

# Every Student Succeeds Act (ESSA) Overview



Fact Sheet No: 19-02

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## Statutory Summary

The Elementary and Secondary Education Act of 1965 (ESEA) was reauthorized as amended by the Every Student Succeeds Act (ESSA) and enacted in December 2015. The statute was previously amended by the 2001 reauthorization, the No Child Left Behind (NCLB) Act. NCLB introduced the concept of school accountability based on student proficiency on standardized tests and increased the federal role in state accountability systems. During the first term of the Obama administration, the Federal role increased through the ESEA waiver process and the Race to the Top program. ESEA waivers granted states some flexibility on student performance goals but added additional requirements, such as commitments to teacher evaluation systems that required student performance. ESSA maintains many of the NCLB requirements, such as specific grade-level state assessments. However, ESSA reduces the Federal role in state accountability systems. The US Department of Education (USDE) is prohibited from mandating any specific curriculum, assessments or teacher evaluation system. States are responsible for most of the decisions regarding the consequences of the accountability system.

## Why ESSA Matters

ESSA is the federal law that outlines how states can use federal money to support public schools. The overarching goal of ESSA is to provide disadvantaged students opportunities to receive a fair, equitable, and high-quality education. Funding is allocated to states through formula grants. Some ESSA programs can provide additional funding through competitive grants. Currently, New York State receives approximately \$1.6 billion annually from ESSA Title I, the section of the law that addresses improving academic achievement for disadvantaged students. A new requirement of ESSA is for the states to assess and report how it provides equitable access to its federally-assisted programs. Districts will be required to report how much each school spends per student and from what revenue source.

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## New York State's ESSA Plan

### *Plan Development*

ESSA places responsibility on states to develop and implement a plan that meets the statutory requirements of ESSA. USDE must approve all state plans for compliance but the U.S. Secretary of Education is prohibited by the new law from dictating specific mandates. Stakeholder groups must be included in the development of the plan. New York's State Education Department (SED) obtained feedback through the Regent's ESSA Think Tank, a diverse stakeholder group, regional meetings and surveys. NYSUT was actively engaged through participation with the stakeholder group, the Committee of Practitioners (COP) and one-on-one meetings with the Commissioner.

New York's ESSA plan was approved by the U.S. Secretary of Education in January 2018. Approval of the plan ensures that New York will continue to receive Title I federal funds. The Board of Regents (BOR) has approved emergency regulations to implement the approved plan beginning in the 2018-19 school year. NYSUT has objected to regulations that pertain to testing participation rates and constraints on collective bargaining (see link to NYSUT comments in the resource section). The Regents have made changes to the draft regulations that address some of these concerns. Final adoption is expected in February 2019.

### *Timeline for Implementation*

- The first year the lowest performing schools will be identified will be in the 2018-19 school year, using the 2017-18 school year results.
- The 2018-19 school year will be a district/school planning year.
- Improvement plans will be implemented in the 2019-20 school year.

### *Required Elements*

States must provide an assurance that the state has adopted challenging academic standards and assessments. States must set college- and career-ready standards, as well as goals and targets for progress. Under NCLB, states were required to identify the lowest-performing schools in relation to state goals and adequate yearly progress (AYP) toward a goal of 100 percent proficiency by the 2013-14 school year. Under ESSA, states are required to establish long-term goals and interim measures of progress for improved academic achievement. There is no specific time-frame mandated.

Student performance must continue to be disaggregated by student subgroups, including: economically disadvantaged, major racial/ethnic groups, English Language Learners (ELL), and students with disabilities (SWD). In New York, major racial/ethnic groups include: American Indian or Alaska Native, Black or African American, Hispanic or Latino, Asian or Native Hawaiian/Other Pacific Islander, White, and Multiracial.

The accountability system maintains: the NCLB testing for math and ELA in grades 3 through 8, and once in high school; grade span testing for science; and, graduation rate requirements. ESSA adds a new requirement for at least one additional measure of school quality and student success. The same assessments must be used for all schools and subgroups with some exceptions:

- Alternative assessments are allowed for students with the most significant cognitive disabilities.
- Students enrolled in eighth grade that take high school mathematics and science are allowed to take the Regents exam in place of the eighth grade state assessment. These students must take another Regents course in high school to be counted in these subjects with their cohort.
- Districts may choose to administer a nationally recognized high school assessment, such as Advanced Placement or International Baccalaureate. However, all students must take the same assessment.

