

ESEA & BEYOND



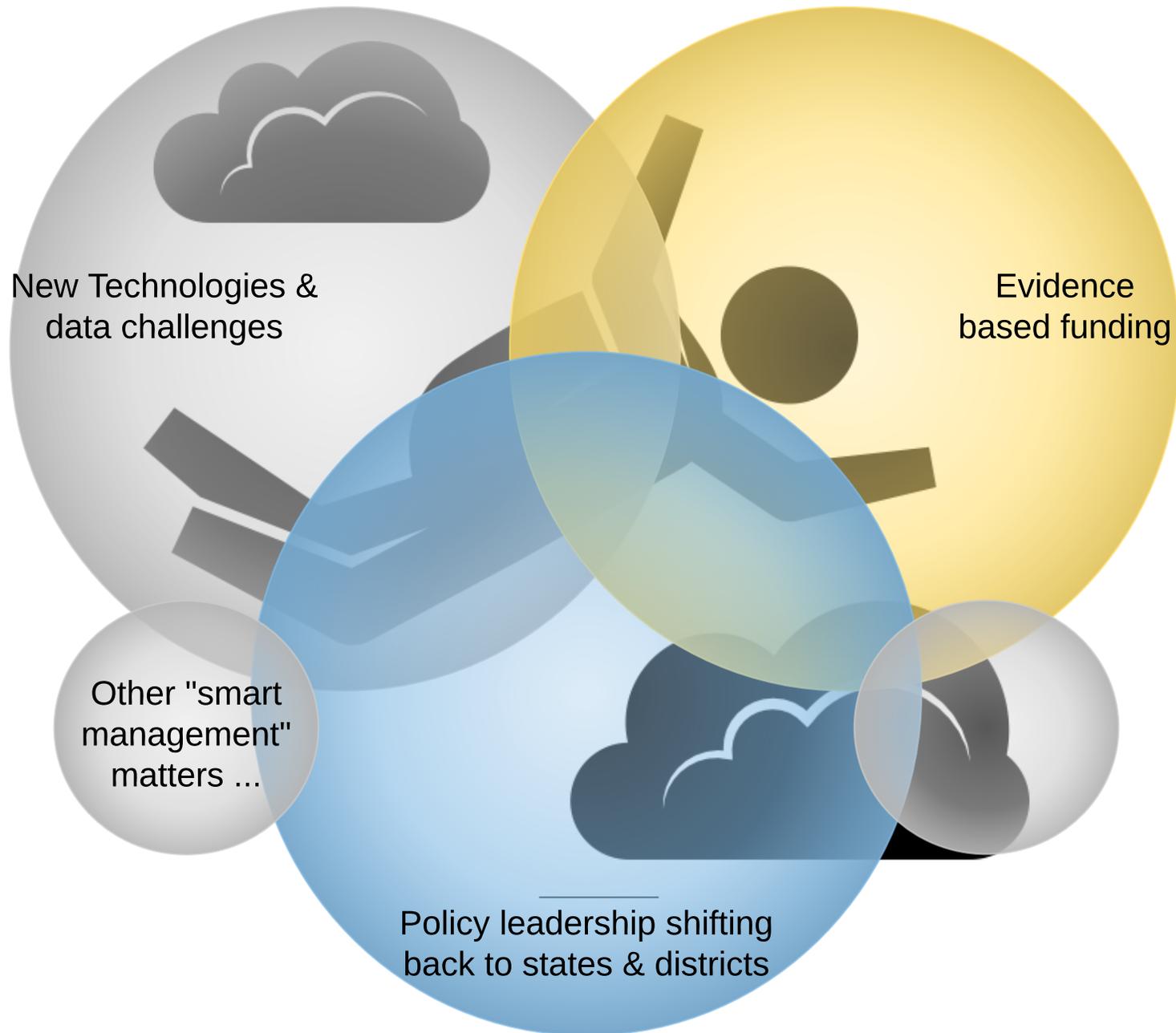
Whiteboard
Advisors

Presented by
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September 18, 2015
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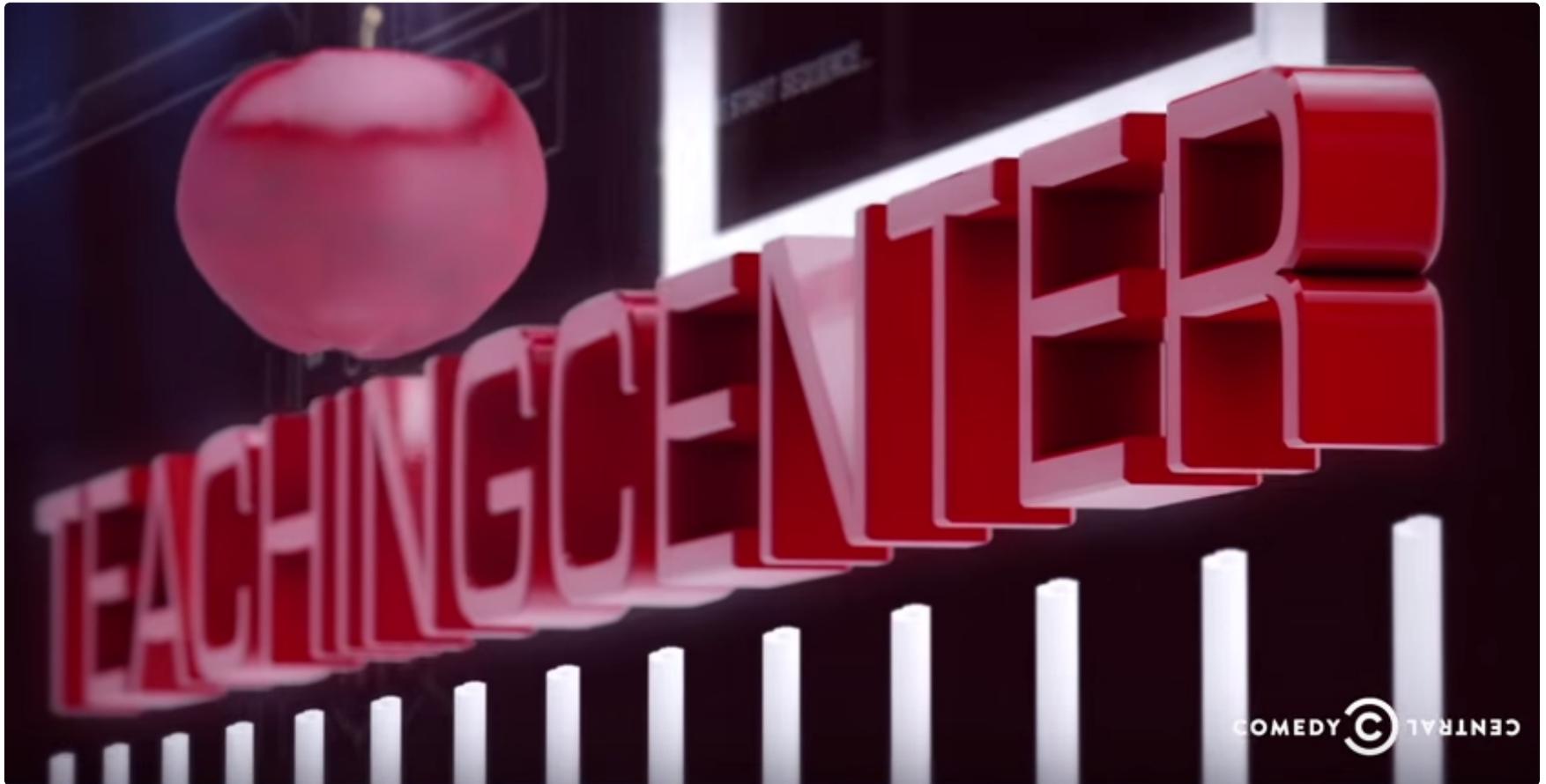
Neurosis is the inability to tolerate ambiguity. -Sigmund Freud



Neurosis is the inability to tolerate ambiguity. -Sigmund Freud



What should a "New Era" of school policy look like?



