



nacsa
NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

THE TITLES 301: TITLE I

**UPDATED
JANUARY 2017**



WHAT IS IN TITLE I?

States create plans for Title I compliance in order to receive pots of federal education funding. Title I governs:

1. **Standards and Indicators:** The academic standards students must meet;
2. **Assessments:** How student mastery of academic standards will be assessed;
3. **Accountability** (*school report cards*): How the quality of a school is measured based, in part, on student performance;
4. **Quality** (*school improvement*): What happens if a school is determined to be *low-quality*—the accountability consequence.
5. **Educator Equity:** How a State ensures quality teachers are distributed equitably.

This presentation provides an overview of the key statutory provisions as well as the **FINAL** rules, as released December 2016.

KEY CITATIONS

CHARTER SCHOOL ACCOUNTABILITY



ESSA Statute

State Plans: USC Title 20 § 6311 (c)(5)

- Accountability for charter schools. The accountability provisions under this chapter shall be overseen for charter schools in accordance with State charter school law.

ESSA Title I Regulations

Single Statewide Accountability System: Section 200.12

- (c)(1) The accountability provisions under this section must be overseen for public charter schools in accordance with State charter school law. (2) In meeting the requirements of this section, if an authorized public chartering agency, consistent with State charter school law, acts to decline to renew or to revoke a charter for a particular charter school, the decision of the agency to do so supersedes any notification from the State that such a school must implement a comprehensive support and improvement plan or targeted support and improvement plan under §§ 200.21 or 200.22, respectively.

Comprehensive support and improvement: Section 200.21

- (d) Comprehensive support and improvement plan. Each LEA must, with respect to each school identified by the State for comprehensive support and improvement, develop and implement a comprehensive support and improvement plan for the school to improve student outcomes that—...(3) Includes one or more interventions (e.g., ...and, in the case of a public charter school, working in coordination with the applicable authorized public chartering agency, revoking or nonrenewing the school's charter by its authorized public chartering agency consistent with State charter school law and the terms of such a school's charter)
- *This language is also in Section 200.22, which governs targeted support and improvement*

Use of Locally selected, nationally recognized high school academic assessments: Section 200.3

- (ii) If the LEA is a charter school under State law, provide an assurance that the use of the assessment is consistent with State charter school law and it has consulted with the authorized public chartering agency.



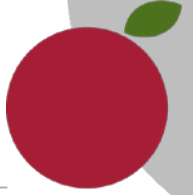
KEY DATES

Title I Plans

- States may choose from two due dates to submit Title I plans to ED:
 - April 3, 2017 or
 - September 18, 2017
- States are asked to notify ED of their intended deadline by January 10, 2017.

State Report Cards

- 2018-19: First group of schools identified for Comprehensive Support and Improvement (bottom 5%, formerly Program Improvement schools)
- 2019-20: First group of schools identified for Targeted Support and Improvement (low-performing subgroups)



STANDARDS AND INDICATORS

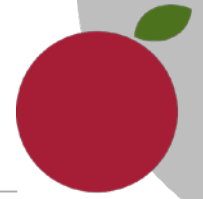
STATE Responsibility: Choose academic standards; select academic and non-academic indicators; set long-term and interim student performance goals,

ESSA Statute

- States set the long-term and interim performance goals for all students and for each subgroup of students, which are subject to some federal approval.
- Substantial indicators:
 - ✓ Academic Achievement: proficiency on state assessments
 - ✓ English Language Proficiency (NEW)
 - ✓ Graduation rates for high school
 - ✓ Academic Progress: Growth or another statewide academic indicator for K-8 schools
- State-selected indicator: Not less than one other state-set indicator of **school quality or student success (NEW)**
- For academic indicators (in red) The State accountability system must give: “Substantial weight” to each indicator; “in the aggregate, much greater weight” than afforded to other indicator(s)

ESSA Regulations

- Long-term goals for all students and each subgroup must use the same multi-year timeline. Interim goals must take into account the improvement necessary to make significant progress in closing achievement gaps, such that a State’s measurements of interim progress require greater rates of improvement for subgroups of students that are lower-achieving.
- Each indicator must have at least 3 levels of performance.
- HS: State must report on four year adjusted cohort graduation rate; may also include an extended year graduation rate.
- State-selected indicator: indicator: must be different than other indicators; progress on indicator must be supported by research indicating it is likely to increase student learning; must aid in the meaningful differentiation of schools; cannot by itself change the identification of a school (for targeted or comprehensive support) unless the school has also made significant progress on at least one academic indicator.



ASSESSMENTS

STATE Responsibility: Select measurement tool (academic assessments and non-academic); decide what local assessment flexibility to allow (and process for approval); ensure assessment participation.

