



Every Student Succeeds Act

Plan Development Update

State Board of Education Meeting

November 2, 2016



CALIFORNIA DEPARTMENT OF EDUCATION
Tom Torlakson, State Superintendent of Public Instruction



Proposed Regulations Update

- Accountability, Data Reporting, and Submission of State Plans
 - Proposed regulations available May 31
 - Public comment period closed August 1
- Assessment and Innovative Assessment Pilots
 - Proposed regulations available July 7
 - Public comment period closed September 9
- Supplement not Supplant
 - Proposed regulations available September 6
 - Public comment period closes November 7
- More information and links available on the CDE ESSA Web page at <http://www.cde.ca.gov/re/es/>

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State Plan Requirements

- Part 299 Subpart G of the proposed regulations outlines State Plan requirements:
 - Long term goals and measurements of interim progress
 - Consultation and coordination
 - Challenging academic standards and academic assessments
 - Accountability, support, and improvement for schools
 - Supporting excellent educators
 - Supporting all students

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Plan Development Timeline*

Time Period	Plan Development Activities
April–May 2016	Engage stakeholders in surfacing questions, decisions, and opportunities
June–September 2016	<ul style="list-style-type: none">• Develop plan outline and begin drafting based on proposed regulations from ED• Continue stakeholder engagement activities
November 2016	First draft of State Plan presented to SBE
January 2017	Second draft of State Plan presented to SBE
March 2017	Third (complete) draft of State Plan presented to SBE
March–April 2017	30-day public comment period
May 2017	Final draft of State Plan approved by SBE
July 2017	Plan submitted to ED

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*Timeline is subject to change pending SBE feedback and regulations from ED



Plan Development Timeline

- Draft Consolidated State Plan Sections to be available for public review and comment in November 2016:
 - Consultation and Coordination
 - Challenging Academic Standards and Academic Assessments
 - Program-specific requirements
- Remaining draft State Plan sections made available for public review and comment in January and March 2017:
 - Long Term Goals and Measures of Interim Progress
 - Accountability, Support, and Improvement For Schools
 - Supporting Excellent Educators
 - Supporting All Students
 - Performance Management and Technical Assistance

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ESSA State Plan: Stakeholder Engagement Activities

- California stakeholders will be encouraged to review and provide feedback on the draft sections of the State Plan. To support public engagement with the November and January drafts, the CDE will make the following tools available:
 - Webinar
 - Survey
 - Toolkit for local stakeholder engagement activities
- Stakeholder feedback will be shared with the SBE.
- The March (complete) draft will be made available for a 30-day public comment period which will include:
 - Webinars
 - Survey
 - Toolkit for local stakeholder engagement activities
 - Statewide ESSA Regional Meetings

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Proposed Strategic Direction: “Braiding” of Funds

- From the proposed regulations:
We seek to improve teaching and learning by encouraging greater cross-program coordination, planning, and service delivery; provide greater flexibility to State and local authorities through consolidated plans and reporting; and enhance the integration of programs under the ESEA, as amended by the ESSA, with State and local programs.
- ESSA provides California with an opportunity to improve coherence by:
 - Leveraging funding across included programs
 - Removing “silos” between funding streams
 - Supporting collaboration and efficiency across multiple programs
- The March draft of the plan will reflect integration across programs to the greatest extent possible.

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Proposed Strategic Direction: Implementation of State Standards

- From October California Practitioners Advisory Group memorandum (Item 1):
 - Build the capacity of California educators to successfully implement state content standards;
 - Emphasize meeting the specific, and often multiple, learning needs of diverse students, including, but not limited to, English learners, students with disabilities, foster youth, and low-income students;
 - Focus on equity and cultural responsiveness; and
 - Promote a professional learning culture, including effective professional learning community models.
- The March draft of the plan will include description of strategies, rationales, timelines, and funding sources aligned to support effective implementation of California standards to the greatest extent possible.

