



## The Education Trust

Closing the gaps in opportunity and achievement, pre-k through college.

This document represents a preliminary overview of the key provisions of the Every Student Succeeds Act of 2015 that are likely to be of most interest and relevance. In the coming weeks, we'll share more detailed information, including initial thoughts on what states and state advocates should be considering and the timeline for needed actions.

### Transition from NCLB/Waivers to ESSA

- States must be compliant with the “statewide accountability system” and the “school support and improvement activities” provisions by the 2017-18 school year.
- Current law re: assessments remains in effect through August 1, 2016.
- Existing ESEA Flexibility Waivers become void on August 1, 2016, and the remainder of the state plan section goes into effect on that date.
- States still must continue interventions in identified schools (priority or focus schools for waiver states and in need of improvement, corrective action, or restructuring in non-waiver states) until new state plans are approved or the 2017-18 school year, whichever comes first.

### Standards and Assessments

#### Standards

- States are required to adopt challenging statewide academic content standards and statewide academic achievement standards that apply to all public schools and public school students in the state in, at minimum, math, reading/language arts, and science. The state must set at least three levels of achievement standards (e.g., Basic, Proficient, and Advanced).
- These standards must be aligned with entrance requirements for credit-bearing coursework in the public higher education system in the state, as well as with relevant career and technical education standards.
- The same standards must apply to all students in the state, except that states are allowed to set alternative achievement standards for students with the most significant cognitive disabilities.
  - Alternative achievement standards must be aligned to ensure that a student who meets these standards is on track to pursue postsecondary education or employment.
- States must also put in place standards for English-language proficiency that address speaking, listening, reading, and writing, and are aligned with the state’s academic standards.
- **The Secretary cannot:**
  - Require a state to submit its standards for review
  - In any way mandate, direct or coerce, or exercise any control or supervision over state standards.

#### Assessments

- States are required to put in place statewide, annual assessments that are aligned with their academic standards.
  - States must assess students in reading and math, in grades 3-8 and once in high school, as well as in science: once in grades 3-5, once in grades 6-9, and once in grades 10-12.

- Assessments at the high school level must generate results against at least three performance levels (e.g., Basic, Proficient, and Advanced).
- Assessments must assess higher order thinking skills and may be partially delivered via portfolios, projects, or performance tasks. Assessments may be administered as a single test or as a set of interim tests that can be rolled up into a single annual result for each student.
- States may allow students (as appropriate) to take a high school math assessment instead of the 8th-grade math assessment and count those results for accountability. If they do so, the student must take a more rigorous high school assessment when he/she gets to high school.
- Computer adaptive assessments are allowed. These may measure content that is above or below a student's grade level, but have to, at minimum, measure academic proficiency against grade-level standards.
- **Option for High School Assessments:** At the high school level, states can select one or more nationally recognized assessments for districts to use in place of the statewide assessment. Districts can also apply to their state for permission to use a nationally recognized assessment of their choice.
  - These assessments have to:
    - Be aligned with state standards and be equivalent in content coverage, difficulty, and quality to the statewide assessment (though they can be more rigorous than the statewide assessment)
    - Provide data on academic achievement that is comparable to the statewide assessment and valid and reliable, for all groups of students.
    - Provide results that are expressed in a way that is consistent with the state's academic achievement standards among all districts in a state.
    - Meet all of the same technical requirements as the statewide assessments.
    - Be usable in the state's accountability system.
  - In order to approve an assessment for use, the state has to:
    - If the state is selecting the assessments for district use:
      - Conduct a review of each assessment to determine whether it meets the criteria above; and
      - Submit evidence that the assessment meets these requirements to the U.S. Department of Education for peer review.
    - If a district submits an assessment for state review, that assessment will be subject to the same approval process. Based on that process, the state may then approve the assessment for use.
      - Once the state approves an assessment for use by one district, it has to approve that assessment for use by other districts in the state that choose to use that assessment.
- **Innovative Assessment Pilot:** The Act allows the Secretary to set up an innovative assessment pilot under which states could apply to develop "Innovative assessment systems," which can include competency-based, performance-based, and other types of assessments that allow students to demonstrate mastery or proficiency.
  - The Secretary may provide demonstration authority to no more than seven states; these states can be in consortia, but no more than four states can be in one consortia

