



Every Student Succeeds Act (ESSA)

Guide for Advocates



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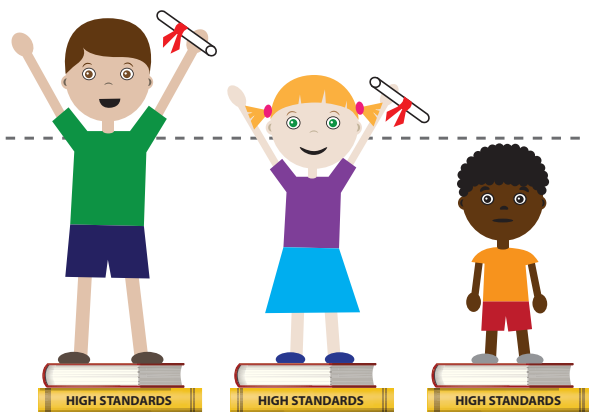
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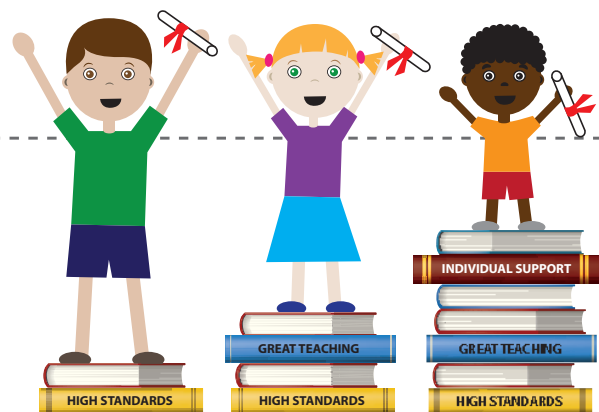
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EQUALITY



EQUITY



How You Can Ensure ESSA Implementation Helps to Build More Equitable Schools for Your Children

When we say “educational equity” what we mean is that we want to build an education system where historic barriers of racism, class, and discrimination don’t determine any student’s opportunity to succeed.

For far too long, the zip code a child lives in has determined his or her opportunity for educational success. Between states, school districts, schools, and classrooms, there are stark differences in expectations for students, funding, teacher quality, rigorous courses, and other resources that are vital to a student’s success. These inequities are especially present in many of the nation’s districts and schools where low-income students, students of color, students with disabilities, and English learners make up a significant part of the population. These opportunity gaps have resulted in achievement gaps and have left too few children from historically marginalized communities prepared for college, career, and life.

With the passage of the Every Student Succeeds Act (ESSA) in December 2015, **parents and advocates have a great opportunity to push schools, districts, and states to make the improvements to education in their communities that all children deserve.**

ESSA is the latest reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965. ESEA, the nation’s most important federal education law, was originally developed in response to the demands of communities during the civil rights movement that more be done by the federal government to address poverty and limited educational opportunity for people of color. ESEA includes many important provisions intended to improve the achievement of historically marginalized populations, including students of color, students from low-income families, students with a disability, English learners, and other students. Prior to ESSA, ESEA was last reauthorized in 2002 and signed into law by President George W. Bush as the No Child Left Behind Act (NCLB). ESSA replaces NCLB.

ESSA will mean new changes in education policy at the **federal, state, local, and school** level. The civil rights community has identified four key policy areas for ESSA implementation that we believe will help to ensure that the law facilitates greater equity in schools: **robust parent, family, and community engagement and consultation; accountability for the achievement of all students; easily accessible and user-friendly data; and resource equity.**

Parents and local leaders must be at the forefront of ESSA implementation decisions advocating for equity and holding school systems accountable for ensuring every child graduates college- and career-ready. Parents, advocates, and communities need to work together to ensure that all children have the opportunity to live up to their potential.

This guide was created to educate, equip, encourage, and empower you to advocate for greater educational equity in your local community by understanding how the new opportunities in the federal law can help you make this happen. It is designed to be used in conjunction with The Leadership Conference Education Fund’s Grassroots Campaigns & Advocacy Toolkit and the Advocating for Educational Equity & High Standards Toolkit, so you’ll notice frequent references to those tools here.

Please note, terms and jargon used frequently in education policy conversations will be underlined in blue throughout the guide; you can find definitions for these terms in the Glossary of Terms, beginning on page 26.

These materials are also available online at civilrights.org/education.

Major Levers for Equity in the Every Student Succeeds Act Implementation

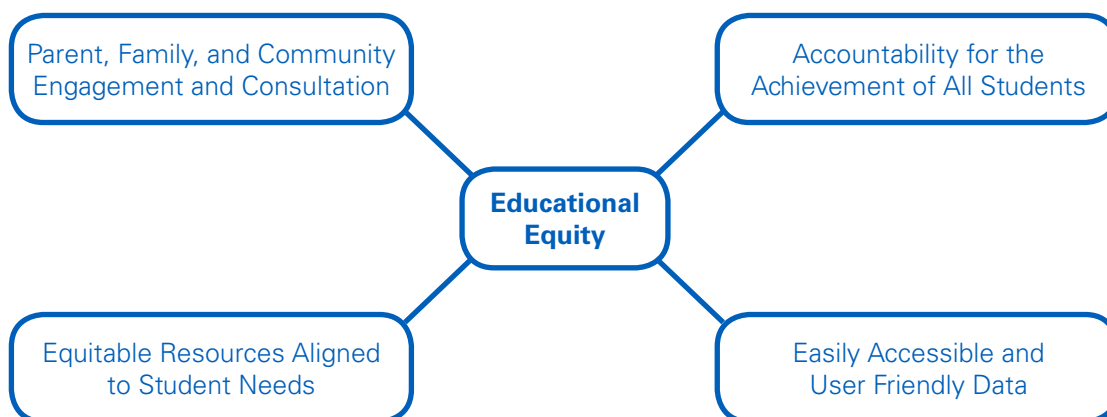
Whether a child is African-American, Latino, Asian American, Native American, has a disability, speaks English as a second language, is from a low-income family—the challenges are different than they were in the 1960s, but the stakes are at least as high.

The Every Student Succeeds Act (ESSA) creates a new opportunity for advocates to fight for educational equity and equal opportunity for all children. But without a robust and thoughtful implementation of the law over the next decade, we will have missed a crucial opportunity and these children will continue to be denied the full protections they need and are entitled to under federal law.

While it has fewer direct requirements than did its predecessor (No Child Left Behind), ESSA still includes important requirements of states, districts, and schools. Advocates can use these requirements to leverage change for low-income students, students of color, English learners, students with disabilities, and other marginalized students. We have identified four areas of the law in particular that we think provide the biggest opportunities for meaningful positive change for children.

Parent, Family, and Community Engagement and Consultation

No one cares more about the success of a child than that child's family. Parents and families know their children and are deeply invested in their child's future. For that reason, the values, priorities, perspectives, beliefs, and knowledge of parents and families is critical to decisions that impact the education of the children they care for. In addition, parents and families belong to communities and are represented by advocates who know them, listen to them, and understand what it is they want from the educational system. These communities and their advocates need a seat at the table with and on behalf of the constituencies they represent. ESSA's requirements around the engagement of parents and families in schools on behalf of their own children, and requirements around the consultation of parents, families, and their communities in decisions that impact all children, both provide meaningful opportunities to shape the educational system so that it is more responsive and accountable to the interests of children in our public schools—especially those who have been historically marginalized and excluded from decisionmaking.