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First Draft Sections of ESSA State Plan

- Consultation and Coordination
- Challenging State Academic Standards and Academic Assessments
- Program-specific requirements for:
 - Title IV, Part B: 21st Century Community Learning Centers
 - Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: Schoolwide Program Waivers
 - Title I, Part C: Education of Migratory Children
 - Title III, Part A: Language Instruction for English Learners and Immigrant Students: Entrance and Exit Procedures for English Learners
 - Title V, Part B, Subpart 2: Rural and Low-Income School Program
 - Title IX, Part A (Title VII, Subpart B of the McKinney-Vento Homeless Assistance Act): Education for Homeless Children and Youth Program

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Title IV, Part B: 21st Century Community Learning Centers





California Expanded Learning Programs (ELPs)

California's 4,500 ELPs support LEAs and local communities by promoting cohesion between the K–12 school day and ELPs for a well-rounded and supportive education for students

- *\$550 million in state funded After School Education and Safety (ASES) Program*
- *\$132 million in federally funded 21st Century Community Learning Center (21st CCLC) and ASSETs Program*

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Title IV, Part B: 21st Century Community Learning Center Funding

- Every Student Succeeds Act replaces No Child Left Behind Act (NCLB) and re-authorizes the 21st CCLC program
 - 21st CCLC – grades K–9
 - ASSETs – grades 9–12

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California's Expanded Learning Programs:

- Provide a safe and nurturing environment
- Support the developmental, social-emotional and physical needs of all students
- Offer youth opportunities for youth leadership to promote healthy school climate
- Student well-being through balanced nutrition, physical activity and other enrichment activities

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ESSA Requirements for 21st CCLC Funding

- An **assurance** that the State application was developed in consultation and coordination
 - Other agencies administering before and after school programs and activities
 - Statewide after-school network
 - Representatives of teachers, local educational agencies, and community based organizations (Section 4203[a][12][A])
- A **description** of representatives of stakeholder groups in the development of the application.
- A **description** of the State’s needs and resources assessment for before and after school (or summer recess) program and activities

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ESSA Requirements for 21st CCLC Programs (continued)

- Meet the challenging State academic standards
- Programs that build skills in science, technology, engineering, and mathematics (STEM)
- Programs that partner with in-demand fields of local workforce or build career competencies for high school students

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ESSA Requirements – Program Evaluation

- In 2015, California passed legislation – Biennial Report to the Legislature
 - Describe students attending the program
 - Report on quality of expanded learning programs
- ESSA requires evaluation of 21st Century programs.
 - Follow student over time
 - Include state assessment results
- CDE plans to evaluate both through:
 - Statewide representative sample of student data from a regularly administered survey
 - Student administrative data reported to the CDE for all public school students

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ESSA

THE CALIFORNIA WAY

Expanded Learning Programs meet ESSA Requirements

- **Developed quality standards for expanded learning programs**
 - Point-of-Service Quality Standards
 - Safe and Supportive Environment
 - Active and engaged learning
 - Skill building
 - Youth voice and leadership
 - Health choices and behaviors
 - Diversity, access, and equity
 - Programmatic Quality Standards
 - Quality Staff
 - Clear vision, mission, and purpose
 - Collaborative partnerships
 - Continuous quality improvement
 - Program improvement
 - Sustainability

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21st CCLC Request for Applications (RFA)

- The RFA will give priority to applicants that:
 - Propose to target services to students who attend comprehensive support and improvement schools
 - Enroll students who may be at risk for academic failure, dropping out of school
 - Demonstrate that activities proposed in the application are not accessible to students who would be served
 - Will provide year-round expanded learning programming

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Stakeholders' Feedback

- CDE's Expanded Learning Division (EXLD) partnered with California Afterschool Network (CAN) to gather stakeholders feedback to:
 - Develop an ESSA state plan with input from diverse stakeholders
 - Assess the State's needs and resources for before and after school (or summer recess) program and activities
- Data gathered will inform State policies on 21st CCLC grant administration

