Advancing Equity through ESSA: Strategies for State Leaders

IMPROVING LOW-PERFORMING SCHOOLS

The Council of Chief State School Officers and The Aspen Education & Society Program
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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.
What’s the Opportunity?
No Child Left Behind (NCLB)-era accountability systems identified many low-performing schools, but the prescribed school turnaround strategies did not lead to consistently improved outcomes for students. New funding and programs for school improvement under ESSA provide more flexibility for Local Education Agencies (LEAs) and school leaders to craft solutions tailored to their local context.

Leveraging ESSA

- **School Improvement Funds:** In general, State Education Agencies (SEAs) must reserve 7 percent of Title I funds for LEAs to assist schools identified for support and improvement under the state accountability system. These funds can be awarded on either a formula or competitive basis [Sec. 1003(b)(1)(A)]. Among other requirements, when distributing Section 1003 funds, SEAs “shall give priority to local education agencies that-- (1) serve high numbers, or a high percentage of, elementary schools and secondary schools implementing [comprehensive support and improvement or targeted support and improvement plans]; (2) demonstrate the greatest need for such funds, as determined by the State; and (3) demonstrate the strongest commitment to using funds to enable the lowest-performing schools to improve student achievement and student outcomes” [Sec. 1003(f)(1)-(3)]. Section 1003 funds can only be used to implement evidence-based strategies that are supported with strong, moderate, or promising evidence from at least one well-designed study [Sec. 8101(21)(B)].

- **Comprehensive Support and Improvement (CSI):** At least once every three years, SEAs must identify certain schools for comprehensive support and improvement (CSI) [Sec. 1111(c)(4)(D)(i)]. CSI schools include (1) the lowest-performing 5 percent of Title I schools, (2) high schools failing to graduate one-third or more of their students, and (3) schools with chronically low-performing groups of students that have failed to improve after implementing more targeted supports [Sec. 1111(c)(4)(D)(i)-(III)]. LEAs with CSI schools must develop plans for each school that, among other things, include evidence-based interventions for the school [Sec. 1111(d)(1)(B)(ii)].
  - The SEA, LEA, and school must approve each CSI school plan and the SEA must monitor its implementation [Sec. 1111(d)(1)(B)(v)-(vi)].

- **Targeted Support and Improvement (TSI):** SEAs must annually identify certain schools for targeted support and improvement (TSI) [Sec. 1111(d)(2)(A)]. This includes any public school in which one or more groups of students is consistently underperforming as determined by the State [Sec. 1111(c)(4)(C)(iii)]. TSI schools must develop plans that, among other things, include evidence-based interventions [Sec. 1111(d)(2)(B)(ii)]. The LEA must approve TSI school plans and monitor their implementation [Sec. 1111(d)(2)(B)(iii)-(iv)].

- **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)].
Additionally, schools identified for targeted support and improvement “shall also identify resource inequities (which may include a review of local educational agency and school level budgeting), to be addressed through implementation of such plan” [Sec. 1111(d)(2)(C)] if the performance of any of the student groups in those schools would place them in the lowest-performing 5 percent of schools using the state’s methodology under Section 1111(c)(4)(D).

• **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)]. There are a variety of instructional strategies, non-instructional strategies, and teaching/school personnel support and professional development strategies that can be used in a schoolwide setting [Sec. 1114(b)(7)(A)(ii)-(V)]. Likewise, in a targeted assistance program, funds can be used to provide additional supports for Title I students. Under NCLB, some states limited how Title I, Part A funds could be spent beyond what federal law required, which limited the ability of low-performing schools to use Title I, Part A funds to meet their particular needs. SEAs can ensure that low-performing Title I schools have access to the full array of Title I spending options in order to better meet individual schools’ needs.

• **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)]. Allowable uses of these funds include but are not limited to activities to recruit, retain, mentor, and increase the effectiveness of teachers and school leaders [Sec. 2101(c)(4)(B)].

  - States have the option to retain an additional 3 percent of Title II, Part A funds (above the 5 percent reservation for state activities) to target state activities to principals and other school leaders [Sec. 2101(c)(3)]. States can elect to use the additional 3 percent allocation to prepare cadres of school leaders for the specific challenges of turning around low-performing schools and/or starting new schools to better serve these communities.

• **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 low-performing schools [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 different activities would better meet the needs of low-performing schools.

• **Teacher and School Leader Incentive Fund:** SEAs may apply for grants that would support, among other activities, “Providing principals or other school leaders with— (i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and (ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together” [Sec. 2212(e)(2)(C)(i)-(iii)].
• **Improving Literacy:** SEAs may apply for competitive Comprehensive Literacy State Development Grants from the Secretary of Education and subgrant those funds to “(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of children from low-income families; and (2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities” [Sec. 2222(a)(1)-(2)].

