

**North Carolina Department of Public Instruction (NCDPI) Responses to Joint Legislative
Education Oversight Committee Questions on the Every Student Succeeds Act (ESSA)
Meeting on February 2, 2016**

1. *What is the process for development of the state Title I plan and how will the consultation process on the plan development be carried out? Specifically, how will the State Board work with the state legislature on development of the plan?*

The ESSA legislation allows for an 18-month transition period beginning January 2016 which will result in a new State Plan approved by the US Department of Education (USED) and implemented in the 2016-17 school year. Included in the federal requirements is a provision for “meaningful consultation with the Governor, the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents. Currently the NC Department of Public Instruction (NCDPI) has developed a draft work plan to include a timeline and key internal and external stakeholder groups. The Council of Chief State School Officers (CCSSO) is also working to assist States in the development of the respective State Plans. On the *Timeline and Potential Stakeholder Groups* document, there are three opportunities listed for the SBE/NCDPI to present to General Assembly Education Committee(s) about ESSA.

2. *As part of the development of the Title I plan, what is the current process and progress on establishing the following elements:*

a. *Academic standards*

The North Carolina State Board of Education is currently reviewing the recommendations made by the Academic Standards Review Commission for Reading/Language Arts and Mathematics and the NCDPI is currently in the process of conducting its review of the current NC Standard Course of Study in these subject areas as per G.S. 115C-12(9c). This periodic review of academic standards is conducted every five years per SBE policy in adherence to state legislation.

b. *Academic assessments*

The End-of-Grade (EOG) assessments in Reading and Mathematics in grades 3 through 8, EOG science assessments in grades 5 and 8, and the End-of-Course (EOC) assessments in Math 1, English 2 and Biology are the state assessments used to meet the requirements of the former version of the Elementary and Secondary Education Act referred to as No Child Left Behind (ESEA/NCLB).

North Carolina is currently conducting a through-grade assessment model Proof of Concept study for reading and mathematics in grades 3 through 8. The model consists of three interim assessments administered throughout the school year and a stand-alone summative assessment at the end of the year. Interim assessments throughout the year inform instruction and help predict performance on future assessments during the same year. The Proof of Concept Study of the through-grade model is being conducted during

the 2015–16 school year to provide the SBE with data and information to help the Board determine the best course of action for future North Carolina assessments. At the conclusion of 2015–16 school year and following the appropriate data analyses, the SBE will review the results and provide direction on whether to proceed with a field test in the 2016–17 school year for a statewide representative sample of students. If the field testing occurs in the 2016–17 school year, then the 2017–18 school year will be the statewide pilot/operational year. ([Proof of Concept Assessment Brief](#))

c. Statewide accountability system

The SBE currently uses the results from the assessments described in 2.b above to meet the requirements of the former ESEA/NCLB and the USED-approved State Plan for federal accountability under the ESEA Flexibility Waivers granted by the former US Secretary of Education. In addition, the SBE generates School Performance Grades of A through F under the direction of G.S. 115C-83.15 for State level accountability. The expectation of the new ESSA is that a State will develop one plan for accountability and not have a federal-level and a State-level set of plans. The accountability plans under the ESSA must include goals for academic indicators (improved academic achievement on State assessments, a measure of student growth or other statewide academic indicator for elementary and middle schools, graduation rates for high schools, and progress in achieving proficiency for English Learners) and a measure of school quality and student success (examples include student and educator engagement, access and completion of advanced coursework, postsecondary readiness, school climate and safety). These multiple measures currently are not a part of the School Performance Grades legislation in elementary and middle schools.

d. Methodology for identification of schools in need of support
State

Currently the State is using two sets of metrics to identify schools in need of support as required under North Carolina General Statutes and the former requirements of ESEA Flexibility Waivers.

