

Opportunities under ESSA: Nevada Department of Education Meeting

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Overview

- Timelines and overview
- Major spending changes
 - Title I (Title I, Part A, and Sections 1003 and 1003A)
 - Title II, Part A
 - Title III, Part A
 - Title IV, Part A, Subpart I
- Discussion and questions

Timelines

- ESSA is newest version of ESEA
- Most of ESSA takes effect in 2017-2018
- For the most part, 2016-2017 grants will be governed by NCLB rules
- But, ED will not apply certain NCLB rules to facilitate effective transition
 - For example, HQT, choice/SES
- ED's ESSA transition webpage: [US Department of Education: Every Student Succeeds Act Website](#)

How Funds Flow in State-Administered ESEA Programs

ED Requests Consolidated Application Submission
from SEAs

SEA Applies to ED – SEA Needs ED Approval to Get Funds
(typically this happens once, with occasional follow-up submissions)

LEAs annually submit local applications to SEA to get ESEA money
State has significant discretion in design of application, including whether application is
consolidated or program-specific, amount of detail, type of budget information, etc.

LEA responsible for carrying out
program consistent with approved
application, complying with
program/fiscal/administrative
requirements

State responsible for ensuring
LEAs meet program requirements
(technical assistance, monitoring,
enforcement)

ESSA Programs: Quick Overview Title I, Part A

- Largest K-12 federal education program (approximately \$15B/year)
 - Designed to support academically struggling students in high poverty schools
 - Title I does not have a use of funds section (but some uses of funds are now discussed in ESSA)
 - How funds can be used depends, in part, on what program model a school implements
 - In practice, can be a very complicated program
 - Guidance issued frequently by ED
 - Significant differences in how the program is administered from state-to-state
 - Can lead to “Title I Myths”— ED has tried to address some of these in recent years, for example: <http://Title I Myths PDF>

ESSA Programs:

Quick Overview Title I, Part A, cont'd

- Basics
 - Unlike other federal programs, most money flows to schools, which can operate a:
 - Schoolwide program (most Title I schools – all students are Title I students -- Title I can be used to upgrade the educational program based on the school's needs and schoolwide plan), or
 - Targeted assistance program (where Title I targets specific students)
 - Money is generally distributed to schools in poverty order (“ranking and serving”)
 - Districts can keep some money to operate central level programs (for example -- implement school improvement strategy for a number of Title I schools with similar challenges)
 - Designed to be flexible program

ESSA Programs: Quick Overview Title I, Part A

NOTE: Section 1114 is schoolwide, Section 1115 is targeted assistance

- Clearer Title I programmatic options in ESSA that could promote spending on a wider array of activities
- Title I programs can use methods and instructional strategies that strengthen the academic program in the school, and increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum (1114(b)(7)(A)(ii), 1115(b)(2)(B))
- Title I can include activities to provide a well-rounded education (1114(b)(7)(A), 1115(b)(2)(A)) , such as:
 - Non-instructional supports like counseling and mental health programs, mentoring services, behavioral supports and early intervening services, etc.(1114(b)(7)(I) and (III)), 1115(b)(2)(B)(ii) & (e)(2))

ESSA Programs: Quick Overview Title I, Part A

NOTE: Section 1114 is schoolwide, Section 1115 is targeted assistance

(cont'd)

- Preparation and awareness of postsecondary opportunities, including career and technical education, AP/IB, dual enrollment opportunities (for example, 1114(b)(7)(II), 1114(e), 1115(f), 1115(b)(2)(G))
- Teacher/workforce needs— such as PD and other activities for teachers/school personnel that improve instruction and recruit and retain effective teachers (1114(b)(7)(IV), 1115(b)(2)(D))
- Pre-school transition (1114(b)(7)(V), 1115(b)2(C))

NOTE: Title I can be used on a wide variety of costs in addition to these costs, but adding this language to ESSA highlights Congress's intention for Title I to be a funding source that is responsive to an individual school's needs

ESSA, Accountability, and School Improvement

- States must develop accountability systems to differentiate schools based on:
 - Student achievement on the state assessment,
 - Academic progress, such as student growth on the state assessment (for elementary and middle schools),
 - High school graduation rates,
 - Progress in achieving English language proficiency, and
 - An indicator of school quality, such as student engagement, educator engagement, access to advanced coursework, postsecondary readiness, or school climate.

