



## **Analysis of the Arizona Every Student Succeeds Act (ESSA) Consolidated State Plan**

March 20, 2017

Arizona submitted its plan to the U.S. Dept. of Education (ED) on January 9, 2017. View the plan <http://www.azed.gov/essa/>

**Arizona was the first state to submit a final plan. The plan was submitted using the template released by ED in November 2016. The submitted plan lacks most of the required information (based on both the original and revised template) making it impossible to evaluate and provide stakeholders with a meaningful opportunity to comment. Should the state submit a more complete plan in the future without providing the public with an opportunity to comment, such action would constitute an egregious betrayal of public trust. It should also be noted that there is no advantage to submitting a plan prior to the first submission date of April 3, 2017 since ED has indicated that it will not review plans on a rolling basis. By submitting its plan three months before the first submission deadline, Arizona has shortchanged its residents.**

The analysis and recommendations in this document focus on those issues most critical to subgroup accountability and to students with disabilities. The page numbers referenced in this document are the page numbers noted on the bottom of the pages of the draft plan (not the page numbers displayed in the Adobe Reader).

On March 13, 2017, the Secretary of Education released a new template for states to use to submit their ESSA plan application. States can use either this template or one that meets certain conditions that are outlined in the new template, but they can no longer use the template on which the Arizona ESSA plan was based. The new template can be found on this webpage, along with other explanatory materials <https://www2.ed.gov/admins/lead/account/stateplan17/plans.html>.

According to Secretary DeVos, this new template asks only for information that is absolutely necessary for the state to submit. However, states can and should do

more, in the interests of transparency and stakeholder engagement. Some of the most important pieces are information that should still be included are:

- A description on how the state met the meaningful stakeholder consultation requirements on plan development in Title I Part A of ESSA
- An analysis of the impact of the minimum subgroup size on assessment and graduate accountability
- A description of how the state will handle schools that fail to assess at least 95% of all students and 95% of every student subgroup.

**In its introduction letter, the plan states:** “To give Arizona the most flexibility, the State Plan was designed to take a broad, generalized approach to the federal requirements. In response to feedback that the plan lacked the details needed for implementation, ADE also developed a more specific and complementary Implementation Plan. This implementation plan will continue to be developed with the assistance of both internal and external stakeholders to ensure a smooth transition and to increase educational opportunities for all students while simultaneously reducing burdens on LEAs.” This decision to have a separate but complementary implementation plan containing the details is in violation of the statute. ESSA clearly provides that a state plan with all the required details must be submitted to the U.S. Education for peer review and this completed plan must be made available for public comment prior to submission. The required details cannot appear solely in a separate plan.

#### **Long-term goals (page 4)**

ESSA requires that states set long-term goals and interim measures for all students and for each student subgroup (e.g. disability subgroup) for academic achievement, graduation rate and English language proficiency. ESSA also states that for students who are behind, the goals and interim measures of progress must take into account the improvement necessary to make significant progress on closing statewide proficiency and graduation rate gaps.

#### **Academic Achievement Goal**

The Arizona plan provides only baseline information on achievement on state assessments by subgroup. The plan does not provide either long-term goals, the timeline for goals, or interim progress targets. The plan states that all of these are still being worked on by the A-F Ad Hoc Committee.

**The lack of this information is a critical shortcoming of the AZ plan. If the state plans to submit an amended plan to ED that includes this information then stakeholders will have no opportunity to review and comment on this essential component.**

## **Graduation Goals**

AZ is proposing a long-term goal of 90% for all students and each subgroup for the 4-year adjusted cohort graduation rate (ACGR) by 2030. The goal also applies to all subgroups.