<http://www.youtube.com/watch?v=dkHqPFbxmOU>

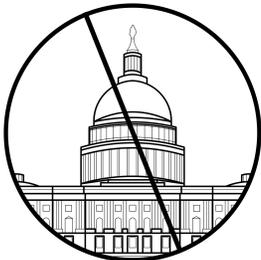
This document dives into the key issues of the ECAA. Each page identifies a key aspect of the law and highlights what the Senate lawmakers have done. For each issue, we provide a trend icon and a brief description of what is going on. For example, the ECAA requires annual testing in much the same way as NCLB requires annual testing. That gets an unmarked Capitol Building (see below). If the lawmakers dumped the requirement altogether, we would give it a scratch-out. If they kept the requirement but made some notable changes or revisions, we would use the refresh icon.

The cat-fight icon indicates that there is a forthcoming fight in conference.



If there are aspects of the law that you would like to learn more about, or if there are implications that you want us to tease out, please do not hesitate to contact david@whiteboardadvisors.com.

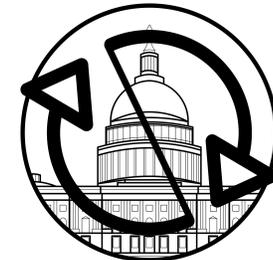
Big changes that
reject the current
federal role

