



**Understanding the
Every Student
Succeeds Act**

National Indian Education Association



Elementary & Secondary Education Act

- No Child Left Behind (NCLB) gone
- Every Student Success Act (ESSA) signed into law by President Obama on Dec 10, 2015
- Major Change: Shift in power and responsibilities from federal → state



Agenda

- National Picture: Review of Major Provisions
- Native Education: Review of Title VI



National Picture

1. Transition NCLB → ESSA
2. Accountability
3. Low-Performing Schools
4. Testing
5. Standards
6. Teachers & School Leaders
7. Special Education
8. Preschool Development



NCLB → ESSA

- Waivers null and void on Aug. 1, 2016
- Transition phase: 2016-17 school year
- Grant programs:
 - Formula grants (such as Title I) begin July 1, 2016
 - Competitive federal grants begin after Oct 1, 2016



Accountability: Plans

- States still have to submit accountability plans to Dept. of Education
- New plans will start in the 2017-18 school year



Accountability: Goals

- States set their own academic goals and measure progress toward them
- States decide what should happen when schools fail to meet goals
- Goal Expectations:
 - Must address: proficiency on tests, English-language proficiency, and graduation rates
 - Purpose: all subgroups of students that are furthest behind close gaps in achievement and grad rates



Accountability: Systems

States will design their own system to hold schools accountable and decide how much test scores and other factors weigh.

- Elementary and Middle Schools:
 - At least 4 indicators must be included:
 - 3 academic indicators: proficiency on state tests, English-language proficiency, and another academic indicator that can be broken down by subgroup
 - At least 1 nonacademic indicator: Examples include student engagement, postsecondary readiness, or school climate/safety



Accountability: Systems

High Schools:

- The same indicators as Elementary and Middle Schools (3 academic indicators + 1 non-academic indicator)
- Graduation rates have to take the place of a second academic indicator



Low Performing Schools

- Bottom 5 % of performers, at least once every 3 years
- Dropout factories - graduation rate is 67% or less
- School improvement set aside increased to 7% (up from 4%)



Testing

Elementary and Middle Schools	High Schools
<ul style="list-style-type: none">• States have to test students in reading and math in grades 3-8 and once in high school. Data must be broken down by whole schools and different subgroups of students (including AI/AN)	<ul style="list-style-type: none">• Districts can use nationally recognized tests at the high school level, with state permission, such as the SAT or ACT.
<ul style="list-style-type: none">• Minimum participation rate = 95% (maintained from NCLB)	<ul style="list-style-type: none">• Minimum participation rate = 95% (maintained from NCLB)
<ul style="list-style-type: none">• States can create their own testing opt-out laws, and states decide what should happen in schools that miss targets	<ul style="list-style-type: none">• States can create their own testing opt-out laws, and states decide what should happen in schools that miss targets.



Testing: Pilot Program

- Allows districts to experiment with new forms of assessment
- Eligibility: Up to 7 states can apply, with the permission of Dept. of Education
- Purpose: Local tests are meant to be modified for improvements in order to best evaluate college and career readiness for students



Standards

- States required to adopt “challenging” academic standards
- Secretary of Education prohibited from forcing or even encouraging states to pick a particular set of standards (including Common Core State Standards)



Teachers & School Leaders

- Teacher evaluation not tied to student outcomes
- Elimination of “highly qualified”
- Teacher & School Leader Innovation Program: Funding for districts to create performance pay and other teacher-quality improvement measures



Special Education

- Only 1% of students overall can be given alternative tests
 - Equates to roughly 10% of students in special education
- Clearly defined intent and limits around alternative academic standards (AAS) for students with the most significant cognitive disabilities
- Native students overrepresented in special education



Preschool Development

- Preschool Development Grant program is moved to the Dept. of Health & Human Services and jointly administered by Dept. of Education
- Focus: Program coordination, quality, & broadening access to early-childhood education



Native Education: Title VI

1. Consultation
2. Cooperative Agreements
3. State Tribal Education Partnership (STEP)
4. Language Immersion
5. Impact Aid
6. Native Hawaiian Education
7. Alaska Native Education
8. Bureau of Indian Education



Consultation

- State and LEAs must engage in meaningful consultation with Indian tribes or tribal organizations in the development of state plans for Title I grants
- LEAs must consult with tribes prior to making any decision affecting the opportunities of AI/AN students in programs, services, or activities funded by ESSA



Language Immersion

- New grant program under National Activities can be used for Native language programs
 - Goal: achieve fluency in a Native American language along with proficiency in other core subjects
- New Immersion Language Study authorizes a grant to study best practices of Native language immersion schools



Impact Aid

- Eliminates the federal properties “lockout” provision
- Learning opportunity threshold
- Hold harmless provision



Cooperative Agreements

- Tribes are authorized to enter into cooperative agreements with state and LEA's that operate on tribal lands
- Emphasizes the participation of Native American students' tribes and parents in the development of the programs to be implemented through Title VI grant funding
- TEA is authorized to plan, conduct, consolidate and administer programs, services, functions, and activities



STEP Program

- Permanently authorizes STEP Program
- Tribes can directly administer education programs, including formula grant programs



Native Hawaiian Education

- Priority given to programs that meet the educational priorities of the Native Hawaiian Education Council (NHEC)
- Priority for partnership given to a nonprofit entity serving underserved Native Hawaiians
- Changes composition of NHEC



Alaska Native Education

- Greater emphasis on the role of Alaska Native languages and culture in student success
- Expands eligibility for grants
- Mandates that programs develop strategies to improve Alaska Native student outcomes
- Eligible activities expanded to include student enrichment programs in STEM and Alaska Native culture



Bureau of Indian Education

- Interior to determine the standards, assessment, & accountability system for BIE
- Negotiated Rule-making needed to make any change to accountability system – no change through 2016
- Now eligible to apply for discretionary funding



More to Know & Learn

Member Only Webinars:

- Standards
- Accountability
- Native specific provisions



Head To The Hill With NIEA

Join NIEA as we advocate for Native students on Capitol Hill on *Thursday, February 25, 2016*.

Head To The Hill includes:

- Panels on the ESSA and FY 2017 Budget and Appropriations;
- Congressional speakers;
- Briefing on school climate and positive school environment for Native youth.

To register visit www.niea.org



Questions?

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A large, light gray watermark of the National Indian Education Association logo is centered in the background. The logo consists of a circle containing a stylized figure of a Native American person holding a bow and arrow.

**For more
information, please
visit NIEA.org**

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