**AZ has set no long-term goals for extended-year graduation rates yet states that 5-6 and 7-year ACGRs will be used in the graduation rate indicator.**

## **English Language Proficiency (page 6)**

**AZ has not set long-term goals and measurements of interim progress for English Language Learners. This is another critical component of the plan and is particularly important given the large population of English learners in AZ.**

**The AZ plan – once long-term goals are established, should also add a commitment to hold all goals and interim targets steady over the timeline (12 years in the case of the graduation rate); and not reset downward when/if actual performance falls short of the targets.**

## **Meaningful Stakeholder Consultation**

ESSA requires the state to conduct outreach and get input from stakeholders, including organizations representing students with disabilities, for the development of this draft plan. The plan provides extensive information on the outreach to and input from all stakeholder groups. No details on the specific representatives of students with disabilities is included.

## **Assessments (page 17)**

**Assessments in languages other than English.** Regarding assessments in languages other than English, the plan notes that “By Arizona State Statute, Arizona is an English-only state. A.R.S. § 15-755 designates that assessments be given in English. A.R.S. § 15- 752 requires that all instruction be in English.”

**UDL.** States are required to develop all of their assessments using the principles of universal design for learning (UDL), to the extent practicable. The state should describe how this requirement is being met in this section of the plan, even though the current template does not require that information. At a minimum, the statute requires the plan to describe, “the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments.”

**Alternate Assessments.** ESSA requires states to define “students with the most significant cognitive disabilities.” This definition is to be used in IEP team guidance regarding which students meet the criteria for participation in the state’s alternate assessment aligned with alternate academic achievement standards. Also, ESSA sets a cap on the number of students who may participate in an alternate assessment in

the state at 1% of all students in the assessed grades (combined). While not a required part of the state plan, the AZ plan should address the definition of students with the most significant cognitive disabilities and list the strategies the state will employ to not exceed the 1% cap on alternate assessments. Addressing these issues in the state plan encourages stakeholder input on these provisions.

It is critically important to ensure that the alternate assessment is used only for those students for whom the test was designed and field-tested and does not inappropriately lower achievement expectations for students who should take the general assessment. It is also important for the definition of students with the most significant cognitive disabilities to acknowledge that these students are working on the grade level content standards, even though the achievement expectations are not the same as for students taking the general assessment.

### **Accountability System** (page 19)

#### **Indicators** (page 19)

Certain indicators will be used to provide meaningful differentiation between schools for the accountability system. How well or poorly schools do on the measures for these indicators (for all students and each subgroup) will determine if they are identified for **comprehensive** or **targeted support and improvement**. The indicators will also be the basis for the information that is reported for each school, including a summative score. Most of the indicators and their measures are required by ESSA, others are left to state discretion. These distinctions are critically important. States are required to add at least one indicator of School Quality or Student Success to the indicators defined by ESSA. These are referred to as the non-academic indicators. Although they are supposed to be linked by evidence to improved academic outcomes, they are not direct academic indicators like those required by the statute, which measure achievement, growth, graduation rate and English language proficiency.

**The AZ plan provides no details on specifics about each required indicator nor how the measurements will be calculated, only what is “being considered.”**

Regarding student growth, the AZ plan states: “Current considerations for K-8 schools include student growth percentile (SGP) and student growth trajectory (SGT). Current considerations for 9-12 schools include student growth percentile (SGP) on ELA and year over year change in percent proficient on Algebra 2.”

**Use of SGPs is highly questionable as reported in the research brief, *Why We Should Abandon Student Growth Percentiles*, by the Center for Educational Assessment at the University of Massachusetts Amherst ([https://www.umass.edu/rempp/pdf/CEAResearchBrief-16\\_1\\_WhyWeShouldAbandonSGPs.pdf](https://www.umass.edu/rempp/pdf/CEAResearchBrief-16_1_WhyWeShouldAbandonSGPs.pdf).)**

Regarding graduation rate, the plan states “Current calculations include 4-year, 5-year, 6-year, and 7-year adjusted cohort.” No goals are provided for any extended year ACGR and the plan provides no information on how each of these ACGRs will be used in calculating the graduation rate indicator.

For the School Quality or Student Success indicator the plan provides no details, only items under consideration.

**Weighting of Indicators.** The plan provides “guidance on weight” (page 21 and below) and states that the guidance is subject to change.