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Stakeholders' Feedback (continued)

- Obtained feedback from:
 - Expanded Learning Advisory Committee on August 31, 2016
 - Expanded Learning Policy Committee on September 12, 2016
 - System of Support for Expanded Learning on September 29, 2016
- Additional feedback collected from three focus groups:
 - Northern California on November 8, 2016
 - Central Valley (TBD)
 - Southern California on December 9, 2016

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Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies: Schoolwide Program Waivers





Schoolwide Programs Under NCLB

Operating as a Schoolwide Program (SWP):

- A SWP is a comprehensive reform strategy designed to upgrade the entire educational program in a Title I school by allowing a district to consolidate its Federal, State, and local funds.
- A Title I school may operate as a SWP only if a minimum of 40 percent of the students in the school, or residing in the attendance area served by the school, are from low-income families (Section 1114[a][1] of Title I of ESEA).
- The school establishes a school planning team composed of representatives from all stakeholder groups: the principal, teachers, school site council (SSC), other staff, parents and community members, and (in secondary schools) students.

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Schoolwide Programs Under NCLB

Operating as a SWP Under NCLB:

- The school must develop a comprehensive schoolwide plan that describes how it will achieve the goals it has identified as a result of its needs assessment (Section 1114[b][1][B–J] and [34 CFR 200.27] of Title I of ESEA).
- The local governing board reviews and approves the SWP Plan.
- The date of local board approval is the eligible start date for implementing the SWP.

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Schoolwide Programs Under ESSA

- An LEA may consolidate and use funds under Title I, Part A together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves not less than 40 percent of children from low income families (Section 1114[a][1][A] of ESSA).
- Exception – A school that serves less than 40 percent may operate as a SWP if they receive a SWP Waiver from the State Educational Agency (Section 1114[a][1][B] of ESSA).
- A school operating as a SWP must develop a comprehensive schoolwide plan that describes how it will achieve the goals it has identified as a result of its needs assessment (Section 1114[b]).

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Schoolwide Programs Under ESSA

Proposed Criteria for the SWP Waiver:

SWP waivers may be approved if the school site council approves such a request **and** if the school meets **one or more** of the following criteria:

- ≥25 percent student low income
- Graduation rate is below state average
- School Site Council recommends that a SWP is the best way to serve the student population
- ≥30 percent ELD student population
- School resides in high crime or gang-impacted community
- School has been identified for comprehensive or targeted support (subgroups)
- School has been identified as the lowest 5 percent of Title I low performing schools

The district will apply for a SWP Waiver within the Consolidated Application and Reporting System.

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Title I, Part C: Education of Migratory Children



Key Revisions

- Modification to the funding formula
- Consultation with “parents of migratory children”
- Requires outreach activities for migratory children and their families
- Definitions
 - Priority for Service
 - Agricultural worker
 - Migratory child



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Title I, Part C

- Identification and Recruitment
- Assessing students' needs
- Addressing students' needs
- Educational Continuity
- Unique Educational Needs
- Measurable Outcomes
- Consultation with Parents
- Priority for Services (PFS)
- Ensuring Priority to PFS students
- Timeline for Determining PFS



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Assessing and Addressing Students' Needs

What we are currently doing to assess and address the unique educational needs of migratory children:

- Local Comprehensive Needs Assessment (CNA)
- Information in each local CNA serves as the basis for program development and delivery
- Individual Needs Assessments
 - Develop a targeted intervention plan for each student ages 3–21
 - Develop the State Services Delivery Plan (SSDP)
 - Grant application revised based on SSDP
 - Annual Update (coming in 2017–18)
 - Revision of program services based on annual update