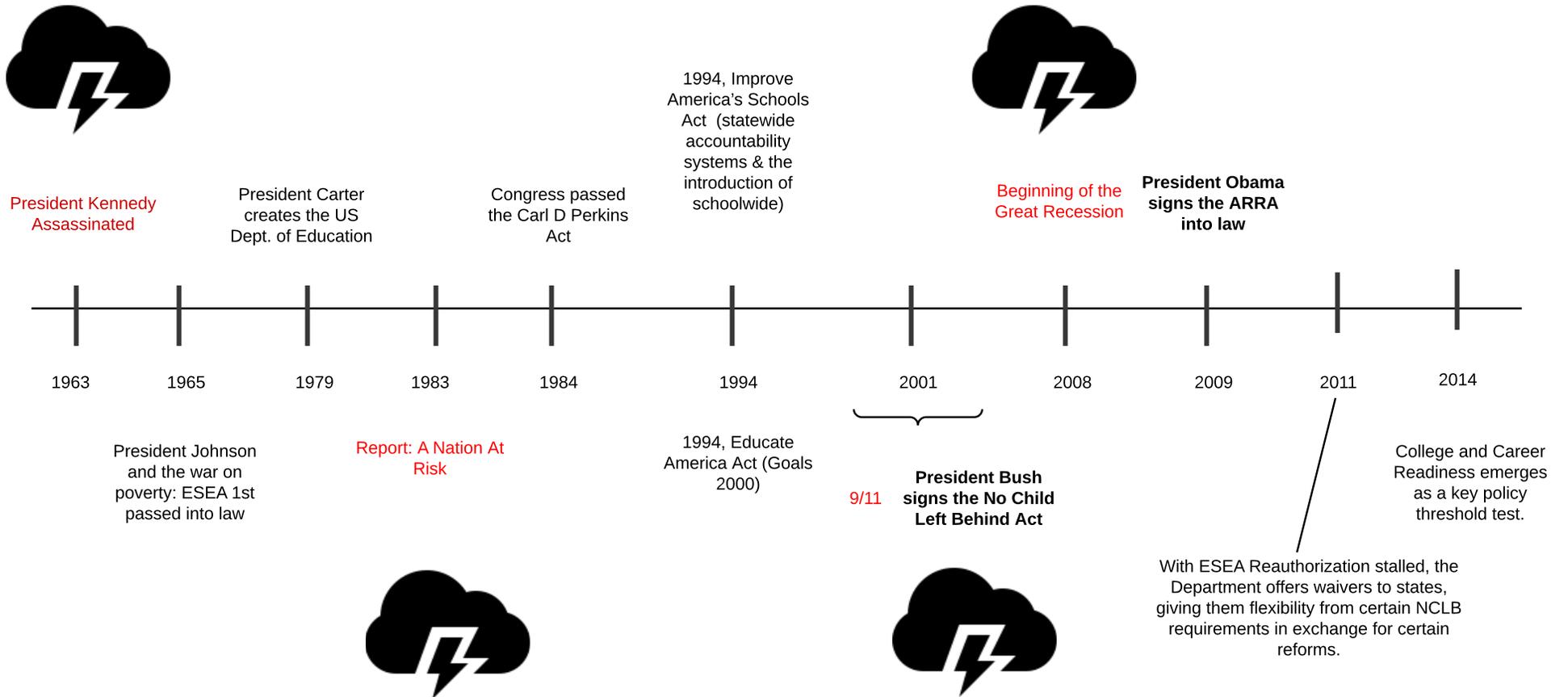


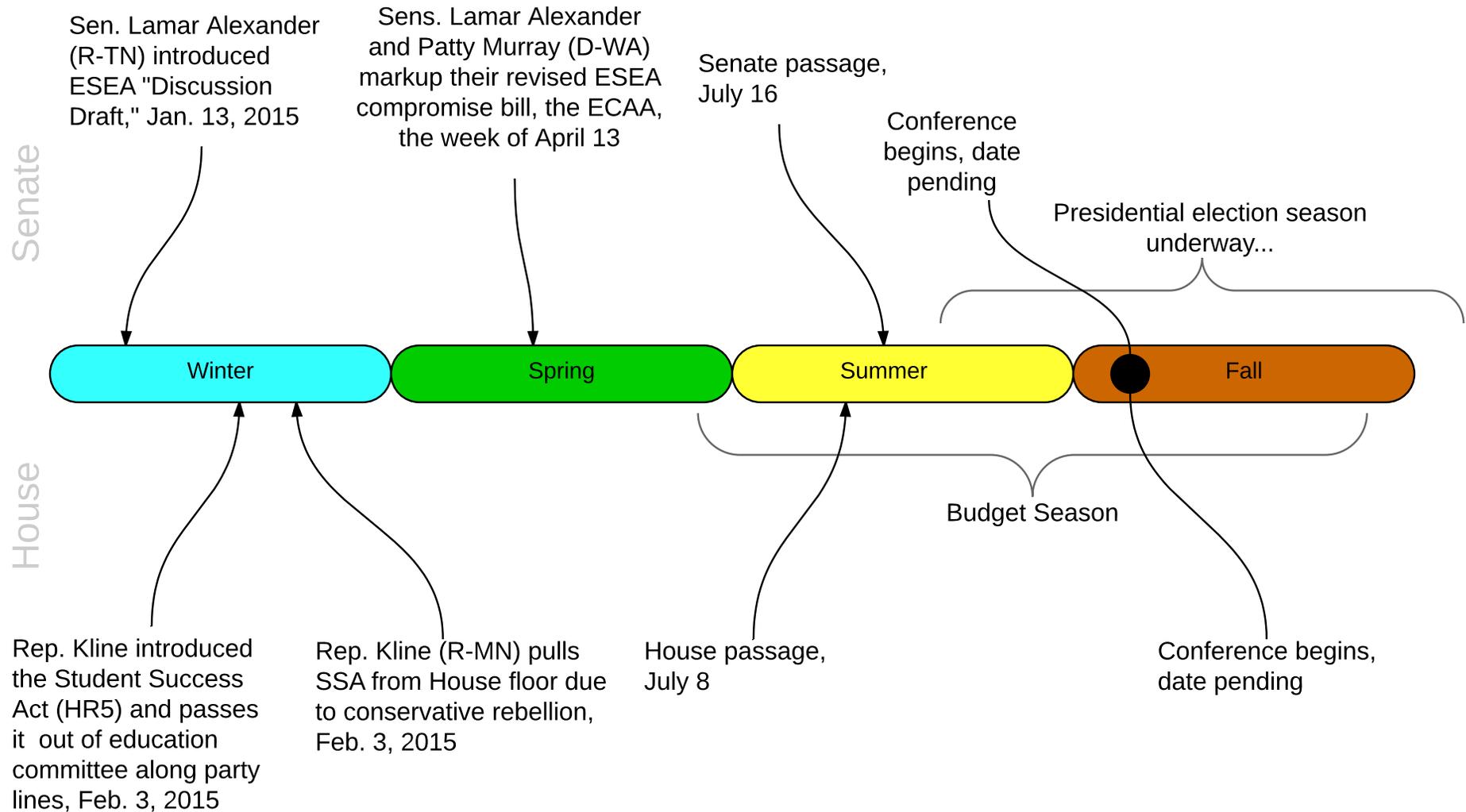
Tweaks here and
there, but it's about
the same



Changes or
something new, but
not a total revolt.







Insiders offer comments on the timeline for renewing ESEA

Everyone Wants A Bill

“Both bills passing their respective chambers is, to quote Joe Biden, a BFD. Alexander and Kline want to get this across the finish line, Murray does and Obama does. Scott can be brought along and Duncan, well, he's just happy to be there.”

“A majority of members want a bill, any bill, so that's a recipe for papering over the tough issues and punting.”

“As much because I actually believe it, I can't imagine yet another iteration of ESEA discussion. And, truthfully, seeing this Congress get it much better than what they are considering right now.”

“They are working on an agreement and there is give and take on a few items to make everyone happy in each house as well as across the aisle. The sticking point will be on accountability and how far they go or don't go.”

Not A Chance

“If there isn't a new bill signed by December 2015 (and that looks near impossible), no one is going to act on it during an election year. There is no incentive to offer any real solutions or fixes until a new Congress and a new president are in place.”

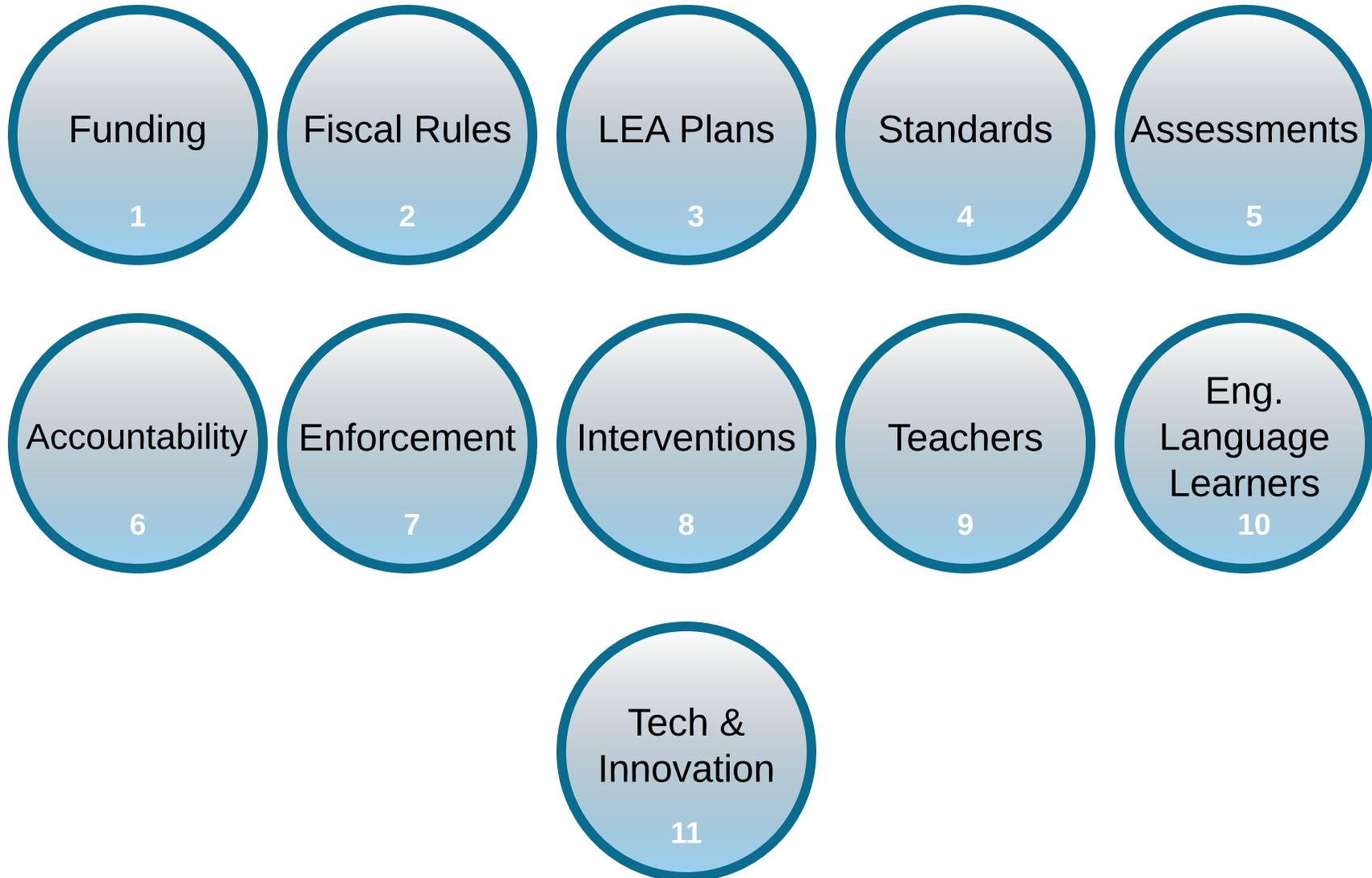
“The campaign has taken over. R's in the field have no taste whatsoever for deals such as this legislation represents, and Obama is under no pressure to give up anything.”