Guidance on weight	Indicators	K-8	ESSA
40%	Proficiency, Statewide Assessment	X	X
40%	Growth, Statewide Assessment	X	X
10%	Proficiency and Growth, English Language Learners	X	X
10%	Acceleration / Readiness Measures	X	X

Guidance on weight	Indicators	9-12	ESSA
40%	Proficiency, Statewide Assessment	X	X
20%	Growth, Statewide Assessment	X	
15%	High School Graduation Rate	X	X
15%	College and Career Readiness	X	X
10%	Proficiency and Growth, English Language Learners	X	X

**Proficiency on statewide assessments should only include achievement in reading/language arts and math. The plan appears to indicate that proficiency on Science will also be calculated.**

**Graduation rate should be weighted significantly more.**

Finally, the plan states that “The State Board of Education has responsibility for decisions regarding the design of Arizona’s accountability system. The State Board of Education created an A-F Ad-Hoc Committee consisting of parents, teachers,

superintendents, board members, education policy members and a charter representative to design and provide recommendations to the Board. The Arizona Department of Education is a liaison to the A-F Ad-Hoc Committee and is committed to providing information and support as the committee develops Arizona's new accountability system. The A-F Ad Hoc Committee met seven times between September and December 2016 and will continue their work into 2017. They are expected to make final recommendations regarding an accountability system to the SBE in April 2017."

**On the issue of small schools, the plan states "Small school models have not yet been determined, nor have K-2 schools, unique school configurations, newly opened schools, or extremely small schools." The previous and revised template for state plan submissions requires states to provide information about how schools for which the state plans to use a different methodology for meaningful differentiation will be included in the accountability system**

#### **Subgroups (page 23)**

The major subgroups are as follows: American Indian/Native American, Asian, Black/African American, Hispanic/Latino, Native Hawaiian/Pacific Islander, White, and Multiple Races. The State will also use the following required subgroups in the accountability system: Economically disadvantaged students, children with disabilities, and English learners.

Regarding counting exited special education students, the plan states: "The Arizona Department of Education intends to use the flexibilities described in the Act for all students who are former children with disabilities consistent with § 200.16(a)(1). Arizona anticipates including the results of former children with disabilities for two years after they are no longer identified as children with disabilities. This decision still needs to be approved by the State Board of Education."

**This option is not included in the Act. It was allowed under the Accountability regulations, which were repealed by Congress on March 9, 2017. Therefore, this option is no longer available.**

#### **Minimum Number of Students (page 42)**

ESSA requires states to establish the minimum subgroup size (n-size) for two purposes: accountability and reporting. While ESSA requires the minimum subgroup size to be the same for all student subgroups and for all purposes of the statewide accountability system, it allows states to set a lower n-size for purposes of reporting. N-size is critically important. If it is set too high many schools will not be held accountable for the disability subgroup because there are not enough students with disabilities at the school, in the assessed grades, to equal or exceed the n-size.

The AZ plan states: “To ensure a unified state and federal system of accountability for all Arizona public schools and LEAs, the final n-size will reflect policy decisions adopted by the State Board of Education for the A-F Letter Grade Accountability System. At this time, the A-F Ad Hoc Committee requested that modeling be done using an n-size of 20 as that number is large enough to provide valid and reliable results, but small enough to ensure schools are held accountable. This decision is not final.”

**The plan does include an analysis of the number of schools that would not be held accountable (by subgroup) using various ‘n-sizes on page 26.**

**Based upon these data, using an n-size of 20 would exclude 32% (780) of all schools (2401) from accountability for students with disabilities. This is an unacceptable rate of exclusion.**

**The state should supply information on the number and percent of students (not schools) that will be excluded from the accountability system by subgroup. This information should be provided for both assessment and graduation.**

**Summative school rating system (page 26)**

AZ will use a five (A-F) level grading system for describing school performance. **However, the methodology for determining the grade has not yet been finalized.**

**95% Participation Rate Requirement (page 29)**

ESSA requires that at least 95% of all students in the assessed grades (and at least 95% of each subgroup - including the disability subgroup) must be assessed annually. We do not believe that a school should get a satisfactory rating in the accountability system if this requirement is not met. It is important to keep in mind the impact of the participation rate requirement on students with disabilities. A “non-punitive” approach would likely led to widespread exclusion of historically underperforming subgroups-similar to the situation that existed prior to the No Child Left Behind Act (which was replaced by the Every Student Succeeds Act).

