

# Townhall: Every Student Succeeds Act



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# **Title I Part A: Improving Basic Programs Operated by State and Local Educational Agencies**



# ESEA Reauthorization

The Elementary and Secondary Education Act (ESEA) was first passed in 1965, emphasizing equal access to education for all children.



# Background

- ▶ The Elementary and Secondary Education Act (ESEA), a law that funds elementary and secondary education, was passed in 1965.
- ▶ In 2001, the reauthorization of ESEA was known as the No Child Left Behind (NCLB) Act of 2001. NCLB was due for reauthorization in 2007, but was not pursued.
- ▶ In 2011, President Obama released the details of his administration's ESEA flexibility package, which responded to calls from state education leaders to move beyond current NCLB requirements and support state efforts to prepare every child for college and career.

# **Background (cont'd)**

- ▶ In July 2015, the House of Representatives and the Senate passed their own renewals of the Elementary and Secondary Education Act.
- ▶ In December 2015, the House passed the bill in a 359-64 vote; days later, the Senate passed the bill in an 85-12 vote.
- ▶ President Obama signed the ESSA into law on December 10, 2015.

# **Every Student Succeeds Act (ESSA)**



# Highlights of ESSA

- ▶ The ESSA aligns with key priorities for ESEA Reauthorization:
  - Gives states increased assessments and authorizes innovative assessment pilots.
  - Offers states flexibility to design school accountability systems, school interventions, and student supports.
  - Gives states flexibility to work with local stakeholders to develop educator evaluation and support systems.
  - Increases state and local flexibility in the use of federal funds.

# School Improvement

NO CHILD LEFT BEHIND	EVERY STUDENT SUCCEEDS ACT
<ul style="list-style-type: none"><li>Requires each state to reserve 2 percent of its Title I, Part A (TIPA) allocation for FY 2002-2003</li><li>4 percent state reservation during FY 2004-2007,</li><li>Awards school improvement grants (SIG) and carry out the state responsibilities under section 1116 and 1117, and</li><li>Includes a statewide system of technical assistance and support and support for districts.</li></ul>	<ul style="list-style-type: none"><li>Requires each state to reserve 7 percent of its Title I, Part A (TIPA) allocation,</li><li>The sum of the amounts the state reserved for SIG 1003(a) and received for SIG 1003(g) in FY 16,</li><li>Whichever is greater, to award SIG grants and carry out the statewide system of technical assistance and support for districts, and</li><li><b>Section 1003(h), ESSA, requires states to ensure that the amount of funds reserved under section 1003(a) does not decrease the districts' TIPA allocations below amounts received in the proceeding fiscal year.</b></li></ul>

# Direct Student Services

NCLB	ESSA
<ul style="list-style-type: none"><li>▶ Allows state reservation of 1 percent of Title I allocation to carry out administrative duties</li></ul>	<ul style="list-style-type: none"><li>▶ States may reserve up to 3% for Direct Student Services such as credit recovery, Advanced Placement (AP), tutoring, and transportation for public school choice</li></ul>

# State Plans

## NCLB

- ▶ Provides instruction by highly qualified teachers;
- ▶ Provides opportunities for professional development with resources provided under this part, and to the extent practicable, from other sources, for teachers, principals, and paraprofessionals, including, if appropriate, pupil services personnel, parents, and other staff who work with participating children in programs under this section or in the regular education program;
- ▶ Provides strategies to increase parental involvement; and
- ▶ Coordinates and integrates federal, state and local services and programs, including programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start, adult education, vocational and technical education, and job training.

# State Plans (cont.)

## ESSA

- ▶ A state must develop new program plans to receive FY 2017 funds.
- ▶ A state may develop a consolidated plan across multiple programs covered under ESSA, instead of submitting individual program plans.
- ▶ A state must engage in timely and meaningful consultation.

# Local Educational Agency Plans

Under ESSA LEA's must:

- ▶ Have an approved plan on file with the SEA. General provisions under this section remain the same (as NCLB-Title I, Section 1112, except for the new Discipline Disparities indicator and expansion of the Parent Information indicators.).

