

The Every Student Succeeds Act (ESSA): Implications for Connecticut

With the recent passage of the Every Student Succeeds Act (ESSA)ⁱ, states face a complex transition filled with both challenges and opportunities. Connecticut has made some progress in recent years, but we know that there is much more to do. As our state transitions to a new school and district accountability system,ⁱⁱ the first statewide administration of the SAT,ⁱⁱⁱ and continued administration of the Smarter Balanced assessment,^{iv} we need our state leaders to continue the progress made.

Over the next 18 months, as the U.S. Department of Education engages in the rulemaking and guidance process for ESSA,^v in order for the state to maintain its commitment to students, parents and teachers, Connecticut must continue to work towards implementing a more comprehensive and robust state accountability and performance system, identifying the highest needs schools and districts to drive resources and supports, and implementing a robust teacher and administrator evaluation system that includes student achievement growth within the system.

Here is more information about new opportunities and new requirements that Connecticut should know about ESSA.

Transition from NCLB to ESSA

- **Transition Timeline:** During the transition between NCLB and ESSA, states must still maintain a statewide accountability system, a statewide annual assessment and the “school support and improvement activities” provisions by the 2017-18 school year.^{vi} The current law on assessments remains in effect through August 1, 2016.^{vii}
- **Waivers:** Existing ESEA flexibility waivers (including Connecticut’s waiver) become void on August 1, 2016, and the remainder of the state plan section goes into effect on that date. States must continue interventions in identified low-performing schools until new state plans are approved or the start of the 2017-18 school year - whichever comes first.^{viii}
- **Federal Regulation:** ESSA provides states the ability to implement new systems and policy, but it does not remove the federal requirement for states to annually assess students, create challenging state academic standards, and implement an accountability system that includes state intervention in the lowest-performing schools or districts.
- **Federal Rulemaking:** The U.S. Department of Education announced that it would initiate the rulemaking and regulations process for ESSA through 2016. States are advised not to take legislative action until the regulations have been issued.

Standards^{ix}

- States must have **challenging statewide academic content standards and statewide academic achievement standards** in math, reading/language arts, and science and must set at least three levels of achievement (e.g., Basic, Proficient, and Advanced) aligned with entrance requirements for credit-bearing coursework in the state’s public higher education system and relevant career and technical education standards. In 2010, Connecticut adopted the Common Core State Standards, high quality academic standards for English language arts and math.
- States are allowed to **set alternative achievement standards** for students with only the most significant cognitive disabilities. These standards must be aligned with college and career readiness standards to ensure that a student who meets these standards is on track to pursue postsecondary education or employment.^x
- States must also **implement English-language proficiency standards** that address speaking, listening, reading, writing, and ensure they are aligned with the state’s academic standards.

Assessments^{xi}

- **Annual statewide assessments:** ESSA maintains the requirement for statewide annual assessments in each of grades 3-8 for reading and math, and once in each of the following grades for science: 3-5, 6-9, 10-12. Assessments must provide valid, reliable, clear and objective data on how all students perform, including results reported by student group (race, gender, income, English Language Learner status, and special education status). 2015-2016 is the second fully operational year of the Smarter Balanced Assessment in Connecticut.
- **High School Assessments:** States can select one or more nationally recognized assessments for districts to use in place of the statewide assessment for high school students.^{xii} On October 7, 2015, the Connecticut State Board of Education adopted the SAT as the statewide assessment in lieu of the Smarter Balanced Assessment for the state's high school students.
- **Innovative Assessment Pilot:** ESSA allows up to seven states or consortia (up to four states) to pilot the use of different types of assessments.^{xiii} This pilot may include the use of competency- or performance-based assessments for accountability purposes. Any proposed assessments will have to meet federal requirements related to validity, reliability and rigor.
- **Opt-out:** While ESSA leaves it to states to determine whether students may opt-out of assessments, it maintains the requirement that states test 95% of all students and that states incorporate that requirement into their school and district accountability systems. ESSA also requires each district to notify parents that they may request, and must be provided with, information about any state or local policy regarding opting out of assessments, which must include details on how parents may opt their child out.^{xiv}