The AZ plan states: “At this time, the 95 percent student participation is being included in accountability proficiency calculations, as required by ESSA. This means that for schools that test less than 95 percent of the students expected to test an adjustment is done. This adjustment adds into the denominator the number of students who were expected to test to get that school to 95 percent. In doing this adjustment, the number of students added into the denominator is being counted as not passing the test in the numerator. “

**While the AZ plan correctly states how the calculation must be made regarding students not assessed, this is an ESSA requirement and does not**

**fully answer the question regarding how the state will deal with schools that fail to assess at least 95% of students.**

**The plan offers no further information, stating: “Additional consequences for testing less than 95 percent of students on AzMERIT have not yet been decided by the State Board of Education.”**

### **Identification of Schools for Targeted and Comprehensive Support and Improvement (page 53)**

#### **Comprehensive Support and Improvement**

The ESSA requirements below for comprehensive support and improvement (CSI) are very specific:

The lowest performing 5% of Title I schools must be identified for CSI. The AZ plan states: “at least the lowest 5% of all schools based on summative scores in addition to any schools that receive the “F” letter grade as required by Arizona Revised Statutes §15-241” While the state is free to identify more than the lowest performing 5% of title I schools or CSI, it must ensure that those schools identified include the lowest performing 5% of title I schools.

High Schools with graduation rate of 67% or less must be identified for CSI (unless the state elects to use a higher rate). **The AZ plan states that this methodology has not yet been determined.**

Schools with chronically low-performing subgroups (these are Title I schools with low-performing subgroups, which didn’t improve enough to exit from targeted support and improvement after a state determined number of years) must be identified for CSI based upon the subgroups’ performance compared to the performance of all students at the lowest performing 5% of title I schools. **The AZ plan states that this methodology has not yet been determined. This is a particularly important component for students with disabilities.**

**The plan provides no information on the frequency of identification for each type of school identified for CSI.**

**The plan also provides no information regarding the exit criteria for CSI, which is a required component of the plan.**

#### **Targeted Support and Improvement**

ESSA requires states to identify schools for TSI if they have one or more consistently underperforming subgroup (states get to define this term) or one of more low-performing subgroup(s). A low-performing subgroup is defined as a subgroup that is performing as low as all the students at the lowest 5% of Title I schools.



**The AZ plan provides only the following information regarding TSI: “To ensure a single system of accountability for all Arizona public schools and LEAs, the final methodology will reflect policy decisions”**

**Supporting Educators (page 37) and Supporting All Students (page 48)**

**Skills to Address Specific Learning Needs (page 41)**

The AZ plan states “The Arizona Department of Education will work to improve the skills of educators across the above-listed subgroups through providing technical assistance, services and support through the Arizona Department of Education Comprehensive System of Support, as aligned to local school and LEA system needs identified by local Comprehensive Needs Assessments and Integrated Action Plans.”

**This overly generic statement provides no information specific to certain subgroups of students.**

**UDL and Inclusion**

The plan states: “Local Educational Agencies (LEAs) will use a Multi-Tiered System of Support (MTSS) framework that incorporates Universal Design for Learning (UDL) strategies for instruction, as appropriate. Instruction will be provided using within-class groups whenever feasible. Students will move between within-class groups based on the student’s response to instruction and intervention as well as in-class assessment results. Intervention strategies will be aligned directly to student need and time in intervention will vary to meet those needs. Processes to support students as they transition between school years will be determined by LEAs. The Arizona Department of Education will provide professional learning, technical assistance, service and support to LEAs as needed or appropriate to support the implementation of these strategies.”