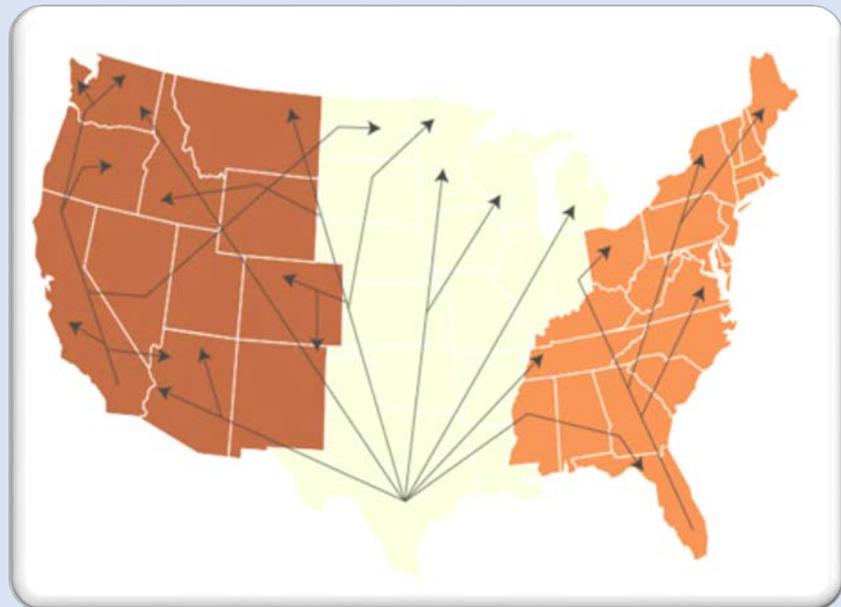
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Educational Continuity

What we are currently doing to ensure educational continuity for migratory students:

Interstate—MSIX



Intrastate—MSIN 6.0



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Consultation with Parents

How we currently consult with parents:

- Parent Advisory Council (PAC)
- Regional Advisory Council (RAC)
- State Parent Advisory Council (SPAC)
- Grant Application



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Priority for Service

What are we currently doing to ensure that migratory PFS students are given priority?

- In 2015–16: Conducted during an annual identification after the performance period.
- In 2016–17: MSIN 6.0 will function in real time for identifying children as PFS.

Who has the responsibility for documenting PFS determinations?

- The CDE and the local MEPs.

What is the timeline for making priority for service determinations and communicating such information to Title I, Part C providers?

- PFS determination will be immediate.
- Subgrantees will be notified within 24 hours of determination.

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Title III, Part A: Language Instruction for English Learners and Immigrant Students





Title III Purpose

To help ensure that English learners, including immigrant children and youth, attain English language proficiency and meet the same standards that all children are expected to meet.

(Section 3102)