Accountability^{xv}

- **State Accountability System:** Each state is required to develop a school accountability system that meets the law's parameters for school ratings, supports and interventions. State accountability systems must include the following indicators: academic achievement, another academic indicator, English proficiency, and at least one non-academic indicator.^{xvi} In 2016, Connecticut will implement a new state accountability system with a range of academic and non-academic measures of student progress, such as academic achievement, academic growth, attendance/chronic absence, college and career preparation measures, and graduation rates to assign school-ratings differentiation and identify performance targets.
- **Ratings:** States must establish a system that meaningfully differentiates all public schools in the state, which must include differentiating schools in which any group of students is consistently underperforming.
- **Goals:** Each state is required to set statewide, long-term goals and interim progress targets for improving outcomes for all students and each student group (including economically disadvantaged students, students from major ethnic and racial groups, children with disabilities, and English learners). Goals must be based on, at least, proficiency on state assessments in reading and math and high school graduation rates. For groups that are behind, goals have to take into account the adjustments necessary to make significant progress in closing proficiency and graduation rate gaps. States are also required to set goals to increase the percent of English learners making progress toward reaching English-language proficiency within a state-determined timeframe.^{xvii}

School Identification and Intervention^{xviii}

- **States will select their own school supports and interventions:** States will have more freedom than under NCLB to determine which school turnaround strategies to use.
- **Low-Performing Schools:** The school accountability system has to identify, at minimum, *comprehensive support and improvement schools*, including schools that are in the lowest performing 5% of Title I schools in the state and all high schools that fail to graduate one-third or more of their students. These schools have to be identified at least once every three years starting in 2017-18. Any school that is consistently underperforming (as defined by the state) for

one or more student groups must be identified. Any school whose results for any student subgroup meet the criteria for the lowest-performing 5% of Title I schools in the state for students overall (the first criteria for comprehensive support and improvement school identification, above) must also be identified. States have to reserve 7% of their Title I, Part A, Subpart 2 dollars for school improvement activities, 95% of which they have to distribute to districts to serve comprehensive and targeted improvement schools.

- **Targeted Support and Intervention Schools:** The state must notify districts of any school where a group of students is consistently underperforming as defined by the state. Each school must then develop and implement an improvement plan in consultation with stakeholders that includes evidence-based interventions and is informed by all indicators in the statewide accountability system, including student performance against state goals.

School Funding^{xix}

- **Weighted Student Funding Pilot (Flexibility for Equitable Per-Pupil Funding):** ESSA allows up to 50 districts to pilot a program that would allow districts to consolidate federal, state and local funds to set up a weighted student funding formula. Following successful demonstration for a majority of piloted districts, the Secretary may expand the opportunity to all districts.
- **Per-pupil and school reporting expenditures:** ESSA requires reporting of per-pupil state, local, and federal expenditures, respectively, by school (including actual personnel and non-personnel costs). Federal funds have to also be disaggregated by program.

Teacher Evaluations^{xx}

- ESSA requires that states using Title II funds for teacher evaluation systems must include evidence of student achievement as one measure of that system, in addition to multiple indicators of teaching. The Secretary, however, may not require evaluation systems and cannot put any parameters around how a state defines “effectiveness.”
- State and local education agency (LEA) plans must describe how they will ensure low-income and minority students are not taught at a disproportionate rate by ineffective, out-of-field, or inexperienced teachers.
- States must also make public any methods or criteria they use to measure teacher, principal, or school leader effectiveness.

ⁱ [Every Student Succeeds Act](#), Pub.L. 114–95 (2015).

ⁱⁱ Conn. State Dept. of Educ., [ESEA Flexibility Renewal Connecticut’s “Next Generation” Accountability System](#), Feb. 2016.

ⁱⁱⁱ Conn. State Dept. of Educ., [Connecticut SAT School Day](#).

^{iv} See Conn. State Dept. of Educ., [Smarter Balanced Assessment Consortium](#).

^v See Fed. Register, [Implementing Programs under Title I of the Elementary and Secondary Education Act](#).

^{vi} [Every Student Succeeds Act](#), Pub.L. 114–95 §§ 1003, 1005, 1006, 1201.

^{vii} See *id.* at §§ 1003, 1005, 1006, 1201, 8401, 8526, 8527.

^{viii} See *id.* at §§ 1003, 1005, 1006.

^{ix} See *id.* at §§ 1005, 1201.

^x *Id.* at §§ 1005, 1111.

^{xi} [Every Student Succeeds Act](#), Pub.L. 114–95 §§ 1005, 1111 (2015).

^{xii} *Id.*

^{xiii} See *id.* at § 1204.

^{xiv} *Id.* at § 1111.

^{xv} *Id.* at §§ 1003, 1005, 1006.

^{xvi} [Every Student Succeeds Act](#), Pub.L. 114–95 §§ 1003, 1005, 1006 (2015).

^{xvii} *Id.*

^{xviii} *Id.*

^{xix} *Id.* at § 1501.

^{xx} *Id.* at § 2001 et. seq.