### **Meaningful Differentiation**

ESSA requires that states accountability systems provide for annual meaningful differentiation of school performance. The New York plan uses the state indicators and progress on both long-term and interim goals to measure performance and places schools into one of four categories: Recognition Schools (high performing), Good Standing, Targeted Support and Intervention (TSI) (schools with low performing student subgroups) and Comprehensive Support and Intervention (CSI) (low performing schools in the combined all student group and high schools with low graduation rates). Performance will be measured and reported annually. TSI schools will be identified annually but placement into the CSI category will be determined every three years. CSI schools may exit CSI by meeting performance criterion for two consecutive years. As schools exit CSI status new schools are not then placed in CSI status to replace the exiting school. Schools are only placed into CSI status every three years when a new list is produced by SED.

### **Minimum Student Count**

New York state will use a student “n size” (minimum student count) of 30 for measuring student outcomes. However, this “n” size is based on indicator results, not student counts as under the previous system. For example, a student taking the fourth grade ELA, mathematics and science assessments would count as three results toward the “n” size for calculating student academic achievement. This will have an impact on subgroup performance where there are less students and the performance of a few students can carry more weight. Districts will use an “n” size of five when reporting school data on the report cards.

## **New York State Accountability System**

There are specific academic indicators that all states must use. States must also select at least one additional academic indicator and a school quality or student success indicator. The school quality or student success indicator cannot be more heavily weighted than the academic indicators. NYSUT has advocated for a multiple measure system that includes conditions of learning. ESSA provides some opportunity to move beyond ELA and math scores. However, this is limited by whether there is an appropriate measure for an indicator that can be collected consistently by districts and can be desegregated by subgroup. For this reason, the Regents have approved a list of indicators to be used initially with the possibility of adding additional indicators in the future. The following list includes the performance indicators that will be used under the ESSA plan initially. The Board of Regents is considering adding of out-of-school suspensions by 2020-21.

### **New York State ESSA Indicators**

<b>Elementary/Middle School</b>	<b>High School</b>
<u>Required</u> <ul style="list-style-type: none"> <li>Academic achievement - proficiency on Grades 3-8 ELA and math</li> <li>English Language proficiency by English language learners</li> <li>95% participation rate</li> <li>Long-term and interim measures of progress goals</li> </ul>	<u>Required</u> <ul style="list-style-type: none"> <li>Academic achievement - High school ELA and math Regents exams</li> <li>High School Graduation rate – 67 percent (4, 5 and 6 year cohort)</li> <li>English Language proficiency by English language learners</li> <li>95% participation rate</li> <li>Long-term and interim measures of progress goals</li> </ul>
<u>Chosen by the BOR as additional academic indicators</u> <ul style="list-style-type: none"> <li>Growth on Grades 3-8 ELA and math</li> <li>Science assessments in grades 4 and 8</li> </ul>	<u>Chosen by the BOR as additional academic indicators</u> <ul style="list-style-type: none"> <li>Social Studies Regents exam</li> </ul>
<u>Chosen by the BOR for School Quality or Student Success Indicator</u> <ul style="list-style-type: none"> <li>Chronic absenteeism</li> </ul>	<u>Chosen by the BOR for School Quality or Student Success Indicator</u> <ul style="list-style-type: none"> <li>Chronic absenteeism</li> <li>College, career and civic readiness</li> </ul>

### *Long-Term Goals and Measures of Interim Progress (MIP) Goals*

Under NCLB, all students were required to be proficient by 2014. Under ESSA, schools will be held accountable for making progress on both long-term and interim goals. In New York, the state has determined an “end” goal for each academic indicator in the accountability system that establishes where the state wishes all students to be ultimately. The end goal is near 100 percent proficiency on the state assessments; a 95 percent four year graduation rate and 95 percent of students making annual progress towards English Language Proficiency. There is no specific date that the end goal must be reached. Instead, SED will set five year targets for each subgroup. The state will re-calculate these targets annually based on actual progress toward reducing the gap between the current status and long-term goals. This means the target or long-term goal is always five years in the future.