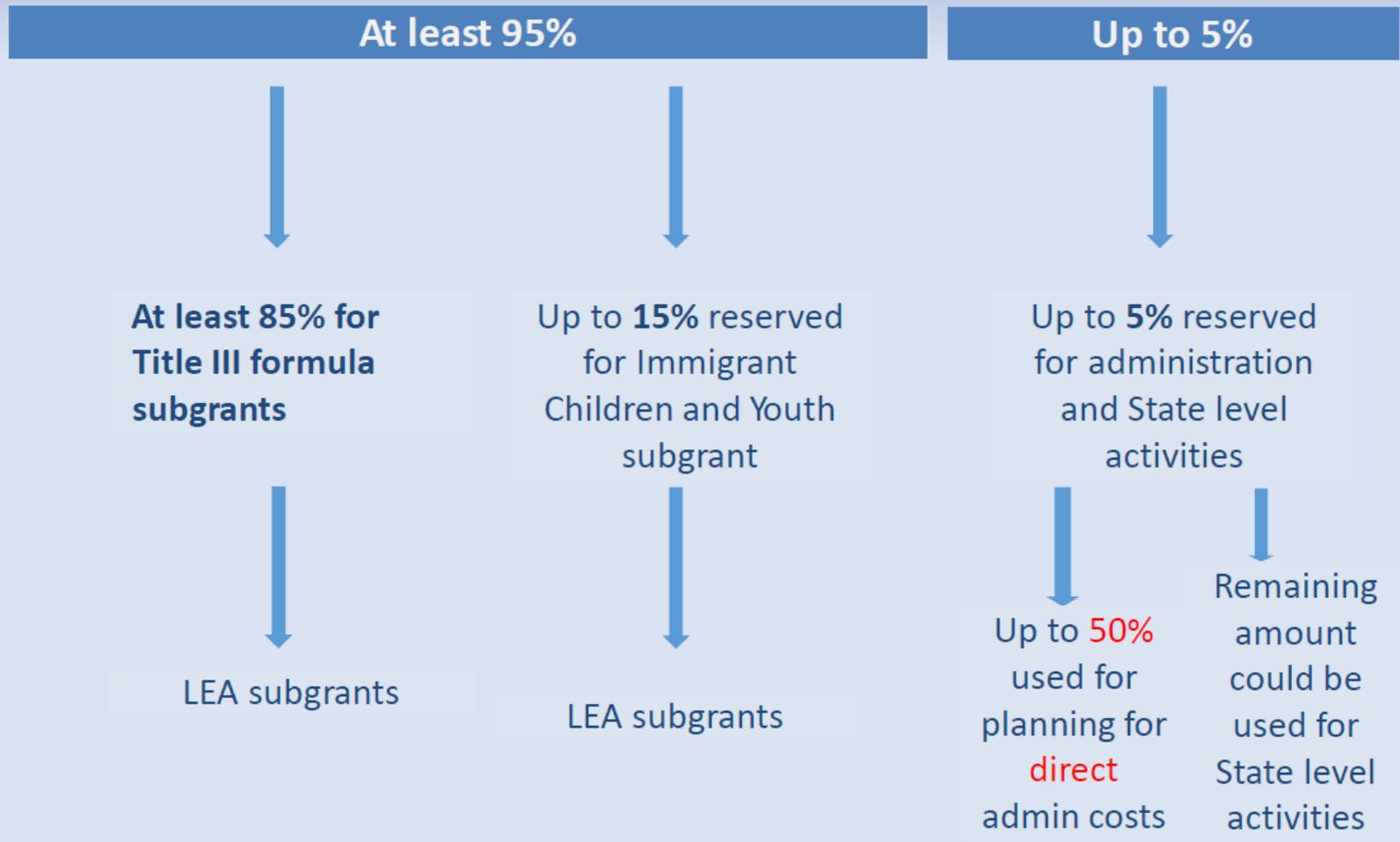


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State Title III Allocations – Flow of Funds



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Fiscal Issues – States

Each State:

- ✓ retains oversight responsibilities to ensure that Title III subgrants are spent in a manner consistent with Federal law and guidelines.
 - ✓ is required to conduct Title III fiscal monitoring of its LEAs.
 - ✓ may use consolidated State administrative funds for fiscal support teams.
-
- Title III has its own provision prohibiting supplanting of other Federal, State, and local funds. (Section 3115[g]).
 - Title III funds cannot be used to fulfill an LEA's obligations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA).

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Fiscal Issues – *Supplement-not-Supplant*

- Some State and LEA EL-related activities have **moved** from Title III to Title I, including accountability for ELs.
- A State and LEAs may **still** use Title III funds for EL-related activities previously required under Title III and now required under Title I as long as:
 - ✓ the use of funds is consistent with the purpose of Title III and are “reasonable and necessary costs;”
 - ✓ the use of funds is supplemental to the SEA’s or LEA’s civil rights obligations to ELs under Title VI and the EEOA; and
 - ✓ the SEA or LEA can demonstrate it is also using Title III funds to conduct activities required under Title III.