- After the first three years of the demonstration authority, the Director of IES will publish a progress report, examining whether innovative assessment systems have demonstrated progress in complying with criteria, improving student outcome measures, and how the systems are being received. The progress report will be used to inform technical assistance and the peer review process.
- After the progress report, additional states/consortia may apply for demonstration authority, and the Director of IES will disseminate a report on best practices in assessment innovation.
- Requirements
  - States must describe how systems will meet 1111(b)(2)(B) requirements; are comparable, valid and reliable; and generate data necessary for accountability, among other requirements. States must also detail how they will communicate about the systems and provide the necessary support for implementation.
  - States must ensure all students and all schools are held to the same expectations for student achievement.
  - If a system is initially administered in just some LEAs, the state must explain how those LEAs are chosen, how they are demographically representative of the state, and how the state will scale up the assessment to other districts.
- Process
  - The Secretary will establish a peer review process to evaluate applications and determine the quality of the systems.
  - Initial demonstration authority is for no more than **five** years, with the option for a **two-year** extension.
  - The Secretary shall withdraw authority if, at any point, the state can't demonstrate "substantial evidence" of compliance with quality standards.
- If the state can demonstrate the system meets the requirements of 1111(b)(2), the system can be used for accountability purposes.
- If the system has met all requirements, including full scale-up, by the end of the authority, and the peer review process has been completed, the system can be used as the statewide assessment system for the purposes of 1111(b)(2).
  - One of the requirements is that the system has demonstrated that the participation rate is the same or better for all students and each group of students as compared with the traditional statewide assessment.
- **Alternative Assessments:** States may administer alternative assessments for students with the most significant cognitive disabilities to no more than 1 percent of all students across the state in each subject.
  - There is no cap on the percent of students in each grade or each district that may take such assessments, as long as the state as a whole doesn't exceed the 1 percent cap.
  - Taking an alternative assessment cannot keep a student from attempting to complete requirements for a regular high school diploma.
- **Inclusion of English learners:**
  - States may count students who are no longer English learners as part of the English-learner subgroup for up to four years after the student is reclassified.
  - States have the choice of excluding English learners from taking the reading/language arts assessment, and excluding results of math results and English proficiency assessment results from accountability for the first year that the student attends school in the U.S.

- Alternatively, states may choose to administer reading and math assessments to a newly arrive English learner and report his/her performance, but:
  - Exclude his/her results from accountability in the first year
  - Include growth only in the second year; and
  - Include proficiency on these assessments in the third year.
- Assessment language: Districts may assess English learners in reading/language arts using assessments in the student's native language for up to three years from a student's arrival in the U.S. They may extend this time period by two more years on a case-by-case basis if a native language assessment is likely to yield more valid and reliable information about what the student knows and can do.

## Accountability

### **Goals**

Each state is required to set statewide, long-term goals and interim progress targets for improving outcomes for all students and each student group (including economically disadvantaged students, students from major ethnic and racial groups, children with disabilities, and English learners).

- Goals have to be set based on at least:
  - Proficiency on state assessments in reading and math; and
  - High school graduation rates
    - Goals on four-year cohort rates are required. Extended graduation rate goals are allowed, but must be more rigorous than those for a four-year rate.
- The length of time within which each group of students must reach these goals has to be the same.
- For groups that are behind, goals have to take into account the improvement needed to make significant progress in closing proficiency and graduation rate gaps.
- States are also required to set goals for increasing the percent of English learners making progress toward reaching English-language proficiency within a state-determined timeframe.

### **Accountability System**

Each state is required to develop a school accountability system that meets the following parameters with regard to a) school ratings and b) supports and interventions.