District Plan provisions must describe:

- Discipline Disparities (**new**)

Parent Information provisions must illustrate:

- Coordination of academic and CTE content through instructional strategies (**new**).
- Collaboration with state and local child welfare agencies to develop written procedures regarding excess transportation costs for foster care children to school of origin (**new**).

# Schoolwide Programs

Under Section 1008 of ESSA, schoolwide programs can...

- ▶ Operate below the 40% poverty percentage.
- ▶ Lower the rank and serve 75% threshold to 50% for high schools. High school poverty rates may be based on feeder pattern calculation.
- ▶ Operate or enhance preschool programs for children under 6 years-of-age.
- ▶ Amend current plan during the first year of this Act, or develop a comprehensive plan that is based on a needs assessment.
- ▶ Dual concurrent enrollment, postsecondary credits (Advanced Placement, International Baccalaureate Programs).
- ▶ Use for-profit or non-profit external providers with expertise to deliver services.

# Targeted Assistance Schools

## NCLB

- ▶ Must use funds received only for programs that provide services to eligible students identified as having the greatest need for special assistance.
- ▶ Targeted Assistance Schools must describe how eligible students will be served.
- ▶ Highly qualified teachers in a TAS receive professional development on how to implement academic achievement standards in the classroom.
- ▶ Ensures that programs work collaboratively with parents to increase parental involvement through services such as family literacy.

# Targeted Assistance Schools

## ESSA

- ▶ Broadens targeted assistance purposes to include a detailed description regarding how the eligible students are served.
- ▶ Strongly encourages professional development for the highly qualified teachers.
- ▶ Emphasizes how crucial family engagement is regarding student performance outcomes.

# Parental and Family Engagement

NCLB	ESSA
<b>Section 1118</b> Parent Involvement	<b>Section 1116</b> Parent and Family Engagement
1% set-a-side with 95% distributed to schools	<ul style="list-style-type: none"><li>• 1% set-aside 90 % to high- need schools</li><li>• Small districts with set-aside of 1%, less than \$5,000</li></ul> <p>Set-aside uses:</p> <ul style="list-style-type: none"><li>• Literacy grant funds</li><li>• Conduct annual evaluations of parental and family engagement policies and remove barriers to participation</li></ul>

# Participation of Children enrolled in Private Schools

NCLB	ESSA
<p>Consultation( at a minimum) (SEC.1120 (b))</p> <p><i>Timely and Meaningful Consultation</i></p> <ul style="list-style-type: none"><li>• How the LEA will identify the needs of eligible private school children</li><li>• What services the LEA will offer</li><li>• How, where, and by whom the LEA will provide services</li><li>• How the LEA will academically assess the services</li><li>• The size and scope of the equitable services</li><li>• The method, or the sources of data</li><li>• How and when the LEA will make decisions about the delivery of services</li><li>• The equitable services the LEA will provide to teachers and families</li><li>• The service delivery mechanisms the LEA will use to provide services</li><li>• How, if the LEA disagrees with the views of the private school official on the provision of services through a contract, LEA officials must provide in writing to the private school officials an analysis of the reasons why the LEA has chosen not to use a contractor.</li></ul>	<p>Consultation(SEC. 1117(a)(1))</p> <p><i>Timely and Meaningful Consultation (Retained)</i></p> <p><b>New</b> Ombudsman (SEC.1117(a)(3)(B) To help ensure such equity for such private school children, teachers, and other educational personnel, the state educational agency involved shall designate an ombudsman to monitor and enforce the requirements of this part.</p> <p><b>New</b> SEC(1117(a)(4)(A) Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement shall be transmitted to the ombudsman.</p>