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LEA Activities – Title III Formula Subgrants

LEA **Required** Activities:

- **Effective** language instruction educational program
- **Effective** professional development
- **Providing and implementing other effective activities and strategies that enhance or supplement language instruction educational programs, which must include parent, family, and community engagement activities**

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Title III Formula Subgrants

Authorized LEA Uses

- Upgrading program objectives
- Providing community participation programs, family literacy services, and parent and family outreach and training to ELs and their families
- Providing tutorials
- Improving the instruction of ELs

New LEA Uses Under ESSA

- Improving the instruction of ELs, **which may include ELs with a disability through educational technology**
- **Offering early college high school or dual/concurrent enrollment programs**
- **Funds can be used to provide materials in a language that a student can understand**

(Section 3115[d])





Updates to Reporting Requirements

Under ESSA	Under NCLB
Describe how programs and activities are supplemental	Describe the programs and activities conducted by the entity
Disaggregate ELs with a disability	Not a requirement
Report proficiency based on English language proficiency standards , and the number who exit LIEPs based on attainment of ELP	Report proficiency based on a valid and reliable ELP assessment
Report progress for ELs 4 years after receiving services	Report progress for ELs 2 years after receiving services
Report on long-term ELs	Not a requirement

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Title III Standardized Procedures

ESSA Requirement:

- The State has standardized **entrance** and **exit** procedures

California – Current law

- Entry – Language Proficiency Assessment
- Exit - *Education Code* Section 313 establishes the standardized reclassification procedures for English learners

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CURRENT

Title III Standardized Exit Procedures (*EC* § 313)

- 1) Assessment of English language proficiency
 - using the state test of English language development

- 2) Teacher evaluation
 - inclusive of a review of the student's curriculum mastery

- 3) Parent opinion and consultation

- 4) Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age*

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Title III Standardized Exit Procedures

- ESSA states that **academic content assessments cannot be used** as a criterion for exiting students from the EL program.
- The California Department of Education is planning to submit to the legislature a proposal to **remove Item 4*** for the 2018–19 school year once ELPAC is fully operational.
 - Stakeholder Engagement

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Transition: California English Language Development Test (CELDT) to English Language Proficiency Assessments for California (ELPAC)

	2015–16	2016–17	2017–18		2018–19
ELPAC Pilot Testing	December 2015				
Field Test Administrations (No scores reported)		ELPAC Summative (Spring 2017)	ELPAC Initial (Fall 2017)		
Operational Administrations (Scores reported)	CELDT	CELDT	CELDT Initial only	ELPAC Summative (Spring 2018)	ELPAC Initial (July 1, 2018) Summative (Spring 2019 and beyond)

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Title V, Part B, Subpart 2: Rural and Low-Income School Program





Rural Education Achievement Program (REAP)

There are two main initiatives within REAP for eligible rural districts:

- **The Small, Rural School Achievement Grant (SRSA)** – provides funds to very small, rural LEAs. Under SRSA, The U.S. Department of Education awards grants directly to eligible LEAs. SRSA-eligible LEAs also qualify for special fund-use authority (known as REAP-Flex) that provides additional flexibility in how they can expend certain Federal funds.
- **The Rural and Low-income School Program (RLIS)** – targets rural LEAs that serve large numbers of low-income students. Under RLIS, the U.S. Department of Education makes allocations to State Educational Agencies (SEAs), which in turn make sub-grants to eligible LEAs.

Note: Under the current, NCLB REAP program, if an LEA is eligible to receive funds under the SRSA program, **it is not eligible to receive funds under the RLIS program.**

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REAP Eligibility: SRSA

An LEA is eligible to receive a SRSA grant and make use of the REAP-Flex authority, if two criteria are met:

- **Small criterion:**
 - ✓ have a total average daily attendance (ADA) of fewer than 600 students, **OR**
 - ✓ serve only schools that are located in counties that have a population density of fewer than ten persons per square mile;

- **Rural criterion:**
 - ✓ serve only schools that have a National Center for Education Statistics (NCES) school locale code of 7 or 8, **OR**
 - ✓ be located in an area of the state defined as rural by a governmental agency of that state.