ESSA, Accountability, and School Improvement (cont'd)

- Subgroups for accountability:
 - *economically disadvantaged students;*
 - *students from major racial and ethnic groups;*
 - *children with disabilities; and*
 - *English learners*
- Based on accountability system, SEAs must identify certain schools as needing support and improvement

Comprehensive Support and Improvement Schools (CSI schools)

- At least once every three years SEAs must identify certain schools for comprehensive support and improvement (CSI). (1111(c)(4)(D)(i))
- CSI schools include:
 - the lowest-performing 5% of Title I schools,
 - high schools failing to graduate one-third or more of their students, and
 - schools with chronically low-performing subgroups that have failed to improve after implementing more targeted supports. (1111(c)(4)(D)(i)(I)-(III))
- LEAs with CSI schools must develop plans for each school that, among other things, includes evidence-based interventions for the school. (1111(d)(1)(B))
- The SEA must approve these CSI school plans, and monitor their implementation. (1111(d)(1)(B)(v)-(vi))

Targeted Support and Improvement Schools (TSI schools)

- SEAs must annually identify certain schools for targeted support and improvement. (TSI) (1111(d)(2)(A))
- This includes any public school in which one or more subgroups of students is consistently underperforming as determined by the State. (1111(c)(4)(C)(iii))
- TSI schools must develop plans that, among other things, include evidence-based interventions. (1111(d)(2)(B))
- The LEA must approve these TSI school plans, and monitor their implementation. (1111(d)(2)(B)(iii)-(iv))

School Improvement Spending and Programmatic Changes

- In general, SEAs must reserve 7 percent of Title I funds for LEAs to support schools identified for support and improvement under the state accountability system (Sec. 1003) (NOTE: School Improvement Grant –SIG– eliminated)
- SEAs can award 1003 funds on either a formula or competitive basis. Among other requirements, when distributing 1003 funds, LEAs must be given priority that:
 1. serve high numbers, or a high percentage of, elementary schools and secondary schools implementing CSI or TSI plans;
 2. demonstrate the greatest need for such funds, as determined by the State; and
 3. demonstrate the strongest commitment to using funds to enable the lowest-performing schools to improve student achievement and student outcomes (1003(f))

Section 1003 funds can only be used to implement rigorous evidence-based strategies that are supported with strong, moderate, or promising evidence from at least one well-designed study. (8101(21)(B))

Definition of Evidence-Based (Sec. 8101(21))

An activity, strategy, or intervention that—

- (i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
 - (I) strong evidence from at least 1 well-designed and well-implemented experimental study;
 - (II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or
 - (III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or
- (ii) (I) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and
 - (II) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

(B) DEFINITION FOR SPECIFIC ACTIVITIES FUNDED UNDER THIS ACT.—When used with respect to interventions or improvement activities or strategies funded under section 1003, the term “evidence-based” means a State, local educational agency, or school activity, strategy, or intervention that meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i).

*1003 School Improvement funds must meet evidence standard highlighted in red

Other Title I Spending Changes

- **Title I contains a supplement not supplant requirement, but ESSA changes how compliance will be tested** (Sec. 1118(b))
 - ESSA language:
 - Compliance no longer evaluated through individual costs (previously tested through “three presumptions” in Title I)
 - Instead, ESSA test looks at whether Title I schools received all of the state/local resources they would have received if they did not participate in Title I
 - ESSA SNS language designed to help unlock Title I dollars and use Title I for more effective services
 - ED proposed regulations on the new SNS test
 - No agreement during negotiated rulemaking, so ED draft proposed rule
 - **Proposed regulations focus on how LEAs allocate state/local funds to schools**
 - LEAs must meet one of four spending thresholds defined by ED
 - Not clear when **final** regulations will be put into place