Accountability for the Achievement of All Students

ESSA's requirement for a statewide accountability system that provides for support and improvement activities in schools where all children or any subgroup of children are not on track to college and career readiness is critical to ensuring that schools are working for their students. Parents send their child to school with the expectation that that child will be prepared for the future and have the tools to realize their dreams. Accountability systems help to turn that expectation and aspiration into concrete action. (While it is important to have multiple pieces of information about how well a school is serving its students, it is critical that we know whether the core purpose of schools—providing students the academic skills they need to succeed in the 21st century—is being met.) There are some schools that experience tremendous challenges because of the adversity children in that community are facing outside of school, and also because districts and states have been neglectful and failed to invest resources in them for years. In these schools, where achievement for most students is often very low, comprehensive action is needed to strengthen the school as a whole. There are other schools where individual groups of historically marginalized students aren't getting the same quality of education—and aren't experiencing the same outcomes—as their peers. In these schools targeted action is needed to support those students who are behind and to ensure that the school works for all of its students. ESSA's requirements around school identification and improvement provide a meaningful opportunity for longstanding problems in schools to be addressed so that students get the supports they need.

Equitable Resources Aligned to Student Needs

While the funding provided in the ESSA is targeted to serve children facing disadvantages, this federal funding represents a small share of all of the money spent in public education. The overwhelming majority of funding is from the state and local government. Too often, state and local governments fail to provide educational resources equitably. As a result, high impact educational resources like effective and experienced teachers, fair school climates that respect students and keep them in class, and rigorous courses that prepare students for success after high school are more often available to White children, wealthier children, children whose first language is English, and children without disabilities. Instead of the most and best resources reaching children in the greatest need, the opposite is true. ESSA's requirements about reporting on resource access and remedying disparities provide a meaningful opportunity to drive greater resources to children with greater need and provide for an equal opportunity to learn.

Easily Accessible and User-Friendly Data

In order to fix a problem, you need to be able to measure it. The civil rights community has long relied on data about police contact, mortgage lending, and employment to push for policy changes that drive resources and attention to remedy discrimination and create more just systems. In the education context, data about individual students lets parents and educators know how well a child is doing in school and where they need to be challenged or supported more. Data about classrooms, schools, districts, and states or data about groups of students based on identity allow us to know where systems are excelling and where they are falling short. We can use this information to learn from success and course-correct where needed. ESSA's requirement to make additional data easily accessible and user friendly—for example, data about homeless and foster youth and data that are cross-tabulated across student groups—provides a meaningful opportunity to shed light on troubling disparities in education and provide a useful tool for advocates to press for change.

See page 22 for a checklist you can use for meetings with education officials in your state.

Parent, Family, and Community Engagement and Consultation

The Every Student Succeeds Act (ESSA) gives states and school districts significantly more flexibility to make decisions about education policy than the No Child Left Behind Act (NCLB), which makes the engagement and consultation of community stakeholders even more essential to ensuring a quality education for *all* children. This section is designed to inform you about the requirements the new law sets forth for states, districts, and schools to meaningfully engage parents and community members in the critical decisionmaking that will affect the education of all children.

Funding Available

Title I Parent and Family Engagement Set-Aside: Each district is required to reserve at least 1 percent of its Title I funds to carry out parent and family engagement activities, including those described in the written policy section below. The law further requires that parents and family members of low-income children must be involved in decisions regarding how these engagement funds are spent.

These parent and family engagement funds must be used for at least one of the below activities:

- Supporting programs that reach families at home, in the community, and at school
- Disseminating information on best practices focused on engagement, especially for increasing engagement of economically disadvantaged families
- Giving subgrants to schools to collaborate with community-based organizations or businesses that have a track record of improving family engagement
- Any other activities that the district believes are appropriate to increase engagement

Written Policies

Each district must jointly develop with and distribute to families, in a language they can understand, a written parent and family engagement policy. The engagement policy must be periodically updated to reflect the needs



Here's What You Can Do About This:

- Visit your state department of education website to identify opportunities to join a working group or advisory board.
- Contact your school district to find out who the point of contact is for parent engagement. Meet with them to share your perspective on parent engagement in the district.
- Contact your Title I Director to learn how, and on what, Title I funds are being distributed in your district and school and how you can influence those decisions.
- Ask your district or school about current strategies being used to engage advocates and parents of English learners, students with disabilities, and non-English speaking families.

of families and be incorporated into the district plans described below. Title I receiving schools in the district must also distribute parent and family engagement policies agreed to by the parents.

The district parent and family engagement policy must describe how the district will:

- Involve parents in the joint development of the district plan and support in its implementation
- Involve families in school activities, which may include establishing an advisory board to develop, revise, and review the engagement policy

The school parent and family engagement policy must describe how the school will:

- Convene an annual meeting at a convenient time, to which all parents of low-income children are encouraged to attend, in order to inform parents that their school receives Title I funds, that these funds come with requirements of the school, and that parents have the right to be involved in decisions about the use of the funds
- Ensure effective involvement of parents and support a partnership among the school, parents, and the community to improve student academic achievement by the following required and allowed activities:
 - *Required:*
 - Ensuring that information is sent to parents in a format and a language the parents can understand
 - Providing opportunities for the informed participation of families with limited English proficiency or disabilities in a format and language they understand
 - Providing reasonable support for engagement activities as requested
 - *Allowed* (voluntary for the school):
 - Involving parents in the development of engagement training for staff
 - Paying reasonable and necessary costs associated with engagement activities, including transportation and child care costs, to allow parents to participate

Consultation Required

State Plans: In order to receive funding under Title I, each state must submit a state plan to the U.S. Department of Education (ED). ED has the authority to approve, deny, or ask a state to revise the plan. The department can also take action when states fail to comply with their own approved plans. When developing plans, states must meaningfully consult with parents.

District Plans: Each district must submit a plan to the state. The state has the same authority over district plans as ED has over state plans. When developing plans, districts must meaningfully consult parents of children in schools receiving Title I funds. Among other requirements, district plans must describe the strategies the district will employ to meet the parent and family engagement requirements. If the district plan is not satisfactory to the parents of low-income students, the school district must submit any parent comments to the state.

Conclusion

The civil rights community has long recognized the impact of families as central to our struggle to achieve equality for all Americans. If states do not meaningfully engage families while implementing ESSA, we will have missed a crucial opportunity and the students we represent will continue to be denied the full protections they are entitled to under federal law. Demanding inclusion in the implementation of ESSA and policies and practices that promote equity puts schools, districts, and states on notice that deviating from the needs and priorities of those students the law was designed to help will be accepted no longer. The stakes are high, family engagement is critical to closing the achievement gap, and our children deserve our best.

Accountability for the Achievement of All Students

Under No Child Left Behind (NCLB) there was one accountability system for all schools in the country called the Adequate Yearly Process (AYP) system. This system required schools to reach proficiency for all students by 2014. ESSA replaces NCLB and the new requirement for each state to have its own accountability system replaces AYP.

Because the new accountability rules give 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

Accountability systems are a set of policies that states use to measure how effectively schools are educating all students 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

Here's What You Can Do About This:

Request a copy of your district's Title I Plan or your school's improvement plan to learn about the strategies being used to ensure that all children are receiving a high quality education. Engage with parents and stakeholders to provide feedback to your district.

groups of students;

- Indicators that tell us how well students are doing on different measures; and
- School support and improvement activities, which address needs identified in the school.

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.

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. After setting goals, each state must rate schools based on how they perform on the goals they set and the other measures in the school rating system 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 that states must include are:

1. Student achievement
2. For high schools, 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, the first four indicators listed above must each be "substantial" and altogether they must "weigh more heavily" than indicator No. 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 that must be identified for support and improvement, which are:

- 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 (a.k.a. "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 to hold districts and schools accountable for real improvement.

Assessments in the 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. Whether a school meets the 95 percent requirement must be factored into the accountability system.

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 sub-par 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 is much more meaningful than the previous law. Under ESSA, every year, states have to measure English learners’ progress





toward English-language proficiency. 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 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. When students take the English/language arts, math, and science assessments, they must be provided with accommodations, which may include taking the test in their native language.

Assessments and Students with Disabilities

Because of the importance of including students with disabilities in the general classroom and general curriculum, 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. Students with disabilities who take the general assessments must be given the accommodations they are entitled to.