**A) School ratings:** States must establish a system of meaningfully differentiating all public schools in the state.

- **Indicators:** This system must be based on the following indicators, *all of which, except for English proficiency, have to be disaggregated by student group.*
  - **Academic achievement:** Proficiency on state assessments, as measured against the state's goals. For high schools, this measure may also include student growth.
    - **When calculating proficiency rates,** the denominator has to be the greater of a) 95 percent of students in the subgroup, or b) the actual number of students in the group who took the assessment.
  - **Another academic indicator:** For high schools, four-year graduation rates (and, at the state's discretion, extended rates), as measured against the state's goals. For elementary/middle schools, student growth or another academic indicator that allows for "meaningful differentiation" in school performance.
  - **English proficiency:** For English learners, the state's English-language proficiency assessment. This measure may include growth toward English-language proficiency.

- **At least one other indicator of school quality or student success** that must be valid, reliable, comparable, and statewide. Examples include student engagement, educator engagement, and student access to and completion of advanced coursework.
- **Indicator weights:** Each of the academic indicators (indicators 1-3) has to carry “substantial weight.” In the aggregate, academic indicators must weigh “much more” than the other indicator of school quality (indicator 4).
- **Assessment participation:** States must provide a clear explanation for how they will factor the 95 percent participation requirement, overall and by student group, into the school accountability system.
- **School identification:** The school accountability system has to identify, at minimum,
  - **Comprehensive Support and Improvement Schools**, including:
    1. Title I schools that are in the lowest performing 5 percent of Title I schools in the state
    2. All high schools that fail to graduate one-third or more of their students

These schools have to be identified at least once every three years, starting in school year 2017-18.
  - **Targeted Support and Improvement Schools:** Any school that is consistently underperforming (as defined by the state) for one or more student groups.
  - **Additional Targeted Support Schools:** Any school whose results for any student subgroup meet the criteria for the lowest performing 5 percent of Title I schools in the state for students overall (the first criteria for comprehensive support and improvement school identification, above).
    - These schools are identified for the first time in 2017-18.

**B) School supports and interventions:** The following supports and interventions are required for each type of school.

- **Comprehensive Support and Improvement Schools:**
  - States have to notify districts of any schools that require comprehensive support and intervention. States must also set criteria that these schools have to meet to exit this category.
  - Districts must then develop and implement a comprehensive support and improvement plan for each such school, in partnership with stakeholders. The plan must:
    - Be informed by all indicators in the statewide accountability system, including student performance against state goals
    - Include evidence-based interventions
    - Be based on a school needs assessment
    - Identify resource inequities that will be addressed through implementation
    - Be approved by the school, district and state, and once approved be monitored by the state
  - The state may establish alternative evidence-based strategies that can be used by LEAs in comprehensive improvement schools.
  - If the school does not meet the exit criteria set by the state within a state-determined number of years (not to exceed four years), it must implement more rigorous interventions, determined by the state.

- **Public school choice:** Districts may provide students in comprehensive improvement schools with the option to attend another public school in the district (as long as the state-level Act allows them to do so) and may use up to 5 percent of their Title I, Part A, Subpart 2 allocations to pay for transportation. If districts choose to do this, they must:
  - Give priority to the lowest achieving children from low-income families
  - Ensure that students who use the option to transfer are enrolled in classes and other activities in their new school in the same manner as all children at that school.
  - Ensure that children who transfer are permitted to remain at the new school until they complete the highest grade in that school.
- **Targeted Support and Intervention Schools**
  - The state must notify districts of any school where a group of students is consistently underperforming.
  - Each such school must then develop and implement an improvement plan, in consultation with stakeholders, that:
    - Is informed by all indicators in the statewide accountability system, including student performance against state goals; and
    - Includes evidence-based interventions.
  - The district must approve each school's plan and monitor implementation.
  - If the school is unsuccessful in implementing its improvement plan within a district-determined number of years, the district must take additional action.
- **Additional Targeted Support Schools**
  - These schools must take all the same steps as Targeted Support and Intervention Schools, but their improvement plans must also identify resource inequities that will be addressed through plan implementation.
  - In addition, the state must set exit criteria for these schools. If the schools do not meet these criteria within a state-determined number of years, they become comprehensive support and improvement schools.

