



Understanding the *Every Student Succeeds Act*

A Parents' Guide to the Nation's Landmark Education Law

Dear Parent,

This guide aims to help parents like you understand the flexibility provided to States and school districts in the *Every Student Succeeds Act (ESSA)*, which amended the *Elementary and Secondary Education Act*, a landmark Federal education law.

We know that parents are the most important advocates for their children. Because States and school districts have significant flexibility in how they meet the requirements of the law, you have an opportunity to influence how they use that flexibility to best help your child.

We hope that this document empowers you with information that will help you advocate for better education for your child and every child in your State and district and help you make the right choices for your family.

Secretary of Education
Betsy DeVos

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For more information on *ESSA*, visit

<https://www2.ed.gov/policy/elsec/leg/essa/index.html>.



WHAT ESSA SAYS ABOUT



Tests



IN A NUTSHELL

ESSA requires every State to develop challenging academic standards that specify the knowledge and skills that the State expects all its students to achieve, and to administer annual tests aligned with those standards.



WHAT THAT MEANS FOR YOU

After consulting with parents, teachers, and other stakeholders, your State has the freedom to choose the standards that describe the knowledge and skills every child in your State is taught, and the tests that will let you and your child's teachers know whether your child has achieved those standards.

Eighth-Grade Math Tests



IN A NUTSHELL

A State that administers end-of-course math tests in high school may excuse any eighth-grade student from the State's eighth-grade math test if the student takes the end-of-course test the State typically administers in high school instead. To receive this flexibility, the State must commit to administering to the student a more rigorous math test in high school.

WHAT THAT MEANS FOR YOU

If your eighth-grader is taking a high school-level math class and test, he or she is not required to take the State math test other eighth-grade students take.

High School Tests



IN A NUTSHELL

A State may allow a district to administer a locally selected, nationally recognized high school test in place of the statewide test in math, reading/language arts, or science.

WHAT THAT MEANS FOR YOU

Your high school student may be able to take a nationally recognized high school test, such as the ACT or SAT, instead of the test your State normally administers in high school.

Innovative Testing



IN A NUTSHELL

A State may apply to the U.S. Department of Education to implement innovative tests in some of its districts instead of the statewide test.

WHAT THAT MEANS FOR YOU

If your child attends a school in a district in a State that receives this flexibility, he or she may take a different type of test in place of the standardized tests the State would otherwise administer.

Personalized Computer Testing



IN A NUTSHELL

A State may administer its tests in the form of computer-adaptive tests, which adapt or adjust by increasing or decreasing in difficulty based on a student's responses to questions on the test in real time. This type of adaptive test allows a State to measure a student's knowledge more quickly and with more precision.

WHAT THAT MEANS FOR YOU

Your child may take the required State tests using a computer program that adapts test questions based on how your child is doing on each question (i.e., gets more challenging if your child answers correctly or less challenging if your child answers incorrectly).

Tests for Students With the Most Significant Cognitive Disabilities



IN A NUTSHELL

A State may adopt alternate academic achievement standards and alternate tests that measure achievement against those standards for students with the most significant cognitive disabilities. A State may administer an alternate assessment that is aligned to alternative academic standards to no more than 1 percent of its tested students. The State must demonstrate that any alternate assessment provided is aligned with the same grade-level academic content standards as the general assessment for a given grade.

WHAT THAT MEANS FOR YOU

If your child is a student with the most significant cognitive disabilities, as defined by your State, it may be appropriate for your child to be assessed with an alternate assessment. This determination will be an individualized decision, with your input, based on your child's individual and unique needs, and will be consistent with your State's guidelines for participation in the alternate assessment. While an alternate assessment is a different assessment than the general assessment, a student who takes an alternate assessment should continue to have access to the same challenging grade-level academic content standards as the student's peers who are assessed with the general assessment.



WHAT ESSA SAYS ABOUT



Accountability



IN A NUTSHELL

Every State is required to develop an accountability system for all public schools to improve student achievement and school success, but the State has broad discretion in designing its system.



WHAT THAT MEANS FOR YOU

Your State may select a number of measures to assess the performance of each public school. For example, in addition to performance on statewide tests and graduation rate, your State may select such measures as chronic absenteeism or student growth. It is important that your State helps you understand what measures it uses to evaluate schools so that you understand the performance of your child's school and other schools.

Recently Arrived English Learners



IN A NUTSHELL

A State has three options for how to include recently arrived English learners in its statewide accountability system.

