



OVERVIEW OF FINAL REGULATIONS: ACCOUNTABILITY, DATA REPORTING, AND STATE PLANS

DECEMBER 8, 2016

EVERY STUDENT SUCCEEDS ACT

NOTICE OF FINAL REGULATIONS

- On November 29, 2016 the Department released the Notice of Final Regulations to implement the accountability, data reporting, and State plan provisions of ESSA.
- The NFR is available at: <http://www.ed.gov/essa>
- State plan submission: April 3 or September 18, 2017

“The final rules give states more time and flexibility to provide every student with a high-quality, well-rounded education while ensuring that states and districts keep the focus on improving outcomes and maintaining civil rights protections for all of our children, particularly those who need our support the most. The thoughtful comments we received have helped us make our regulations better than our draft proposal, and we are grateful for the input.”

Secretary of Education John B. King Jr.



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NOTICE OF FINAL REGULATIONS

- Replace the more rigid and prescriptive systems that defined No Child Left Behind with **new flexibility** for states and districts.
- **Holistic approach** to measuring a quality education that will help prepare all students for success in college and careers; and strong protections to ensure that academic progress and equity for all students matters.
- Reinforce ESSA's strong commitment to **transparency** and emphasize **meaningful engagement** and an active role for parents, teachers, students, community and civil rights leaders, and other stakeholders in implementing the new law.



ACCOUNTABILITY

ACCOUNTABILITY

§§ 200.12 THROUGH 200.24

- **High-level overview:** single statewide accountability system (§ 200.12)
- **Accountability system components:** long-term goals; indicators; participation rates; student subgroups; and disaggregation of data (§§ 200.13-200.17)
- **Accountability system overall:** annual meaningful differentiation (data dashboards, summative determinations, indicator weighting); identification of schools; data procedures (§§ 200.18-200.20)
- **School improvement:** comprehensive and targeted support plans; State responsibilities and resources to support improvement (§§ 200.21-200.24)



KEY PROVISIONS

CHANGES FROM PROPOSED TO FINAL REGULATIONS

- § 200.13(c): Long-term goals to measure English language proficiency (ELP)
- § 200.14(b)(1): Academic Achievement indicator
- § 200.14(d): Academic Progress and School Quality or Student Success supported by research that high performance or improvement is likely to increase student learning
- § 200.15(b)(2): State-determined actions to factor the requirement for 95% participation in the accountability system
- § 200.18(a)(4) and (c): Summative determinations and consistently underperforming subgroups
- § 200.19: Categories of identified schools and timeline
- §§ 200.21(c)(4)/200.22(c)(7): Review of resource inequities
- § 200.24(c)(2): Section 1003 minimum award size



GOALS & MEASUREMENTS OF INTERIM PROGRESS

- States set their own ambitious **goals and measurements of interim progress**, using the **same multi-year timeline** to achieve the State's long-term goals for all students and for each subgroup of students.
- Each State must establish long-term goals and measurements of interim progress for, at a minimum, **academic achievement, graduation rates, and ELP**.
- **Academic achievement:** must measure the **percent of students proficient and above** against the State standards.
- **Graduation rate:** must measure the 4-year adjusted cohort graduation rate (ACGR) and **may** measure an extended-year ACGR.
- **Both achievement and graduation rate:** must take into account the improvement necessary for each subgroup to make significant progress in closing statewide gaps.



ENGLISH LANGUAGE PROFICIENCY GOALS

- **ELP State-level goals:** Each State must establish long-term goals and measurements of interim progress for ELs to attain ELP, based on student-level targets for annual progress.
- **ELP student-level targets:** Each State must describe a **uniform procedure**, applied in a consistent manner to all ELs, to establish research-based, student-level targets in its State plan.
- The State-determined uniform procedure:
 - **Must** take into account the student's **ELP level**, at the time of a student's identification as an EL, and
 - **May** take into consideration, at a State's discretion: time in language instruction educational programs, grade level, age, native language proficiency level, limited or interrupted formal education (if any).
- The uniform procedure establishes student-level targets, within a **state-determined maximum timeline**, for students sharing similar characteristics from the list above.



STATEWIDE ACCOUNTABILITY INDICATORS

- Final regulations help states create robust accountability systems that must include multiple **indicators**.
- Each indicator must have **at least 3 performance levels**.