Conclusion

Accountability under ESSA in and of itself will not ensure that our students are being treated appropriately 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 our concerns. ESSA provides an opportunity to advocate for a requirement for action when our students are not being served by the state, district, or school.

Easily Accessible and User Friendly Data

The civil rights community believes vigilance is always required to ensure data is used to advocate for greater equity in schools and fairer treatment for students of color, low-income students, students with disabilities, girls as well as boys, and English learners.

Advocates must ensure that states and districts collect and publish accurate and accessible data to the public on student achievement and equal opportunity. The data reporting provisions in ESSA provide a crucial step toward achieving educational equity for our children.

Report Cards

Access to data is an important advocacy tool because it provides the public with information about areas where schools or districts need to improve that they wouldn't otherwise know. To achieve this end, ESSA requires states and districts to publish annual report cards with information about the state as a whole and all districts and schools within the state. Most of this information must be separated (or "disaggregated") by student characteristics, including major racial and ethnic groups, family income, disability status, and language status. Some data must also be disaggregated by gender, foster care status, homeless status, military connected status, and migrant status.

The data that must be reported includes:

- Details of the state accountability system, including which schools were identified for Comprehensive Support and Improvement and Targeted Support and Improvement;
- Results on all accountability indicators (such as student achievement and high school graduation); and
- Opportunity measures (such as Advanced Placement/International Baccalaureate/dual enrollment, suspension and expulsion, chronic absenteeism, educator qualifications, and per-pupil expenditures).

Figure 1. Categories in which cross-tabulated data must be available.

Data Element	Race & Ethnicity	Students w/ Disabilities	English Learner	Income	Migrant	Gender	Homeless	Foster Care	Military Connected
Test Scores	X	X	X	X	X	X	X	X	X
% tested by subject	X	X	X	X	X	X			
HS Grad rate	X	X	X	X			X	X	
K-8 Indicator of Student Growth	X	X	X	X					
School Climate, Quality, and Safety	X	X	X						
Postsecondary Enrollment	X	X	X	X					

Cross-Tabulated Data

The public school system is comprised of children who represent multiple demographics (e.g. Black girls, Latino boys with disabilities). Examining the intersections between race, gender, disability status, and English learner status is crucial to highlighting disparities in our education system. By looking at the intersection of various subgroups, advocates can unmask problems that are obscured by larger subgroups, such as the performance data of Latina girls or English learners with disabilities. This “cross-tabulated” data allows districts to ensure interventions are based on accurate data instead of generalizations and oversimplifications. *See Figure 1 on page 10 for categories in which cross-tabulated data must be available:*

Easily Accessible and User-Friendly Data

Robust data collection is essential to advocating for educational equity and everyone should have convenient access to the data, without revealing personally identifiable information about any student. ESSA requires states to consult parents in the development of state report cards and, at a minimum, make state and district report cards available on the state’s website. There is also a requirement under the law to publicly report data in an easily accessible and user-friendly manner. While those terms are not defined under the law, advocates must ensure that states are providing data in a way that is easy for them to understand and access.

Here’s What You Can Do About This:

- Request a school-wide meeting to review the results of your school’s report card.
- Request that all communication from your district or school is translated into languages other than English and that accommodations for parents with disabilities are always available.
- Visit the Civil Rights Data Collection (CRDC) for a list of school summaries and reports regarding chronic absenteeism, advanced placement enrollment, and school discipline information about your school. The CRDC can be found here: <https://ocrdata.ed.gov/>
- Host a meeting with parents in your community to talk about school data in your neighborhood. Identify areas of concern and share those with school leaders, school board members, and the media.

Asian American and Pacific Islander (AAPI) students

The performance of different groups of AAPI students has often been obscured in data collection and reporting under the law because this group represents many very different and diverse communities. Some states already further disaggregate this data to show Chinese American or Vietnamese American data and under ESSA, the U.S. Secretary of Education must provide technical assistance upon state request to disaggregate performance on statewide assessments and high school graduation rates for AAPI students according to racial categories provided on the 2010 U.S. Census. These categories include:

- | | |
|----------------|---|
| ● Asian Indian | ● Other Asian (e.g., Hmong, Laotian, Thai, Pakistani Cambodian, etc.) with option to print race |
| ● Chinese | ● Native Hawaiian |
| ● Vietnamese | ● Guamanian or Chamorro |
| ● Filipino | ● Samoan |
| ● Japanese | ● Other Pacific Islander (e.g., Fijian, Tongan, etc.) with option to print race |
| ● Korean | |

“N-Size”

Reporting on the performance of students in all subgroups is crucial to effective advocacy. In some instances, however, the number of students in a particular subgroup represented in a school or district may be so small that it would either reveal information about individual students or would not be statistically reliable to report data for that group. In these instances, data is not required to be reported. For reporting purposes, each state must define the minimum number of students (n-size) required in a subgroup before data can be reported, and apply these definitions consistently across the state for every group of students. States have set n-sizes in the past that were unnecessarily large, which meant there was far less reporting about individual groups of students than there should have been. It is important that the n-size be as small as possible, while still protecting student privacy and ensuring statistical reliability.

Conclusion

Meaningful data collection and reporting is essential to address longstanding achievement and opportunity gaps across the country. Without this data, the public is unable to identify areas of weakness and advocate for states, districts, and schools to allocate resources effectively and address inequity in opportunity. ESSA’s reporting requirements create a new opportunity to use data to inform advocacy for students of color, students with disabilities, English learners, girls as well as boys, and low-income students. It is up to advocates to hold states, districts, and schools accountable for accurately, transparently, and accessibly measuring the data and making the data widely available.

Equitable Resources Aligned to Student Needs

A History of Resource Inequity

Students, parents, and teachers have long recognized, and court cases at every level have repeatedly held, that schools and districts educating a larger share of low-income students and students of color have less access to the educational resources needed to support student success than their more affluent peers. For example, the Education Trust found in their “Funding Gaps 2015” report that the highest poverty districts receive about \$1,200 less per student than the lowest poverty districts. Further, the U.S. Department of Education found that a quarter of high schools with the highest percentage of Black and Latino students do not offer Algebra II and fewer than half of American Indian and Native Alaskan high school students have access to the full range of math and science courses in their high schools. The implementation of ESSA provides advocates with an opportunity to address these longstanding inequities in order to protect the futures of marginalized children.

Addressing Resource Inequities in School Improvement and Support

Within the accountability systems required under ESSA, there are certain categories of schools that must receive support and improvement from the district when they are underperforming. Additionally, there is a category of schools that must address resource disparities in order to be in compliance with the law. These schools, the Additional Targeted Support and Improvement Schools, are schools where the performance of one or more groups of students is so low that they would be identified as a Comprehensive Improvement School, if all of the children in that group or those groups were their own school. Once identified for this category, these schools must put together district-approved improvement plans to fix resource inequities.

Access to Equitable Funding

The first step in advocating for equitable funding is to know where money is being spent. Transparency in funding is essential to identifying how money should be allocated and can be used as a tool to advocate for increased funding for schools with high concentrations of students of color or low-income students. Under the law, valuable new reporting requirements shed greater light on how and where funds are spent. For the first time, states must report to the U.S. Department of Education, and publish on state and district report cards (which parents and communities can obtain from their child’s school), the real amount of money spent per student at the school- and district-level (referred to as the “per-pupil expenditure”). This data must include the different sources of funds so it will be possible to compare which schools and districts are receiving more or less funding per student from federal, state, and local sources.

Access to Effective, In-Field, and Experienced Teachers

Equal access to quality instruction is essential to ensuring educational equity for all students. Low-income students and students of color are especially susceptible to receiving low-quality instruction. Under ESSA, states are barred from serving low-income students and students of color at disproportionately higher rates by out-of-field (or not trained in the subject they are teaching), ineffective, and inexperienced teachers. If this happens, states and districts must describe how they will make progress to fix the inequity. Also, under Title II of ESSA, grant money is available to states and districts that can be used on programs that would improve access to effective teachers for students of color and low-income students.