“If it's not signed by December (and with budget fights coming I don't think it will be), there's at least a 50-50 chance that a combination of Tea Party pressure and presidential campaign politics sink the bill early next year.”

Angela Duckworth Should Be Proud

“We should marvel at the robustness of NCLB. No matter what is thrown at it - even a bipartisan Senate compromise - somehow it repulses all efforts at reauthorization. It has shown enviable grit and persistence.”

The following pages will cover these topics.



TOPLINE

"For the first time in at least 50 years, a majority of U.S. public school students come from low-income families, according to a new analysis of 2013 federal data." Nevertheless, Congress is considering long term flat level funding for Title I.

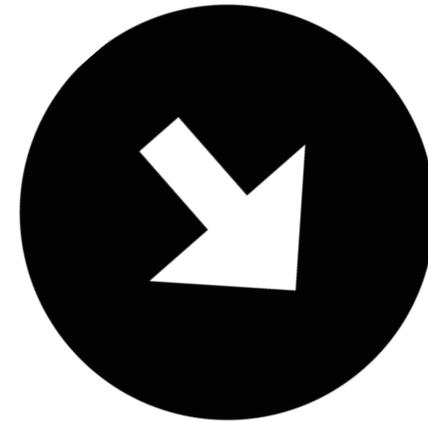
Funding
Authorization



- The Senate bill authorizes sums "as may be necessary" for fiscal years 2016-2021.



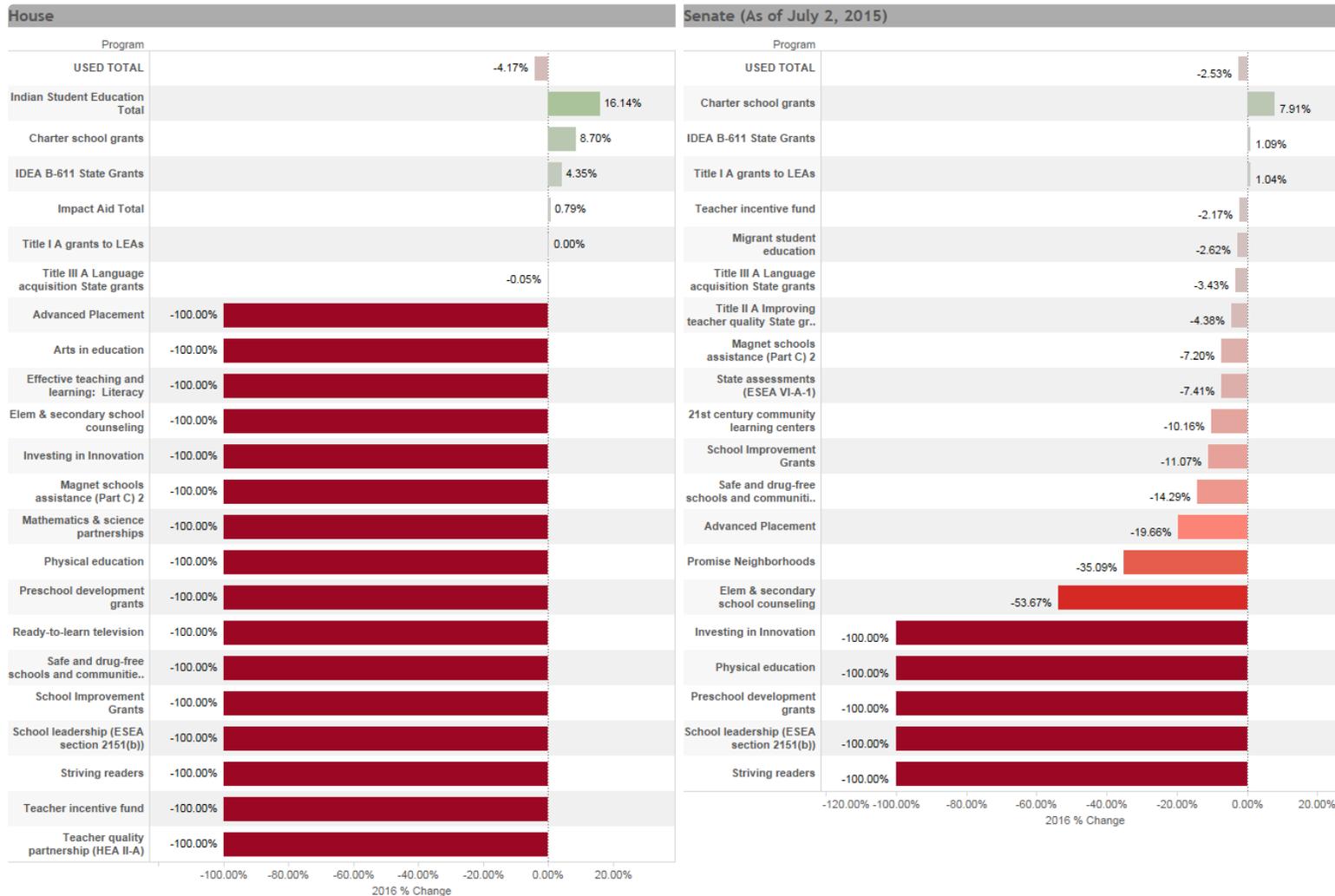
- The House's HR5 set level funding from 2016-19 at \$16 billion, which includes \$14 billion for Title I Part A.



- This backs away from prior versions of the bill that set a relatively flat course for the US Department of Education.

TOPLINE

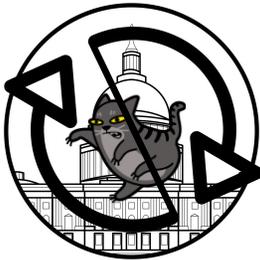
Some context is helpful. Currently, the House and the Senate appropriation committees are moving ahead with their fiscal year 2016 spending bills. Lawmakers in both chambers are trying to avoid across the board sequestration cuts, so they are picking winners and losers. Overall, the funding for the US Department of Education would decrease. The House would take \$2.8 billion from the agency and the Senate would take \$1.7 billion away.



TOPLINE

The portability of Title I funding was a big matter for some time. The impact to large districts was negative, the impact on those schools that traditionally served children of poverty was troubling. It never gained traction, only enemies. Few, if any, groups in Washington believes that House Republicans will fight for portability in the conference.

Title I Funding
Formula



Sen. Richard Burr (R-NC) was successful in revising the basic Title I funding formula in order to place less weight on population density (sorry NYC).

This, however, is only triggered when appropriations reach about \$17 billion and it applies to only those funds above \$17 billion. This issue remains on the horizon. (AASA and Noelle Ellerson have been in the trenches with this issue.)