#### **Additional details related to school accountability**

- **N-size:** States determine the n-size (minimum number of students in a group needed for results to be considered reliable and protect student privacy) for reporting and accountability.
  - The n-size must be the same for the all-student group, as well as for each subgroup.
  - States have to describe how they set the n-size and how they will ensure that the n-size is sufficient to protect student privacy.
- **State-provided technical assistance/support:**
  - States must periodically review resource allocation to support school improvement in districts with significant numbers of schools identified for any of the three intervention levels. States must also provide technical assistance to these districts.
  - States may undertake additional improvement in any LEA with a significant number of comprehensive improvement schools that do not meet exit criteria, as well as a significant number of targeted support and intervention schools.
- **Funding for school improvement activities:**
  - States have to reserve 7 percent of their Title I, Part A, Subpart 2 dollars for school improvement activities, 95 percent of which they have to distribute to districts to serve comprehensive and targeted improvement schools.

- To apply for funds, districts have to submit an application stating how they will: develop improvement plans for comprehensive and targeted improvement schools, support these schools and monitor them, select external providers, align federal state and local resources to carry out school improvement activities, and as appropriate, modify practices and policies to provide operational flexibility to enable schools to implement their improvement plans.
    - When allocating grants, states have to prioritize districts that serve high numbers of comprehensive and targeted improvement schools, demonstrate the greatest need for funds, and demonstrate the strongest commitment to using funds to enable the lowest achieving schools to improve student outcomes.
    - States must report a list of districts and schools that received school improvement funds, including the amount of money each school got and the types of strategies it implemented.
  - **Direct Student Services:**
    - States may reserve 3 percent of their Title I, Part A, Subpart 2 allocation for direct student services. Ninety-nine percent of these funds have to be distributed to districts. In allocating funds, states have to prioritize districts with the highest numbers of comprehensive and targeted support schools.
      - Districts have to use 97 percent of the funds they receive on one or more of the following services (remaining 3 percent are for admin/parent notification costs).
        - Enrollment in academic courses not available at the schools, including CTE classes that are aligned with state standards and lead to industry-recognized credentials;
        - Credit recovery and academic acceleration courses leading to regular high school diploma;
        - Assisting students in completing postsecondary level instruction (e.g., AP/IB), including paying for exam costs;
        - Components of a personalized learning approach, which may include tutoring; or
        - Transportation costs associated with allowing students in comprehensive improvement schools to transfer to another school, including charters.
      - Districts must give top priority to students in comprehensive improvement schools, then students in targeted improvement schools. Any remaining funds may be used on the lowest achieving students in other schools.
    - Additional state responsibilities:
      - States must ensure that each district that intends to offer public school choice using direct student services funds can provide enough options to give parents meaningful options.
      - States are also required to maintain a list of high-quality tutoring providers that give parents meaningful choice and only include providers that: have demonstrated a record of success in improving student achievement; comply with all federal, state and local health, safety and civil rights laws; and provide secular, non-ideological instruction. States must also have a process for addressing providers that are not improving student achievement, which may include revocation of state approval.



## Secretarial prohibitions regarding accountability

- ***The Secretary is not authorized to:***
  - Add any requirements or criteria that are inconsistent or out-of-scope with this Act
  - Require a state to add or delete any element of the standards
  - Prescribe numeric long-term goals, the length of time within which goals must be achieved, or the progress expected from any group of students
  - Prescribe specific academic assessments or assessment items
  - Prescribe indicators that a state uses for accountability, or the weight of any measure or indicator in the accountability system
  - Prescribe the method for differentiating between schools or any intervention strategies
  - Prescribe exit criteria for schools, n-size, or how participation rates are factored into the accountability system
  - Prescribe any element of a teacher/principal evaluation system
  - In non-regulatory guidance, provide any exhaustive list of examples for how to comply with the Act's requirements.