Access to Rigorous Courses

Rigorous courses prepare our students for success in college and careers. However, far too often, students of color, English learners, students with disabilities, and low-income students are not given access to the courses that will allow them to compete with students across the globe. Under ESSA, access to advanced courses is an indicator that states could add to their accountability systems to identify schools for support and improvement. While access to advanced courses is not a required accountability indicator under ESSA, states are required to report this data every year on the state and district report cards.

In addition, under [Title IV](#) of the law, states are eligible to receive grants that can be used to aid districts in improving access to foreign language, arts, music, history, civics, economics, geography, and environmental education, as well as science, technology, engineering, and math (STEM) courses. For STEM courses, grants under Title IV can be used to improve the quality and effectiveness of such programs and expand access to girls, students of color, low-income students, English learners, and students with disabilities. Grant money under Title IV can also be used to expand access to Advanced Placement (AP) and International Baccalaureate (IB) courses, dual or concurrent enrollment programs, and early college high schools. This includes reimbursing low-income students for all or part of the cost of AP and IB exams.

Conclusion

While public schools have made significant progress in recent years, many students are still left behind due to inadequate and inequitable resource allocation. This alarming fact threatens our economy and our nation's future—and impacts all of our communities. Our students will not be prepared to compete with students across the globe unless we first focus our attention on fixing resource disparities that have plagued many of our schools for generations. Provisions in ESSA regarding resource equity open the door for meaningful reform in how resources are allocated to our communities. The role of advocates is critical to ensure that through ESSA, no matter where students live, they receive the resources necessary to gain an excellent education.



Here's What You Can Do About This:

- Ask your district or school how state and local funds and resources are being distributed.
- Advocate for a weighted student funding system in your school district that sends additional funding to schools with greater needs.
- Contact your district's Title II coordinator to learn how out-of-field, ineffective and inexperienced teachers are distributed in your district.

School Discipline Provisions in the Every Student Succeeds Act

Keeping Our Students Safe and In School

Across the country, many students of color, low-income students, and students with disabilities are subjected to harsh school environments that are unsafe and unwelcoming because of the ways in which schools use excessive and discriminatory discipline policies and practices. “Zero tolerance” disciplinary policies that don’t take individual circumstances into account, exclusionary discipline practices (including suspension and expulsion) that put children out of school instead of resolving issues, and punitive approaches to student behavior that aren’t suited to an affirming, healthy learning environment do not work, are inappropriate, and are too often applied disproportionately against students of color and students with disabilities. A positive school climate is needed to ensure the safety of our schools, the quality of instruction, and the success of all students. Harsh, exclusionary, and discriminatory discipline policies and practices undermine that intent.

What Can We Do?

As ESSA is implemented at the federal, state, district, and school level, parents and community members have an opportunity to shape the conversation and decisionmaking so that the new law ensures schools are responsive, inclusive, and rigorous places for the education of all children. By leveraging the climate and discipline provisions mentioned below, parents and community members can use the ESSA implementation process to strengthen school climates and foster more nurturing environments for our students.



Here's What You Can Do About This:

- Contact your district and school and encourage them to implement supportive discipline strategies that create a positive school climate for children to learn.
- Review your school’s report card to learn about the rates for in-school suspension, out-of-school suspension, expulsion, school related-arrests, and incidents of violence.
- Contact your state’s Title IV coordinator to find out how the Student Support and Academic Enrichment Grants are being distributed.

What's In the Law?

Title I: Accountability, Plans, and Reporting

Under Title I, states are required to create statewide accountability systems that include a number of indicators to identify schools for supports and interventions. Among those factors, states can include measures of school climate and safety. States and districts must also describe in their Title I plans how they will support school districts and schools to improve “school conditions for student learning” through reducing instances of harassment and bullying, the overuse of discipline that removes students from classrooms, and the use of seclusion and restraint. At the state and the district level, this may include identifying and supporting schools/districts with high rates of discipline for students of color, English learners, and students with disabilities.

Every year, each state and district must publish a report card (that must be made available to parents) reporting on the rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism, and incidences of violence, including bullying and harassment, at the state, district, and school level.

Title IV: Student Support and Academic Enrichment Grants

Districts seeking to receive funds under Title IV of ESSA must assess what they need to improve school conditions for student learning in order to create a healthy school environment. The assessment must be done every three years and the application for funds must be developed in consultation with parents, teachers, school leaders, community-based organizations, and representatives of local governments. In order to receive funding, these programs are required to:

- Be coordinated with schools and community-based organizations;
- Foster safe, healthy, supportive, and drug-free environments that support academic achievement; and
- Promote the involvement of parents in the activity or program.

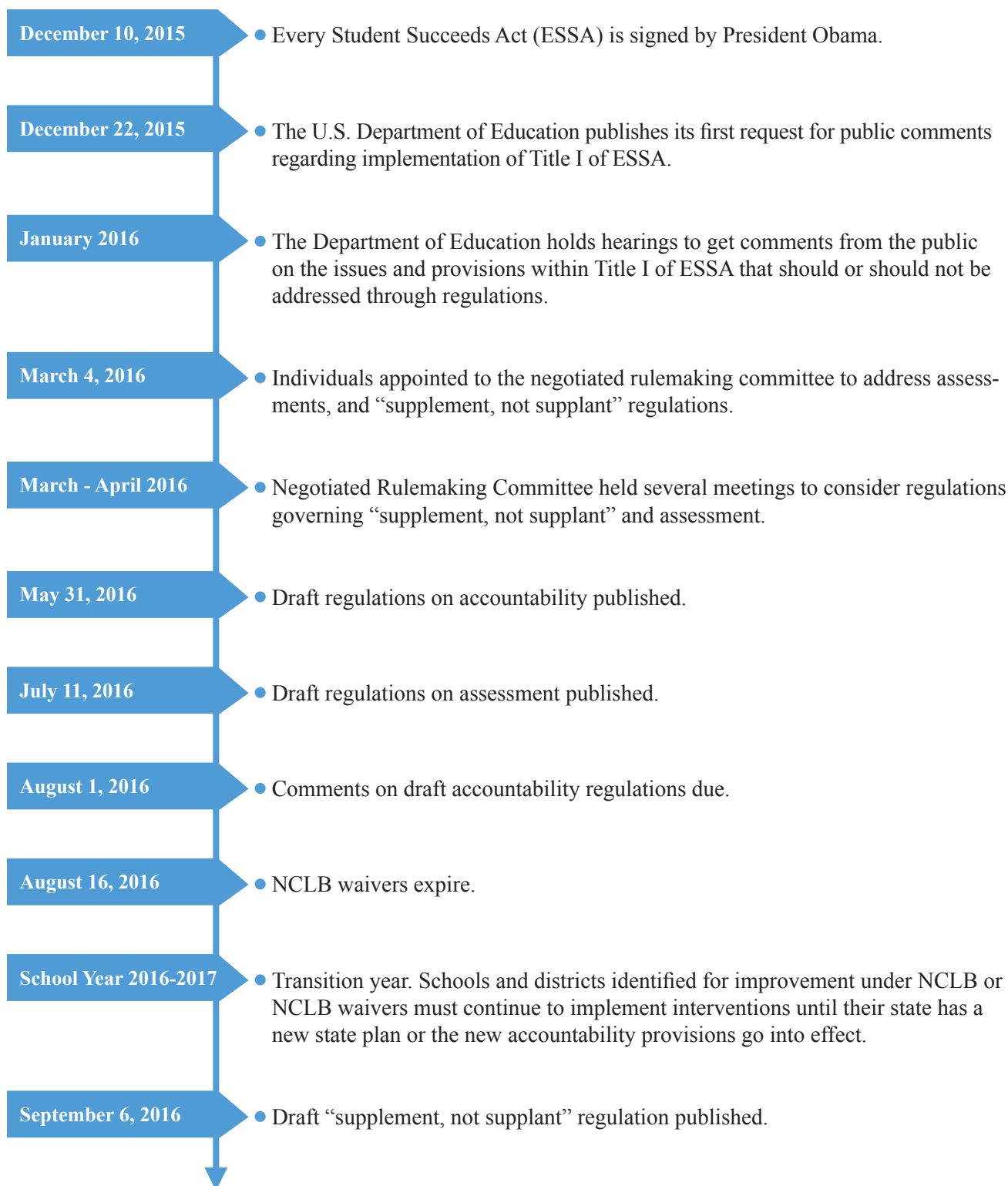
There are several activities that are recommended, including activities aimed at:

- Preventing drug use and violence;
- Preventing bullying and harassment;
- Providing school-based mental health services;
- Improving practices for relationship-building skills and the prevention of coercion, violence, abuse, teen dating violence, stalking, domestic abuse, and sexual violence;
- Providing mentoring and school counseling to students; and
- Providing training related to suicide prevention, human trafficking, crisis management, conflict resolution, school-based violence prevention, drug abuse prevention, and bullying and harassment prevention.

What Can Advocates Do?

- Advocate for states and districts to meaningfully consult community stakeholders in the development and enforcement of school climate and discipline policies
- Train school personnel on best practices regarding school climate and disciplinary procedures
- Work with districts to apply for funds under Section 4108 of ESSA to implement evidence-based practices to prevent the overuse of exclusionary discipline practices

ESSA Federal Implementation Timeline



September 9, 2016

- Comments on draft assessment regulations due.

November 7, 2016

- Comments on draft “supplement, not supplant” regulation due.

November 29, 2016

- Final accountability regulations published.

December 8, 2016

- Final assessment regulations published.

March 27, 2017

- President Trump signs joint resolution repealing accountability regulations.*

May 23, 2017

- President’s budget request sent to Congress with requests for ESSA programs.

April 3, 2017

- First deadline for states to submit plans to the U.S. Department of Education for review and approval.

April-August 2017

- Department of Education review of first deadline state plans.

September 18, 2017

- Second deadline for states to submit plans to the U.S. Department of Education for review and approval.

Sept. - Dec. 2017

- Department of Education review of second deadline state plans.

School Year 2017-2018

- ESSA state plans in effect.

Summer 2018

- First district and school report cards released.

*Repeal of the regulation does not amend or change the ESSA law.

Engaging in ESSA Implementation in Your State

Use our sample checklist on page 22 to brainstorm your priorities for ESSA implementation

Your voice is vital to ensuring your state implements ESSA in a way that drives toward equity. Sharing the successes and challenges in your education system with decisionmakers is important to ensuring that all children get the education they deserve.

Be sure to become familiar with your state's timeline for developing its ESSA plan. The governor, state board of education, state legislature, and other state agencies may also be involved, but most decisions are made by your state's

department of education. Some states have posted the information online and have noted key dates and deadlines for developing and submitting their state plan, as well as the requirements of and timeline for district plans. Call your state department of education if you're unable to find their ESSA timeline online. Knowing these dates is key to your effective engagement in the process.

While your state is implementing ESSA, you should:

1. Share this guide and information about ESSA with parents, community organizations, and other equity advocates so that they can be involved.
2. Consider holding a community meeting to talk with other stakeholders about ESSA and how you can all be involved.
3. Find out if your state and district are holding public meetings for input on ESSA implementation. Spread the word and turn out to share your priorities.
4. Research ESSA committees or working groups that your state's department of education or your local school district may be developing. Reach out to decisionmakers to receive an appointment on a committee. If you or another equity advocate are unable to join a committee, be sure to attend committee meetings and share your priorities, one-on-one, with committee members at the meeting.
5. Schedule a meeting with your district superintendent and/or state education chief to discuss educational equity in ESSA implementation. If possible, gather other leaders and parents to attend the meeting with you. See our sample meeting request letter on page 21. Attend your local school board meetings and talk about ESSA and how you want to see the law implemented.
6. Write a letter to the editor sharing your priorities for ESSA implementation and your views on how well the state and school district are engaging your community in the process. *See our sample letters to the editor on page 25.*

Keep in mind the four key equity levers for ESSA implementation:

- Robust parent, family, and community engagement and consultation;
- Accountability for the achievement of all students;
- Easily accessible and user-friendly data; and
- Equitable access to critical educational resources.

When your state's ESSA plan is approved by the U.S. Department of Education, you should:

1. Become familiar with the plan and share important changes to the local education system and other information with parents, community organizations, and other equity advocates.
2. Monitor implementation of key equity provisions of the plan, such as district, parent, and community en-

agement plans, public reporting of data, and school support and improvement.

3. Meet with your district superintendent and/or state education chief again to discuss how the implementation of the plan will lead to greater equity and serve all students.
4. Write a letter-to-the-editor to publicly share your thoughts on ESSA implementation and the state plan. States are allowed to amend their plans as time goes on and even if you weren't able to get something that you wanted included or an important priority was left out, you can seek a change to the plan after it has been approved.
5. If you see that your state isn't complying with the plan it submitted to the U.S. Department of Education, let the media and the U.S. Department of Education know. The department has the authority to enforce the state's plan and the state can risk losing funding under ESSA if it does not comply.



Sample Request for Meeting to Discuss ESSA Implementation

Date

Name of education chief or superintendent

Title

Address

Dear [Title and name of state education chief or superintendent],

On behalf of the undersigned, we write to express our interest in the implementation of the recently passed Every Student Succeeds Act (ESSA) and to request a meeting with you to share our priorities for ensuring educational equity for students of color, low-income students, students with disabilities, and English learners as our state and school district transition to the new law. With the recent enactment of ESSA, states and school districts have more flexibility to make decisions about state accountability systems, which makes your leadership even more essential to ensuring a quality education for our students.

As advocates, we have seen firsthand the impact that ineffective and exclusive implementation of education policy can have on our communities. We look forward to partnering with you to ensure this law is implemented effectively and inclusively and fulfills its purpose as a driver of educational equity. Our priorities include:

- Robust parent, family, and community engagement and consultation
- Accountability for the achievement of all students
- Easily accessible and user-friendly data
- Equitable access to critical educational resources

Given both the value of and statutory requirements for stakeholder engagement and consultation at every stage of the state ESSA plans, we would appreciate the opportunity to meet with you to discuss our interests and priorities in person. Effective and inclusive implementation of ESSA is impossible without creating a dialogue between the department, the school district, and community stakeholders, and we hope this can serve as an initial step toward meaningful collaboration. At your earliest convenience, please respond to [ADD CONTACT PERSON AND PHONE/EMAIL] with suggested meeting times.

Thank you for your attention to this important issue and we look forward to meeting with you to further discuss how we can ensure all students are well served through ESSA implementation for the benefit of our entire community.

Sincerely,

Name

Title

Organization

Phone/Email

Checklist for ESSA Implementation

In December 2015, the Every Student Succeeds Act (ESSA) was signed into law, replacing the No Child Left Behind Act. The law provides federal funding to schools, districts, and states to raise achievement for low-income students and other historically marginalized students. That funding has to be spent according to requirements in the law.

ESSA has the potential to address longstanding educational inequalities and make a fairer and more effective system of public education, but that potential will only be realized if the right policies are put in place. As states and school districts begin to implement the law and make changes to their own policies and practices to comply with ESSA's requirements and maintain eligibility for federal funding, it is critical that decisions help to build a more equitable education system for all children.