- The first five year goal (2021-22 school year) will be to reduce the performance gap between the current level of performance and the end goal by 20 percent.
- Each year, once a new long-term goal is established, the previously established long-term goal becomes the Measures of Interim Progress (MIP) for the year. This is a state-wide goal established for each indicator and each subgroup.
- A MIP will also be calculated annually specific to each school, for each subgroup.
- This gap reduction methodology is explicitly designed so that schools and subgroups with the largest gaps in performance must show the greatest gains.
- Each school will have a state long-term goal and two measures of interim progress – the state-level and the school-specific MIP. It is possible for a school to miss their target for the current year but still be on track for the five year target. Schools will still receive credit if they are on track or exceeding the long-term goal overall if they fall behind in the current year.

### **State-level Example – Academic Achievement All Students Group, Grades 3-8 ELA**

<b>Goal or Interim Measure</b>	<b>Year</b>	<b>Academic Achievement Index Score</b>
<b>“End” Goal</b>	TBD	200 points
<b>Baseline Performance</b>	2015-2016	97 points
<b>Gap between “end” Goal and Current Performance</b>	N/A	103 points (103-97)
<b>20% of Gap</b>	N/A	20.6 points (103 points x 0.20)
<b>Long-Term Goal (i.e. close the gap by 20%)</b>	2021-2022	118 points (97 points + 20.6 points)
<b>Yearly Gap Reduction Goal</b>	2017-2018 to 2021-2022	4.1 points (20.6 points/5)
<b>First Annual MIP</b>	2017-2018	101.1 points (97 points + 4.1 points)
<b>Threshold to “exceed long-term goal”</b>	2017-2018	159 points (118 points + 0.50[200-118])

### *Measuring the State Indicators*

The State system does not use a pass/fail or numeric system for performance. Instead, each indicator is translated to one of four levels of performance. Level 1 is the lowest rating, level 4 is the highest. These indicator ratings are combined using decision tables to create a final rating for each school.

Percentile Rank	Level
10% or Less	1
10.1 to 50%	2
50.1 to 75%	3
Greater than 75%	4

- Academic achievement: all schools - the State will create a Composite Performance Index (PI) for each school and each subgroup based on measures of proficiency on state assessments in ELA, math and science; and for high schools, social studies. Students’ test scores are converted to performance levels from 1 to 4. To reduce incentives for districts to focus efforts on those students on the edge of proficiency a new methodology gives partial credit for students that achieve level two (partial proficiency), full credit for level three (proficient) and additional credit for students who achieve level four (advanced). The PI will be a number between 0 and 250.
  - To adjust for opt-outs, the state will calculate academic achievement two ways: one that includes all enrolled students as the denominator and one with only those students that take the assessments. The intent is to allow the state to differentiate between schools with actual low performance and schools with high opt-out rates. These two measures will be combined, using a complicated methodology, to create the academic achievement measure. See Appendix A for a description of the methodology and page 8 for more information on participation rates.
- Growth measure: elementary and middle schools - the State will use a measure based on the current growth model but will combine and average three years of data, instead of one, to calculate the mean growth percentile (MGP). This is used to create a growth index.
- High School Graduation: high schools - the percent of students that graduate using a four, five and six year cohort will be measured against long-term and MIP goals and converted to a Performance Index.
- English Language Proficiency: all schools - ELLs/MLLs will take an initial English language proficiency test to determine identification and placement in one of five levels: Entering, Emerging, Transitioning, Expanding, or Commanding. Students will take the New York state English as a Second Language Achievement Test (NYSESLAT) annually and exit ELL/MLL status once they reach Commanding or reach Expanding with a designated score on the State’s ELA 3-8 or Regents assessments. Students will be assigned points based on their progress.
- Chronic Absenteeism: all schools – measures the percentage of students that miss 10 percent or more of the school year against long-term and MIP goals. Students will be identified based on the number of days absent relative to the number of days they are enrolled. The long-term goal is for no more than five percent of students to be chronically absent. Students that are suspended or with excused medical absences will be excluded from the calculation as these students receive alternative instruction.
- College, Career and Civic Readiness: High Schools – measures the percentage of students who are leaving school prepared for college, career and civic readiness against long-term and MIP goals. These will be weighted with some measures earning higher ratings than others. The intent is to provide districts flexibility, recognizing that not all districts have the same resources or can offer the same advanced and/or alternative educational programs.

