

STATE ESSA PLANS: Uneven Progress toward Better Assessment and Accountability

I. KEY FINDINGS AND RECOMMENDATIONS

A majority of states have cut back on failed test-and-punish policies mandated by No Child Left Behind, such as firing staff or closing or privatizing schools for low standardized exam scores. Yet states have not taken sufficient advantage of opportunities in the federal Every Student Succeeds Act (ESSA) to improve assessment and accountability. Those are the key findings from a FairTest review of the first 16 state ESSA plans approved by the U.S. Department of Education. However, the review shows that if every state adopted the best practices chosen by some states, the nation could take significant steps toward ensuring that accountability becomes helpful, not harmful.

In general, states have not adopted a rich array of indicators of school progress, nor have most states given non-test indicators sufficient weight in school evaluations. As a result, states continue to define accountability primarily as scores from standardized tests. Unfortunately, ESSA itself maintains NCLB overkill: testing every child in grades 3-8 and once in high school, rather than just a few grades.

Moreover, most states say they will impose penalties, some potentially severe, on schools that do not test at least 95% of their students, an action not required by ESSA. And, though federal law now requires publication of data about school finances, state plans either fail to address funding inadequacy or are not concrete. Inadequate educational resources are a fundamental problem facing many schools serving low-income youth and communities.

Nevertheless, in the states that cut back on punitive accountability, opportunities exist for districts and schools to move away from test-centric schooling because they are now unlikely to suffer penalties. If flagged for low scores, they will receive help, not punishment.

FairTest examined five significant areas in ESSA state plans:

1. School Quality/Student Success (SQSS) indicator(s);
2. Weighting given to all indicators;
3. Number of levels of schools identified (ESSA requires three, but states can have more);
4. Approach to improving low-ranked schools, such as retaining a punitive NCLB approach or adopting a more supportive plan; and
5. Response to the federal requirement that each school test at least 95% of all students and of students in each subgroup (race/ethnicity groups, low-income, disability, English learner).

A color-coded chart flags positive and negative findings in each of the five areas. FairTest urges states to revise their plans to adopt the most supportive and least punitive approaches seen in other approved states. States should also push the envelope to develop teacher-led, classroom-based performance assessments to largely replace standardized testing – as ESSA allows. Under each topic, we offer specific recommendations. (Section II provides more detail.)

1. School Quality/Student Success” (SQSS). *States have selected a narrow range of indicators under SQSS, and many of those are test scores, rather than a rich range of indicators including school climate, access to a well-rounded education/opportunity to learn, and school discipline data.*

States should develop a richer array of indicators, primarily ones that are not based on standardized test scores.

2. Indicator weighting. *Most states give much less weight to SQSS than they should.* Combined with the narrow range of indicators, this means states remain too heavily focused on reading/ELA and math test scores. As a result, schools will continue to feel pressure to focus on narrow test preparation in these two subjects, to the detriment of a richer education. More positively, many states are prioritizing growth over achievement scores, which makes it somewhat less likely that schools will be labeled and punished because of the kinds of students and communities they serve.

States should increase the weight of SQSS indicators, such as those listed above, to at least 40%, as a few states have done, in addition to broadening the indicators.

3. Improved assessment. *Only New Hampshire intends to rely heavily on performance assessments, expanding a pilot project in which local assessments can be used instead of state tests in all but three grades. (See *Assessment Matters: Constructing Model State Systems to Replace Testing Overkill*, at <http://www.fairtest.org/assessment-matters->*

[constructing-model-state-system.](#)) (The state’s plan has been approved.) Just a few states have expressed interest in joining NH in the Innovative Assessment pilot that ESSA authorizes. This is a significant lost opportunity. Some districts are stepping forward to implement teacher-led performance assessing. (See *Test Reform Victories Surge in 2017*, at <http://fairtest.org/fairtest-report-test-reform-victories-surge-in-2017>.) Further, the federal government allows states to use ESSA funds to conduct testing audits, with an eye to cutting back the amount of testing; and it requires schools and districts to report what tests they require and who mandates them.

States should prepare for participation in the Innovative Assessment pilot and encourage districts to implement teacher-led performance assessing. In addition, states should use ESSA funds for state and district audits, then monitor districts and schools to ensure they publicly report all standardized tests they administer.