Elementary and Middle Schools	High Schools
Academic Achievement Indicator (must include grade-level proficiency)	Academic Achievement Indicator (must include grade-level proficiency; may include student growth)
Academic Progress Indicator (may include student growth)	Graduation Rate Indicator (must include four-year ACGR; may include extended-year ACGR)
Progress in Achieving English Language Proficiency Indicator	Progress in Achieving English Language Proficiency Indicator
Indicator(s) of School Quality or Student Success	Indicator(s) of School Quality or Student Success



STATEWIDE ACCOUNTABILITY INDICATORS

- With the opportunity for States to choose **new indicators** of Academic Progress and School Quality or Student Success, the final regulations ensure that these indicators:
 - Measure the performance of all students in all public schools, including public charter schools, and are calculated in the same way for all schools in each gradespan
 - Allow for comparison between subgroups of students
 - Demonstrate variation across schools in the State
 - Are related to increases in student learning or graduation rates; postsecondary enrollment, persistence or completion; or career readiness.

- States may **phase in or replace** the measures within their indicators over time, as long as they have all indicators and meet all requirements for the identification of schools by the beginning of the 2018-2019 school year.



SUMMATIVE DETERMINATION & DATA DASHBOARDS

- **Proposed:** In order to increase transparency, States would assign a comprehensive, summative rating for each school.
- **Final:** Consistent with the statutory requirements to identify schools for comprehensive or targeted support and annually meaningfully differentiate among all schools, each State must provide all schools with a summative determination, from among at least 3 categories, based on all of the indicators.
- ED does not prescribe the format of these determinations; a State **may use the categories included in the law**—comprehensive support, targeted support, and non-identified—or develop other approaches.
- Each State and LEA must report a school’s summative determination and performance on each indicator, separately.



WEIGHTING OF INDICATORS

- **The final regulations do not prescribe or suggest percentages for any indicators, or a range for weighting,** but emphasize the indicators that the law requires be afforded “substantial” weight individually and “much greater” weight in the aggregate.
- The final regulations also ensure that States’ systems meaningfully differentiate schools with a **consistently underperforming subgroup** of students, as required by ESSA.
- States would demonstrate their accountability systems meet these statutory requirements through multiple checks, outlined on the next slide.
- Note: The final check was modified from the proposed regulations, while the first two remain largely the same.



WEIGHTING OF INDICATORS

- In their State plans, States must demonstrate:
 1. Schools that would have been identified for comprehensive support on the basis of “substantial” indicators, but are not identified on the basis of all State-selected indicators together, have made significant progress for the all students group on a “substantial” indicator.
 2. Schools that would have been identified for targeted support on the basis of “substantial” indicators, but are not identified on the basis of all State-selected indicators together, have made significant progress for the subgroup of students that is struggling on a “substantial” indicator.
 3. A school with a consistently underperforming subgroup of students receives a lower summative determination than it would have otherwise received if it did not have any consistently underperforming subgroups of students.



PARTICIPATION RATE

- Under ESSA, States must assess all students on R/LA and math in each of grades 3-8 and once in high school, and States must factor whether a school assesses 95% of all students and 95% of each subgroup into its accountability system.
- The final regulations do not prescribe how **participation rates** must be factored in to state accountability systems
 - States may choose among suggested options or propose their own sufficiently rigorous strategy for addressing low participation rates in schools where fewer than 95% of all students or 95% of each subgroup of students participate in assessments.
 - A State's strategy can be differentiated based on the extent of the issue within a school.
 - Schools must also develop a plan, approved by their district, to improve participation rates in the future whenever they miss the participation rate requirement.



INCLUSION OF SUBGROUPS

- States must consider each subgroup separately; no **super-subgroups** can be used in place of an individual subgroup.
- The State must use the same **n-size** for all accountability purposes; any State proposing to use an n-size **larger than 30 students** must include a justification in its State plan, with data on how the larger n-size affects the number and percentage of schools held accountable for each subgroup, as compared to an n-size of 30.
- States may include former English learners for up to 4 years and former children with disabilities for up to 2 years in any indicator that uses results from the statewide assessments.
- All public schools must be included in annual differentiation and identification of schools, including all **public charter schools**.