<b>Weighting</b>	<b>Readiness Measures</b>
<b>2</b>	Regents diploma with advanced designation, Regents diploma or Local Diploma with CTE Endorsement, Seal of Biliteracy, score of 3 or higher on an AP exam, score of 4 or higher on IP exam, passage of nationally certified CTE examination, Skills and Achievement Commencement Credential with an average score of 4 on the NYSAA, credit earned through dual enrollment in high school and accredited college, annual ELL and earned Regents with Seal of Biliteracy in current reporting year and not in 4-year graduation rate cohort
<b>1.5</b>	Diploma with Career Development and Occupational Studies (CDOS) endorsement, score of 3 on the NYSAA, credit earned through participation in an AP, IB
<b>1</b>	Regents or Local Diploma only, average score of 2 on the NYSAA
<b>.5</b>	High school Equivalency Diploma, CDOS credential
<b>0</b>	No high school diploma or high school equivalency diploma

### *Identification of the Lowest Performing Schools*

ESSA requires that states identify the lowest performing schools and increase interventions if these schools do not improve. Under the old NCLB/ESEA Waiver system, low performing schools were identified as Priority or Focus schools. This nomenclature does not continue under ESSA. Under ESSA there will be Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI) Schools. There are similarities in how performance determines Priority and CSI status but there are significant differences between Focus and TSI schools.

<b>Old NCLB System</b>	<b>New ESSA System</b>
<b>Priority Schools</b>	Comprehensive Support and Improvement schools (CSI)
<ul style="list-style-type: none"> <li>✓ <b>Lowest performing 5%;</b></li> <li>✓ <b>High schools with a graduation rate lower than 60%.</b></li> </ul>	<ul style="list-style-type: none"> <li>✓ Lowest performing in the All Students group for both elementary/middle school and high school levels using a combined academic performance index and decision rules that identify at least the lowest 5% but could be more.</li> <li>✓ Any high school with a graduation rate lower than 67%</li> </ul>
<b>Focus schools</b>	Targeted Support and Improvement schools (TSI)
<ul style="list-style-type: none"> <li>✓ <b>Lowest 10% on subgroup performance</b></li> <li>✓ <b>Identified every three years</b></li> </ul>	<ul style="list-style-type: none"> <li>✓ Any school with subgroup performance that would have led to designation as a CSI school. Not limited to 10%</li> <li>✓ Identified annually</li> </ul>
	<b>Additional Targeted Support Schools</b>
	<ul style="list-style-type: none"> <li>✓ A TSI school that does not make enough improvement to exit this status will be identified for additional support</li> <li>✓ If the school still does not improve, it may be identified as CSI</li> </ul>
<b>Local Assistance Plan (LAP) Schools</b>	Level 1 Schools
<ul style="list-style-type: none"> <li>✓ <b>based on subgroup performance that are not among the lowest performing schools</b></li> </ul>	<ul style="list-style-type: none"> <li>✓ Any school not identified as a CSI or TSI school but receives a Level 1 on any indicator</li> </ul>
<b>Focus Districts</b>	Target Districts
<ul style="list-style-type: none"> <li>✓ <b>Any district with a Priority School or more than one Focus School</b></li> </ul>	<ul style="list-style-type: none"> <li>✓ Any districts with one or more CSI or TSI schools in the district; or,</li> <li>✓ The district has one or more district-wide accountability subgroup that meet all of the criteria below.</li> </ul>

### **Process for Identifying Low-Performing Schools**

States are required to rate the academic measures more heavily than school quality and student success measures. The methodology the state has applied evaluates each indicator separately and assigns a performance level from 1 to 4. SED then uses a series of decision rules to differentiate schools and identify those that are in need of support. These rules give greater weight to academic indicators over school quality or student success indicators.