4. Creating levels. *Many states have created school ranking categories beyond the three required by ESSA* (schools in need of comprehensive support and improvement, CSI, those in need of targeted support and improvement, TSI, and all others¹). Of the 16 states, six require only three levels; three have four levels; and six use five levels. Most states using five levels rank schools with an A-F letter grade. One state plan has five reporting levels but only three intervention levels. Extra levels will perpetuate competition that will be educationally counter-productive because the primary factor in most states’ weightings remains standardized tests. Schools may focus narrowly on boosting test scores to “beat” other schools, thereby undermining a richer curriculum.

States with more than three levels should cut back to just three.

5. Support or sanctions? Six of the 16 states retain some form of NCLB punitive sanctions (firing staff, closing or privatizing schools), though most of them do so only if initial improvement efforts have not succeeded after about three years. The remaining 10 states plan to provide assistance to struggling schools. If that is unsuccessful, they will intensify the assistance, rather than impose punishments as was required under NCLB’s failed mandates. *This is the most positive finding from our review.*

States should abandon all remaining punitive NCLB mandates. States should intensify supports if districts do not make clear progress in three years. (They should also differentiate between those on a clear positive track and those that

¹ ESSA requires that Title I schools in the lowest 5% of the state rating system, any high school that graduates fewer than 67% of its students, and any TSI school that fails to sufficiently improve, shall be assigned CSI status. States can increase the number of such schools. ESSA requires that any school in which a subgroup scores below the state threshold for being a lowest 5% school (“consistently underperforming”) or any school with a “chronically underperforming” subgroup shall be designated as needing TSI. MA proposes to combine CSI and TSI into one “intervention” category, then differentiate the interventions.

are not.) If after six years serious problems remain, states should determine the cause of the lack of progress and intervene appropriately. If the problem is largely due to inadequate funding, the first support/intervention the state takes should be providing necessary money.

6. Funding adequacy. The federal government requires schools, districts and states to report funding data, including per-student expenditures. This will shed light on inadequate resources, a major problem for many schools. However, states are not required to do anything substantive with this information. Only three of the 16 states examined incorporated financial issues into their needs assessment. ESSA does require that the state evaluate funding “resource allocation” *within* districts that have a significant number of CSI or TSI schools – but requires no specific steps, and an analysis of “allocation” does not require actual adequacy. While state funding is a matter for legislatures and governors, failure to address this fundamental problem leaves states off the hook for equity and adequacy. There is federal funding for improvement efforts, but too little to meet real needs. States are divided on whether that funding will be distributed to all low-performing schools by formula, through competitive grants, or a mix of the two.

States should go beyond ESSA requirements to mandate that funding data be included in a school’s needs assessment and that states commit to addressing inadequate funding. States should also distribute improvement funds on a formula basis rather than a grant competition. It is wrong to deny students needed resources if a district does not write a good proposal. States should help districts with planning if they need assistance.

7. Punishment for low test participation. ESSA requires that 95% of students take federally-mandated state exams. DoE expects states to factor participation into state plans and school ratings. This means determining school average test scores by having a denominator representing at least 95% of eligible students. The consequence is to lower average test scores for schools if more than 5% opt out. This can lead to categorizing a well-performing school at a lower level, even identification as CSI or TSI. Further, 14 of the 16 states mandate additional actions. In eight, it means only a plan to improve participation or some unspecified intervention, but in six the state will do such things as lower a school’s ranking by one level. *This punishes schools for the actions of parents. It goes beyond what ESSA requires. Louisiana’s approved plan adds no actions beyond the 95% calculation.*

States should do no more than report the 95% participation rate results, as required. New York and New Jersey will also calculate average scores based only on actual test takers and use that data in deciding support and interventions. States should also be as non-punitive as possible, enacting no penalties on those schools which end up in lower levels because of widespread opting out. (Note that four states that explicitly seek to not punish schools due to parental action are states with high or growing opt out rates: New Jersey, New York, Colorado and Utah.)

Education policy makers as well as assessment and accountability reform advocates can use sections of other federally approved plans to improve their own state plans. States are allowed to revise their approved plans (as some are already doing).

States should adopt a rich array of indicators, minimize the use of test scores, then weight SQSS at 40% or more. They can sort schools into three levels, perhaps only two (with one combining CSI and TSI into a “support” category that differentiates the form of support). They can include funding adequacy in needs assessments, then move their state to provide sufficient resources. States can drop punitive sanctions and focus on genuine assistance. States can also avoid adding penalties of any form for low participation. They can implement two calculations, as New Jersey and New York are doing, one with only actual test takers, and use the latter to determine support and intervention.

Some states may be reluctant to take these steps, so advocates, from parent and community organizations to unions and professional associations, will need to step forward. More states than the 16 this report explores have recently been approved; some are likely to shed more light on possibilities under ESSA.