# Participation of Children enrolled in Private Schools

NCLB	ESSA
<p>Reservation of Funds (Sec. 1120)</p> <p>Funds Generated:</p> <ul style="list-style-type: none"><li>• Private school children who reside in Title I public school attendance areas and are from low income families generate the same per-pupil amount as they would have had they attended Title I public school.</li></ul> <p>Private Schools received Equitable Services for:</p> <ul style="list-style-type: none"><li>• LEA-wide Instruction</li><li>• LEA-wide Professional Development</li><li>• Off the top for Parental Involvement</li></ul>	<p>Reservation of Funds ( Sec. 1117)</p> <p><u>New</u> Proportionate share must be calculated <u>before</u> any allowable expenditures or transfer by the LEA.</p> <p>Carryover Sec. 1117(a)(4)(B)</p> <p><u>New</u> OBLIGATION OF FUNDS.—Funds allocated to a local educational agency for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency.</p> <p>Private School Equitable Share ****Not yet clearly defined****</p>

# Fiscal Requirements

- Maintenance of Effort
- Comparability
- Supplement, Not Supplant

# Maintenance of Effort

No Child Left Behind	Every Student Success Act
An LEA may receive covered program funds for any fiscal year only if the SEA finds that either the combined fiscal effort per student or the aggregate expenditures of the LEA and the State, with respect to free public education, was not less than 90 percent of the combined fiscal effort or aggregate of expenditures for the second preceding fiscal year.	Same as NCLB, but under ESSA: <ul style="list-style-type: none"><li>➤ Provides some flexibility for when an SEA must reduce an LEA's Title I allocation due to an MOE violation.</li><li>➤ Permits a change in the LEA's organizational structure to be grounds for ED to waive MOE.</li></ul>

# Comparability

No Child Left Behind	Every Student Success Act
<ul style="list-style-type: none"><li>➤ An LEA may receive [MEP] funds only if it uses state and local funds to provide services in [MEP] schools that, taken as a whole, are at least comparable to the services provided in [non-MEP] schools.</li></ul>	<ul style="list-style-type: none"><li>➤ ESSA makes <b><u>NO Change</u></b>.</li></ul>

# Supplement, Not Supplant

No Child Left Behind	Every Student Success Act
<p><b>Federal funds must be used to supplement and in no case supplant state, and local resources</b></p> <p><b>3 Presumptions of Supplanting:</b></p> <ul style="list-style-type: none"><li>➤ Required to be made available under other federal, state, or local laws</li><li>➤ Provided with nonfederal funds in prior year</li><li>➤ Provided services to migratory children with funds and the same services were provided to non-migratory children using nonfederal funds.</li></ul>	<p>(New) To demonstrate compliance, the LEA shall demonstrate that the methodology used to allocate state and local funds to each school receiving assistance under this part ensures that the school receives all the state and local funds it would otherwise receive if it were not receiving funds</p> <p>(New) No LEA shall be required to:</p> <ul style="list-style-type: none"><li>• Identify individual costs or services as supplemental; or</li><li>• Provide services through a particular instructional method or in a particular instructional setting to demonstrate compliance.</li></ul> <p>(New) The Secretary may not prescribe the specific methodology a LEA uses to allocate state and local funds to each school.</p> <p>(New) Timeline: Compliance must be met within 2 years of ESSA enactment.</p>

# Title I Funds

## ESSA

- ▶ Purchases STEM- instructional materials and STEM-focused digital learning resources
- ▶ Provides mobile learning devices
- ▶ Provide students with disabilities with Assistive Technology
- ▶ Provides access to rigorous STEM Coursework for Title I students:
- ▶ Supports dual or concurrent enrollment
- ▶ Permits STEM course work in schoolwide programs
- ▶ Provides supplemental English Language Acquisition activities
- ▶ Ensures STEM instructions are accessible to eligible students with disabilities
- ▶ Encourages STEM initiatives and activities
- ▶ Promotes field trips
- ▶ Authorizes labs and specialized learning spaces