Title I
Portability



In the ECAA, the Title I portability amendments failed. The House bill includes the option for SEAs to distribute funding to LEAs based on enrollment (portability).

TOPLINE

The fiscal rules will change. The impact of the change remains to be seen. It is a topic worth careful monitoring because the changes to the supplement, not supplant provisions could be significant.

Fiscal
Requirements

- **Comparability** was hot - then it was not. Sen. Michael Bennet (D-CO) attempted to advance an amendment to revise the comparability loophole, but ultimately withdrew it.
- **Maintenance of effort** is now more sensitive to precipitous drops in state funding. The House would eliminate the provision.
- **The changes to Title I's "supplement, not supplant" are a big deal.** The rule is now about clarity about the distribution of state and local funds.
- **Schoolwide:** The 40% threshold for schoolwide funding may be waived by the LEA. It's a low bar.
- **Transferability.** 100% of Title II may be transferred, up from the previous 50%.

TOPLINE

How significant are the changes to Supplement, No Supplant? **Time will tell...**
It appears that there is now a presumption against supplanting. The 40% threshold also becomes easier to overcome. An LEA can simply waive the 40% poverty threshold requirement.

Fiscal
Requirements



Section 1007. Supplement, Not Supplant.

(1) In General.- [...].

(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

(3) SPECIAL RULE.—No local educational agency shall be required to

“(A) identify that an individual cost or service supported under this part is supplemental; and

“(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency’s compliance with paragraph (1).

(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

TOPLINE

NCLB was about getting at risk students to meet the academic achievement standards set by the state. The ECAA is very different and, when the LEA plan is read in in coordination with the new supplanting rules, the allowable types of costs & services are also very different.

LEA Plan
Provisions

(b) PLAN PROVISIONS.— To ensure that all children receive a high-quality education that prepares them for postsecondary education or the workforce without the need for postsecondary remediation, and to close the achievement gap between children meeting the challenging State academic standards and those who are not, each local educational agency plan shall describe ...

“(1) how the local educational agency will work with each of the schools served by the agency so that students meet the challenging State academic standards by...

- “(A) developing and implementing a comprehensive program of instruction to meet the academic needs of all students;
- “(B) identifying quickly and effectively students who may be at risk for academic failure;
- “(C) providing additional educational assistance to individual students determined as needing help in meeting the challenging State academic standards...
- “(D) identifying significant gaps in student academic achievement and graduation rates...
- “(E) identifying and implementing evidence-based methods and instructional strategies...



Top Line

There are many proposed changes to the Elementary and Secondary Education Act (ESEA). Two notable changes that will affect how a district can procure technologies include a (1) revised “supplement not supplant” compliance test, and (2) revised requirements for the district’s Title I plan. When combined, these changes will affect the “allowable use” of Title I funds and provide district leaders with more opportunity to use Title I to support the purchase of system-wide solutions. This document reviews each part of that argument.

1. Supplement not Supplant

- The proposed language in the Senate bill would change the compliance test and make it much more favorable for technology solutions.
- The new compliance test focuses on the methodology behind the distribution of state and local dollars. It does not consider particular programs or services – only the methodology behind the distribution of state and local funding. If a school is receiving its share of state and local funding, then that is the end of the compliance test.
- USED is prohibited from imposing any other or additional compliance tests on school districts.
- This makes it much easier for an LEA to use Title I to enhance the academic programs and services of the district’s schools.

2. LEA Application

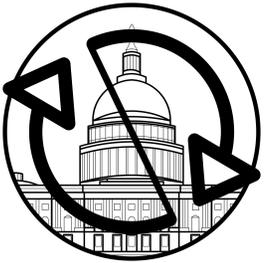
- NCLB placed an emphasis on focused interventions for students in Title I schools that were failing or at-risk of failing the state’s academic achievement standards, as measured by annual assessments.
- The proposed ESEA language does not focus on student academic achievement alone. Rather, the focus is ensuring “that all children receive a high-quality education that prepares them for post-secondary education or the workforce without the need for post-secondary remediation.”
 - This can be done, in part, by “identify[ing] quickly and effectively students who may be at-risk for academic failure [...]”
- Note that there is a broader concept of “academic failure” at play, and the new language encourages the use of early and comprehensive intervention programming.

3. “Allowable Use”

- If there is a broader concept of “academic failure” and there is an encouragement of early intervention programs and services, then the meaning of an “allowable cost” changes.
- Under the new language, could a district justify, for example, early warning technologies as an allowable cost? The answer seems to be “yes, in part,” because
 - ✓ The investment would fit the new focus of the required district plan, and
 - ✓ The investment would not be supplanting – so long as the district has met the new funding methodology compliance test.

TOPLINE

There needs to be a serious discussion about the tension between increased flexibility and using the funds to serve their intended (or at least original purpose). How will federal program managers protect the services? A respondent to a NAFEPA survey about this issue put it this way:



LEA Plan
Provisions



I think that the broader language and view of increased flexibility will give LEAs and SEAs the opportunity to use Title I funds in a broader sense but that in turn may take funding away from schools and students.

If LEAs can use more set asides for things like the data analytics services mentioned, that may decrease the school allocations. We should be doing data analysis anyway for the good of all schools but Title I students shouldn't have to pay for it.

The desire for flexibility doesn't have to mean that ESEA and Title I move away from the original purpose.

USED's Recent Schoolwide Guidance



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TOPLINE

Recent USED guidance from USED is encouraging district's to optimize the flexibility under current law. "Depending on the needs of each school, these reforms [that the USED has been pursuing] span a continuum from focusing on specific needs of historically underserved populations to implementing rigorous school intervention models designed to turn around a State's lowest-performing schools. For an LEA implementing these or other reforms, it is essential to use Federal education funds effectively and efficiently."



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JUL 3 0 2015

Dear Chief State School Officer:

In recent years, State and local educational agencies (SEAs and LEAs) have made significant progress implementing reforms designed to improve student learning and increase the quality of instruction for all students. Simultaneously, we are seeing dramatic improvements in student achievement: achievement gaps are shrinking, high school graduation rates have reached an all-time high at 81 percent, and dropout rates are at an historic low. With all of this work taking place in States and LEAs across the country, it is more important than ever for LEAs and schools to leverage their Federal funds as efficiently and effectively as possible. In this regard, I want to highlight a primary means to maximize use of these funds—the Title I, Part A schoolwide program.

According to recent data from the Consolidated State Performance Report, more than 70 percent of Title I schools operate schoolwide programs. Based on input from the field, however, there appear to be some schoolwide program flexibilities that are not being used to their full extent. Consequently, some LEAs and schools may not be fully leveraging their resources.

The enclosed document highlights specific advantages and flexibilities in schoolwide programs, identifies common misunderstandings about schoolwide programs that may persist in some LEAs and schools, and serves as a resource tool for SEAs, LEAs, and schools. I encourage you to use this document in conjunction with existing guidance, and to circulate this document to your LEAs and schools.

We appreciate your incredible work to enhance the achievement of all your students.

