

March 8, 2016

To the Administrator Addressed:

SUBJECT: EVERY STUDENT SUCCEEDS ACT

At the close of 2015, Congress passed and the President signed into law the Every Student Succeeds Act (ESSA), which brings about the first major overhaul to federal education policy in almost 15 years. The ESSA provides our state an opportunity to leverage new flexibilities that bring greater emphasis to Texas' priorities in educating our more than five million schoolchildren. Over the next several months, TEA will begin the process of engaging with stakeholders across the state to develop our plan for implementing ESSA. But in the short term, I wanted to provide you with an overview of the immediate impacts of this new federal legislation. **Please note that the new legislation does not impact any requirements or reports for the 2015-2016 school year, nor does it change any current state statutes or requirements.**

Title I Assessment

In general, ESSA did not change assessment requirements. All states accepting Title I federal funds used by LEAs must assess students as follows:

- Reading/language arts and mathematics – assess annually in each of grades three through eight and once in high school.
- Science – assess once during each of three specified grade spans: grades three through five, six through nine, and ten through twelve.
- English language proficiency – assess English language learners annually in each of grades kindergarten through grade twelve.

Title I Accountability

Most of the new accountability provisions of ESSA will not take effect until the 2017–2018 school year. For the transition year (2016-2017) we will maintain our current list of priority and focus campuses. This decision is a change from what is currently outlined in our September 2016 waiver renewal with the U.S. Department of Education (USDE) due to a new requirement from the Department that all new priority and focus campuses must be identified by March 1, 2016. Given the short time frame and inability to run data using the current school year assessment results, we have determined that maintaining our current list is the best, and least disruptive, action during this transition period.

Interventions for the 2016-2017 school year will be differentiated based on state accountability ratings that will be released in August 2016. We will provide more detailed information to affected campuses and districts.

Highly Qualified Teacher Requirements/Title II Professional Development

Requirements related to highly qualified teachers will remain in place through the end of the 2015-2016 school year. Beginning with the 2016-2017 school year, schools will no longer be required to

comply with the highly qualified teacher requirements. It is important to note that all state certification requirements adopted in State Board for Educator Certification rule remain in place.

Provisions under the ESSA will take effect when a new state plan is approved by USDE, which we anticipate being prior to the 2017-2018 school year. Many provisions that are currently outlined in the 2015 Texas State Plan to Ensure Equitable Access to Excellent Educators will cover the requirements outlined in ESSA. With that in mind, we will be using the 2016-2017 school year to prepare LEAs for the equity plan reporting and transitioning state data collection processes from highly qualified teacher requirements to state in-field data reporting.

Title III English Language Learners

To restate, most of the new accountability provisions of the ESSA will not take effect until the 2017-2018 school year. Standards for 2015-2016 and 2016-2017 are still to be determined and announced to LEAs. In the future, accountability for ELLs at the federal level is still required.

NCLB Consolidated Grant Application

As stated previously, the new requirements for ESSA will not take effect for formula grant programs until the 2017-2018 grant year. With that timeline in mind, there will be few changes to your current NCLB Consolidated Grant Application for the 2016-2017 grant year with more extensive changes to the application for the 2017-2018 grant year. Grant formulas for allocating entitlements, federal program plans, and federal requirements that are currently in place will remain for the 2016-2017 school year as well.

In closing, I look to gather input and guidance from stakeholders across our state as we develop Texas' state plan to be submitted to U.S. Department of Education.

If you have any questions, comments, and feedback regarding ESSA implementation in Texas, please direct them to essa@tea.texas.gov. I look forward to this opportunity to build upon our work to improve the educational outcomes for all schoolchildren in Texas.

Thank you,

Mike Morath
Commissioner