 - Literacy Education for All
 - Results for the Nation (LEARN),
 - American History and Civics Education
 - Programs of National Significance, including: Supporting Effective Educator Engagement, School Leader Recruitment and Support, Technical Assistance and National Evaluation, and STEM Master Teacher Corps.

TITLE III

Reauthorizes the Title III program focused on Language instruction for English Learners and immigrant students. This program is maintained as a formula grant program to states.

TITLE IV

- Authorizes Student Supports and Academic Achievement Grants in which States receive formula grants and allocate 95 percent to LEAs to target federal resources on local priorities to better serve disadvantaged students.
- LEAs that receive at least \$30,000 must do a needs assessment and fund in each of three categories: well-rounded educational opportunities (e.g. AP and IB tests fee reimbursement, STEM, arts, computer science), safe and healthy students, and effective use of technology. At least 40 percent of the funds (20 percent each) must go to the first two categories.
- Authorizes 21st Century Community Learning Centers as a stand-alone program.
- Maintains Charter Schools as a stand-alone program with changes to accountability.
- Authorizes Statewide Family Engagement Centers program.
- Authorizes reservations for national activities which are currently separately authorized programs, including: Education Innovation and Research, Community Support for School Success, School Safety, and Academic Enrichment.

OTHER

AUTHORIZATION PERIOD

- The new law is authorized from FY 2017 through FY 2020.

TIMELINES FOR TRANSITION FROM NO CHILD LEFT BEHIND

- Waivers remain in effect until Aug. 1, 2016, but states still have to continue supporting their lowest-performing schools ("priority schools") and schools with big achievement gaps ("focus schools") until the new ESEA approved plans are in effect.
- School ratings and interventions under the new law start with the 2017-18 school year.
- Prior to 2017-18, all LEAs will be required to submit plans to us to qualify for funds.