

---

## **Accountability Provisions in the Every Student Succeeds Act**

---

The Every Student Succeeds Act (ESSA) serves as the latest reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA), which was last reauthorized in 2002 as the No Child Left Behind Act (NCLB). Since its inception, the intent of the law has been to raise achievement for low-income and otherwise disadvantaged children.

Accountability under ESEA was most recently defined under NCLB as Adequate Yearly Progress (AYP). The AYP system was set by the federal government and required all states and schools to demonstrate that all students were proficient in reading and math by 2014. The new law, ESSA, eliminates AYP and instead requires states to develop their own accountability systems within guidelines laid out in the law. Because the new accountability rules gives more control to the states than they were given under AYP, it is more important than ever for advocates at the state level to ensure that the needs of students of color, English Learners, students with disabilities, and low-income students are met through this new law.

### ***Accountability System***

The purpose of ESSA is to provide all students a “significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.” Accountability systems should serve as a mechanism for achieving that goal. Accountability systems are a set of policies that states use to measure how schools are performing and to identify schools for support and improvement when all students or groups of students are behind or are not making academic progress. As part of their accountability plans, states will set goals, measure progress toward those goals, identify schools not meeting the goals and create plans to improve schools that are not serving all students.

A state accountability system has several key components:

- Statewide goals for student performance;
- School ratings, which identify how well each school is achieving the goals they set for all students and groups of students;
- Indicators which tell us how the state will measure progress towards their goals; and
- School improvement, which is a plan to Includes a plan to ensure that all students meet the goals.

Strong accountability is especially important to educational equity because without meaningful goals, strong measures and effective plans for improvement, students can continue to fall behind without any changes made in the school to meet their needs. While it is valuable to report on the performance of students and schools, our responsibility to support all students, and our stewardship of the significant federal investment, require an expectation of action, not just reporting.

---

## Accountability Provisions in the Every Student Succeeds Act

---

### ***School Ratings***

One important role of accountability systems is to rate schools on how well they are serving all students. Under ESSA, states must set goals every year to increase the performance of students in reading and math and to raise high school graduation rates. These goals have to be set for all students, as well as students from major racial/ethnic groups, students with disabilities, English learners and low-income students<sup>1</sup>. After setting goals, each state must rate schools based on how they perform on the goals they set for all students and for each group of students. The school's rating must communicate to parents, educators and the public if a group of students in a school is consistently underperforming, which will trigger that school for targeted support and improvement.

### ***Indicators***

School ratings are based on school performance as measured by different indicators for all students and for each group of students. The indicators which states must include are:

1. Student achievement
2. High school graduation rates
3. For K-8, an indicator that may include individual student growth or another statewide indicator of student learning
4. English language proficiency
5. Another valid, reliable, and statewide indicator of school quality. This indicator may include school climate and safety, college readiness, student engagement, or access to advanced courses, such as Advanced Placement.

In the school rating system, indicators number 1-4 above must each be “substantial” and altogether they must “weigh more heavily” than indicator number 5. The purpose of this weighting is to ensure that student performance and measures of student learning are driving the accountability system.

### ***Schools Identified for Support and Improvement***

The school rating system is a mechanism to determine which districts or schools are in need of intervention when all students or a group of students are underperforming. Based on performance on the above indicators, there are two different types of schools which must be identified for support and improvement, which are:

---

#### ***<sup>1</sup> Subgroups and Super Subgroups***

School ratings must include the performance of all students as well as performance of individual groups, separated (“disaggregated”) by race or ethnicity, income status, disability status, and English Learner status. These distinct groups are called “subgroups.” Under the co-called ESEA Waivers, many states’ accountability systems combined subgroups of students into what was commonly described as “super-subgroups.” Super subgroups are a mechanism used by states to mask the performance of groups of students by lumping several distinct groups together when it would be better to have them separated. ESSA forbids the removal of any subgroup from the accountability system and does not allow for super subgroups in accountability.

---

## Accountability Provisions in the Every Student Succeeds Act

---

- **Comprehensive Support and Improvement Schools:** This category includes the lowest performing 5 percent of Title I schools in the state and all high schools with graduation rates below 67 percent (“dropout factories”). The actions taken in these schools (as described in the school’s support and improvement plan) must be comprehensive because it is likely that the majority of students in the school are in need of significant supports.
- **Targeted Support and Improvement Schools:** This category includes schools with a “consistently underperforming” group of students. There is another category of schools called “Additional Targeted Support and Improvement Schools”. In these schools there are one or more groups of students whose performance is so low that they would be identified as a Comprehensive Improvement School, if they were their own school. The actions taken in these schools (as described in the school’s support and improvement plan) must be targeted to raise achievement for the group or groups of students in the school who are in need of supports.

**It is important for parents, students and local communities to be engaged and included in improvement plans every step of the way and hold districts and schools accountability to real improvement.**

### *Assessments in Accountability System*

Annual statewide assessments are a part of the accountability system, which—combined with other measurements—are used to identify areas where students may be struggling. Statewide annual assessments, as required under ESSA, provide valuable data about how much students know and are able to do. In order to measure student progress toward meeting the grade level standards, states must test all students in reading/language arts and math every year from third through eighth grade and once in high school. They must also test students in science once between grades three and five, once between grades six and nine, and once again between grades 10 and 12. In order to ensure the performance of all students is taken into account, the law requires states to ensure the participation of 95 percent of all students, and 95 percent of all groups of students (e.g. 95 percent of Black students, 95 percent of students with disabilities), in the assessment.

### *Assessments and English Learners*

Including English language proficiency as an indicator in the accountability system under ESSA represents a huge win for the civil rights community. Far too often, students with limited English proficiency receive a subpar education with limited access to resources to get them on track and help them master the English language. The new law creates a statutory obligation to meet the needs of English Learners in a way that was much more meaningful than the previous law. Under ESSA, every year, states have to measure English Learners’ progress toward English-language proficiency on statewide assessments. In addition to assessing students’ English language proficiency, states must also include English learners in the English/language arts, math and science content assessments. In their first year in U.S. schools, states may choose to excuse English learners from taking the reading/language arts assessment. However, starting in their

---

## **Accountability Provisions in the Every Student Succeeds Act**

---

second year in U.S. schools, all English learners have to participate in all statewide annual assessments. This requirement ensures English Learners are given an opportunity to be fully prepared for college and careers and requires action when students are not brought up to speed.

### ***Assessments and Students with Disabilities***

Because of the importance of including students with disabilities in the general classroom and general assessment, the civil rights community fought to include a 1 percent cap on the percent of all students who could be given the alternate assessment aligned to alternate achievement standards. This represents about 10 percent of all students with disabilities and is only for those with the most significant cognitive disabilities. This safeguard ensures that states and school districts are providing access to the general classroom and college and career ready instruction that students with disabilities deserve.

### ***Conclusion***

Accountability under ESSA in and of itself will not ensure that our students are being treated the way that they should be by the education system. Advocacy for *meaningful* accountability that requires action on the part of the school, district, or state when all students or groups of students are underperforming is essential to ensuring our children are prepared for college and careers. The law is clear that parents must be consulted in the development of state and district plans, and it is up to our communities to ensure that the process is truly inclusive of the concerns of our communities. ESSA provides an opportunity to advocate for a requirement for action when our students are not being served by the state, district, or school.