This checklist provides civil rights advocates and others fighting for educational equity with a framework through which they can review state policy decisions to see whether or not they are likely to make our educational system work better for low-income students, students of color, students with disabilities, English learners and other marginalized students.

1

Engage Parents, Families, and Communities: States, districts, and schools should robustly engage parents, families, and communities in the development, implementation, and review of policies and practices to implement ESSA

Consultation in Plan and Policy Development and Public Reporting

- ☐ State, district, and school [Title I plans](#) are developed in consultation with parents and communities, including civil rights organizations, tribes, and other community-based organizations representing underserved communities. Consultation is meaningful, early, and frequent.
- ☐ Opportunities to share priorities and concerns, provide feedback, and offer perspectives are made widely available, occur at convenient times and locations, and include sufficient information for parents and communities to meaningfully contribute.
- ☐ Formal working groups, committees, and advisory structures include representation from the civil rights community, tribes, and community based organizations representing historically marginalized students and families.
- ☐ Parents, families, and communities, including civil rights organizations and tribes, are involved in the development of school, district, and state report cards.
- ☐ There is evidence of the involvement of parents and families of historically marginalized students including low-income students, students of color, English learners, and students with disabilities in the development of district, parent, and family engagement policies, which are periodically reviewed and updated.

Engagement at the School and District Level

- ☐ The process for deciding how the parent engagement 1 percent set-aside will be spent is transparent and inclusive of low-income parents.
- ☐ The process for deciding how all Title I funds will be spent is transparent and inclusive of low-income parents.
- ☐ Parent and family engagement policies are distributed in a language parents can understand.
- ☐ Parent and family engagement activities are held at convenient times and locations, low-income parents are encouraged to attend, and information about the activities is made available in places and languages accessed and used by parents.
- ☐ Parents and families receive regular information about their child's progress in school and what is being done to raise their child's achievement.
- ☐ Parents and families receive regular information about student achievement and other data about student opportunities and outcomes in their child's school and what is being done to address challenges with the school.

2

Hold Schools and Districts Accountable: State accountability systems should hold all schools accountable for the achievement of all students

Note: Most of these decisions were made when your state submitted its plan to the U.S. Department of Education. You can still pressure your state to amend the plan if it is not aligned to your priorities.

Goals

- ☐ The school rating system has goals for raising achievement for all students and each group of students that are ambitious and expect faster progress for groups of students starting behind.

Identification of Schools

- ☐ The school rating system identifies schools as “consistently underperforming” when any subgroup of students fails to meet the state’s goals for two consecutive years.
- ☐ Every school is given a summative rating that reflects the performance of the school overall, for all indicators and for each individual subgroup (there are no combined subgroups or super-subgroups).
- ☐ No school that would have been identified as in need of support and improvement on the basis of student achievement, high school graduation, and progress towards English language proficiency ceases to be identified because of success on the other indicator of school quality.
- ☐ Data is reported and included in the accountability system for any subgroup with 10 or more students. (The “n-size” is 10.)

Indicators in the State School Rating System

- ☐ Each of the indicators is disaggregated by each subgroup of students and is the same statewide for the applicable grade level.
- ☐ The high school graduation rate used is the four-year adjusted cohort graduation rate.
- ☐ The “other academic indicator” for K-8 schools is a measure of student academic growth compared to academic standards (not other students).
- ☐ The indicator of school quality, climate, and safety is a measure of exclusionary school discipline and/or chronic absenteeism, disaggregated by student subgroup.

Support and Improvement Plans

- ☐ There is a process for demonstrating that parents and community-based organizations representing historically marginalized students, including local civil rights organizations, have been included in the design and implementation of school support and improvement plans.
- ☐ Support and improvement plans require additional research-based activities, implemented in partnership with the district and state, in the event that schools have failed to exit out of their category of identification after three years.
- ☐ In the needs assessment, access to high quality teachers and school leaders, per-pupil funding and exclusionary discipline (both overall rates and disproportionality) are all taken into account when designing the support and improvement plan.

Inclusion in Assessments

- ☐ When fewer than 95 percent of students are included in the state assessment, it is reflected in the school rating and a plan is implemented to ensure that the school meets the participation rate requirement in the subsequent year.
- ☐ Assessment accommodations are provided to students with disabilities and English learners and there is clear information, in a language parents understand, about how to seek assistance if students are not receiving accommodations to which they are entitled.
- ☐ Training based in detailed guidance is provided to IEP teams (including parents of students with IEPs), teachers, schools, and districts about how to appropriately identify those students with the most significant cognitive disabilities who should

be included in the [alternate assessment](#).

- ☐ Procedures are in place to prevent the inclusion of more than 1 percent of students in a district in the alternate assessment.

3

Allocate Educational Resources Equitably: Critical educational resources should be equitably allocated within (and between) schools and school districts

- ☐ Plans identify disparities in access to educational resources (including effective, experienced, and in-field teachers and school leaders, per-pupil funding, discipline and climate, and advanced courses) and include definite timelines for addressing any disparities within or between schools or school districts.
- ☐ The public is able to easily access information about how federal, state, and local funds are spent and how the public can be involved in budgetary decisions.
- ☐ States have defined what it means to be an “effective, in-field, and experienced teacher” in consultation with parents and in a way that encourages teacher diversity.
- ☐ States have publicly reported, at the school and district level, the level of access students have to effective, in-field, and experienced teachers. Any disparities between schools and districts with (and without) large shares of students of color and/or low-income students are clear in the publicly reported data.
- ☐ There is a robust and ambitious plan, developed in consultation with parents and communities (including civil rights organizations) to address any disparities in access to effective, in-field, and experienced teachers.
- ☐ Parents and communities (including civil rights organizations) are consulted on how [Title II](#) grant funding for improving access to effective teachers and school leaders is spent.
- ☐ State, district, and school reporting on access to rigorous courses is accurate, annual, timely, and reported in a way that makes disparities clear.

4

Provide User Friendly and Accessible Data: Parents and advocates should have access to meaningful and informative data

- ☐ Information about the performance of individual students on assessments is available to and understandable to parents and guardians in a timely manner.
- ☐ Information about the performance of schools, districts, and the state as a whole is available to and understandable to parents, guardians, and the community in a timely manner.
- ☐ Information is provided in the language parents speak and with accommodations for parents with disabilities.
- ☐ School, district, and state report cards are all comparable statewide and available on the state’s, districts’, and schools’ websites.
- ☐ [Cross-tabulated](#) data is available on the state department of education’s website in a way that can be analyzed by parents, advocates, and researchers and which does not include barriers to access, including a fee.
- ☐ Data about AAPI students is further disaggregated by census categories, the state or district has published a date by which data will be available or the state, or district has sought technical assistance from the U.S. Department of Education to help collect and report data disaggregated in this manner.
- ☐ Annual school discipline data is included on school, district, and state report cards.

Sample Letters to the Editor

Sample LTE on Parent and Community Engagement under ESSA

To the Editor:

The recent story on the education chief seeking input into the state's accountability plan under the new federal education law, the Every Student Succeeds Act, does a great job explaining the department's plan for seeking input from important groups and education officials.

For effective implementation, it's important to ensure that parents, particularly parents of color, are proactively and meaningfully engaged because they know what their children need. Parents in my neighborhood want to be included and have always had strong, clear views on how the education system in this state can better serve the interests of our children.

We've been on the upswing for a few years and that has been driven, in part, by how much better our children, children of color, are doing. Now is really the time to take it to the next level by ensuring that whatever changes get made under ESSA actually benefit the most vulnerable children.

Jane Doe

Sample LTE on Resource Equity

To the Editor:

Your recent story on the potential impact of the new federal education law, the Every Student Succeeds Act, really interested me because it discussed the possibility that the law could drive more resources to poorer schools like the one my child attends right now, helping to level the playing field and keep good teachers there as well.

