



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents
FROM: Angelica Infante-Green *A. Infante*
SUBJECT: Update on the Every Student Succeeds Act (ESSA)
DATE: July 11, 2016
AUTHORIZATION(S):

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SUMMARY

Issue for Discussion

The purpose of this item is to update the Board of Regents regarding the requirements for submitting a state plan for implementation of the Every Student Succeeds Act (ESSA).

Reason(s) for Consideration

Review of policy pertaining to Federal statute.

Proposed Handling

This item will come before the Full Board of Regents for discussion at the July 2016 meeting.

Background Information

On December 10, 2015, President Obama signed into law the Every Student Succeeds Act. The ESSA reauthorizes the Elementary and Secondary Education Act. In general, the ESSA retains many of the core provisions of No Child Left Behind, the previous reauthorization of ESEA, while providing greater flexibility to states to implement the provisions.

Update on USDE Negotiated Rule-making for ESSA

On May 26, 2016, the United States Department of Education (USDE) released draft regulations outlining state requirements for submission of a state accountability plan and for implementing the provisions of the ESSA. The New York State Education Department (NYSED or “the Department”) intends to provide comments to the USDE regarding the draft regulations during the public comment period, which is open until August 1, 2016.

Within the draft regulations, USDE has indicated that states will have two opportunities to submit the required state plans: March 6, 2017 or July 5, 2017. The draft regulations stipulate that extensive consultation with stakeholders occur in the development of the state plan.

The Department has begun the required consultation on the development of the state’s ESSA plan with the Committee of Practitioners and the newly formed ESSA Think Tank.

Consultation with the Committee of Practitioners Regarding ESSA

The Elementary and Secondary Education Act (ESEA) requires each state that receives Title I funds to convene a Committee of Practitioners (COP) to advise the state in carrying out its responsibilities under Title I. The duties of the COP include a review, before publication, of any proposed or final state rule or regulation related to Title I.

In New York State, the COP committee is presently comprised of organizations including, but not limited to, Local Education Agencies (LEAs); Boards of Cooperative Educational Services (BOCES); Institutions of Higher Education (IHE); and organizations that represent school boards, superintendents, school administrators, teachers, paraprofessionals, parents, nonpublic schools and community partners.

To date, the COP Committee has been involved in 4 (four) in-person meetings and eight (8) phone conferences to learn about the provisions of ESSA. In addition, COP has also engaged in several instances of consultation and solicitation of feedback via e-mail on specific topics. Members were given opportunities to respond to a series of questions pertaining to the goals of an accountability system and a draft of the ESSA guiding principles.

Consultation with the ESSA Think Tank

On June 14, 2016, the Department held an introductory webinar for the ESSA Think Tank. To date, the Department has invited more than 100 organizations to participate in the Think Tank and more than 80 have accepted the invitation.

During the webinar, members were provided with an overview of ESSA requirements and were invited to provide feedback regarding a set of draft Characteristics of Highly Effective Schools. The New York State Education Department posits that the goal of New York's ESSA plan is to support the creation of highly effective schools. Department staff drafted a set of Characteristics of Highly Effective Schools (see Attachment A for most recent draft), which were adapted from the New York State Education Department's Diagnostic Tool for School and District Effectiveness rubric. These characteristics were shared during the initial meeting of the ESSA Think Tank and members were asked to provide feedback and suggest revisions to the characteristics. While most members surveyed were satisfied with the characteristics as written, many stakeholders provided thoughtful revisions.

During a second webinar on June 29, 2016, the ESSA Think Tank was provided with a set of draft ESSA guiding principles. These principles were developed by Department senior managers and then shared with the Committee of Practitioners. The Think Tank was invited to provide feedback on the draft guiding principles. While most members surveyed were satisfied with the guiding principles as written, many stakeholders provided thoughtful revisions. Attachment B is the most recent the draft Guiding Principles that incorporate feedback received from Think Tank members.

Both COP and the Think Tank will continue to meet regularly and discuss ESSA. The ESSA Think Tank will have its first in-person meeting on July 14, 2016. There will be extensive additional opportunities for other stakeholders and the general public to also comment on the plan as it is developed.

Next Steps

The Department proposes to post the Characteristics of Highly Effective Schools and Guiding Principles documents for public comment. Staff will continue to consult with the Committee of Practitioners and the ESSA Think Tank to further refine the documents during the public comment period. Staff will then spend July and August reviewing the feedback received from the public and will revise the documents for consideration at the Board of Regents meeting in September. At the Board of Regents meeting in September, staff will request final approval of the Characteristics of Highly Effective Schools and the Guiding Principles, which will then serve as the cornerstones for development of our ESSA state plan.