SCHOOL IDENTIFICATION

- States must identify three types of schools for **comprehensive support and improvement** at least once every three years.
- States must identify two types of schools for **targeted support and improvement**:
 - States must identify schools with *consistently underperforming subgroups* annually.
 - States must identify schools with *low-performing subgroups* once every three years. These schools receive **additional targeted support and improvement**.



COMPREHENSIVE SUPPORT

- States must identify three types of schools for **comprehensive support and improvement** at least once every three years:
 - **Lowest-performing:** at least the bottom 5% of Title I schools, based on the summative determination;
 - **Low high school graduation rates:** ALL high schools with graduation rates at or below 67% for all students based on the four-year ACGR; and
 - **Chronically low-performing subgroup:** Title I schools with chronically low-performing subgroups that do not improve after receiving “additional targeted support.”
- States must identify their lowest-performing schools and low high school graduation rate schools by the beginning of the **2018-2019 school year.**



TARGETED SUPPORT

- States must identify ALL schools for targeted support and improvement with a **consistently underperforming subgroup**.
- The regulations provide one **suggested definition of “consistently underperforming”** but allows flexibility for States to propose their own definitions within key guardrails:
 - Must look at each individual subgroup to determine if that group is consistently underperforming.
 - Must ensure schools with a subgroup underperforming for two years or more are identified, unless a State demonstrates a longer timeline (e.g., three or more years) will better support low-performing subgroups to make progress in closing gaps.
 - Must be based on all of indicators, even if underperformance on a single indicator is sufficient to trigger identification.
- Identified annually, starting by the beginning of the **2019-2020 school year**.



ADDITIONAL TARGETED SUPPORT

- States must identify ALL schools with a **low-performing subgroup** (performing similarly to all students in the bottom 5% of Title I schools) for **additional targeted support and improvement**.
- Low-performing subgroup schools must be identified for targeted support and improvement **on the same timeline as States identify comprehensive support schools** (at least once every three years, beginning in the **2018-2019** school year).
- If a Title I school does not exit status after receiving additional targeted support for a **State-determined number of years**, it is “rolled up” into comprehensive support and improvement and becomes a chronically low-performing subgroup school.



SCHOOL IMPROVEMENT PLANS

- All identified schools must develop a comprehensive or targeted support and improvement plan.
- In order to ensure that **stakeholders are engaged**, including parents, teachers, principals, and other school leaders:
 - Parents must be notified if their student attends an identified school and told how they can engage in developing the plan.
 - The plans and exit criteria must be publically available.
 - The plans must describe how stakeholder input was received and any changes that were made as a result.
- Schools may use the school year they are identified as a **planning year**, and if so, must fully implement their school improvement plan by the start of the following school year.
- LEAs must review and approve targeted support plans.
- SEAs and LEAs must review and approve comprehensive support plans.



SCHOOL INTERVENTIONS

- Allows schools, districts, and states to select **evidence-based intervention or strategy** tailored to local needs.
 - Each plan must include at least one evidence-based strategy, and the regulations **do not prescribe a specific level of evidence** but refer to the definition under Title VIII.
 - States may establish a list of approved based interventions.
- Comprehensive and additional targeted support school plans must also review **resource inequities**, including:
 - per-pupil expenditures;
 - access to ineffective, out-of-field, or inexperienced teachers;
 - access to advanced coursework;
 - access in elementary schools to full-day kindergarten programs and to preschool programs ; and
 - access to specialized instructional support personnel.



EXIT CRITERIA FOR IDENTIFIED SCHOOLS

- Requires meaningful exit criteria that expect improved student outcomes and additional actions if those criteria are not met.
- Exit criteria for comprehensive support schools:
 - Set by States and consider improved student performance over no more than four years
 - If not met, require implementation of evidence-based strategies with a “strong” or “moderate” level of evidence
- Exit criteria for additional targeted support Title I schools:
 - Set by States and consider improved student performance over a State-determined number of years
 - If not met, require identification for comprehensive support
- Exit criteria for all other targeted support schools:
 - Set by LEAs and consider outcomes over an LEA-determined number of years
 - If not met, require additional action which may include a higher level of evidence or increased implementation of effective interventions