Sincerely,

Ann Whalen
Delegated the authority to perform the functions and duties of Assistant Secretary for Elementary and Secondary Education

The specifics of the schoolwide plan, including which evidence-based strategies and instructional methods will be used, are at the discretion of the school (and other LEA officials).

- school-based professional development.
- Evidence-based activities to prepare low-achieving students to participate successfully in advanced coursework.
- School climate interventions, e.g., anti-bullying strategies, positive behavior interventions and supports.
- Activities that have been shown to be effective at increasing family and community engagement in the school.
- Family literacy programs.

Dispelling Misunderstandings about Uses of Title I Funds in a Schoolwide Program

The following are some common misunderstandings regarding the flexibilities available in using Title I funds to operate a schoolwide program:

Misunderstanding	Explanation of Law
Title I funds may only be used to support reading and math instruction.	Title I funds may be used in a schoolwide program to support academic areas that the school's needs assessment identifies as needing improvement.
Title I funds may only be used to provide remedial instruction.	The purpose of a schoolwide program is to upgrade the entire educational program in the school in order to raise the achievement of the lowest-achieving students. At times, this may be best achieved by preparing low-achieving students to take advanced courses — for example, providing an intensive summer school course designed to accelerate their knowledge and skills, offering an elective course to prepare them to take advanced courses, or providing after-school tutoring while they are taking advanced courses.
Title I funds may only be used to serve low-achieving students.	Title I funds may be used to upgrade the entire educational program in a school and, in doing so, all students may benefit from the use of Title I funds. However, consistent with the purpose of Title I, the reason to upgrade the entire educational program in a school is to improve the achievement of the lowest-achieving students.
If a school does not consolidate funds, Title I	A school need not use Title I funds to provide

TOPLINE

While there has been a lot of debate about over testing and intrusive standards, there is actually not a lot of shake up in the requirements for the existence of standards and that testing take place. The Secretary cannot, however, get involved in the decision making process.

Standards



Three levels: State must have adopted challenging academic content standards and aligned academic achievement standards. The achievement standards shall include not less than 3 levels of achievement that will be used to carry out this the state's accountability program.

Alignment: The State shall have such standards in mathematics, reading or language arts, and science, and any other subjects, as determined by the state. The standards must be aligned with higher education entrance requirements (without need for remediation), CTE standards, and early learning standards.

Alternative Standards: The state may adopt alternative academic achievement standards for students with the most significant cognitive disabilities. The state must have adopted English language proficiency standards that are aligned with the state's challenging academic standards.

Keep the Secretary out! The Secretary is prohibited from establishing any criterion that specifies, defines, or prescribes the standards or measures that State or local educational agencies use to establish, implement, or improve standards, assessments, or accountability systems.

TOPLINE

While there has been a lot of debate about over testing and intrusive standards, there is actually not a lot of shake up in the requirements for the existence of standards and that testing take place. There is a new innovative assessment pilot that deserves a closer look. This is a recognition of the slow drift toward competency-based measures of student learning.

Assessments



Math, Reading or LA, & Science: The state assessments must include, at a minimum, academic statewide assessments in mathematics, reading or language arts (LA), and science. The assessments must be aligned and provide coherent and timely information about student grade level performance. The assessments must include annual achievement measures, at a minimum, in math and reading and language arts in grades 3 - 8, and at least once in grade 9 - 12.

Science: The science assessment must not be less than once in grades 3-5, 6-9, and 10-12. The assessments must involve up-to-date measures of student achievement, including measures that assess higher order thinking skills and understanding.

Single or multiple, and multiple measures: The assessments may be administered through a single summative basement of through multiple states wide assessments during the course of the year, if it's proven to be valid and reliable in measuring student achievement or growth. The assessments must involve up to date measures of student achievement, including measures that assess higher order thinking skills and understanding.

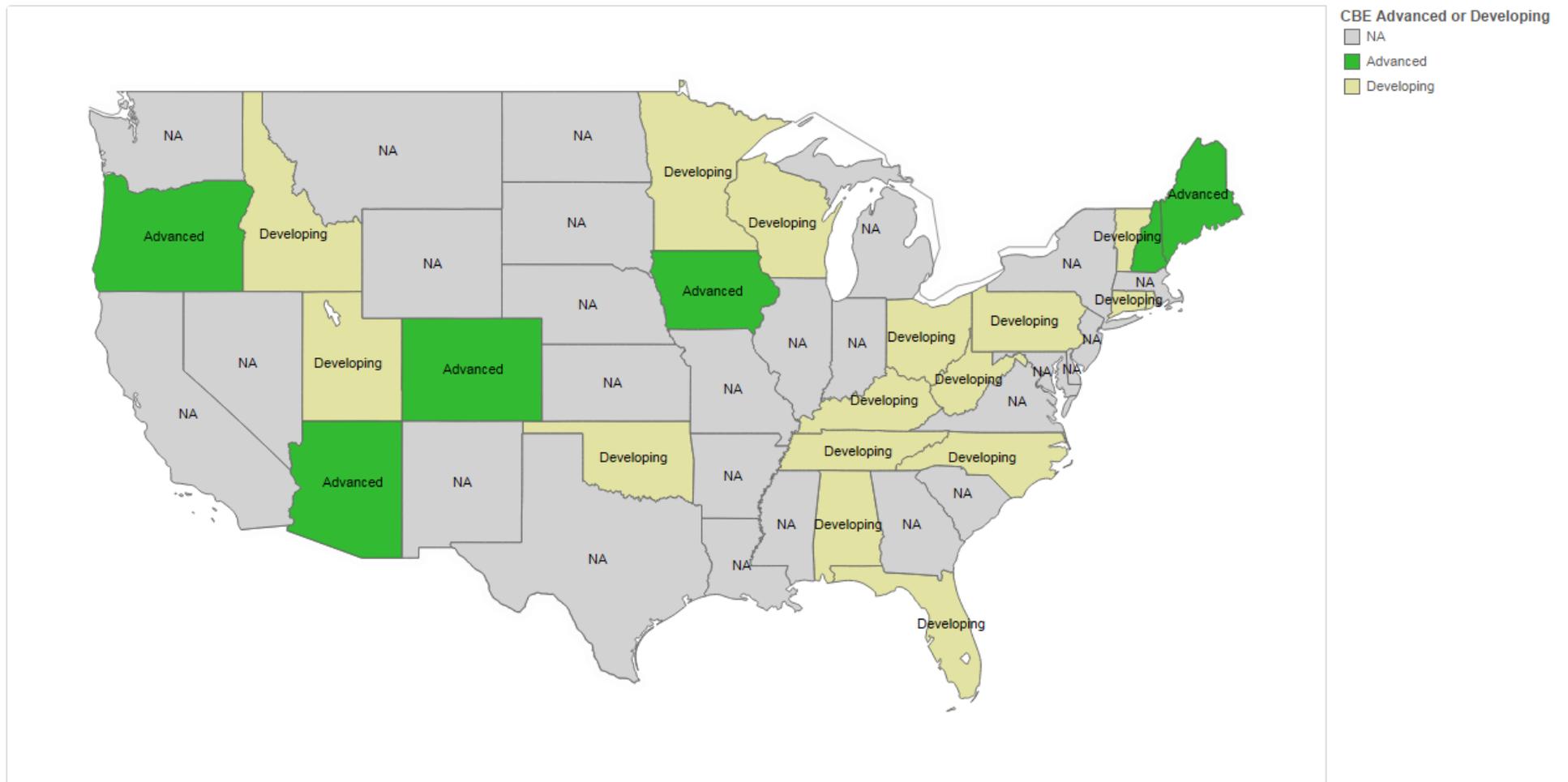
1% Rule: A state may provide for alternative assessments and alternative academic achievement standards for students with the most significant cognitive disabilities if the state ensures that the total number of students does not exceed 1 percent of the total number of all students in the state who are assessed in such subject.