# Title I, Part D State Plans

Topic	1003.52 Florida Statutes - Educational services in Department of Juvenile Justice programs	ESSA
Education Program Requirements	<p>The educational program shall provide instruction</p> <ul style="list-style-type: none"><li>• based on each student's individualized transition plan,</li><li>• assessed educational needs, and</li><li>• the education programs available in the school district in which the student will return.</li></ul> <p style="text-align: right;"><i>1003.52 (5) Florida Statutes.</i></p>	<p><b>State Educational Agencies must establish</b></p> <ul style="list-style-type: none"><li>• procedures to ensure the timely re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student<ul style="list-style-type: none"><li>• including the transfer of credits that such student earns during placement; and</li></ul></li><li>• opportunities for such students to participate in credit-bearing coursework while in secondary school, postsecondary education, or career and technical education programming.</li></ul> <p style="text-align: right;"><i>ESSA 1414 (a)(2)(E)</i></p>

# Title I, Part D Implementation

Topic	1003.52 Florida Statutes - Educational services in Department of Juvenile Justice programs	ESSA
Individualized Transition Plans	<p>Development of the transition plan shall be a collaboration of the personnel in the juvenile justice education program, reentry personnel, personnel from the school district where the student will return, the student, the student's family, and Department of Juvenile Justice personnel for committed students.</p> <p><i>1003.52 (10) Florida Statutes.</i></p>	<p>State Agency applications must include A description of how the agency will facilitate the transition of such children and youth between the correctional facility and the local educational agency or alternative education program</p> <p><i>ESSA 1414 (c)(9)</i></p>
Transition Services	<p>School districts and juvenile justice education providers shall develop individualized transition plans during the course of a student's stay in a juvenile justice education program to coordinate academic, career and technical, and secondary and postsecondary services that assist the student in successful community reintegration upon release.</p> <p><i>1003.52 (10) Florida Statutes.</i></p>	<p>Local Educational Agency applications must include a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth;</p> <p><i>ESSA 1414 (c)(9)</i></p>

# Title I, Part D Accountability

Topic	1003.52 Florida Statutes - Educational services in Department of Juvenile Justice programs	ESSA
Graduation	<p>The percentage of students whose last school attended was a DJJ school who graduated or earned a GED within 5 years of entering 9th grade</p> <p><i>Proposed DJJ Accountability Rule 6A-1.099812, F.A.C</i></p>	<p>Each State agency or local educational agency that conducts a program under subpart 1 or 2 shall evaluate the program's impact on the ability of participants to maintain and improve educational achievement and to graduate from high school in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable</p> <p><i>ESSA 1431(1)</i></p>

# Title II Funds

**Supports educators' knowledge and expertise in STEM discipline through recruitment preparation, support, and retention strategies**

Recruit and prepare novice STEM educators and qualified individuals with STEM knowledge

- Stipends to attract STEM educators to the profession

Develop effective STEM pedagogy to improve teaching and learning

- Support educators to implement new courses
- Support elementary STEM teachers including preschool educators to incorporate STEM in their classrooms

Support leadership pathways for STEM educators

- Hire STEM coaches
- Provide differential or incentive pay for teachers, principals, and school leaders in high-need subject areas such as STEM

# Title III Funds

Provides access to STEM resources specifically for English Learners

Improve instruction of English Learners:

- Supplementary digital learning resources
- Software to support English Learners
- Materials in languages other than English

# Title IV

NCLB	ESSA
<ul style="list-style-type: none"><li>• Early childhood development</li><li>• Developmental services</li><li>• Safe and Drug Free Schools</li><li>• Public Charter Schools</li></ul>	<ul style="list-style-type: none"><li>• <b>Section 4001(a)(2)(B)(ii)</b></li><li>• Early childhood education</li><li>• Education programs</li><li>• Student Support and Academic Enrichment Grants</li><li>• Expanding Opportunity Through Quality Charter Schools</li></ul>
	<p>New Provision Unaccompanied homeless youth age 14 and older are exempted from the parental consent requirement to receive mental health assessment services, if the provider has actively sought consent but cannot obtain it.</p>