FUNDING UNDER SECTION 1003

- States must direct **funds set aside for school improvement** (*i.e.*, funds under section 1003) to districts with schools most in need of support:
 - States may distribute funds by formula or competitively but must consider schools with the “greatest need” and “strongest commitment” via an LEA application.
 - District that receive funds for school improvement must receive a minimum of \$500,000 for each comprehensive support school it serves and \$50,000 for each targeted support school, unless the State determines that a smaller amount is sufficient based on various factors.
 - States must provide technical assistance, as well as monitoring, to districts to oversee and improve the use of funds for evidence-based interventions.
 - States must also engage in ongoing efforts to evaluate the use of these funds for evidence-based interventions to improve student outcomes.



DATA REPORTING



ANNUAL STATE AND LEA REPORT CARDS

§§ 200.30 AND 200.31

- State report cards must include, at a minimum:
 - Information required under section 1111(h)(1)(C) of the Act
 - For each authorized public chartering agency, demographic and achievement data for each charter school authorized by such agency compared to the LEA or other State-defined geographic community from which the charter school draws a significant portion of its students.
- LEA report cards must include, at a minimum:
 - Information required under section 1111(h)(2)(C) of the Act
- State and LEA report cards may include additional data that will best provide parents and other stakeholders with information on the progress of public elementary and secondary schools



ANNUAL STATE AND LEA REPORT CARDS

§§ 200.30 AND 200.31

■ Format

- Concise, understandable and uniform, developed in consultation with parents
- Must begin with a clearly labeled overview section

■ Publication

- Annually by December 31 (per-pupil expenditure exception) on SEA and LEA Web sites, respectively
- State may request a one-time, one-year extension for some or all new requirements for it or its LEAs

■ Accessibility

- In a format and language, to the extent practicable, that parents can understand



ANNUAL STATE REPORT CARDS

§ 200.30 – OVERVIEW SECTION INFORMATION

Information	Details
Academic Assessments	Disaggregated reading/language arts, mathematics, and science State assessment results
Academic Progress	Disaggregated results for each measure within the Academic Progress indicator for public elementary and secondary schools that are not high schools
Graduation Rate	Disaggregated four-year adjusted cohort graduation rates, and if adopted by the State, any extended-year adjusted cohort graduation rates
School Quality or Student Success	Disaggregated Results for each measure within each indicator of School Quality or Student Success
English Language Proficiency	The number and percentage of English learners achieving English language proficiency on the State English language proficiency assessment



ANNUAL LEA REPORT CARDS

§ 200.31 – OVERVIEW SECTION INFORMATION

LEA	School
<p>All information required on the State report card overview section School: Must be provided directly to parents such as by mail or email</p>	
<p>Identifying information: Name, address, phone number, email, student membership count, and status as a participating Title I school</p>	
<p>For all students and each student subgroup, how academic achievement of students served by the LEA compares to that for students in the State as a whole</p>	<p>For all students and each student subgroup, how academic achievement of students served by the school compares to that for students in the LEA and State as a whole</p>
<p>Identification as comprehensive or targeted support and improvement school and the reason for such identification</p>	
<p>Summative determination</p>	



ANNUAL STATE AND LEA REPORT CARDS

§§ 200.30 AND 200.31

- The regulation defines the following terms for reporting disaggregated data:
 - Migrant status
 - Homeless status
 - Status as a child in foster care
 - Student with a parent who is a member of Armed Forces on active duty
- Disaggregation on report cards is not required if the number of students in the subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information.



STATE ACCOUNTABILITY SYSTEM

§ 200.32 DESCRIPTION AND RESULTS

- Report cards must include:
 - A full description of the State accountability system to help parents and other stakeholder understand how the State supports and holds schools accountable (elements in § 200.32)
 - Complete and transparent Information on school performance and progress under the State accountability system to help inform school improvement efforts
- To the extent that a State's plan or other location on the SEA Web site provides the required accountability system description, State or LEA report cards may provide a link to such location



ACHIEVEMENT CALCULATIONS

§ 200.33

- State and LEA report cards must include student achievement results based on two different calculations:
 - The calculation used for accountability purposes (Denominator = the greater of the number equal to 95% of all students or 95% of each subgroup of students enrolled in the school, LEA, or State or the number of students that participated in the assessment)
 - A calculation in which the denominator is all students with a valid test score (Denominator = All students with a valid test score)
- State and LEA report cards must indicate whether all students or each subgroup of students met or did not meet measurements of interim progress towards State goals based on the calculation used for accountability purposes