This is so important. Schools in my community often lack the funding that wealthier, Whiter communities always get and I know that this affects my child negatively. I talk with parents in my community all the time about how we can help our schools improve, but I never know exactly what to do about it.

I've lived in this community my entire life and it actually seems like the schools have gotten worse. I plan to talk with my child's teacher and principal, but I'm glad to know that you're covering this issue in your newspaper. I hope you keep doing it so that the promise of this new law actually happens.

John Doe

Sample LTE on Accountability

Your recent story on the potential impact of the new federal education law, the Every Student Succeeds Act, really interested me because it discussed the possibility that our schools will get the supports they need when even one group of students is behind.

This is so important. While I know our school looks good overall, students like my daughter, who has a disability, aren't getting the teachers and the classes they need to really do their best. It's not enough for our schools to do well for some students; they need to do well for all students. Students with disabilities can be successful when they have the supports they need and our state's accountability system should make sure that those supports are there.

I plan to talk with my child's teacher and principal, but I'm glad to know that you're covering this issue in your newspaper. I hope you keep doing it so that the promise of this new law actually happens.

Jane Doe

Glossary of Terms

This glossary defines terms and jargon used frequently in education policy conversations. It is designed to help education advocates and parents better understand what education policy professionals mean when they use these terms.

1 percent cap

The maximum percentage of all students that can take the alternate assessment, instead of the general assessment, under the Every Student Succeeds Act. One percent of all students is estimated to be slightly more than the share of the population with the most significant cognitive disabilities. This cap is designed to ensure that all students with disabilities have access to the general, core curriculum and are not unjustly held to lower academic standards. *See also: alternate assessment, assessment, general assessment, accommodations*

504 plan

A plan developed by a school to accommodate the needs of a student with a disability, including learning, physical, emotional, transportation, and spatial needs. Schools are required under federal law to create 504 plans for parents of students with disabilities identified under law who are eligible. A broader range of students qualify under 504 plans than those who qualify for IEPs. “504” is a reference to Section 504 of the Rehabilitation Act of 1973, one of the civil rights laws protecting people with disabilities. *See also: individualized education program (IEP)*

academic standards

A set of benchmarks for what all students should know and be able to do by the end of each grade level in order to advance to (and be ready for) the next grade level. States are required to have standards in reading/language arts, math, and science. They may also have standards in other subjects including social studies or physical education. *See also: assessment*

accommodations

Changes made to classroom instruction or assessment as required by law for students with disabilities or English learners. These changes allow a student to participate in class and demonstrate their knowledge on assessments just as their peers do who are not English learners or who do not have a disability. Some examples are extended time to take a test, larger print on a classroom assignment, a translation dictionary, or a seat closer to the teacher. Generally, students with disabilities who have an IEP under the Individuals with Disability Education Act (IDEA) or those who have a 504 plan under the Rehabilitation Act of 1973 may be eligible to receive accommodations. *See also: IEP*

accountability

The policies and procedures states use to set goals for how well all students (and groups of students) should be doing academically, measure and identify how well schools do in meeting those goals, and support and improve schools and districts that are failing to meet the state goals. *See also: state school rating system, indicators, support and improvement plan*

additional targeted support and improvement schools

In the Every Student Succeeds Act, these are schools that have been identified for additional targeted support and improvement by the state because one or more groups of students in the school are performing at the same level as the lowest performing 5 percent of Title I schools in the state. These schools put together an improvement plan that is approved by the district. *See also: comprehensive support schools, targeted support and improvement schools, support and improvement plan*

adjusted cohort graduation rate

The percent of students who graduate from a high school with a diploma four years after entering, excluding those who transferred to another school.

alternate assessment

The annual statewide assessment that some students with the most significant cognitive disabilities may take in place of the general statewide assessment that all other students take. These assessments are still based on the academic standards for each grade level. Unlike the general assessment with accommodation, this assessment is a greatly simplified version of the assessment. This assessment may also be called the Alternate Assessment based on Alternate Achievement Standards, or the AA-AAS. *See also: 1 percent cap, assessment, accommodations, general assessment*

assessment

Another word for “test.” In the federal education policy context, the term “assessment” refers to the one standardized annual test required under federal law in every grade between 3-8 and at least once in high school (grades 9-12). These measure student achievement (what a student knows and can do) and do not measure intelligence (a student’s underlying ability and potential). *See also: alternate assessment, accommodations, indicators*

chronic absenteeism

This is a measure for how many students miss a significant number of schools days—such as 15 days or 10 percent of school days—for any reason, excused or unexcused. This is different from average daily attendance, which is the percent of students in attendance throughout the year.

comment period

A period of time following the release of draft regulations or guidance when any person, organization, or group of organizations can send in comments and concerns to influence what is included in the final regulation or guidance. Comment periods are often open for thirty (30), sixty (60), or ninety (90) days. *See also: Notice of Proposed Rulemaking (NPRM)*

comprehensive support and improvement schools

Schools in which a large share of students are not meeting state goals. These include schools in the bottom 5 percent of all Title I schools in the state, schools with graduation rates below 67 percent, and additional targeted support and improvement schools that have not improved. These schools must design and implement a support and improvement plan which is comprehensive and designed to raise achievement for all students in the school. *See also: additional targeted support schools, targeted support and improvement schools, support and improvement plan*

cross-tabulation (data)

Comparing data at the intersection of different categories. For example, looking at students who are both girls and White or students who are Latino and have a disability. Beyond just comparing all low-income students to students who are higher-income, this allows for a comparison of low-income English learners with higher-income English learners. Whole groups often hide important diversity within groups and cross-tabulation allows us to see those differences. *See also: disaggregated data, subgroups*

disaggregated data

Disaggregated data refers to data that is broken down to see information about different groups of students. Under the Every Student Succeeds Act, data must be disaggregated by race, ethnicity, family income, disability status, English learner status, gender, migrant status, status as a child in foster care, homelessness status, or military connected status. *See also: cross-tabulation (data), subgroups*

English-language proficiency

The ability to speak, listen to, read, and write English accurately and quickly. Students who are learning English as a second language are typically called “English learners” until they master the English language. This is different from proficiency in English/language arts, which is mastering the state’s academic content standards for reading, writing, speaking, listening, and using language. *See also: English learner, academic standards, indicator*

English learner (EL)

A student between the ages of 3-21 in elementary or secondary school whose native language is a language

other than English. Identified English learners are entitled to civil rights protections and accommodations. Title III of ESSA provides funding to support English learners. *See also: English-language proficiency, accommodations, Title III*

general assessment

This is the assessment taken by all students except those who take the alternate assessment. Students with disabilities or English learners may use accommodations when they take this assessment so that they can accurately represent their knowledge on the assessment. *See also: alternate assessment, accommodations*

guidance (federal)

Recommendations by federal agencies for complying with areas of the law that may be unclear or open to interpretation. Unlike federal regulations, guidance does not carry the force of law and policies that do not comply with them are not necessarily in violation of federal law. *See also: regulation (federal)*

indicators

Indicators are measures of different aspects of the education system that—taken together—create a picture of a school’s effectiveness at educating all students (e.g. graduation rates, expulsion rates, assessment scores). ESSA requires certain indicators in state accountability system and allows for others. *See also: state school rating system, summative rating, accountability*

individualized educational program (IEP)

A plan or program developed by a team, including teachers, specialists, and a student’s parent, that is designed to meet the educational needs of a student with a disability who qualifies for specialized instruction. Schools are required under the Individuals with Disabilities Education Act (IDEA) to create IEPs for students with disabilities who qualify for specialized instruction. *See also: 504 plan*

local educational agency (LEA)

