Advancing Equity through ESSA: Strategies for State Leaders

INCREASING ACCESS TO EFFECTIVE TEACHERS AND LEADERS
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With the implementation of the Every Student Succeeds Act (ESSA), states have a new opportunity to lead on educational equity. Public education is fundamentally a state responsibility that is explicitly addressed by each state’s constitution, and states provide the largest share of funding for public schools, which positions states to ensure equity in education remains a priority – and becomes a reality.

ESSA acknowledges this state responsibility and rebalances the federal role to allow greater state autonomy and flexibility in pursuing this equity mission, while keeping in place important guardrails. Achieving equity means that family income, race/ethnicity, English-language proficiency, and disability status no longer predict educational opportunities and outcomes. Achieving equity in public education will require addressing deep-seated inequities in funding, access to rigorous curriculum, and access to effective teachers and school leaders, among other factors.

Federal funding under ESSA can be a critical contributor to advancing the equity agenda. Whereas implementing prior federal policies has been characterized by bureaucratic oversight and a culture of compliance, ESSA offers a chance for states to be more creative and strategic in ensuring federal funding advances a state’s equity agenda – and not the other way around.

To help states use ESSA to close opportunity and achievement gaps, this document identifies eight equity priorities – closing funding gaps, improving low-performing schools, increasing access to effective teachers and leaders, supporting English learners, increasing access to advanced coursework, addressing disproportionate discipline practices, addressing students’ social-emotional learning needs, and improving access to high-quality instructional materials – and illustrates how states can use ESSA to improve equity in opportunities and outcomes.

HOW TO USE THIS FRAMEWORK

To take full advantage of the flexibility ESSA offers, state priorities and strategies need to guide ESSA planning. This framework treats eight issues that already are priorities in many states and identifies multiple ESSA provisions that could be purposed to address each issue; direct excerpts from the statute are included so State Education Agency (SEA) leaders know what the law requires and allows. Rather than considering each funding stream and planning requirement in ESSA as a discrete issue to address, this framework encourages states to think more holistically across titles and provisions to advance a comprehensive strategy. This framework does not attempt to catalog every opportunity to elevate and advance equity in ESSA, but highlights significant opportunities on which state leaders can focus their efforts.
For each equity priority, we describe multiple provisions in ESSA that state leaders can use to address opportunity gaps and improve achievement. The framework also identifies high-impact actions for state leaders and guiding questions to support conversations on how to make each strategy an effective lever for equity. Wherever possible, state leaders should use ESSA to strengthen and complement existing state or local equity initiatives – and to proactively address conflicts or mixed messages across programs. By assembling teams with diverse perspectives and responsibilities, state leaders can de-silo the planning and implementation processes and forge more coherence across strategies intended to advance equity.
INCREASING ACCESS TO EFFECTIVE TEACHERS AND LEADERS

What’s the Opportunity?

Teachers are the most important in-school factor influencing student success and, without a strong principal, schools cannot transform, turnaround, and retain the talent they need to support each learner. Yet too many low-income students and students of color lack access to effective educators. With ESSA, states can target funds and programs help teachers and leaders develop the skills and competencies needed to improve outcomes for disadvantaged students and ensure they teach in schools that need their talent the most.1

Leveraging ESSA

• **State Requirement to Address the Distribution of the Teaching Workforce**: State plans must describe “how low-income and minority children enrolled in [Title I schools] are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description” [Sec. 1111(g)(1)(B)].

• **Public Reporting**: Each State Education Agency (SEA) and Local Education Agency (LEA) must submit information to the Office of Civil Rights (OCR) on “the professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of—(I) inexperienced teachers, principals, and other school leaders; (II) teachers teaching with emergency or provisional credentials; and (III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed” [Sec. 1111(h)(1)(C)(ix)(I)-(III)].

• **School Improvement Resource Review**: Each school identified under the state accountability system for comprehensive support and improvement must “locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes,” which must “[identify] resource inequities, which may include a review of local educational agency and school-level budgeting, to be addressed through implementation of such comprehensive support and improvement plan” [Sec. 1111(d)(1)(B)(iv)]. To focus on inequitable access to effective teachers and leaders, this review could address disparities in teacher salaries within the district or inequitable allocation of FTEs, and/or treat access to effective teachers and school leaders directly as a resource inequity to be addressed.

• **Title I, Part A Subgrants to LEAs**: Title I schoolwide schools (where at least 40 percent of students enrolled in the school or in the school attendance area come from low-income families and all students are considered to be “Title I students”) may design Title I programs, and therefore use Title I funds, to increase opportunities for all children to meet state standards, [Sec. 1114(b)(7)(A)(i)]. Likewise, in a targeted assistance program, funds can be used to provide professional development to personnel that work with Title I students [Sec. 1115(b)(2)(D)]. Under NCLB, some states prohibited LEAs and schools from using Title I, Part A funds for teacher support activities, and therefore Title I is often overlooked as a possible resource to support increased access to effective teachers. SEAs can ensure that Title I schools have access to the full array of Title I spending options in order to improve access to effective teachers in Title I schools.
• **Title II, Part A State Activities:** States may retain up to 5 percent of Title II funds for state activities, with not more than 1 percent of funds being used for administration [Sec. 2101(c)(1)-(2)]. States may reserve an additional 3 percent of their Title II funds (on top of the 5 percent reservation) for state activities that support principals and other school leaders [Sec. 2101(c)(3)]. There are a variety of allowable uses for these funds that can be used to support and develop effective teachers and leaders [Sec. 2101(c)(4)]. Principals are the linchpin for building effective schools and play a critical role in recruiting, developing, and retaining talented building staff with the skills needed to improve student outcomes; funding strategies to support school leader development and retention is a critical part of any initiative to increase students’ access to effective educators.