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REAP Eligibility: RLIS

An LEA is eligible for an allocation under the RLIS program if three criteria are met:

- **Rural criterion:** All schools served by the LEA have a locale code of 6, 7, or 8 (assigned by the NCES),
- **Low-Income criterion:** Twenty percent or more of the children age 5 to 17 served by the LEA are from families with incomes below the poverty line (as determined by the U.S. Census Bureau), and;
- An LEA is not eligible to receive funds under the SRSA program.

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REAP Changes Due to ESSA

The changes that will take effect for the fiscal year (FY) 2017 award cycle include:

- The local codes used to determine whether an LEA meets the statutory rural criteria for REAP eligibility have been updated to reflect the locale code methodology currently used by the NCES for its non-REAP activities. This is true for both programs within REAP – SRSA and RLIS. This change could affect which LEAs are eligible for REAP.
- An LEA may meet the rural criterion of RLIS if its State demonstrates that the LEA is located in an area defined as rural by a governmental agency of the State, which was previously a provision for SRSA only.
- If an LEA meets the eligibility criteria for both SRSA and RLIS, it may choose between participation in SRSA and RLIS rather than defaulting to being eligible solely for SRSA, as was the case under the previous statutory provision.
- The statute now includes hold harmless provisions for SRSA, whereby an LEA that is no longer eligible for SRSA due to changes made by ESSA in the locale codes used for SRSA eligibility may receive, in FYs 2017, 2018, and 2019, certain percentages of previous allocations.
- The amount of money available to LEAs who qualify for REAP is not to exceed \$80,000 (up from \$60,000 in 2016)

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REAP Moving Forward

For 2017–18 school year, the CDE will continue to partner with the U.S. Department of Education to improve and enhance outreach efforts to all rural LEAs that qualify for the REAP.

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Title IX, Part A: Education for Homeless Children and Youth Program





McKinney-Vento

- The **McKinney–Vento Homeless Assistance Act (Act) of 1987** was signed into law, requiring states to review and revise residency requirements for the enrollment of homeless children and youth. Then in 1990, the McKinney Act was amended, requiring states to eliminate all enrollment barriers, and provide school access and support for academic success for students experiencing homelessness.
- McKinney funds were then used to provide direct educational services for eligible students. The Act has been amended and reauthorized several times over the years, including in 2015 under the ESSA.



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McKinney-Vento (Cont.)

- The U.S. Department of Education allocates McKinney-Vento funding annually to states based on the state's proportion of the Title I, Part A federal allocation. States must subgrant funds competitively to local educational agencies (LEAs), based on need and the quality of the application, within the state to be used for program implementation at the local level.
- States must distribute no less than 75 percent of its annual McKinney-Vento allocation to LEAs in subgrants; California distributes 95 percent of its allocations.

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Homeless Education Facts

- California schools enrolled over 240,000 homeless children and youths last year.
- Homeless children and youth have the right to:
 - Enroll immediately in school
 - Continue in their school of origin
 - Receive education services

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Homeless Education Plan

- Under the ESSA, the Homeless Education portion of the Plan indicates that the CDE will assist LEAs with identifying and removing barriers to the education of homeless children and youth.
- Many of the ESSA requirements are already being implemented throughout California.

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Homeless Education Plan (Cont.)

- As a result of the ESSA, the Plan includes, but is not limited to, the following activities:
 - Ensure homeless liaisons and school personnel receive professional development opportunities (new)
 - Monitor LEAs for compliance through Federal Program Monitoring, Consolidated Application and Reporting System, and the California Longitudinal Pupil Achievement Data System (enhanced)

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Homeless Education Plan (Cont.)

- Assist with dispute resolution process (enhanced)
- Collaborate and coordinate with various stakeholders (enhanced)
- Include preschool and feeder school patterns into the “school of origin” definition (new)

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