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The Every Student Succeeds Act: Opportunities to Improve School Discipline, Climate, and Safety

The Every Student Succeeds Act

The Every Student Succeeds Act (ESSA) replaces the No Child Left Behind (NCLB) Act and represents a significant change from NCLB by shifting more responsibility for teacher evaluations, standards, school turnarounds, and accountability away from the federal government, to states.

ESSA reauthorizes and revises the Elementary and Secondary Education Act (ESEA) following the previous reauthorization under the NCLB Act that was in effect for almost 14 years. It authorizes funding for various purposes across its “titles” through fiscal year (FY) 2020. ESSA eliminates NCLB’s federal accountability system of adequate yearly progress and makes states primarily responsible for setting up their own accountability systems.

ESSA’s focus extends beyond K–12 education, incorporating numerous early education and child development provisions in its revised Title I.

Accountability Under ESSA

Accountability systems incorporate policies and practices that enable each state to measure how their schools and students are performing. They allow states to recognize schools and districts that are improving student outcomes and to focus on those schools that are not, including determining what supports and interventions are needed for schools and districts that fail to meet state-determined long-term and interim goals. To be effective, accountability systems must establish clear benchmarks for schools and students and identify corresponding, measurable indicators to track progress over time. Under the new law, states must still submit accountability plans to the U.S. Department of Education (ED). ESSA, however, gives states more autonomy to design and build their accountability systems than had previously been permitted.

The intention of NCLB was to hold states and districts accountable for the academic performance of traditionally underserved student subgroups. NCLB defined student success primarily in terms of academic proficiency based on standardized test scores.¹ ED had issued waivers of those

¹ For more information about NCLB, see <http://www2.ed.gov/nclb/landing.jhtml?src=ln>.

requirements to ultimately a majority of states,² and ESSA ratifies that shift toward local flexibility in designing accountability systems. It also endorses a more holistic approach to educational accountability by requiring states to track multiple measures of school and student success including—but extending well beyond—standardized test scores.

As a result, ESSA will now allow states to determine what measures should be tracked to ensure that students are not only performing well academically but also have the necessary skills and knowledge to be ready for college and careers. In addition to measuring individual student progress, the new law is designed to ensure that schools are improving conditions to support students' learning and development. State leaders will now have both the responsibility and authority to identify and track the measures that matter most for student success and that will provide data to inform decisions about school improvements.

States must include, at a minimum, the following measures in their accountability systems in order to meet the new requirements of ESSA:

- Student performance on the state's annual assessment;
- For elementary and middle schools, a measure of individual student growth, or another statewide, valid, and reliable academic indicator;
- For high schools, a measure of graduation rates;
- A measure of progress that a school's English language learners are making toward English language proficiency; and
- At least one additional, nonacademic measure of school quality or student success.

ESSA requires states to measure and report these data annually for all students including each identified student subgroup (e.g., economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, English language learners, students who are homeless, students whose parents are active in military service, and students in foster care). States also must determine the weight each measure will be given within the overall accountability rating, while meeting the requirement that academic factors must carry more weight than measures of school quality or student success.

Beginning with the 2018–2019 school year, ESSA also will require states to establish mechanisms to identify schools in need of comprehensive support and improvement. Two categories of schools must receive intervention and support:

- *Targeted support and improvement schools*: Schools with one or more consistently underperforming or low-performing student subgroup must, along with stakeholders (e.g., parents, educators, community partners), develop an improvement plan, which is to be approved and monitored by the district.
- *Comprehensive support and improvement schools*: The lowest performing 5% of Title I schools and all high schools with graduation rates at or below 67% must, along with stakeholders, develop an improvement plan that is based on a school-level needs assessment, includes evidence-based strategies, and addresses resource inequities. Both the district and the state must approve the improvement plan.

² Beginning in 2012, the U.S. Department of Education offered states more flexibility to comply with NCLB requirements in exchange for their commitment to certain reforms. For more information, see <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters/index.html>. See also U.S. Department of Education. (2013). *Obama administration approves NCLB waiver request for California CORE districts* [Press release]. Retrieved from <http://www.ed.gov/news/press-releases/obama-%20administration-approves-nclb-waiver-request-california-core-districts>.

For comprehensive schools and others (i.e. low-performing schools specified in ESSA) that have been targeted for additional intervention and support, states must establish clear criteria that delineate how the schools can qualify to exit that support and improvement status. If a school fails to meet those criteria within the number of years specified by the state, then it may be subject to additional, more intensive contingencies required by the state.

Opportunities to Improve School Discipline, Climate, and Safety through ESSA

The inclusion of at least one nonacademic measure in state accountability systems presents an opportunity for states to define student and school success comprehensively. Specifically, it allows states to address issues critical to success such as school discipline, climate, and students' physical and emotional safety³. States are beginning to develop their plans for the transition to the new ESSA requirements and opportunities, so now is the time for states to begin considering what measures might best reflect the quality and effectiveness of the learning environment as well as what nonacademic skills and competencies students should be able to demonstrate on the pathway toward becoming successful and productive citizens.

ESSA suggests some potential measures of school quality and student success, including measures of student and/or educator engagement, student access to and completion of advanced coursework, postsecondary readiness, and/or school climate and safety. Because states have the flexibility and autonomy to determine what specific measure(s) to include in their accountability systems, they can address the law's requirements (e.g. state plan, Title I-A) for consultation with key stakeholders by designing a consensus process to define student success and align accountability responses to ESSA requirements with specific state and school district priorities.

Although ESSA only requires states to include one nonacademic measure, states can design their accountability systems to capture data about multiple factors that most influence student success, resulting in a more comprehensive and holistic understanding of the needs, progress, and accomplishments of their students, staff, and schools.⁴

It is important for states to consider how each element of their accountability systems can create opportunities to improve policies and practice and how the combination of measures will provide a more comprehensive and complete understanding of what is happening within their schools or districts.

Beyond identifying their particular measures, states also must provide sufficient guidance to districts and schools on what each measure means. They must explain how data will be collected, tracked, and shared with key stakeholders to encourage conversations about trends revealed by the data, with the ultimate goal of informing decision making.

Key Questions to Ask Policymakers and Practitioners

States are currently involved in the process of developing accountability systems to meet their obligations under ESSA. To ensure that appropriate measures of school discipline, climate, and

³ Morgan, E., Salomon, N., Plotkin, M., & Cohen, R. (2014). *The school discipline consensus report: Strategies from the field to keep students engaged in school and out of the juvenile justice system* (p. 29). New York, NY: The Council of State Governments Justice Center.

⁴ The School Discipline Consensus Report issued by The Council of State Governments' Justice Center includes recommendations for multiple measures that schools, districts, and states can collect and track related to school discipline, climate, and safety. See the "Data Collection" chapter of the report at https://csgjusticecenter.org/wp-content/uploads/2014/06/The_School_Discipline_Consensus_Report.pdf.

safety can be effectively integrated into their systems, policymakers and practitioners should work together with other key stakeholders to determine the following:

- What concrete, quantifiable, nonacademic measures can be incorporated into accountability systems to effectively measure the safety, supportiveness, and overall quality of the learning environment?
- What data collection methods (e.g., surveys, focus groups, hard data) should be used to gather this information?
- What benchmarks should be established to determine when a school or district is excelling or struggling with its nonacademic measures?
- How will this information be used to inform state and local policy and practice?
- How will schools and districts that are not demonstrating positive results be identified and supported? What consequences will be applied, and what targeted interventions will be used to support schools and districts in need of additional support and improvement?