### **Steps for Identifying Low-Performing Schools**

Every three years, SED will follow these steps to identify CSI schools:

- Calculate each school's performance on each accountability measure for the all students group.
- Calculate an elementary/middle school's performance on the Combined Composite Index and Growth or a high school's performance on the Combined Composite Index and Graduation rates.
- Preliminarily identify all schools that meet the criteria.

- If a school’s ratings are mixed (some high, others low) decision rules are used to determine whether the school’s overall performance requires intervention. Schools will be identified for CSI if the “All Students” group meets all of the criteria in any of the five scenarios in the table below.
- Schools will be identified for TSI for subgroup performance, using the same methodology. TSI schools that have not shown enough improvement over two years could be identified as an Additional Targeted Support or a CSI school.

### Decision Rules

Scenario	Composite Performance (Academic Achievement and Core Performance)	Student Growth (Elm/MS) Graduation Rate (HS)	Combined Composite/Growth or Composite/ Graduation Rate	ELP (English Language Progress)	ELA and Math Progress	Chronic Absenteeism Level	College, Career and Civic Readiness Level (for High Schools Only)
1	Both Level 1	Level 1	Level 1	Any Level	Any Level	Any Level	
2	Either Level 1	Level 1	Level 1	None	Any One Level 1	Any Level	
3	Either Level 1	Level 1	Level 1	Level 1	Any Level	Any Level	
4	Either Level 1	Level 1	Level 1	Level 2	Any One Level 1	Any Level	
5	Either Level 1	Level 1	Level 1	Level 3 or 4	Any Two Level 1	Any Level	

### School Supports and Interventions

Under ESSA there is an increased focus on resource equity. Interventions are required for low-performing schools but the specific models imposed under ESSA are removed. Interventions must be evidence-based with a statistically significant effect on student outcomes. Some of the strategies used by SED in the past to intervene in Priority and Focus schools will continue. For example, the Diagnostic Tool for School and District Effectiveness (DTSDE) will continue to be used. Districts will be required to complete a comprehensive diagnostic needs assessment using the DTSDE along with other data. Intervention plans will be developed with stakeholder involvement and progress reviews completed annually. The State’s role will be to assist districts with CSI schools by providing technical assistance and resources, monitor intervention progress, and provide training. SED will be less engaged with TSI schools. Districts will determine the appropriate interventions in these schools.

Identification	Interventions	Required to Exit Status
<b>Comprehensive Support and Improvement schools (CSI)</b>	<ul style="list-style-type: none"> <li>✓ Conduct a Comprehensive Diagnostic Needs Assessment and develop an improvement plan</li> <li>✓ The plan must be approved by SED</li> <li>✓ There must be at least one evidence-based intervention and professional development</li> <li>✓ <b>The district may only permit incoming transfers of teachers rated effective/highly effective. NYSUT has objected to this provision as a violation of collective bargaining rights<sup>1</sup></b></li> <li>✓ SED will require a needs assessment of the school leadership team, in year two, if there is not enough improvement</li> <li>✓ Annual survey of parents, teachers and students</li> <li>✓ The school must implement a Student and Parent Participatory Budgeting Process (not less than</li> </ul>	<ul style="list-style-type: none"> <li>✓ A school must be above the levels that would cause it to be identified for two consecutive years</li> <li>✓ If a school is not on the new list generated every three years, it will be removed</li> <li>✓ Schools that do not improve over three years and are re-identified will fall under the Receivership statute</li> </ul>

<sup>1</sup> See link to NYSUT’s comments on the draft Regulations in the resource section. To resolve this issue, NYSUT filed a lawsuit on October 10, 2018 along with local unions in Syracuse and Rochester.