Attachments

Draft Characteristics of Highly Effective Schools

The following are characteristics of a school that provides a highly effective education to students and enables them to become prepared for college, career, and civic responsibility:

1. Visionary instructional leaders partner with all stakeholders. Visionary leaders create a professional, respectful and supportive school culture and community that values and promotes diversity and leads to success, well-being, and high academic expectations and outcomes for all students. This is accomplished through the use of collaborative systems of continuous and sustainable school improvement.
2. All students receive curricula in all disciplines that are challenging, engaging, and integrated. The curricula are tied to appropriate formative and summative assessments, which are aligned to State learning standards. This results in instruction that is responsive to student needs and modified to maximize student growth and learning outcomes.
3. Teachers and staff engage in ongoing professional development to equip themselves with effective, research-based, strategic instructional practices. Teachers and staff use multiple measures, so that targeted instruction maximizes student learning outcomes. Teachers and staff address the needs and interests of diverse learners and design lessons and activities that are responsive to what students need to learn. These efforts allow students to consistently experience high levels of engagement and achievement.
4. The school community identifies, promotes, and supports social, emotional, physical, and cognitive development throughout the school day. This is accomplished by designing systems, programs and strengths-based experiences that identify and foster healthy relationships, as well as safe, inclusive, and respectful environments. These efforts lead to students developing social emotional skills and barriers to learning being removed.
5. The school has active partnerships that are culturally and linguistically inclusive and in which families, students, community members and school staff respectfully collaborate. These partnerships support student academic progress, social-emotional growth, well-being, and personal and civic responsibility, so that students have the opportunity to reach their full potential.
6. The school community identifies, promotes, and supports multiple pathways to graduation and career readiness based on individual strengths, needs, interests, and aspirations. These pathways create access to multiple opportunities for students to pursue advanced coursework and actively explore and/or pursue specific career-related coursework and experiences in the arts, languages and Career and Technical Education. Consequently, students develop the knowledge and skills to

meaningfully transition to postsecondary opportunities and to exercise civic responsibility.

7. The school community continuously and critically examines and challenges its own cultural assumptions to understand how they shape school-wide policies and practices, so as to inform plans for continuous movement towards a school environment that is inclusive, as well as linguistically and culturally responsive.
8. The school community promotes cultural responsiveness and appropriate responses to individuality and differences, as reflected in policies, programs, and practices. The school examines its cultural assumptions to inform practice and professional development on culturally and linguistically responsive pedagogy.

Draft Guiding Principles for NYS Public School Accountability System

1. The goal of the New York State (NYS) public school accountability system is to support the development of highly effective schools and to encourage and enable all schools towards becoming or remaining highly effective. (See Characteristics of Highly Effective Schools)
2. The NYS public school system will provide multiple rigorous pathways to graduate students who are prepared for post-secondary education, careers, and positive civic engagement.
3. The NYS accountability system will consistently and transparently communicate expectations that are understood and supported by students, parents, educators, policymakers, and other stakeholders.
4. The NYS accountability system will promote, support, and reward positive and innovative change in all schools in the state.
5. The NYS accountability system will strongly incentivize and support efforts for schools to implement multi-tiered systems of support to close gaps in student achievement among all accountability groups.
6. The NYS accountability system will use state assessments that are valid, reliable, and developmentally, culturally and linguistically appropriate.
7. School accountability indicators will include multiple measures of progress and growth, and will not be based solely on measures of student achievement.
8. All academic subjects beyond language arts and math for which there are New York State assessments will be part of the NYS accountability system.
9. The NYS accountability system will incentivize and support districts to provide and expand access to student's opportunities to participate in and successfully complete advanced coursework such as Advanced Placement (AP) and International Baccalaureate (IB), as well as rigorous arts, career and technical education, language, and music programs.
10. The NYS accountability system will include non-academic measures of school quality and student success, including but not limited to school climate, safety, inclusion, and student emotional and developmental health.
11. NYS will establish opportunity to learn standards that must be implemented in schools identified for support and improvement.

12. Accountability goals will include measures of student success after graduation from high school through gathering data on indicators such as post high school education, employment and military service, as soon as such data can be reliably collected.
13. Requirements for schools identified for improvement will be based upon the best practices of highly effective schools and research-based practices, as modified to best meet the needs of students at the identified schools.
14. The primary responsibility for school improvement will be the school and the district. The New York State Education Department's role is to support these efforts and to actively intervene when underperformance persists after the school/district solutions have not succeeded, in order to foster continuous improvement in these schools.
15. Every district with identified schools shall demonstrate through required plans that the district is using federal, state, and local resources effectively and efficiently to support school improvement.
16. Stakeholders will be engaged and have a significant role in developing and implementing the NYS accountability system and as a result will be able to articulate how schools are measured, understand the status of the district and its schools, and have knowledge of how gaps in student achievement are being addressed.
17. The NYS accountability system will meet all federal requirements including ESSA and IDEA, and will be seamlessly aligned with concurrent state accountability mechanisms.
18. The NYS accountability system will be designed consistent with the availability of state and local resources and human capital, as well as ongoing efforts to strengthen teacher and leader effectiveness, and support school turnaround in struggling schools.
19. The Board of Regents shall continue to advocate for sufficient resources for districts and schools to achieve the goals of the accountability system and for greater equity in school funding.
20. The success of NYS accountability system shall be regularly reviewed by NYSED and stakeholders, and adjustments shall be made as necessary to accomplish the stated goals.