## School Funding

### Authorization Amounts

- Title I, Part A formula funds are authorized at roughly \$15B for FY17, increasing annually to \$16.2B in FY20

### The Title I Formula

- The Act makes slight changes to how much of Title I funds flow through each of the four formulas (Basic Grants, Targeted Grants, Concentration Grants and Equity Finance Incentive Grants or EFIG).
  - The amounts allocated through the Basic and Concentration Grants formulas are held at 2001 levels.
  - Any additional funds will be allocated through Targeted Grants and EFIG, with half of the excess funding flowing through each of these formulas.
- The Act makes no other changes to the Title I formula. Money continues to flow to districts the way it does under current law, and is distributed to schools the same way as under current law, unless the district takes advantage of the weighted student funding option below.

### Weighted Student Funding Pilot (Flexibility for Equitable Per-Pupil Funding)

- The Act allows the Secretary to establish a pilot program that would allow districts to consolidate some of their Federal funds - Titles I, II, and III, as well as part A of Title IV (Student Support and Academic Enrichment Grants) and Part B of Title V (Rural Education Initiative) — with their state and local dollars for the purposes of setting up a weighted student funding formula. The pilot program can include up to 50 districts. Following successful demonstration for a majority of these districts, the Secretary can choose to expand the opportunity to apply to all districts.
- Once the Secretary makes an application available, districts that wish to participate can apply. Districts will need to, among other things,
  - Describe their weighted student funding system, including compliance with the following requirements:
    - A significant portion of state, local and federal funds have to distributed based on the number of students in the school and the weights assigned to those students.



- The weights must allocate substantially more funding to English learners, students from economically disadvantaged families and students with any other characteristics associated with educational disadvantage, chosen by the district.
  - Districts must ensure that each high-poverty school (school in the top half of the district based on poverty rates) receives more money per low-income student than it did before entering the pilot, and at least as much money per English learner as before the pilot.
  - All school-level expenditures, including actual personnel and non-personnel expenditures, must be included in the formula.
- Provide a list of funding sources to be consolidated.
- Describe the percentage and amount of funds to be allocated through the new formula
- Report per-pupil state, local, and Federal expenditures, respectively, by school (including actual personnel and non-personnel costs). Federal funds have to also be disaggregated by program.
- Describe how the system will meet the purposes of the Federal funds being consolidated.
- Each year after application approval, participating districts will need to:
  - Demonstrate that no high-poverty school received less per-pupil funding per low-income student or English learner, as compared with the previous year.
  - Make public and report to the Secretary the per-pupil expenditures of state, local and eligible Federal funds by school for the preceding fiscal year, disaggregated by “each quartile of students attending the school based on student level of poverty and by each major racial or ethnic group.”
- The Secretary may terminate a demonstration agreement (after notifying the district and allowing for a hearing) if the district fails to demonstrate compliance with program requirements.
- The Secretary is also required to work with the Institute of Education Sciences to conduct an evaluation of the pilot, including implementation of agreements and impacts on improving equitable distribution of funding and raising student achievement.

### School-Wide vs. Targeted Title I programs

- The Act allows schools where more than 40 percent of students are from low-income families to operate a school-wide program. In addition, the state may grant a school with a low-income rate of less than 40 percent a waiver to operate a school-wide program, after considering how such a program would improve academic achievement.

### Other Fiscal Requirements

- **Maintenance of Effort:** Allows for the “change in the organizational structure” of an LEA to be a reason for the Secretary to waive MOE requirements and allows for reduction in allocation to a LEA if the LEA has failed to meet the MOE requirements for one or more of the preceding five years.
  - Equity Finance Incentive Grants formula – If a state’s combined fiscal effort *and* aggregate expenditure fall below 90 percent of those of previous years (respectively), the state’s allotment of EFIG funds shall be reduced proportionally if the state also fell below 90 percent in these areas for one or more of the preceding five years.
- **Supplement, not Supplant:** The Act maintains the requirement that federal funds be used to supplement, not supplant, state and local resources.
  - To demonstrate compliance with this requirement, districts must demonstrate that the methodology used to distribute state and local dollars to schools ensures that each Title I school got all the state and local funds it would have received in the absence of Title I funding.