Assessment
Pilot



ECAA includes an "innovate assessment and accountability demonstration authority" that would allow up to 5 states to pilot (1) competency-based assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer-adaptive assessments; and (2) assessments that validate when students are ready to demonstrate mastery and allow for differentiated student support based on individual learning needs.

TOPLINE Competency Based Assessments is very new. States are still figuring out what it looks like, but it will likely play a much more significant role in state accountability models going forward. As of 2015, 6 states are in an "advanced" state of implementing a CBE program.



TOPLINE

The ECAA is getting the federal government out of the school improvement and intervention game. The bill just asks the states to ensure that all students graduate from high school prepared for post-secondary education or the workforce without the need for post-secondary remediation. Democrats and civil rights advocates put up a fight, but without success (for now).

<p>School Accountability</p>	 <p>Goals: The State must set annual goals for all students and each of the categories of students in the state for, at a minimum: academic achievement (which may include growth) and high school graduation rates (including the 4 year rate and the extended year adjust cohort rate).</p> <p>Measures: State must annually measures: academic achievement, academic success of elementary schools and secondary schools that are not high schools, graduation rates, English Language proficiency of all ELs, and not less than one other valid and reliable indicator of school quality, success, or students supports that will be applied to all LEAs and schools consistently such as school climate or results from parent and educator surveys.</p> <p>Differentiate: Each State must establish a system of annually identifying and meaningfully differentiating among all public schools in the State based on their accountability measures.</p> <p>The "N" size: The State can determine the "N" size for accountability, but it must clarify how that number was determined through a collaborative process with teachers, principle and other school leaders, parents, and stakeholders.</p> <p>Charters: The accountability provisions under this title shall be overseen for charter schools in accordance with State charter school law.</p>
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<p>Assurances</p>	 <p>Assurances! The state must provide an assurance that it will perform its duties under the state plan. (This does not comfort those seeking stronger federal oversight).</p> <p>The state also has to clarify how low income and minority children enrolled in schools are not served at disproportionate rate by ineffective, out of field teachers, and inexperience's teachers, principle or other school leaders.</p>
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TOPLINE

Analysts looked and looked for a penalties or sanctions provision. It does not exist. This is sad news for the Office of Administrative Law Judges at the US Department of Education.

<p>Secretary approval of State plan</p>	 <p>Peer review: The Secretary must establish a peer review process that is made of multi-disciplinary peer review teams. The list of peer reviews who will review State plans must be posted on the USED web site.</p> <p>Deemed approved: The Secretary will deem a state plan as approved withing 90 days of its submission unless the Secretary presents substantial evidence that clearly demonstrates that such state a plan does not meet the legal requirements. A state plan cannot be disapproved based on factors that would encroach upon state policy-making. Each plan is in place for 7 years. The state can submit revisions or amendments at any time.</p>
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<p>Assurances</p>	 <p>Assurances! The state must provide an assurance that it will perform its duties under the state plan. (This does not comfort those seeking stronger federal oversight).</p> <p>The state also has to clarify how low income and minority children enrolled in schools are not served at disproportionate rate by ineffective, out of field teachers, and inexperience's teachers, principle or other school leaders.</p>
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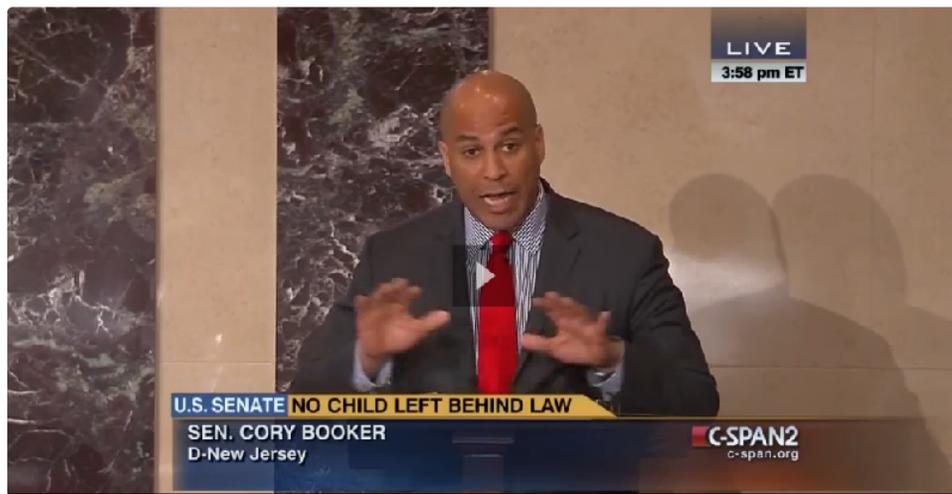
TOPLINE

The ECAA is getting the federal government out of the school improvement and intervention game. The bill places the burden on districts to create intervention plans, but it does provide SIG-like funding to help support this work.

"Death to SIG! Long live SIG!"

<p>School Interventions</p>	 <p>State role: State role is to identify schools in need of intervention and to make sure that they implement an evidence-based strategy, as selected by the LEA, and to monitor the intervention and to take appropriate steps to change interventions that are not working, as necessary.</p> <p>District Role: LEAs review the causes for their identification status and then develop and implement a appropriate intervention and support strategies that triage their schools and act in a manner that is proportional to the identified needs of the school(s). The comprehensive plan must be available to the public and provided to parents. The parents of the school have to be promptly notified about the school identification.</p> <p>School Choice: The intervention and support strategy MAY include an intra-district school choice provision.</p> <p>Parental notification: An LEA agency shall promptly provide to a parent(s) of each student enrolled in a school identified an explanation of the status in an easily and accessible and understandable form, and in a language they can understand.</p> <p>SIG like funding: The state can apply for grants that they subgrant to LEAs implementing their local interventions and supports. 95% of these funds have to flow to qualifying applicant districts. Supplement, not supplant requirements apply to these funds (as they do to the prior SIG funds).</p>
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TOPLINE
There will be a heated debate about school interventions and accountability.
Is the ESEA a Civil Rights bill or not?



I know as we debate this bill there will be resistance to the idea that those failing most, those stuck in dropout factories, those in another America don't deserve levels of accountability, but I know that if we focus on those children to keep them at the center of our thought as it was done by president Johnson when this bill originated in idea, I know that we could be the America we want to be, a nation that when our children put their hands on their hearts and say those words , liberty and justice for all, that they are real indeed for all children.