# Title IV Funds

**21<sup>st</sup> Century Community Learning Centers:** Develop and implement programs and activities to improve instruction and student engagement in STEM and computer science

Increases access for groups of students who are underrepresented in STEM fields

Supports the participation of low-income students in non-profit competition related to STEM subjects

Provides hands-on learning and exposure to STEM subjects and supports the use of field-based or service learning to enhance student's understanding of the STEM subjects

Supports the creation and enhancement of STEM-focused specialty schools

Facilitates collaboration among personnel in schools, in after-school programs and in informal programs to improve the integration on programming and instruction of STEM subjects

Integrates other academic subjects, including the arts, into STEM subjects

## **Title I Part C:**

# **Education of Migratory Children**



***Sections 1301-1309***

# Section 1303 – State Allocations

NCLB	ESSA
<ul style="list-style-type: none"><li>• (a)(1)(A) The sum of the estimated number of migratory children aged 3 through 21 who reside in the state full-time and the full-time equivalent of the estimated number of migratory children aged 3 through 21 who reside in the State part-time..."</li></ul>	<ul style="list-style-type: none"><li>• (a)(1)(A) the number of identified eligible children, aged 3 through 21 residing in the state, <i>based on data for the preceding 3 years</i> and</li><li>• (B) the number of identified eligible migratory children, aged 3 through 21, who <i>received services under this part in summer or intercession programs provided by the state during the previous year...</i></li></ul>

# **Section 1303 – Hold Harmless**

## **ESSA**

(b)(a) for each fiscal year from 2017 through 2019, no state shall receive less than 90 percent of the state's allocation under this section for the preceding fiscal year.

# Section 1304 - Priority for Services (PFS)

NCLB	ESSA
<ul style="list-style-type: none"><li>• (7)(d) "...each recipient of such funds shall give priority to migratory children who are failing, or most at risk of failing, to meet the state's challenging academic content standards and challenging state student academic achievement standards, and whose education has been interrupted during the regular school year.</li></ul>	<ul style="list-style-type: none"><li>• (7)(d) "...each recipient of such funds shall give priority to migratory children who have <i>made a qualifying move within the previous 1-year period</i> and who –<ul style="list-style-type: none"><li>➤ (1) are failing, or most at risk of failing, to meet the challenging state academic standards; or</li><li>➤ (2) <i>have dropped out of school.</i>"</li></ul></li></ul>

# Section 1309 - Definitions

NCLB	ESSA
<ul style="list-style-type: none"><li>• (2) Migratory Child<ul style="list-style-type: none"><li>(A) Has moved from one school district to another</li><li>(B) Moved from one administrative area to another within a district</li><li>(C) Resides in district more than 15,000 sq. miles and migrates a distance of 20 miles or more to a temporary residence to engage in fishing activity</li></ul></li></ul>	<ul style="list-style-type: none"><li>• (2) Migratory Agricultural Worker</li><li>• (3) Migratory Child<ul style="list-style-type: none"><li>➢ As a agricultural or fisher worker</li><li>➢ With, or to join a parent</li></ul></li><li>• (4) Migratory Fisher</li><li>• (5) Qualifying Move</li></ul>

# **Title I, Part A Amendments: State and Local Plans**

## **ESSA**

- ▶ State Title I plans must describe how the SEA will provide support to LEAs to ensure the identification, enrollment, attendance, and school stability of homeless children and youth.
- ▶ Local Title I plans must describe the services the LEA will provide to support the enrollment, attendance, and success of homeless children and youth, including services provided with the Title I homeless reservation, in coordination with the services the LEA provides under the McKinney-Vento Act.

# **Title I Part A Amendments: Reservation of Funds**

## **ESSA**

- ▶ All LEAs that receive Title I Part A funds must reserve funds to support homeless students.
- ▶ The amount of Title I funds reserved for homeless children and youth:
  - ▶ must be based on the total allocation and reserved prior to any allowable expenditure of transfers.
  - ▶ may be determined based on a needs assessment.
  - ▶ may be used for services not ordinarily provided by Title I, including local liaisons and transportation to the school of origin.