HIGH SCHOOL GRADUATION RATE

§ 200.34 ADJUSTING THE COHORT - ALTERNATE DIPLOMA

- Students eligible for a State-defined alternate diploma* must be:
 - **Assigned** to the cohort of entering first time students in grade 9 and tracked with that cohort until grade 12
 - **Removed** from the original cohort if the student does not graduate after four years but continues to be enrolled and is expected to receive a State-defined alternate diploma
 - **Reassigned**, if they graduate with a State-defined alternate diploma after more than four years, to the cohort of students graduating in that year (the student is included in the denominator AND the numerator)
 - **Reassigned**, if they do not graduate with a State-defined alternate diploma after more than four years, to the cohort of students graduating in the year they exit high school (the student is included in the denominator BUT NOT the numerator)

* "State defined alternate diploma" means the alternate diploma defined through statute and regulations



HIGH SCHOOL GRADUATION RATE

§ 200.34 ADJUSTING THE COHORT – TRANSFERS TO PRISONS OR JUVENILE JUSTICE FACILITIES

- A student transferring to a prison or juvenile justice facility can only be removed from the cohort after an adjudication of delinquency and if they are enrolled in an educational program from which they can expect to receive a diploma that meets the requirements of this section during the period in which the student is assigned to the facility

§ 200.34 REPORTING

- For the purposes of the graduation rate calculation, a State must include children with disabilities, English learners, children who are homeless, and children who are in foster care in their respective subgroups if they were a member of that subgroup at any time during the cohort period
- Reported rates must reflect the results of the immediately preceding school year



PER-PUPIL EXPENDITURES

§ 200.35

- A State and its LEAs must:
 - Annually report per-pupil expenditures of Federal, State, and local funds on State and LEA report cards, disaggregated by source of funds
- A State must:
 - Develop a single, statewide procedure for LEAs to calculate and report **LEA-level** per-pupil expenditures of Federal, State, and local funds
 - Develop a separate single, statewide procedure that LEAs must use to calculate and report **school-level** per-pupil expenditures of Federal, State, and local funds
 - Provide a description of the uniform procedure for calculating per-pupil expenditures



PER-PUPIL EXPENDITURES

§ 200.35 – ADDITIONAL STATE AND LEA REPORT CARD REQUIREMENTS

- Report current expenditures per-pupil from Federal, State, and local funds, for the preceding fiscal year
 - In total (i.e., including all Federal, State, and local funds), and
 - Disaggregated by:
 - Federal funds
 - State and local funds combined, plus Federal funds intended to replace local tax revenues, which may not include funds received from private sources
- May delay inclusion of per-pupil expenditure data until
 - No later than the following June 30, provided the report card includes a brief description of when such data will be publicly available



POSTSECONDARY ENROLLMENT

§ 200.36

- “Program of postsecondary education” has the same meaning as “institution of higher education” under section 101(a) of the Higher Education Act of 1965
- Postsecondary enrollment calculation:
 - Numerator: the number of students who enroll in a program of postsecondary education in the academic year following the students’ high school graduation
 - Denominator: the number of students who graduated with a regular high school diploma or a State-defined alternate diploma from each high school in the state, in accordance with § 200.34 (high school graduation rates), in the immediately preceding school year
- Reporting is required “where available.” Information is considered available if (a) the State is routinely obtaining the information, or (b) the information is obtainable by the State on a routine basis



EDUCATOR QUALIFICATIONS

§ 200.37

- Information overall and by high- and low poverty schools:
 - Inexperienced teachers, principals, and other school leaders
 - Teachers teaching with emergency or provisional credentials
 - Teachers not teaching in the subject or field of certification or licensure
- High- and low-poverty schools:
 - High-poverty = top quartile of poverty in the State
 - Low-poverty = bottom quartile of poverty in the State
- Each State must define “inexperienced” and “not teaching in the subject or field of certification or licensure” and report cards must use such definitions



