

ESEA CONFERENCE REPORT
S. 1177, The Every Student Succeeds Act

Repeals adequate yearly progress and replaces it with a statewide accountability system – The conference report replaces the one-size-fits-all “adequate yearly progress” federal accountability system under current law with a comprehensive State-designed system that improves State capacity to identify and support struggling schools. States would submit a plan outlining their accountability systems to the Secretary of Education, who is only authorized to ensure that the plan is consistent with the law. The system builds on State-led innovation in measuring school performance using multiple measures beyond test scores. States can use other indicators of student achievement and school quality, including student engagement, access to and completion of advanced coursework, and school climate and safety. Under the conference report, states are required to improve student learning in the state’s lowest-performing 5 percent of schools, high school dropout factories, and schools in which any group of students is consistently underperforming under the State’s accountability system, and ensures that all students count for the purposes of accountability.

Maintains important information about student performance – The conference report maintains annual, statewide assessments in reading and math in grades 3 through 8 and once in high school, as well as science tests given three times between grades 3 and 12. States may pursue flexibility to develop and implement innovative assessments through a pilot program and may choose to offer nationally recognized local assessments at the high school level, so long as those assessments meet technical standards for reliability, validity, and comparability. Recognizing the need to reduce unnecessary testing, the conference report authorizes the use of federal funds for states and school districts to conduct audits of state and local assessment systems to eliminate assessments that do not contribute to student learning.

Affirms State control of standards – The conference report ensures States are able to choose their challenging academic standards in reading and math aligned to higher education in the state without interference from Washington. The federal government may not mandate or incentivize states to adopt or maintain any particular set of standards, including Common Core.

Helps States to improve low performing schools The conference report transfers responsibility to states for identifying schools and providing support for improvement in struggling schools, and prohibits the federal government from interfering in state and local decisions regarding accountability and school improvement activities by prescribing specific methods or systems. Instead of requiring schools to implement the same one-size-fits all school improvement requirements as they did under NCLB, the conference report calls for evidence-based action in any school in which students aren’t learning, but the Secretary cannot prescribe the specific interventions or improvement strategies schools must use.

Improves accountability for learning outcomes for all students – The conference report sets high standards for students with disabilities by putting in place a state-level participation cap of 1 percent of students with the most significant cognitive disabilities who can take the alternate assessment aligned to alternate academic achievement standards. Additionally, the conference report moves accountability for English language proficiency from a separate system in Title III to Title I, to ensure that States are focusing on the unique needs of students who are learning English. The conference report maintains annual reporting of data disaggregated by subgroups of children, including low-income students, students of color, students with disabilities, and English learners, as well as by migrant status, homeless status, children in foster care, and military-connected children.

Targets funds to at-risk children – The conference report maintains maintenance of effort and supplement not supplant, with additional flexibility for States and school districts. The conference report

also authorizes the Secretary to grant flexibility to eligible school districts that demonstrate equitable state and local funding through use of a weighted student funding formula that allocates additional funds based on weighting student characteristics such as low-income and English learner status.

Helps States increase teacher quality – The conference report provides resources to states and school districts to implement various activities to support teachers, principals, and other educators, including by providing high quality induction services for new teachers, ongoing evidence-based professional development for teachers, and opportunities to recruit new educators to the profession. The conference report also ends federal mandates on teacher evaluations, while allowing states to innovate with federal funding. The conference report adjusts the allocation of Title II formula funds by ensuring that states with higher numbers of students in poverty receive funding that is reflective of their current student populations.

Supports at-risk populations – The conference report provides resources to states and school districts to support English learners and requires States to develop statewide entrance and exit procedures for English learner programs to ensure that English learners are reclassified upon achieving English proficiency. The conference report provides grants to support programs for American Indian, Alaska Native, and Native Hawaiian students to ensure that schools address the unique academic and cultural needs of these students. The conference report updates and improves supports to rural schools by providing more flexible use of federal funding to enable rural districts to more effectively implement programs and updates and strengthens the Impact Aid program, which reimburses eligible local school districts that are near, or serve students from, military bases, federal lands, and Indian reservations, for the loss of property taxes due to certain activities of the federal government. Finally, the conference report recognizes the unique challenges that homeless students face and provides the necessary supports for homeless students to enroll, attend, and succeed in school.

Provides greater funding flexibility to enhance support for students and schools – The conference report authorizes the new Student Support and Academic Enrichment grant program to help States and local school districts target federal resources on local priorities. For example, school districts would be able to use these resources to help provide students a well-rounded education, promote the effective use of technology in schools, and protect the health and safety of students. So long as they follow basic requirements, school districts determine how they will spend the additional funding based on local needs and priorities.

Promotes high-quality choices for parents – The conference report improves the Charter Schools Program by investing in new charter school models, as well as allowing for the replication and expansion of high-quality charter school models. The conference report also incentivizes charter school accountability, transparency, and community engagement practices. The conference report prioritizes grants to evidence-based magnet school programs, including inter-district and regional magnet programs, and provides opportunities to expand magnet school programs with a demonstrated record of success.

Maintains and strengthens critical programs – The conference report significantly streamlines and reduces the number of existing federal programs, while authorizing dedicated funding to support important priorities, including innovation, teacher quality, afterschool programming, increased access to STEM education, arts education, and accelerated learning, safe and healthy students, literacy, and community involvement in schools, and other bipartisan priorities. The conference report also authorizes the Preschool Development Grants program. This competitive grant program, will use existing funding to support states that propose to improve coordination, quality, and access for early childhood education and will be administered by the U.S. Department of Health and Human Services jointly with the Department of Education.