WHAT THAT MEANS FOR YOU

If your child is an English learner and has attended a school in the United States for less than 12 months, he or she may not have to take all of the required standardized tests. If he or she takes the tests, your State may choose not to include his or her score in the same way as all of the other scores when the State evaluates the school's performance.

Former English Learners



IN A NUTSHELL

A State may include former English learners in the subgroup of English learners for certain purposes within its accountability system for up to four years.

WHAT THAT MEANS FOR YOU

If your State takes advantage of this flexibility in evaluating the performance of English learners in your child's school, the State will give your school credit for the performance of students who were previously English learners but have achieved English language proficiency within the last few years.



WHAT ESSA SAYS ABOUT



School Support and Improvement



IN A NUTSHELL

A State is required to identify three categories of schools: (1) those needing comprehensive support and improvement; (2) those needing targeted support and improvement; and (3) those needing additional targeted support and improvement. The schools that must be identified for comprehensive support and improvement are the lowest-achieving 5 percent of *Title I* schools, high schools that have a graduation rate below 67 percent, and additional targeted support and improvement schools that do not improve. A State has some flexibility in how it identifies schools for targeted support and improvement, but generally identifies these schools based on the performance of individual subgroups of students, such as by race, free or reduced-price lunch status, or students with disabilities.



WHAT THAT MEANS FOR YOU

Your State and district are required to include on their annual report cards a list of all schools that are identified for comprehensive or targeted support and improvement. You can check those report cards to see if your child's school has been identified as needing comprehensive or targeted support.

Public School Choice



IN A NUTSHELL

A district may offer students enrolled in a school identified for comprehensive support and improvement the option to transfer to another public school. A district may also use up to 5 percent of its *Title I* Part A funds to pay for transportation of students who take advantage of this choice.

WHAT THAT MEANS FOR YOU

If your child attends a school the State identifies for comprehensive support and improvement, your district may allow your child to transfer to another public school and use a portion of its Federal funds to pay for transportation to the public school you choose for your child.

Alternative High Schools



IN A NUTSHELL

A State may permit different improvement activities for high schools that serve students who have previously dropped out or who are at risk of dropping out.

WHAT THAT MEANS FOR YOU

Your State can permit high schools that are designed to serve students who have previously dropped out or who are at risk of dropping out to implement improvement activities that are specifically tailored to the unique needs of these students.

School Improvement Activities



IN A NUTSHELL

A district is required to develop a plan for each school that the State identifies as needing comprehensive support and improvement, but the district has the freedom to identify the evidence-based interventions it will include in each plan. Likewise, each school that a State identifies as needing targeted support and improvement has the freedom to identify the evidence-based interventions it will include in its targeted support and improvement plan.

WHAT THAT MEANS FOR YOU

Because *ESSA* requires districts and schools to involve parents in developing comprehensive and targeted support and improvement plans, you can help your district or school determine the evidence-based interventions that are best suited to meet the needs of students in your child's school.

School Improvement Funds



IN A NUTSHELL

A State may determine how to distribute school improvement funds. A district with one or more schools identified for comprehensive or targeted support and improvement has the flexibility to determine whether to apply for school improvement funds and, if so, to determine how much funding it requests, for which school or schools it requests funds, and whether to seek funding for district-level activities.

WHAT THAT MEANS FOR YOU

Your State can decide whether it would be more beneficial to distribute funds for the lowest-performing schools and schools with low-performing subgroups based on a formula or to have districts compete for the funding. Whichever method your State chooses, your district can choose whether to apply for the funds and, if so, the schools for which it will seek the funds and the activities it will support with the funds.



WHAT ESSA SAYS ABOUT



Student-Focused Activities



IN A NUTSHELL

A State may reserve some of its Federal funding for “direct student services” that include, for example, activities that help students complete advanced or career and technical education coursework, or the cost of transportation for students to transfer to public schools not identified as among the lowest-performing schools. A district also can decide if it wants to apply for these funds and, if so, which direct student services it will implement.



WHAT THAT MEANS FOR YOU

If your State chooses to reserve Federal funds for direct student services, your district may be able to receive some of those funds and offer services that it otherwise couldn't, such as enabling students to enroll in different courses or allowing students in the lowest-performing schools to choose to attend higher-performing public schools.