• **Comprehensive Literacy State Development Grants:** SEAs applying for competitive Comprehensive Literacy State Development Grants must complete a needs assessment as part of their application that “analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most significant gaps in literacy proficiency and inequities in student access to effective teachers of literacy” [Sec. 2222(d)(2)(A)].

• **Title II, Part A Subgrants to LEAs:** LEA applications for Title II funds must include “a description of how the local educational agency will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) and have the highest percentage of children counted under section 1124(c)” [Sec. 2102(b)(2)(C)]. Title II, Part A local funds may be used for a variety of professional development and school personnel support activities, many of which are relevant to improving access to effective teachers [Sec. 2103(b)]. SEAs should ensure LEAs are aware of the various Title II, Part A spending options and encourage LEAs to revisit current Title II, Part A spending to determine if funds are being used strategically to improve access to effective teachers – and to ensure funds are appropriately targeted to schools implementing comprehensive support and improvement plans and targeted support and improvement plans, as well as to schools with the highest proportion of children living in poverty.

• **Teacher and School Leader Incentive Program:** SEAs may apply for Teacher and School Leader Incentive Program grants to carry out activities that may support high-need schools, including but not limited to improving recruitment, selection, placement, and retention or providing principals with school-based autonomy for budgeting and staffing decisions [Sec. 2212(e)(2)].

• **School Leader Recruitment:** SEAs (alone, with a consortium with other SEAs, or in partnership with one or more LEAs) may apply for competitive grants “to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals or other school leaders in high-need schools.” This work may include developing and implementing programs to train educators in high-need schools or to recruit educators to schools implementing comprehensive support and improvement plans and targeted support and improvement plans, as well as a variety of other activities [Sec. 2243(a)].

• **Title III State Activities:** States may reserve up to 5 percent of funds received under Title III to be used for activities to support English learners, including “providing effective teacher and principal preparation, effective professional development activities, and other effective activities related to the education of English learners, which may include assisting teachers, principals, and other educators in – (ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners” [Sec. 3111(b)(B)(ii)].
High-Impact State Actions

• Ensure state policies and practices permit and promote using federal formula funds, such as Title I, Part A and other ESSA funds (in addition to Title II), to attract and retain effective teachers and leaders to Title I schools. Policies and practices to examine include:
  o State guidance and rules for spending federal funds (formal and informal);
  o The state-designed application for ESSA formula funds that LEAs must submit to their state annually, which typically includes asks for plans and budgets;
  o The review and approval process (including rubrics) of these LEA applications;
  o Technical assistance activities;
  o Other state oversight activities, including monitoring.

• Develop activity-focused guidance describing strategies LEAs can implement to attract and retain effective teachers and principals in Title I schools and how ESSA and other federal funding sources can be used to help pay for those strategies.

• Use data from OCR and Title I reporting to be transparent about the percentage of ineffective, inexperienced, and out-of-field teachers across schools and districts that serve different groups of students. Lead a public dialogue with stakeholders to create awareness and local ownership for ensuring low-income students, students of color, and other groups of students who persistently show under-performance have access to their fair share of effective teachers and leaders.

• Work with LEAs to review data on students’ access to effective educators and develop human capital management strategies that attract and retain effective teachers and leaders to schools with the greatest need, or to revisit student assignment within schools.

• Coordinate with educator preparation programs and professional development providers to ensure that future teachers and leaders are trained in culturally-responsive pedagogy, literacy development, positive behavioral supports, and other evidence-based interventions that can help engage students from a variety of backgrounds.

• Use the optional Title II 3 percent set-aside to create a more robust pipeline of turnaround principals, who are critical to attracting and retaining talented teachers to low-performing schools. These funds can also be targeted to schools and districts with the greatest gaps in effective school leadership. Under Title II, states can use these funds to partner with institutions of higher education and/or private partners to develop programs tailored to their context and needs.

Guiding Questions for State Leaders

• Do current SEA policies and practices promote the use of federal funding to help increase access to effective teachers and leaders? If not, what needs to change?

• How can we use data to recruit and retain effective teachers and leaders in areas with the greatest need? What data do we need to inform these decisions? Have teachers been engaged to help develop and refine strategies?
• Where (i.e., subject areas, geographic areas, grade levels) is there the highest turnover of effective teachers and leaders? What can be done to retain them? Does the state recognize and celebrate effective teachers who are teaching in high-poverty and high-minority schools?

• What promising practices exist in our state for getting the most effective teachers in front of the most disadvantaged students? What practices can we consider from other states?

• Does state policy create barriers to recruiting and retaining effective educators in LEAs and schools that do not have an equitable share of these educators?

• How can we leverage our state teacher equity plans to strengthen opportunities to address teacher quality and access in ESSA? Are there commitments and action steps from our state equity plan that should be included in our ESSA plan?

• What is the SEA capacity to provide guidance and support to districts on these issues? Do we have an aligned talent management strategy that we can communicate to our LEAs to address these issues? Where can we build or borrow capacity?

• What is the capacity of LEAs and school leadership to address gaps in talent management? How can we support them directly or connect them with support?

• What partnerships might help our SEA to best leverage limited resources? What partnerships do we need to strengthen our efforts to improve teacher and leader quality (e.g., traditional and alternative educator preparation programs, professional development providers, LEA human capital offices)?