The Every Student Succeeds Act

AFT Government Relations

December 2015

Legislative History

- ESEA was established as part of the War on Poverty to help ensure educational equity for children from low-income areas.

- To help ensure money was being spent wisely, starting in 1994 and continuing in 2001 with NCLB, requirements, including testing and accountability systems, were required of states.

NCLB Not Working

- Problems with NCLB from the beginning:
  - High-stakes testing
  - Lockstep requirements to meet achievement targets
  - Punitive, mandated interventions
  - No real movement in closing achievement gap
  - Narrowing of curriculum
- Problems with programs that built on NCLB –
  - RTTT and waivers: mandatory teacher evaluation, prescribed and punitive intervention models

AFT Goals

- Maintain focus on equity, ensuring that concentrations of students who most need funding get it

- Reset accountability principles by moving away from fixation of high-stakes testing and sanctions

- Maintain certification requirements for paraprofessionals

- Get the federal government out of teacher evaluation

Changing the Tide on High-Stakes Testing and Teacher Evaluation

"Learning is about so much more than just filling in the right bubble. So we're going to work with states, school districts, teachers, and parents to make sure that we're not obsessing about testing, to make sure that our kids are enjoying learning, that our teachers are able to operate with creativity, to make sure we are preparing our kids for a lifetime of success." President Obama in Facebook post, 10/24/15.

- AFT 2014 Convention passes resolution to "change the NCLB/RTTT "test and punish" accountability system to a "support and improve" model

- President Obama and administration admit to mistakes in policy.

- Opt-out movement grows

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AFT Lobbying and Grass-Roots Activities

- AFT President Randi Weingarten and AFT officers met with members of Congress, including one-on-one meetings with education committee chairs and ranking members, House and Senate leadership, and rank-and-file members.

- Weingarten met with President Obama and Secretary Duncan and maintained close communications with senior White House officials.

- AFT held a briefing with the Congressional Progressive Caucus on ESEA priorities.

- AFT leaders and members testified in front of Congress and at several congressional district-level town hall meetings

- More than 200 in-person visits by AFT rank-and-file members and leadership (including two lobby days in D.C. as well as in-district visits); visited with almost every congressional delegation.

- 125,000 members contacted via phone; more than 20,000 responded at a moment's notice to take action by calling their members of Congress.

- More than 100,000 actions taken online, including nearly 20,000 comments submitted to Congress.

Work Paid Off

Every Student Succeeds Act (ESSA):

- Passed the House of Representatives 359-64 (12/3)

- Passed the Senate 85-12 (12/9)

- Signed into law by President Obama (12/10)

ESSA: What it does

- Ends high-stakes testing fixation–including AYP and school closings. Sends signal to states that the policies of NCLB, RTTT and waivers should be abandoned, not replicated.

- Maintains funding for the students who need it most, doesn't include portability or vouchers.

- Maintains paraprofessional certification.

- Prohibits federal mandates on any aspect of a teacher or principal evaluation system.

Highlights: Testing

- Testing requirements are the same. States are required to test students:

  - in reading and math annually for students in grades 3-8 and once in grades 10-12, and

  - in science once in each of the following grade spans: 3-5, 6-9 and 10-12.

Highlights: Testing

- Audits to eliminate unnecessary or poor-quality tests.

- Pilot program that allows project-based assessments to be used in lieu of the regular state standardized assessments. Initially, seven states eligible.

- For high schools, states or districts may choose to offer a nationally recognized test.

- States can limit the aggregate amount of time that students spend taking tests.

- States can avoid "double testing" of middle school students in math. Students enrolled in advanced math can take that math test for the purposes of accountability and don't also have to take the grade-level math test.

Highlights: Accountability

- Accountability systems must include each of these indicators:

    1. Proficiency in reading and math;

    2. Graduation rates for high schools;

    3. English language proficiency;

    4. For elementary and middle schools, student growth or another indicator that is valid, reliable and statewide; and

    5. At least one other indicator of school quality or success, such as measures of safety, student engagement or educator engagement.

- Accountability system must have substantial weights on indicators 1-4 above. In the aggregate, indicators 1-4 must have much greater weight than indicator 5.

Highlights: Opt-Out

- Statement that nothing in law will pre-empt state and local laws on opt-out.

- Maintains 95 percent participation requirement, but state gets to determine how this requirement is factored into its overall accountability system.

- A state that has a strong opt-out movement can minimize the participation rate requirement so that it has a negligible impact on school accountability systems.

Highlights: Interventions

- Much more flexibility, no school closings or prescribed interventions.

- Using the state-developed accountability system that includes all indicators, at least once every three years.

- Beginning in 2017-18, states have to identify and ensure that districts provide comprehensive support and improvement to:

  - 5 percent lowest-performing schools;

  - schools with a graduation rate of less than 67 percent; and

  - after a number of years of targeted support and improvement at the local level, schools in which one or more subgroups are consistently significantly underperforming.

- Seven percent of a state's allocation of Title I funds must be set aside and spent on schools implementing targeted and comprehensive support and improvement.

Highlights: Interventions

- Targeted support and improvement: Schools with significantly underperforming subgroups must develop improvement plans with stakeholders, based on all indicators. The plans must include evidence-based strategies, identify and address resource inequities, and be approved and monitored by district.

- Comprehensive support and improvement: Districts with identified schools must develop improvement plans with stakeholders, based on all indicators. The plans must include evidence-based strategies and a resource equity component; must be approved by the district and state; and must be monitored and reviewed by the state.

- Students at such schools are eligible for public school choice.

- If after four years of comprehensive support and improvement, schools don't meet state-defined criteria for exit, state takes more rigorous action, which can include changes to school-level operations.

Highlights: Paraprofessionals

- Maintain certification requirements, which help prevent school districts from hiring paraprofessionals with little educational experience or professional training.

- Includes paraprofessionals in the list of stakeholders who must be consulted in the development of the state plan.

- Now covered by the Title II's collective bargaining protections.

- Expands professional development opportunities for paraprofessionals, including pathways for paraprofessionals to earn a teacher certification.

Highlights: Teacher Evaluation

- Prohibits secretary prescribing terms or conditions of teacher evaluation systems.

Highlights: Collective Bargaining

- Language ensures that specific provisions within ESSA cannot be seen as overturning existing collective bargaining agreements or memoranda of understanding. The Title II provision is new, and would cover state-developed evaluation plans done with Title II funds.

Timeline

- 2015-16: Everything the same

- Waivers end in August 2016

- 2016-17: Base year for everything

- 2017-18: Use accountability system, start making identifications