WHAT ESSA SAYS ABOUT



Charter Schools



IN A NUTSHELL

Charter schools are free public schools of choice exempt from certain State or local rules and regulations. The U.S. Department of Education awards grants to eligible entities, including States, charter management organizations, and charter developers, to create and expand charter schools. Grantees have the freedom to develop their charter school programs, including their mission, curriculum, teaching methods, and other aspects of the school.



WHAT THAT MEANS FOR YOU

Your State and nonprofit organizations that develop charter schools can apply for Federal funds to create and expand charter schools to which parents can choose to send their children.



WHAT ESSA SAYS ABOUT



Funding Flexibility



IN A NUTSHELL

States and districts have flexibility related to certain funds under the *ESSA*, including the flexibility to consolidate or transfer certain funds, flexibility to combine certain Federal funds with State and local resources, and flexibility in how they use certain funds.



WHAT THAT MEANS FOR YOU

Your State and district have some flexibility to use Federal funds in ways that may better meet student needs.



Student-Centered Funding Pilot



IN A NUTSHELL

A district may apply for flexibility that would allow it to combine certain funds in a way that may enable the district to better support students, particularly high-need students, such as children from low-income families, English learners, and children with disabilities.

WHAT THAT MEANS FOR YOU

Your district may apply to the U.S. Department of Education to participate in the student-centered funding pilot, which permits the district to combine certain Federal funds with State and local funds and to distribute resources to schools in a way that better meets the needs of students. The district would receive significant flexibility from meeting many Federal requirements of the programs it combines.

Ensuring That Federal Funds Supplement State and Local Funds



IN A NUTSHELL

If your child attends a school that receives Federal *Title I* money, the law requires that your school also receive all of the State and local money it would receive even if it did not receive *Title I* money. So, the district's allocation of State and local funds must be *Title I*-neutral.

WHAT THAT MEANS FOR YOU

Federal funds are intended to provide additional services to schools that receive them. A district has flexibility in how it demonstrates that it uses *Title I* Part A funds to supplement, and not supplant, State and local funds. A district does not need to identify specific uses of *Title I* Part A to do so.

Title I Schoolwide Programs



IN A NUTSHELL

A State may allow your child's school to operate a schoolwide *Title I* program if your State believes that will better serve students, even if the school's poverty rate is below 40 percent.

WHAT THAT MEANS FOR YOU

A *Title I* school is a school that serves high concentrations of economically disadvantaged students. A *Title I* school with a poverty rate of 40 percent or more may operate a schoolwide program — meaning it can use the funds to support all the students in the school — and may consolidate Federal, State, and local funds to better serve its students. A State may grant a waiver to a school with a poverty rate below 40 percent to operate a schoolwide program if the State thinks a schoolwide program will better serve students.

Flexibility for Rural Schools



IN A NUTSHELL

A district that is eligible for the Small, Rural School Achievement (SRSA) program has flexibility in using the funding it receives under certain other Federal education programs.

WHAT THAT MEANS FOR YOU

If your district is eligible for the SRSA program, it has flexibility in how it uses the funding it receives under certain other Federal education programs to best meet the needs of its students.

WHAT ESSA SAYS ABOUT



Supporting Local Reform

State Flexibility



IN A NUTSHELL

A State, with approval from the U.S. Department of Education, may waive certain Federal education requirements that may impede local reform efforts.



WHAT THAT MEANS FOR YOU

Your State may be able to exempt your district from many Federal requirements in order to improve the academic achievement of children in your school and district.

Waivers



IN A NUTSHELL

The U.S. Secretary of Education may waive many Federal requirements for *ESSA* programs if a State demonstrates that a waiver would advance student academic achievement.



WHAT THAT MEANS FOR YOU

Your State may request a waiver of certain Federal requirements if releasing the State, or certain districts in the State, from those requirements would help to improve student academic achievement.

Resources

To learn more, or to encourage your State or district to take advantage of these flexibilities, you can:

- Contact your State:
<https://www2.ed.gov/about/contacts/state/index.html>.
- Read your State's *ESSA* Plan:
<https://www2.ed.gov/admins/lead/account/stateplan17/statesubmission.html>.
- Read the *ESSA* statute:
<http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>.
- Contact your local school district.
- Attend your local school board meeting, and voice your opinion about these issues.

The document presents a summary of the *Every Student Succeeds Act*, which amended the *Elementary and Secondary Education Act*. It does not create any new rights or responsibilities. For the full text of the statute, please go to the following link: **<http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>**.

U.S. Department of Education

Betsy DeVos
Secretary

Office of Elementary and Secondary Education

Frank Brogan
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August 2018

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