	\$2,000) or select from a list of alternative forms of increasing parent and student engagement ✓ Additional interventions will be required over time, if a school does not meet progress goals	
<b>Targeted Support and Improvement schools (TSI)</b>	✓ Conduct a Comprehensive Diagnostic Needs Assessment and develop an improvement plan ✓ The plan must be approved by the district but not SED ✓ There must be at least one evidence-based intervention ✓ Annual survey of parents, teachers and students	✓ The low performing subgroup(s) must be above the levels that would cause it to be identified for two consecutive years ✓ The school must not be identified for any new subgroup ✓ If a school is not on the new list created annually, it will be removed

**ESSA and Receivership**

The State ESSA plan does not change the Receivership law, which is a State law. SED will align the indicators for demonstrable improvement required to exit Receivership status with the ESSA indicators but this does not require a change to the Receivership statute. Further, SED’s regulations provide that any school building that was identified as a Priority School in 2017-18 and is then identified as a CSI school in 2018-19 will be designated as a Receivership School. In future years, any school that is a CSI School and is re-identified on the next list (which is produced every three years) will also be designated as a Receivership School.

**Participation Rates – Opt Outs**

ESSA maintains the ESEA requirement that 95 percent of students participate in federally required exams. ESSA establishes the methodology for calculating academic achievement that requires including all students, regardless of whether or not they took the test. Participation rates must be reported for all accountability subgroups in all schools. However, how that data will be factored into the state accountability system is left to states to determine. The Secretary of Education is prohibited from requiring states to take any specific action.

Under the prior accountability system the state did not penalize schools when children opt out. However, under ESSA, the initial draft regulations contained several onerous provisions that NYSUT strongly opposed that were removed, but several provisions remain that will have an adverse effect on schools with high opt-outs. NYSUT will continue to advocate for all of these provisions to be modified or eliminated so that no school is penalized as a result of parents exercising their legal right to opt-out their children of state assessments. (See link to NYSUT comments in the resource section).

- The methodology the state uses for identifying low performing schools includes calculations that have the effect of lowering the performance level for schools with high opt-outs. The elementary/middle school Composite Performance Index includes both the Academic Progress measure (all students whether or not they take the test) and the Core Performance measure (only those students that take the test). The Academic Progress Index is based only on the Academic Achievement measure. NYSUT strongly advocated for the state to use the calculation based on only those students who take the test to identify schools for improvement. SED asserts that USDE rejected this approach. NYSUT’s position is that USDE over-stepped its authority by requiring New York to use the all students calculation for identifying schools. Please see Appendix A for a description of how the Composite Performance Index is calculated).
- Districts that persistently and substantially do not meet participation rates will be required to submit a corrective action plan. Interventions will increase over time if there is no improvement. A committee must be established to develop the corrective action plan, which must include teaching and support staff. However, beginning with the third year of a corrective action plan, only half the staff members can be



selected by the bargaining unit. NYSUT strongly objects to this requirement. All staff should be selected by the respective bargaining units.

- ESSA also requires school districts to inform parents and guardians of opt-out policies, and affirms a parent's right to have their children opt-out of statewide standardized tests where state and local policies permit. However, SED has taken the position that since New York state law is silent on the right to opt-out, there is no obligation to inform parents.

### ***State and District Annual Reports – Report Cards***

Under ESSA, the state and districts will continue to report on the indicators in the accountability system for all students and by subgroups. There are also a number of indicators that are reported to the state but not used for determining accountability status, such as teacher attendance, which are currently reported, and new indicators such as access to advanced course work.

### **District and School Report Cards**

Districts must present state, district and school results within 30 days of the Commissioner's release of the reports. Districts may choose to include additional information that is not required such as school climate surveys, student access to specific learning opportunities and teacher turnover.

### **State Equity Reports**

A new requirement of ESSA is for the states to assess and report equitable access to its Federally-assisted programs. States are required to report annually measures of financial and teacher equity.

- Financial – Per-pupil expenditures must be reported for each district and school building. The report must include the funding source (Federal, State or local). It must include personnel and non-personnel expenditures. This is a new significant requirement on school districts. This is a statutory requirement and is not the result of the state plan or regulations. This reporting will begin in 2018-19.
- Teacher Equity – The state must report the rate of assignment of minority and low-income students to ineffective, out-of-field and inexperienced teachers in Title I schools compared to non-low-income, non-minority students in non-Title I schools at the district level. SED will also collect and report data on teacher and principal turnover/retention, absences, tenure status, and demographics.
  - ESSA leaves it to states to determine how to define effective teachers. USDE is prohibited from mandating states use any particular evaluation system or requiring student performance in teacher evaluation. However, ESSA does not supersede or alter state law. This means that 3012-d, the Annual Professional Performance Review (APPR) statute, remains in effect.
  - Out-of-field teacher is defined as a teacher who does not hold certification in the content area for all the courses that he/she teaches.
  - Inexperienced teachers are defined as having three or fewer years of experience.