- Districts will not need to identify any individual cost or services supported with Title I dollars as supplemental.
- Secretarial prohibitions:
  - The Secretary cannot prescribe the methodology a district uses to allocate state and local funds to schools in order to demonstrate supplement, not supplant, compliance.
- **Comparability:** The Act makes no changes to current comparability requirements.

## Public Reporting

### State Report Cards

- Cannot include any personally identifiable information
- Must describe the state's accountability system, including:
  - N-size for subgroups
  - Long-term goals and interim benchmarks for student progress
  - Indicators the state is using in its system and how each of them is weighted
  - Method the state has developed for rating schools
  - Definition of "consistent underperformance" and how that definition is used to differentiate schools where a subgroup of students is consistently underperforming
  - The criteria the state will use for identifying Comprehensive Support and Improvement Schools
  - The exit criteria and timeline for Comprehensive Support and Improvement Schools
- Must list which schools have been identified for Comprehensive Support and Improvement as well as Targeted Support and Improvement
- Include the results on the following (all disaggregated by subgroup):
  - Assessment results (including disaggregation by homeless status, foster care status, and children of active duty military)
  - Graduation rates and the other academic indicator for elementary and middle schools (including disaggregation by homeless and foster care status)
  - The other indicator of school quality
  - Progress against long-term goals and interim benchmarks
  - Assessment participation rates
  - Number and percent of English learners achieving English-language proficiency
- Other reporting
  - From Civil Rights Data Collection survey (all disaggregated):
    - Discipline: in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement
    - Allegations and reports of bullying and harassment
    - Chronic absenteeism
    - Preschool enrollment
    - Enrollment in AP, IB, or dual enrollment

- Professional qualifications of educators – comparing high-poverty to low-poverty schools, number and percentage of:
  - Inexperienced teachers, principals, and other school leaders
  - Teachers with emergency or provisional credentials
  - Out-of-field teachers
- Per-pupil expenditures, disaggregated by funding source (Federal, state, and local), including actual personnel expenditures at the state, LEA, and school levels
- The number and percentage of students with the most significant cognitive disabilities taking the alternative assessment
- Results of NAEP, compared with national results
- Beginning with the report card released in 2017, the rate at which the cohort of graduates from each high school enrolls the following year in a public postsecondary institution in the state (disaggregated by subgroup). If possible, the state should also report enrollment in private postsecondary institutions and out-of-state institutions.
- Any other info the state deems important, which can include the number and percentage of students attaining technical proficiencies under Perkins CTE.

### **LEA Report Cards**

- Same requirements as state report cards
- Must include comparisons of student performance between the LEA and the state and between each school and the LEA
- Can include any other information the LEA deems important

### **Data Cross-Tabulation**

States must provide assessment results, graduation rates, results of the other academic indicator, and participation rates in a manner that can be cross-tabulated by each major racial and ethnic group, gender, English proficiency status, and children with or without disabilities.

### **Teachers**

#### **Plan Requirements**

- The Secretary may not require evaluations or define any aspect of evaluation systems states have; he/she also cannot put any parameters around how a state defines “effectiveness”
- State and LEA plans must describe how they will ensure low-income and minority students are not taught at a disproportionate rate by ineffective, out-of-field, or inexperienced teachers.
  - States must also describe how they will measure the above and report on progress.
  - LEAs must “address ... any disparities”.
- States must also make public any methods or criteria they use to measure teacher, principal, or school leader effectiveness

#### **Public Reporting**

- State and LEA report cards must describe the professional qualifications of educators, comparing high-poverty to low-poverty schools, including number and percentage of:
  - Inexperienced teachers, principals, and other school leaders
  - Teachers with emergency or provisional credentials
  - Out-of-field teachers

## **Title II**

- The majority of funding will be distributed via formula to states.
  - Includes a wide variety of allowable uses, including improving students' equitable access to teachers, designing and implementing evaluation systems (though they must include multiple measures and provide clear feedback), supporting and developing alternate routes to certification, developing human capital systems, and professional development
- Includes competitive grant programs, including:
  - The Teacher Incentive Fund (now expanded to include school leaders and called the Teacher and School Leader Incentive Fund)
  - Supporting Effective Educator Development grant
  - School Leader Recruitment and Support grant