Low-Performing Districts and Schools in North Carolina are defined by the NC General Assembly and are based on the School Performance Grades and EVAAS growth

- “Low-performing schools are those that receive a school performance grade of D or F and a school growth score of “met expected growth” or “not met expected growth” as defined by G.S. 115C-83.15.” (G.S. 115C-105.37(a)), and
- “A Low-performing local school administrative unit is a unit in which the majority of the schools in that unit that received a school performance grade and school growth score as provided in G.S. 115C-83.15 have been identified as low-performing schools, as provided in G.S. 115C-105.37.” (G.S. 115C-105.39A(a)).
- There currently are 581 low-performing schools and 15 low-performing districts identified according to state law.

Federal (under the former ESEA/NCLB Flexibility Waivers)

- 1) The total number of Priority Schools in a State must be at least five percent of the Title I schools in the State. A Priority School is a school among the lowest five percent of Title I schools in the State based on the achievement of the "all students" group in terms of proficiency on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, and has demonstrated a lack of progress on those assessments over a number of years in the "all students" group; a Title I-participating or Title I-eligible high school with a graduation rate less than 60 percent over a number of years; or a Tier I or Tier II school under the School Improvement Grant (SIG) program that is using SIG funds to implement a school intervention model. There currently are 137 identified Priority Schools.
- 2) The total number of Focus Schools in a State must equal at least 10 percent of the Title I schools in the State. A focus school is-
 - a school that has the largest within-school gaps between the highest-achieving subgroup or subgroups and the lowest-achieving subgroup or subgroups or, at the high school level, has the largest within-school gaps in graduation rates; or
 - a school that has a subgroup or subgroups with low achievement or, at the high school level, low graduation rates; and
 - a Title I high school with a graduation rate less than 60 percent over a number of years that is not identified as a priority school.

These determinations must be based on the achievement and lack of progress over a number of years of one or more subgroups of students identified under ESEA section 1111(b)(2)(C)(v)(II) in terms of proficiency on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, or, at the high school level, graduation rates for one or more subgroups. There currently are 141 identified Focus Schools.

- 3) ESSA requires that the State continue to serve the Priority and Focus Schools through the 2015-16 and 2016-17 school years even though the Flexibility Waivers are null and void as of August 1, 2016.
3. *Does the State Board plan to seek grants for state assessment or audits from the US Department of Education, and for what purpose?*

All States have been receiving federal grants for state assessments since the advent of the passage of No Child Left Behind into law in January 2002. These federal assessment dollars have been used to offset the development and administration costs of the statewide assessment program. North Carolina anticipates a continued interest in receiving these funds because the assessment program would not be sustainable without these federal dollars supplementing the state funds. At this point in time, we anticipate requesting the use of additional federal dollars for LEAs to conduct audits (numbers of tests and costs) of their local testing programs which will assist them in determining if all of their local assessments are needed and to reduce the testing burden for students and educators. A survey of local school districts and charter schools was conducted by NCDPI last summer to gather information on numbers of local assessments administered

in NC public schools. A copy of the report can be found at <http://www.ncpublicschools.org/docs/intern-research/reports/testing2014.pdf> .

4. *Does the State Board intend to seek additional flexibility in other areas granted under ESSA?*

Because the legislation just recently passed, there has not been enough time to consider additional flexibility being requested. These are the kinds of issues that need to be discussed as we get a clearer understanding of the law and what will be allowed. The USED will be issuing draft regulations this spring and we anticipate final regulations being issued later in the calendar year. Information in the draft and final regulations will assist us in making decisions about possible waivers being sought.

5. *What changes are planned based on the federal funding formula changes made in ESSA?*

Again, it is too soon to speculate on planned changes due to the new funding formulas.

6. *What changes are planned based on the elimination of teacher evaluation requirements and the highly qualified teacher standard?*

Discussions have begun with LEA superintendents about possible changes to consider due to the elimination of the federal requirement for teacher evaluations and the highly qualified teacher standards. Discussions with the State Board of Education on these issues will occur at the next SBE meeting on February 3, 2016.

Citations that rely on student growth measures include:

- future performance pay plan in SL 2013-360, Section 9.5 "Pay for Excellence"
- "clinical educator" (i.e., supervising teacher of student teacher) in SL 2015-241, Section 8.41(a) [new G.S. 115C-296.11]
- 20% of A-F School Performance Grade formula. G.S. 115C-83.15