## **Supporting Excellent Teachers – ESSA Title II**

Title II, includes requirements for preparing, training, and recruiting high-quality teachers, and principals. Under ESEA, collective bargaining was explicitly protected under Title I. Under ESSA, this has been expanded to Title II. This means the state cannot compel districts and unions to adhere to provisions under ESSA that are in conflict with locally negotiated contracts.

New York state will continue with its current certification and licensure system for teachers and school leaders, including completion of a New York state-recognized program, recommendation from a preparation program, passage of certification exams, attendance at a Dignity for All Students workshop, and fingerprint clearance. ESSA maintains the paraprofessional certification qualifications from NCLB.

## **SED Technical Support – Teacher Equity**

The Teacher Equity Report at both the state and local level will be used by SED to advance changes in teacher preparation, mentoring and induction, professional development, and leadership opportunities. The state's share of Title II funding will be used to promote these concepts:

- The development of P-20 educator preparation programs;
- Professional development activities, such as use of a needs assessment to determine professional learning and effect on student outcomes;
- Attract more diverse and culturally competent teachers and school leaders to the profession; and
- Encourage districts to increase their own capacity by creating opportunities for highly effective teachers, principals and other school leaders to take on differentiated roles and responsibilities to extend the reach of these educators.
- SED is considering changes to the existing mentoring and induction requirements to encourage a system of differentiated supports that would be sustained during the first three years of a teacher's career. However, funding for professional development through Title II is reduced under ESSA from previous levels. Grants will be awarded by the state on a competitive basis.

## **Additional Resources**

- SED ESSA Webpage - <http://www.p12.nysed.gov/accountability/essa.html>
- Full Text of the Federal Law - <https://www2.ed.gov/policy/elsec/leg/esea02/index.html>
- USDE Resources (draft plan template, Fact Sheets) - <https://www.ed.gov/essa>
- NYSUT Comments on NYS draft ESSA Regulations May - <https://www.nysut.org/news/2017/may/nysut-comments-on-nys-draft-essa-plan>
- NYSUT Comments on NYS draft Regulations June 2018 <https://www.nysut.org/news/2018/june/in-letter-to-regents-nysut-responds-to-seds-essa-plan>
- NYSUT Comments on NYS draft ESSA Regulations July 2018 <https://www.nysut.org/news/2018/july/state-ed-needs-to-hear-from-you-on-essa-regulations>
- Fact Sheet - ESSA Local Leaders' Guide to Accountability Measures and Requirements <https://www.nysut.org/resources/all-listing/research/fact-sheets/essa-local-leader-guide-to-accountability>

## **Definitions/New Terminology**

- College, Career and Civic Readiness (CCCR) Index – high school measure, not based on a specific student cohort. Based on the percentage of students in the Graduation Rate Total Cohort who show they are prepared for college, career and civic engagement, includes multiple measures weighted differently.
- Core Performance Index – measure of how only those students that took the state assessments performed on NYS tests in ELA, math and science.
- Composite Performance – calculation that combines the weighted academic achievement and the core performance index.
- Comprehensive Support and Improvement (CSI) – lowest performing 5% of schools and high schools with graduation rates below 67%.
- Diagnostic Tool for School and District Effectiveness (DTSDE) – evaluation tool used by the state to identify areas for improvement.
- Evidence-based intervention – an activity, strategy, or intervention that has met the criteria outlined in section 8101(21)(A) of ESSA by demonstrating either: a statistically significant effect on improving student or other relevant outcomes; a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student other relevant outcomes; and includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

- High school cohort - includes all students who first entered Grade 9 anywhere between July 1 and June 30 of a particular year; or all ungraded students with disabilities who reach their 17<sup>th</sup> birthday during that year. Excludes students who transfer to another school or are incarcerated. High school indicators are all based on a specific cohort, except for the College, Career and Civic Readiness Index and Graduation Rate Indicator.
- Long-term goal – the amount of progress the state expects each accountability subgroup to make at the end of a five year period.
- Measure of Interim Progress (MIP) – For each accountability measure with a state or school-level baseline and long term goal established, there will be an annual MIP measure that is adjusted annually.
- Performance Index (PI) – based on measures of proficiency on state assessments, a school earns partial credit for students who are partially proficient, full credit for proficient students and extra credit for advanced students. The PI will be a number between 0-250.
- Targeted Support and Improvement (TSI) – lowest performing schools based on subgroups.