### **Charter Schools**

#### **Charter School Program**

- Continuation (with changes) of existing program; existing grantees will continue to receive funding through the term of their grant
- Authorized amounts: \$270M in FY17 and FY18, \$300M in FY19 and FY20
- Purpose and objectives of the program:
  - Supporting the start-up, replication, and expansion of high-quality charter schools
  - Assisting charters in accessing credit for facilities
  - National activities, including supporting opening, replicating, and expanding charters through CMOs and in states not receiving grants; disseminating best practices; and strengthening the quality of charter authorizing
- 65 percent of funding will be distributed via grants to state entities, which may include SEAs, a governor, a state charter school board, or a charter support organization.
  - Grants are for five years
  - The Secretary must prioritize states that:
    - Offer a high degree of flexibilities for charters
    - Have an ambitious plan for their charter sector
    - Allow for at least one other authorizer beside districts
    - Provide equitable funding for charters
    - Provide facilities support to charters
    - Have taken steps to ensure best practices in charter authorizing
  - States then sub-grant 90 percent of the funding for opening, replicating, or expanding high-quality charter schools
  - Expands the list of allowable uses of funds to include one-time transportation costs, minor facilities renovations, and other non-sustained costs
- 22.5 percent of funding is reserved for national activities
  - Not more than 80 percent of this funding is for CMOs to open, replicate, or expand high-quality charter schools; priority is given to CMOs serving diverse student bodies and that have had demonstrated success with schools identified for Comprehensive Support and Improvement

- 9 percent of national activities funds are to charter applicants in states that did not receive a state grant (“non-SEA” grants)
- 12.5 percent of funding is for Facilities Financing Assistance
  - Not less than 50 percent of funding given through competitive grants to public or nonprofit entities who demonstrate innovative methods of helping charters with facilities through loans or bonds (current Credit Enhancement for Charter Schools Facilities Program)
  - Remaining funding distributed through competitive grants to states for “per-pupil facilities aid programs” giving funding to charters on a per-pupil basis to assist with facilities) (current State Facilities Incentive Grant Program)
    - Subject to supplement, not supplant

### **Miscellaneous**

- Charter school leaders are included in consultation processes
- Report language says that LEAs may use Title I funds to expand or replicate successful practices from high-performing charters, magnets, and traditional public schools
- Requires the continued implementation of recommendations from the 2012 Office of Inspector General report re: charter authorizing practices

### **Preschool Development Grants**

- Authorizes — with significant changes — the Preschool Development Grants, which had previously been authorized by ARRA and the 2014 Consolidated Appropriations Act
  - Authorized at \$250M each year for FY17 – FY20
  - Existing PDG grantees will continue to receive funding under the terms of their grants
- Objective: to help states do strategic planning and better coordinate their early childhood programs
- The program is moved to the Department of Health and Human Services, though the Department of Education will be a partner in administering the program
- Initial State Grants
  - One-year grants, with the opportunity to apply for a Renewal Grant
  - Priority goes to states who have not previously received a PDG
  - Requirements
    - States must provide a 30 percent match to the funds
    - States must have a mixed delivery system for early childhood programs
  - Use of funds
    - Conducting a statewide needs assessment
    - Developing a strategic plan for collaboration, coordination, and quality improvement
    - Activities to maximize parental choice and engagement
    - After all other uses, professional development for staff
- Renewal Grants
  - Previous PDG recipients are eligible
  - Three-year grants with no opportunity for renewal
  - May be used for sub-grants to improve and expand access to quality programs for low-income and disadvantaged children

- The Secretary of Health and Human Services may not define or prescribe:
  - Early learning standards or assessments
  - Specific measures of program quality
  - Curriculum
  - Staff qualifications
  - Class sizes or child-to-adult ratios
  - Scope of programs
  - Staff evaluation systems