STATE PLANS

CONSOLIDATED STATE PLANS

§§ 299.13-299.19

- Ensure SEAs meet the needs of all learners, including providing access to a well-rounded education
- Require broad, robust, transparent engagement with a diverse, representative group of stakeholders
- Reduce burden on each State by eliminating duplication and streamlining requirements
- Encourage each State to think comprehensively about implementation and leverage funding across the included programs
- Help remove “silos” between different funding streams and support collaboration and efficiency across multiple programs



PROGRAMS THAT MAY BE INCLUDED

§ 299.13(j)

- Title I, part A: Improving Basic Programs Operated by State and Local Educational Agencies
- Title I, part C: Education of Migratory Children
- Title I, part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, part A: Supporting Effective Instruction
- Title III, part A: Language Instruction for English Learners and Immigrant Students
- Title IV, part A: Student Support and Academic Enrichment Grants
- Title IV, part B: 21st Century Community Learning Centers
- Title V, part B, subpart 2: Rural and Low-Income School Program
- The Education for Homeless Children and Youths program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (McKinney-Vento).



TIMELINE FOR SUBMISSION

- Assurances must be submitted no later than **April 3, 2017** in order to receive Federal allocations for FY 2017 included programs
- Consolidated State plan or individual program State plans must be submitted on one of two deadlines to be established by the Secretary:
 - **April 3, 2017**
 - **September 18, 2017**
- Request notification of SEA's intent to submit on one of the two deadlines by **January 10, 2017**



REQUIRED ASSURANCES

§ 299.13(c)

- To receive FY 2017 Federal funds, all SEAs must submit the assurances by **April 3, 2017**:
 - In Section 8304 of the ESEA, as amended by the ESSA, and
 - Related to:
 - Title I, part A: partial school enrollment consistent with §200.34(f)
 - Title I, part A: transportation of children in foster care to their school of origin under section 1112(c)(5)(B) of the ESEA, as amended by the ESSA
 - Title I, part A: reporting requirements for educator equity
 - Title III, part A: statewide entrance procedures for English learners under section 3113(b)(2) of the ESEA, as amended by the ESSA
 - Title V, subpart 2 of part b of title V: average daily attendance data for the Rural and Low-Income School Program



FRAMEWORK FOR CONSOLIDATED STATE PLAN

§ 299.14(a) AND (b)

- Consultation and performance management (§299.15)
- Academic assessments (§299.16)
- Accountability, support, and improvement for schools (§299.17)
- Supporting excellent educators (§299.18)
- Supporting all students (§299.19)



TIMELY AND MEANINGFUL CONSULTATION

§ 299.13(b)

- Timely and meaningful consultation:
 - Requires all States to engage with required stakeholders:
 - During design and development of the State plan
 - Prior to submission of the State plan by making the plan available for public comment for a period of not less than 30 days
 - Prior to the submission of any revisions or amendments to the State plan
 - Requires a State to meet the requirements of section 8540 regarding consultation with the Governor during the development of a consolidated State plan or individual title I or title II State plan and prior to submitting that State plan to the Secretary



CONSULTATION

§ 299.15(a)

- A State must describe how it engaged in timely and meaningful consultation consistent with § 299.13(b) with stakeholders in the development of each of the four components identified under §§ 299.16-299.19
- The stakeholders must include the following and reflect the geographic diversity of the State:
 - The Governor, or appropriate officials from the Governor's office;
 - Members of the State legislature;
 - Members of the State board of education (if applicable);
 - LEAs, including LEAs in rural areas;
 - Representatives of Indian tribes located in the State;
 - Teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and organizations representing such individuals;
 - Charter school leaders, if applicable;
 - Parents and families;
 - Community-based organizations;
 - Civil rights organizations, including those representing students with disabilities, English learners, and other historically underserved students;
 - Institutions of higher education (IHEs);
 - Employers;
 - Representatives of private school children;
 - Early childhood educators; and
 - The public.