## APPENDIX A

### *Steps to Calculating Academic Achievement (Adjustments for Opt-Outs)*

The state will calculate a performance index for achievement on state ELA, math and science assessments based on two sets of calculations. 1) The Weighted Academic Achievement Index, which is the one based on all continuously enrolled students; and 2) The Core Subject Performance Index, which is based on only those students that take the assessments. These measures combined are the Composite Performance Index, which will be the academic achievement indicator.

#### **Step 1 - Calculating the PI**

- The PI for both the Academic Achievement and the Core Performance Index requires converting numerical student scale scores to student performance levels. The PI is then calculated for each school based on the number of students at each level. Each of the four levels are weighted differently. The PI will be a number ranging from 0-250. For example, in a school where all students are proficient and none are advanced, the school would have an index of 200. A PI is calculated for each subgroup.

Level	Proficiency	Credit
Level 1	Basic	No credit
Level 2	Basic Proficient	Partial credit
Level 3	Proficient	Full credit
Level 4	Advanced	Extra credit

- Calculation for the Weighted Academic Achievement Index:  

$$\frac{(\# \text{ of students at Level 2}) + (\# \text{ of students at Level 3} \times 2) + (\# \text{ of students at Level 4} \times 2.5)}{\text{divided by}}$$
 [The greater of: (1) # of continuously enrolled students who are tested or (2) 95% of continuously enrolled students **with or without test scores**] x 100
- Calculation for the Core Subject Performance Index:  

$$\frac{(\# \text{ of students at Level 2}) + (\# \text{ of students at Level 3} \times 2) + (\# \text{ of students at Level 4} \times 2.5)}{\text{divided by}}$$
 [The # of continuously enrolled students **who are tested**] x 100

#### **Step 2 Ranking Schools by Index and Conversion to a Performance Level**

- Each school is ranked by combining the ELA, math and science PIs and assigned a level of 1 to 4 based on the percentile ranking. This is completed separately for both the Academic Achievement and the Core Performance Index and for all subgroups.

Percentile Rank	Level
10% or Less	1
10.1 to 50%	2
50.1 to 75%	3
Greater than 75%	4

#### **Step 3 Combining the Average Achievement and Core Subject Performance Indices**

- The Weighted Average Achievement Level and the Core Subject Performance Index Level are added together for a Composite Performance level from 1 to 8.

#### **Example**

School	Weighted Average Index Level	Core Subject Performance Index Level	Combined Level
ABC	2	2	4
DEF	2	2	4
GHI	4	4	8

- For schools with the same Combined Composite Performance Index, the higher of the two measures is used to determine the final school ranking. In the example below, schools ABC and DEF have the same Composite Performance Index. School DEF has a higher final ranking because the Core Subject Performance Index Level is higher than the Weighted Average Index. For purposes of this process, the higher the rank number, the better performing the school building is.

**Example**

School	Weighted Average Index	Core Subject Performance Index	Higher Rank	Composite Performance Index Level	Final Rank
ABC	1,100	1,100	1,100	<b>4</b>	1,099
DEF	1,190	1,250	<b>1,250</b>	<b>4</b>	<b>1,220</b>
GHI	2,600	2,600	2,600	8	2,625

**Step 4 Final Ranking – Composite Performance Achievement Level**

- All schools are ranked based on their Final Rank and converted to a Composite Performance Achievement Level based on their percentile ranking.

**Example**

School	Final Rank	Percentile	Composite Performance Achievement Level
ABC	1,099	34.5	2
DEF	1,220	38.3	2
GHI	2,625	82.5	4