• **Title IV, Part A, Subpart 1 Subgrants to LEAs:** In their applications for Student Support and Academic Enrichment Grants, LEAs must provide assurances to their SEA that they will prioritize funds to schools with the greatest needs (as determined by the LEA), with the highest population of students identified under Section 1124(c) of ESEA, that have been identified for comprehensive support and improvement, that are implementing targeted support and improvement plans, or that have been identified as persistently dangerous under Section 8532 [Sec. 4106(e)(2)(A)(i)-(v)]. There are many relevant allowable uses of these funds that can support low-performing schools to increase student engagement and academic achievement, such as expanding STEM-focused and accelerated learning programs and increasing access to the arts [Sec. 4107(a)(3)].

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**High-Impact State Actions**

• Develop a strategy for how the SEA will partner with districts to build their capacity to improve schools, and how support will be differentiated to districts based on their level of need and commitment to change.

• Coordinate with LEAs on their school improvement needs and help connect them with differentiated resources and technical assistance based on the results of their resource review and their plan for implementing CSI activities.

• Design the LEA application for Section 1003 School Improvement funds in a way that is consistent with state goals and any complementary state programs for assisting low-performing schools; leverage the state’s ability to target school improvement funds to schools and LEAs with greatest needs and greatest commitment to improvement. Make funding renewal contingent on fidelity of implementation and LEA and school leaders’ commitment to improvement.

• Target state Title II funds for teachers, principals, and school leaders to schools and LEAs implementing comprehensive support and improvement activities and ensure that educators have the opportunity to build the skills they need to successfully implement those activities. Ensure that LEAs are aware of and follow new Title II requirements to target Title II funds to schools identified for improvement.

• Make the school-level needs assessment for CSI schools a priority for the SEA, through developing a model or required school-level needs assessments with guidance on including key community and school stakeholders in the process.

• Leverage the SEA’s CSI plan review process, as well as its general oversight responsibilities for LEA compliance with TSI requirements, to ensure these plans include evidence-based interventions that meet school needs and that CSI/TSI plans are aligned to other plans and strategies.

• Ensure that CSI and TSI plans incorporate alignment with other federal laws, such as the Individual with Disabilities Education Act (IDEA), the Carl D. Perkins Career and Technical Education Act, and other funding streams to strengthen the coherence and effectiveness of improvement activities. Provide guidance, technical
assistance, and flexibility for LEAs to combine multiple federal funding streams to support coherence in CSI/TSI schools. Getting this right is an important opportunity to ensure coherence in school improvement but will demand administrative expertise; the SEA can help LEA leaders in this process.

- Develop training for LEA and school staff on how they would, based on their needs assessment, create a school improvement plan that includes appropriately-matched, evidence-based interventions for their context.

- Provide LEAs with easy access to information on evidence-based interventions for low-performing schools; consider creating an evidence clearinghouse or collecting links to summaries of evidence-based interventions in other states or organizations.

- Create a framework and processes for collecting evidence to assess the efficacy of promising interventions where the current evidence base is weak.

- Make sure LEAs are aware of the evidence base regarding the positive effects of high-quality curriculum and instructional materials on student achievement and encourage LEAs to focus on providing high-quality, standards-aligned instructional materials and related professional-learning activities as central components of an evidence-based school improvement plan. Likewise, states should ensure LEAs know the evidence base on access to advanced coursework, early college high schools, and dual enrollment, and encourage these as legitimate evidence-based strategies for school improvement. Applications for Section 1003 School Improvement funds can be structured to draw attention to these options.

Guiding Questions for State Leaders

- What lessons from School Improvement Grant (SIG) and other prior efforts to support school improvement should inform ESSA implementation?

- What capacity do LEAs have to effectively support low-performing schools, administer school improvement funds, and track effectiveness? Where can we support them, and where do we need to bring in additional expertise? How can the SEA promote sustainability?

- How might we prioritize funding and services based on the biggest equity gaps in our state? Do we need different strategies for CSI/TSI schools in urban, suburban, and rural schools? How can we prioritize funding to those with the greatest commitment and sense of urgency for change? What capacity do we have to provide guidance and structure around the use of funds to support school improvement? How can we increase our capacity in this area?

- Who needs to be involved to more effectively leverage funding from IDEA, Perkins, and other sources outside of ESSA to strengthen interventions in low-performing schools?

- What evidence-based interventions have been tried in our state? Which services or practices have proven most effective for our target population(s) and closing opportunity and achievement gaps? How can we share these lessons with LEAs and schools?

- What evidence-based interventions might LEAs favor? How might we differentiate supports by LEA capacity and student need? Are there ways the state can facilitate LEA selection of interventions with stronger track records of success?

- Are we thinking about incorporating early learning as a school improvement strategy? If so, who needs to be involved in these conversations?

2. ESSA defines three levels of evidence that may be used to fund school improvement activities outlined in Section 1003: “an activity, strategy, or intervention that (i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on (I) strong evidence from at least 1 well-designed and well-implemented experimental study; (II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or (III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias” [emphasis added, Sec. 8101(21)(A)(i)(I)-(III)]. There is an additional fourth tier of evidence that applies to other evidence-based provisions under ESSA, defined as an activity, strategy, or intervention that “(i) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and (ii) includes ongoing efforts to examine the effects of such activity, strategy, or intervention” [Sec. 8101(21)(A)(ii)(I)-(II)]. Interventions funded under Section 1003 cannot include strategies that fall under this fourth tier of evidence.