PERFORMANCE MANAGEMENT

§ 299.15(b)

- Requires a State to provide a description of its system of performance management of State and LEA plans that must include:
 - Process for supporting the development, review, and approval of the activities in LEA plans;
 - Plan to:
 - Collect and use data and information, including input from stakeholders, to assess the quality of SEA and LEA implementation of strategies
 - Monitor SEA and LEA implementation of included programs
 - Continuously improve implementation of SEA and LEA strategies and activities that are not leading to satisfactory progress
 - Provide differentiated technical assistance to support implementation across the included programs



ACADEMIC ASSESSMENTS

§ 299.16

- Includes the State plan requirements consistent with section 1111(b)(2) of the ESEA, as amended by the ESSA, and 34 C.F.R. §§200.5 and 200.7 including:
 - Advanced mathematics coursework
 - Assessments in languages other than English
- Does not include those requirements that are collected and reviewed as part of the Assessment Peer Review process



ACCOUNTABILITY, SUPPORT, AND IMPROVEMENT FOR SCHOOLS

§ 299.17

- Includes the State plan requirements related to statewide accountability systems and school support and improvement activities consistent with the requirements in section 1111(c) and 1111(d) of the ESEA, as amended by the ESSA, and §§200.12 through 200.24

- Elements:
 - Long-term Goals
 - Accountability System
 - Identification of Schools
 - State Support and Improvement for Low-performing Schools



SUPPORTING EXCELLENT EDUCATORS

§ 299.18

- Requires each State to provide key description of the State's approach to supporting excellent educators for all students

- Elements:
 - Educator Development, Retention, and Advancement
 - Support for Educators
 - Educator Equity

SUPPORTING ALL STUDENTS

§ 299.19

- Requires each State to describe how it will ensure that all children have a significant opportunity to meet the State's challenging academic standards and career and technical standards and attain a regular high school diploma
- Elements
 - Well-Rounded and Supportive Education for Students
 - Program-specific Requirements
 - Title I, Part A
 - Title I, Part C
 - Title I, Part D
 - Title III, Part A
 - Title IV, Part B
 - Title V, Part B, Subpart 2
 - The McKinney-Vento Education for Homeless Children and Youths Program



INDIVIDUAL PROGRAM STATE PLAN REQUIREMENTS

§ 299.13(k)

- A State that submits an individual program State plan for one or more programs must address all State plan or application requirements applicable to such programs as outlined in the ESEA, as amended by the ESSA, and applicable regulations, including all required statutory programmatic assurances
- Requires a State that chooses to submit an individual program State plan to meet the State plan requirements for consolidated State plans in:
 - Title I, Part A:
 - §299.18(c) related to educator equity
 - §299.19(c)(1) related to schoolwide waivers of the 40-percent poverty threshold
 - Title I, Part C:
 - §299.19(b)(2) related to migratory children
 - Title III, Part A
 - §299.19(b)(4) related to English learners



RESOURCES AND NEXT STEPS

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RESOURCES

- [Final Regulation: Accountability, State Plans, and Data Reporting](#)
- [Consolidated State Plan Template](#)
- [Assurances Template](#)

- Final Regulation: Assessments - Title I, Part A
- Final Regulation: Assessments - Title I, Part B

- All ESSA resources:
<http://www2.ed.gov/policy/elsec/leg/essa/index.html>
- Send questions to OSS State Contact at [OSS.\[State\]@ed.gov](mailto:OSS.[State]@ed.gov)



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NON-REGULATORY GUIDANCE

- We have or plan to issue guidance in the near future on the changes in the law in the following high-priority areas:
 - **Students in Foster Care** (published)
 - **Homeless Students** (published)
 - **Using Evidence to Strengthen Education Investments** (published)
 - **Title III, English Language Learners** (published)
 - **Title II, Part A, Teachers and School Leaders** (published)
 - **Title I Schoolwide Programs** (published)
 - **Early Learning** (published)
 - **Title IV, Part A, Student Support and Academic Enrichment** (published)
 - **Fiscal Changes and Equitable Service Requirements** (published)
 - **Accountability & School Improvement, Consolidated State Plans, Data Reporting**



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NEXT STEPS

- Introductory webinars on Notice of Final Regulations
 - December 8, 2016: Overview of Key Provisions
- Multiple sessions at Combined Federal Programs Meeting
 - December 12, and 13, 2016, Washington, D.C.
- Webinar training series focused on Consolidated State Plan
 - Every Wednesday from 2:00-3:30PM EST
 - January 11: Assessment Notice of Final Regulation
 - January 18: Begin Consolidated State Plan sessions – detailed schedule is forthcoming

- All materials will be publicly available.