# **McKinney-Vento Amendment: Definitions**

## **ESSA**

- ▶ 1 year after enactment, the phrase “awaiting foster care placement” will be deleted from the definition of homelessness in the McKinney-Vento Act.
  - In states with a state law defining “awaiting foster care placement” (only Delaware and Nevada), the phrase “awaiting foster care placement” will be deleted from the definition of homelessness in the McKinney-Vento Act 2 years after enactment.

# Charter Schools

## ESSA

- ▶ States receiving charter school grants under Title IV, Part C must work with charter schools on recruitment and enrollment practices to promote inclusion of all students, including by eliminating any barriers to enrollment for foster youth and unaccompanied homeless youth.

# **21<sup>st</sup> Century Schools, including Charter Schools**

## **ESSA**

- ▶ Unaccompanied homeless youth age 14 and older are exempted from the parental consent requirement to receive mental health assessments and services, if the provider has actively sought consent but cannot reasonably obtain it under Title IV, including Safe and Healthy Students, 21<sup>st</sup> Century Community Learning Centers, charter schools, and magnet schools.

# Title IX (McKinney-Vento): Effective Dates

## ESSA

- October 1, 2016: McKinney-Vento amendments (Title IX Part A, ESSA) goes into effect (see exception below).
- December 10, 2016: Removal of the children and youth “awaiting foster care placement” from the definition of homelessness goes into effect
- 2017-2018: All key amendments to Title I, Part A Homeless Set-Aside goes into effect, but are currently authorized through USDE guidance (e.g., use of Set-Aside funds for Homeless Liaison pay and excess cost of school of origin transportation).
- December 10, 2016: Each LEA needs to develop procedures governing transportation to “maintain children in foster care in their school of origin.”

# **TIPA Homeless Set-Aside: Calculation of Reservation of Funds**

## **ESSA**

- ▶ All LEAs that receive Title I Part A funds must reserve funds to support homeless students.
- ▶ The amount of Title I funds reserved for homeless children and youth:
  - ▶ must be based on the total allocation and reserved prior to any allowable expenditure or transfers.
  - ▶ may be determined based on a needs assessment.
  - ▶ may be used for services not ordinarily provided by Title I, including local liaisons and excess cost of transportation to the school of origin.

# QUESTIONS?

# Resources

**FLDOE ESSA FAQ:**

[www.fl DOE.org/core/fileparse.php/14196/urlt/ESSAQuestions.doc](http://www.fl DOE.org/core/fileparse.php/14196/urlt/ESSAQuestions.doc)

**FLDOE ESSA Updates:**

[www.fl DOE.org/academics/essa.shtml](http://www.fl DOE.org/academics/essa.shtml)

**Transition to ESSA, Frequently Asked Questions:**

<http://www2.ed.gov/policy/elsec/leg/essa/faq/essa-faqs.pdf>

**FACT SHEET: Congress Acts to Fix NCLB:**

[http://edworkforce.house.gov/uploadedfiles/every\\_student\\_succeeds\\_act - conference\\_report.pdf](http://edworkforce.house.gov/uploadedfiles/every_student_succeeds_act - conference_report.pdf)

**Education Trust, Detailed Overview of ESSA:**

<https://edtrust.org/wp-content/uploads/2014/09/Detailed-Overview-of-Every-Student-Succeeds-Act.pdf>

**Dear Colleague Letter: STEM Education:**

<http://www2.ed.gov/programs/promiseneighborhoods/stemdearcolleagueltr.pdf>

**Council of Chief State School Officers**

<http://ccss o.org/>

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# Contact Information

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<http://www.fl DOE.org/policy/federal-edu-programs/title-i-part-a-improving-the-academic-/improving-the-academic-achievement-of-.stml>

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# THANK YOU!

## Disclaimer:

*This presentation contains general information only and does not constitute legal advice. It is an overview of ESSA and not a comprehensive description of the statute.*