Other Title I Spending Changes (cont'd)

- **Direct Student Services:** SEAs have new option to reserve up to 3% of Title I to award grants to LEAs to pay for direct student services (like tutoring, courses not offered at school, AP classes, in some cases transportation for choice)
- **ESSA could make it easier for secondary schools to access Title I funds:**
 - LEAs can choose to serve high schools with more than 50% poverty before certain higher poverty elementary and middle schools (those with poverty between 75%-50% poverty) (Sec. 1113(a)(3)(B))
 - LEAs can choose to measure poverty in secondary schools based on the poverty levels of the elementary schools that feed into them (Sec. 1113(a)(5)(B))
 - A majority of secondary schools must approve this option (Sec. 1113(a)(5)(C))

Other Title I Spending Changes (cont'd)

- **Equitable Services for Private School Students**
 - ESSA requires LEAs to calculate the reservation based on the total amount of Title I, Part A funds received by the LEA prior to any allowable expenditures or transfers.
- **Optional 5% Title I, Part A reservation for choice transportation**
 - LEAs may offer students in schools identified for comprehensive support and improvement the right to transfer to another non-identified school (Sec. 1111(d)(1)(D))

ESSA Programs: Quick Overview Title II, Part A

- Basics
 - Designed to support teacher and principal quality to drive student achievement
 - Most money flows to districts. Districts can run programs centrally or allocate money to schools
 - In general, 95% of Title II, Part A allocation must be subgranted to LEAs
 - BUT: SEA now has new optional 3% reservation from this 95% for activities for principals/school leaders
 - Of the 5% retained by SEA, no more than 1% for administration, and remaining funds (so 4% if entire 1% is used for admin) for state activities

Title II Formula Changes

- ESSA changes the formula for distributing funds both to states and districts
- “Hold harmless” that guaranteed certain amount to states phased out between 2017-2022 (Sec. 2101(b)(1))
 - CRS projections of impact [ESEA Title II-A State Grants Under Pre-Conference Agreement Memorandum](#)
- SEA to LEA allocations rules change - no “hold harmless” at local level (Sec. 2102(a)(2))
- LEAs will generate Title II:
 - 20% based on number of 5-17 year olds
 - 80% based on number of low-income 5-17 year olds
- Also, equitable services is no longer limited to Title II money spent on professional development (Sec. 8501(b))

Title II Spending

- **SEA-level permitted costs include** (list not exhaustive):
 - Teacher certification reform
 - Evaluation
 - Equitable access to teachers
 - Alternative routes for certification
 - Recruitment and retention
 - Establishing or expanding teacher or school leader academies
 - Appropriate data use
 - Professional development

Title II Spending Changes

- In general, LEAs are expected to prioritize funds for CSI/TSI schools with the highest poverty
- Permitted LEA costs include (list not exhaustive)
 - Teacher evaluation and support systems
 - Recruiting, hiring, and retaining teachers
 - Teacher/principal leadership opportunities
 - Induction and mentoring programs
 - Methods to use evaluation results to inform professional development, improvement strategies, and personnel decisions
 - Reducing class size to **evidence-based** levels
 - **Evidence-based** personalized professional development
 - Training in recognizing trauma, mental illness and child sexual abuse
 - Training to support the identification of gifted and talented students
 - Developing feedback mechanisms
 - Professional development on integrated academics and career and technical education

Title III, Part A Spending

- NOTE - EL accountability moves to Title I, Part A
 - SEA responsible for establishing statewide, standardized entrance and exit procedures after consultation with LEAs
- SEAs may reserve up to 5% of Title III, Part A for state activities; permissible activities including (not limited to):
 - Establishing statewide entrance/exit procedures
 - Teacher/principal professional
 - Planning, technical assistance, recognition
- LEAs may reserve up to 2% for direct administrative expenses; remaining used for:
 - Required activities – similar to NCLB, including effective language instruction, professional development, and other activities including **parent/community engagement (new)**
 - Authorized activities – similar to NCLB, including upgrading program objectives and instructional strategies, improving instructional program, providing intensive instruction, and more