The formal name for governmental bodies that are legally sanctioned by the state to administer elementary or secondary schools (e.g. school district, charter school that is also a district) in a community. *See also: SEA*

long-term English learner

A student who has not attained English proficiency within five years of identification as an English learner. *See also: English learner (EL)*

n-size

The minimum number of students in a subgroup (e.g. Black students, English learners) that must be present in a school to trigger specific reporting and accountability requirements under federal law. An n-size is necessary to ensure data are not reported on so few students as to make identifiable personal information (e.g. reporting that all Latino students are advanced in math when there is only one Latino student means knowing the proficiency of a specific student, which is a violation of that child’s privacy). *See also: subgroup*

needs assessment

The analysis of the needs of a school that has been identified for support and improvement. This analysis forms the basis of a school’s support and improvement plan. *See also: support and improvement plan*

negotiated rulemaking

A process used by federal agencies to negotiate the terms of a regulation prior to the publishing of the draft rule, or NPRM. Typically, these negotiations involve members of the agency, advocates, and other stakeholders that may be affected by, or experts in, the law that is being regulated. ESSA required the U.S. Department of Education to engage in negotiated rulemaking if it intended to regulate on standards, assessment, or the law’s “supplement, not supplant” requirement. The department declined to regulate on standards and convened a negotiated rulemaking committee on assessments and “supplement, not supplant” in March and April of 2015. *See also: Notice of Proposed Rulemaking (NPRM), comment period, regulation (federal)*

Notice of Proposed Rulemaking (NPRM)

A draft regulation of a federal law that clarifies the law and informs various stakeholders of their responsibilities under the law. These draft regulations are not enforceable yet and are subject to a comment period where people, organizations, and groups of organizations can weigh in with the federal agency that drafted the regulation before the rule goes into effect. *See also: comment period, regulation (federal)*

participation rate

The percent of students who participated in the state's statewide annual assessment required under ESSA. The law requires that 95 percent of all students and of each subgroup of students be included in the assessment in order to prevent the exclusion of students who are historically marginalized and to ensure there is sufficient data to understand how whole schools and districts are doing. *See also: assessment*

regulation (federal)

Rules administered by federal agencies that clarify the law and inform various stakeholders of their responsibilities under the law. Regulations carry the force of law and any violation of them is illegal. *See also: guidance (federal)*

state educational agency (SEA)

The formal name for governmental bodies that are legally sanctioned by the state to provide information, resources, and technical assistance to schools, districts, and people in the community served by schools (e.g. state department of education). *See also: LEA*

state school rating system

The system which combines various indicators to produce a summarative rating for a school. These ratings are based on a standard set of criteria identified by the state. The system must also identify schools that are in the bottom 5 percent of all Title I schools, schools that have graduation rates of less than 67 percent, schools that have a subgroup of students who are consistently underperforming, and schools that have a subgroup of students whose performance is so low that it is comparable to the performance of schools in the bottom 5 percent of schools. *See also: summative rating, comprehensive support and improvement schools, targeted support and improvement schools, additional targeted support and improvement schools, support and improvement plan, indicators*

subgroup

A group of students identified by their race, ethnicity, family income, English proficiency, or disability status (e.g. Black students, White students, students who qualify for free or reduced price lunch). Using data about individual student groups helps to identify the presence of barriers to success based on identity and point toward the need for targeted remedies. *See also: super-subgroup, disaggregated*

summative rating

A single rating for a whole school that reflects the performance of each group of students on all indicators within the state school rating system (e.g. a letter grade, color code or index points). These ratings are meant to clearly communicate whether a school is meeting (or missing) goals for groups of students collectively and individually. They differ from a dashboard, which presents data on multiple measures and doesn't combine the data into a single mark for the school as a whole. *See also: state school rating system, indicators*

super-subgroup

When two or more subgroups are combined into one large group (e.g. all students of color vs. Black students and Asian American students). Use of super-subgroups in state accountability systems is a violation of federal law because it enables schools to hide how each individual subgroup is doing. *See also: subgroup*

support and improvement plan

The plan a school designs and implements to raise student achievement on either a comprehensive (meaning for all the students in the school) or targeted (meaning for a subgroup of students in a school) basis once the school has been identified. The plan must be informed by an assessment of the needs of the particular school, be developed with stakeholder input (e.g. parents, teachers, and principals) and implement research-based

strategies. *See also: state school rating system, needs assessment, comprehensive support and improvement schools, targeted support and improvement schools, additional targeted support and improvement schools*

targeted support and improvement schools

Schools that are identified through the state school rating system because they have one or more groups of students who are consistently underperforming. These schools must design and implement a targeted support and improvement plan that is approved by the district and is designed to raise achievement for the group(s) of students that is (are) consistently underperforming. *See also: comprehensive support and improvement schools, additional targeted support and improvement schools, subgroup*

Title I of ESSA

The first major chapter of the law, which includes the bulk of funding for school districts and schools and which contains the majority of the law's accountability and reporting requirements. Title I funding is targeted to serve low-income students.

Title I plan / consolidated state plan

A state's plan for complying with the requirements of ESSA. A state has the option of submitting plans separately for each title (e.g. Title I plan, Title III plan) or for submitting a plan which describes what the state intends to do to comply with the requirements of the entire law (consolidated plan). These plans must be developed in consultation with stakeholders, be available for public comment, and be submitted to and approved by the U.S. Department of Education. ESSA includes various requirements for the information included in a state's plan such as specifics of the statewide accountability system. *See also: Title I*

Title II of ESSA

This chapter is focused on teacher quality and support for teachers.

Title III of ESSA

This chapter provides funding and requirements related to English learners.

Title IV of ESSA

This chapter provides funding and requirements for other areas of student support, including extended learning, afterschool programs, supportive school climate, well-rounded education, charter schools, and magnet schools.

Title V of ESSA

This chapter provides additional requirements and limitations of the U.S. Secretary of Education, funding for rural schools, and rules governing the combining of federal funding.

Title VI of ESSA

This chapter provides funding and requirements related to American Indian, Alaska Native, and Native Hawaiian students.

Title VII of ESSA

This chapter provides funding and requirements for the Impact Aid program, which compensates districts for lost revenue due to federal lands.

Title VIII of ESSA

This chapter includes general requirements which govern the law overall, including which provisions may be waived by the U.S. Department of Education and restrictions on the U.S. Secretary of Education's authority.

Additional Resources

To learn more about the Every Student Succeeds Act (ESSA):

- <http://www.civilrights.org/education>
- <https://edtrust.org/issue/the-every-student-succeeds-act-of-2015/>

To learn more about what the ESSA means for Latino students and English learners:

- <http://publications.nclr.org/handle/123456789/1492>

To learn more about what ESSA means for students with disabilities:

- <http://www.copaa.org/news/268087/-The-New-ESEA-and-its-Impact-on-Students-with-Disabilities.htm>

To learn more about how to get engaged in ESSA implementation:

- <http://www.ccsso.org/Documents/2016/ESSA/CCSSO%20Stakeholder%20Engagement%20Guide%20FINAL.pdf>

To learn more about what accountability indicators are, why they matter, and what advocates should have in mind when selecting them:

- <https://edtrust.org/students-cant-wait/indicators-what-to-include-in-school-ratings/>

To learn more about education data:

- <http://dataqualitycampaign.org/resources/>

To learn more about the school climate and discipline reform provisions in ESSA:

- <http://www.dignityinschools.org/document/essa-faq-school-climate-and-discipline-reform> (English)
- <http://www.dignityinschools.org/document/essa-faq-school-climate-and-discipline-reform-spanish> (Spanish)

To learn more about how you can ensure your child succeeds, review the National PTA's Parents' Guide to Success:

- <http://www.pta.org/parentsguides>

To research demographic data on a particular school or district:

- <http://ocrdata.ed.gov>

To see where your state ranks in the nation regarding school finance:

- <http://www.schoolfundingfairness.org>

To get a general overview of the legal right to an education:

- <https://www.aclu.org/your-right-equality-education>
- http://maldef.org/assets/pdf/federal_education_rights_pamphlet.pdf

To file a civil rights complaint:

- <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>



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