<http://www.c-span.org/video/?c4543236/sen-booker-delivers-floor-remarks-every-child-achieves-act> (start at 3 min)



Student Success Act give states and districts more flexibility to fund local priorities, not Washington's priorities.

https://youtu.be/f_CjeKNPPW0

TOPLINE

HQT is dead. The bill does not require it. The ECAA will also not require teacher evaluations, but the importance of an "effective" teacher & principal remains. Much of the Title II program revolves around the "principles of effectiveness," which the bill describes.

Fund for the Improvement of Teaching and Learning



State uses: State may use 3% of the funds for its initiatives. These may include certification and licensing improvements, the development of evaluation system(s) based in part on evidence of student achievement, improving equitable access to effective teachers and principals, supporting residency programs, and more.

The residency idea. The bill defines a “teacher residency program” as one in which a prospective teacher “for not less than 1 academic year, teaches alongside an effective teacher, as determined by a teacher evaluation system [...] (if applicable), who is the teacher of record for the classroom.” The bill also defines a “school leader residency program” in a similar manner.

LEA uses: LEAs have to conduct a needs assessment. This needs assessment has many parts, but a few stand out. In particular, it should focus on helping the LEA to increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement. It should ensure that low-income and minority students have access to high- quality instructional programs, *the activities have to "comply" with the principles of effectiveness, as described in the bill (Sec. 2103(c)).*

Once the district secures the funding, it is required to use the funds to develop, implement, and evaluate comprehensive, evidence-based programs and activities to meet the needs identified in its assessment. These programs and activities may be carried out through a grant or contract with a for-profit or nonprofit entity, and/or in partnership with an institution of higher education.

TOPLINE

HQT is dead. The bill does not require it. The ECAA will also not require teacher evaluations, but the importance of an "effective" teacher & principal remains. Much of the Title II program revolves around the "principles of effectiveness," which the bill describes. How will this play out?

PRINCIPLES OF EFFECTIVENESS



“(1) IN GENERAL.—For a program or activity supported with funds provided under this part to meet the principles of effectiveness, such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for programs and activities ...—

- “(i) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;
- “(ii) ensure that low-income and minority students are served by effective teachers, principals, and other school leaders; and
- “(iii) ensure that low-income and minority students have access to a high-quality instructional program;

“(B) be based upon established and evidence-based criteria—

- “(i) aimed at ensuring that all students receive a high-quality education taught by effective teachers and attend schools led by effective principals and other school leaders; and
- “(ii) that result in improved student academic achievement in the school served by the program or activity; and

“(C) include meaningful and ongoing consultation with and input from teachers,...

TOPLINE

The ECAA creates four grants to support teacher and leaders programs and particular initiatives. We see a long-standing interest in STEM and there is a renewed focus on evidence based literacy programming that was lost when NCLB's Reading First fell to "scandal" many years ago.

Teacher
Support
Programs



The Teacher and School Leaders Incentive Program. These are 3 year grants to assist States, LEAs, and nonprofit organizations to develop, implement, or expand performance based compensation systems or human capital management systems, with a focus on high needs schools. The program would enshrine the current Teacher Incentive Fund. It would require a 50% match in cash or in-kind.

Literacy Education For All, Result for the Nation. This is federal support to states to improve achievement in reading and writing by developing, revising, or updating their comprehensive literacy instruction plans from early education through grade 12. States would provide competitive sub-grants to early childhood education programs and LEAs and their public or private partners. This competitive sub-grant has three segments: Not less than 15% for **birth-kindergarten grants**, not less than 40% for **K-5 grants**, and not less than 40% for **grades 6-12 grants**. The competitive priority goes to eligible entities that serve children birth-5 who are from low income families or LEAs serving a high number of high need schools. The awards would be available for not more than 5 years.

Improving Science, Technology, Engineering, and Mathematics Instruction and Student Achievement. This program would be competitive but distributed by formula to the states for the purpose of increasing access for students throughout grade 12 who are members of groups underrepresented in STEM, implementing evidence based programs for students based on high quality standards, and providing professional development and other comprehensive systems of supports (including recruitment) for teachers and school leaders. The program requires a commitment from 1 or more outside partners to match using non-federal funds, in an amount determined by the state.

TOPLINE

Title III is dramatically revised. It no longer will districts be held accountable for making annual measurable achievement objectives (AMAOs). Rather, the states will have to come up with their own measures of progress toward language proficiency. Note that current appropriations for Title III do not provide any boost for this growing student population.

<p>English Learners</p>	 <p>Eliminates AMAOs: ECAA eliminates the current Title III AMAO structure. Rather, it would require states to measure progress toward language proficiency, and it clarifies the state responsibility to establish statewide entry and exit procedures.</p>
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<p>EL Supplement not Supplant</p>	 <p>Broad policy goals and narrow funding rules: The bill authorizes subgrants to eligible entities to improve the education of English learners by investing in "new language instruction education programs and academic content instruction programs for EL and immigrant children and youth, including early childhood programs, elementary school programs and secondary school programs; ... and implementing, within the entire jurisdiction of an LEA, agency wide programs for restructuring, reforming, and upgrading all relevant programs."</p> <p>Yet, as with the prior Title III program, "Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State and local funds, that in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth." This will continue to present challenges for program administrators and Congress is not signaling an increase investment in Title III to make the juice worth the squeeze.</p>
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TOPLINE

There has long been talk about creating fiscal flexibility in exchange for more transparency around the distribution of funding, so long as that funding focuses on at-risk students. The ECAA's Title VI, Innovation and Flexibility, Weighted Student Funding Flexibility Pilot Program is a big move in that direction.

Weighted
Funding
Formula Pilot



The ECAA creates a Weighted Student Funding Flexibility Pilot Program.

The purpose of the pilot program under this section is to provide local educational agencies with flexibility to consolidate Federal, State, and local funding in order to create a single school funding system based on weighted per pupil allocations for low-income and otherwise disadvantaged students.

The Secretary may enter into local flexibility demonstration agreements with not more than 25 local educational agencies, reflecting the size and geographic diversity of all such agencies nationwide to the maximum extent feasible.

TOPLINE

Meanwhile, Congress remains interested in supporting technology innovation in our schools, but how they should regulate the student privacy part of that is being hashed out.

Technology & Innovation



The bill includes the the Innovative Technology Expands Children’s Horizons (“I-TECH”) amendment, from Senators Orrin Hatch (R-UT) and Tammy Baldwin (D-WI). The amendment establishes competitive grant funding for ed tech initiatives, and details what states and LEAs need to do to secure it.

Data Privacy



Senators Markey (D-MA) and Hatch introduced an amendment that would create a commission to report to Congress on student data privacy issues. It passed.

The next generation of school leaders will have an incredible opportunity to redefine their profession. Their success will not be restricted by policies and regulations that demand strict compliance, as has been the case for the prior 15 years or so. Rather, their success will turn on their ability to choreograph the confluence of new classroom technologies, personalized learning, increased local control, increased budget scrutiny, and ongoing staff management around the expectation of continuous student academic progress.

Neurosis is the inability to tolerate ambiguity. -Sigmund Freud