Title IV, Part A, Subpart I: *New Program*

- Title IV, Part A, Subpart I (Student Support Grants) is a new program whose purpose is to improve student academic achievement by helping to:
 - Provide all students access to a well-rounded education,
 - Improve school conditions for student learning, and
 - Improve the use of technology to improve the academic achievement and digital literacy of all students.
- Funds are distributed to SEAs and then LEAs based on their relative share of Title I, Part A funds

Common Disconnects between Policy and Practice under NCLB at both the SEA and LEA level

1. Spending restrictions not required by federal law
2. Grant-related plans disconnected from needs or policy goals
3. Paperwork requirements taking time away from program delivery

ESSA provides an important opportunity to address these disconnects, so they do not import to ESSA

Opportunity

- Activity-based guidance
 - SEAs often put out technical guidance on how to comply with compliance rules, but some SEAs and ED are starting to release guidance showing how multiple federal funding streams could be used to support an activity or initiative
 - ED guidance on federal funds, humanities, and arts:
 - [Key Policy Letters Signed by the Education Secretary or Deputy Secretary](#) (for this school year under NCLB spending rules, not ESSA)
 - Tennessee guidance on RTI:
 - [Response to Instruction and Intervention: Guidance for Federal Funds](#)
- Can be an important opportunity for collaboration between the SEA, LEAs, and other stakeholders

Opportunity, cont'd

- Example: SEA, LEAs and stakeholders agree that chronic absenteeism is an issue that needs to be addressed to help students succeed.
- Guidance could:
 - Identify effective (or evidence-based) practices that can help reduce chronic absenteeism,
 - Provide ideas or suggestions on how schools or districts could implement those practices, and
 - Describe how schools, districts, other grantees can support those practices with federal funds.

Activity-Based Guidance Example: Addressing Chronic Absenteeism

ED Funding Source	Possible Uses of Funds
Title I, Part A	<ul style="list-style-type: none">• counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas• implementation of a schoolwide tiered model to prevent and address behavior concerns,• other academic and non-academic supports that can improve student engagement and connectedness, including teacher professional development and family engagement
Title II, Part A	<ul style="list-style-type: none">• professional development activities that deliver in-service training for school personnel in techniques needed to help educators understand when and how to refer students affected by trauma or at risk of mental illness• forming partnerships between school-based mental health programs and public or private mental health organizations; and addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism• using data effectively (which could include how to use data to identify students at-risk of chronic absenteeism) and identifying early and appropriate interventions to help struggling students

Activity-Based Guidance Example: Addressing Chronic Absenteeism (cont'd)

ED Funding Source	Possible Uses of Funds
Title IV, Part A	<ul style="list-style-type: none">• college and career-guidance and career awareness programs• programs that use music and art to support student success, engagement and problem solving• supporting the participation of low-income students in non-profit competitions related to STEM, environmental education• school-based mental health programs,• programs that provide mentoring and school counseling to all students,• programs that establish learning environments and enhance students' effective learning skills,• bullying and harassment prevention
IDEA, Part B	<ul style="list-style-type: none">• school climate initiatives to address the needs of students with disabilities• warning systems and progress monitoring for students with disabilities,• academic and behavioral supports for children not identified for special education but who need additional academic and behavioral support to succeed in a general education environment if done as part of the coordinated early intervening services (CEIS) set-aside

ESSA Resources

- ESEA as amended by ESSA [Elementary and Secondary Education Act of 1965 PDF](#)
- CCSSO ESSA webpage [Link to CCSSO Every Student Succeeds Act Webpage](#)
 - Summary of Significant Spending Changes: [Link to CCSSO Spending Changes PDF](#)
 - State Readiness Self-Assessment: [Maximizing ESSA Formula Funds for Students, PDF](#)
- ED ESSA webpage [US Department of Education: ESSA](#)

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