ESSA Statute

- Annual assessments in grades 3-8, once in high school.
- Assessments may, at the state's discretion, measure individual student growth
- States may allow an LEA to use a nationally-recognized high school academic assessment in lieu of a state assessment, as long as such assessment aligns with the State's standards and meets other requirements
- The law allows (not requires) states to set a limit on the amount of time devoted to assessment administration for each grade
- 95% assessment participation rate

ESSA Regulations

- States may use one of four methods to respond to school test participation rates below the 95% threshold: lower the school's summative performance rating; lower the performance level on the academic achievement indicator; identify school for targeted support and improvement; or a state determined action that is rigorous and approved by US ED in state Title I plan.
- Schools not meeting the 95% participation requirement must also develop an improvement plan that is approved and monitored by the LEA.
- Nationally-recognized assessment: The state must set up an approval process for the use of nat. rec. assessments by LEAs. Charter school LEAs must consult with their authorizer before seeking approval for the use of such assessment from the state. LEAs must consult with impacted charter schools (ie, non-LEA charter schools in the LEA) when seeking approval for use of nat. rec. assessment.

ACCOUNTABILITY: SCHOOL REPORT CARDS



STATE Responsibility: Design the State and LEA report card system, including: subgroup n-size; the ranking system (such as an “A-F” system); and if the state wants to include any other information.

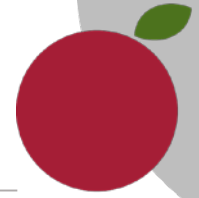
ESSA Statute

- Each statewide system must “meaningfully differentiate” schools based on performance, including academic and non-academic indicators.
- States must annually measure and make accountability determinations for each school based on data for the school overall and each subgroup
- Each state and district must annually report the data used in the accountability system (the “indicators and goals”) for each school overall and for each subgroup.
- LEAs must also include: for LEAs, how the LEA performed compared to the state; for individual schools, how the school performed compared to the LEA as a whole and the State.

ESSA Regulations

- All schools must receive a single, summative rating.
- State report card must include report on each authorizer. The report card must include two comparisons for every school in each authorizer’s portfolio. The State would determine how the comparisons are put together:
 - the academic performance of the school compared to the local school district or other geographic area,
 - the enrollment demographics of the school compared to the local school district or other geographic area. No super subgroups.
- State report cards must be disseminated by Dec 31 each year.
- **N-size determined by State. If a state wants to have an N-size larger than 30 it must be approved by ED.**

QUALITY: SCHOOL IMPROVEMENT



STATE Responsibility: Decide what happens to schools identified for improvement and the responsibilities for the school, the LEA, and/or the State. *The system can create differentiated consequences for charters.*

ESSA Statute

- Deference to state charter school law: “The Accountability provisions under this Act shall be overseen for charter schools in accordance with State charter school law.”
- Interventions in the lowest-performing schools largely determined at the state and district level, with few federal parameters. Two types of schools are identified for intervention:
 1. **Comprehensive Support and Improvement:**
 - Lowest-performing 5% of Title I schools on state accountability index;
 - High schools with <67% graduation rates; and
 - Schools with underperforming subgroups that do not improve after a state-determined number of years.
 2. **Targeted Support and Improvement:**
 - Schools with consistently underperforming subgroups, as defined by the state

ESSA Regulations

- Reinforces a State and/or authorizer’s ability to use state charter law to non-renew or revoke a charter school, in accordance with state law, rather than put a charter school through a state designed support/improvement process.
- States must generally use a four-year cohort graduation rate to identify high schools with a $\leq 67\%$ graduation rate for additional intervention. For the purposes of identifying schools for such comprehensive intervention, states can choose to use an adjusted cohort graduation rate to determine if an alternative or drop-out recovery school’s grad rate is $\leq 67\%$.
- States may choose to engage in additional improvement activities in LEAs and authorizers with a significant number of schools identified for comprehensive support and improvement.
 - States would need to indicate that authorizers– and not just LEAs– were subject to these additional activities in their state Title I plan.
 - Regulations specify that states can have different improvement activities for LEAs than for authorizers. The regulations give examples of the types of improvement activities that may be appropriate for authorizers specifically.



EDUCATOR EQUITY

STATE Responsibility: Define several “educator quality” terms; lay out actions if the State or an LEA has an unequitable % of low-quality educators.

State charter law may impact the application of these systems.

ESSA Statute

- The State report card must include information on the professional qualifications of teachers in the State (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of: inexperienced teachers, principals and school leaders; teachers teaching with emergency or provisional credentials; teachers who are not teaching in the subject or field for which the teacher is certified or licensed;
- Each state Title I plan must describe how low-income and minority children are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the state will use to evaluate and publically report the progress of the SEA in fulfilling that description.
- *US ED cannot require a State to develop or implement a teacher, principal, or other school leader evaluation system.*

ESSA Regulations

- Each state must adopt, and the State and each LEA in the State must use: a statewide definition of the term “inexperienced” and of the phrase “not teaching in the subject or field for which the teacher is certified or licensed”; a definition of “high-poverty schools” that is schools in the top quartile of poverty in the State and “low poverty schools” that is schools in the bottom quartile of poverty in the State
- Each state must adopt a statewide definition of “ineffective teacher”, or statewide guidelines for LEA definitions of “ineffective teacher” that differentiates between categories of teachers and provides useful information about education equity.
- Each SEA must publish and annually update: the rates and disproportionalities; the % of teachers categorized in each LEA at each effectiveness level; the % of teachers categorized as “out of field”; the % of teachers categorized as inexperienced.
- An SEA may direct an LEA that contributes to the state disproportionality to use its Title II funds to address the teacher quality inequity.