“LEAs will be encouraged to provide all school personnel professional development on topics that improve student learning outcomes, such as: Early Childhood, Multi-Tiered Systems of Support, Universal Design for Learning, evidence-based instruction, the Whole School, Whole Community, Whole Child Model (Centers for Disease Control), school improvement, data driven instruction, disability awareness, behavior management, children with special health care needs, school safety, gifted learners or other professional development needs as identified by local Comprehensive Needs Assessments.”

(A document that discusses how UDL can be included in ESSA state plans in greater detail can be found at <http://www.udlcci.org/policy-two-pagerdraft-2-4-17-vers41/>.)

In response to the question “State’s strategies and how it will support LEAs to provide equitable access to a well-rounded education and rigorous coursework in

subjects in which female students, minority students, English learners, children with disabilities, or low-income students are underrepresented.” The AZ plan states:

“LEA curriculum and instruction, as required by Arizona Revised Statutes §15-701, will be aligned to challenging academic standards. Through alignment to Arizona standards, all Arizona students will be provided equal access to a challenging, well-rounded instructional experience. Struggling learners will be addressed through intervention strategies while advanced learners receive acceleration and enrichment based on individual student needs. Gifted learners will receive appropriate gifted education services and support in accordance with Arizona Revised Statutes § 15-779, 15-779.01 and 15-779.02. In addition, school librarians support rigorous personalized learning experiences supported by technology and ensure equitable access to resources for all students.”

**This is an overly broad response. There should be a discussion regarding how AZ will ensure that students with disabilities are provided access to the general education curriculum including but not limited to the use of standards-based IEPs. (see U.S. Dept. of Ed Dear Colleague Letter at <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-fape-11-17-2015.pdf>)**

**There should also be a meaningful discussion about capacity building and implementation of best practices for inclusive education.**

#### **Improve conditions for student learning (page 80)**

State plans are supposed to describe strategies to reduce

- Incidents of bullying and harassment;
- The overuse of discipline practices that remove students from the classroom; and
- The use of aversive behavioral interventions that compromise student health and safety

The AZ plan states: “LEAs will provide instruction in the identification of bullying and harassment behavior and strategies to reduce bullying and harassment at least annually to all enrolled students and school staff. LEAs will use positive behavior intervention strategies reported in accordance with Arizona Revised Statutes §15-341(A)(36) to reduce bullying and harassment. Each LEA will document and report to the Arizona Department of Education the number of bullying and harassment incidents each school year to ensure these incidents are reduced.

LEAs will develop strategies that identify patterns of misbehavior resulting in students removed from the classroom for reasons of discipline. The LEA will use positive behavior supports to reduce out of class removals. Safeguards and procedures related to disciplinary practices are outlined in Arizona Revised Statutes §§15-841 and 15-842.

Recognizing that out-of-school suspensions and expulsions occur even in preschool, the Arizona Department of Education will provide support to LEAs, school leaders,

and teachers in the form of professional learning and technical assistance opportunities to improve the understanding of appropriate developmental expectations of young children and the components of high-quality birth through age eight learning environments. Additionally, the Arizona Department”

**The AZ plan should also recognize the disproportionate use of disciplinary removals and restraint and seclusion on students with disabilities and present strategies specific to addressing this population.**

### **Program-Specific Requirements**

#### **Children and Youth who are Neglected, Delinquent, or At-Risk** (page 54)

In the section on Title I, Part D (Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk) there is no mention of students with disabilities, even though they are over-represented in correctional facilities. According to data from the National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth ([www.neglected-delinquent.org](http://www.neglected-delinquent.org)), 43% of students served under Subpart 1 in AZ have IEPs and 26% of students served under Subpart 2 in AZ have IEPs. **AZ should state specifically how it will ensure that students in such facilities are provided with special education and related services as needed, as well as how child find will be carried out.**

#### **Coordination with other programs**

**The AZ plan should address how the State Systemic Improvement Plan (SSIP) is integrate with the ESSA plan and, specifically, how the State Identified Measurable Result (SIMR) will be included in improvement activities.**

**The AZ SIMR: “Increasing the percentage of students passing on the State reading assessment for students with specific learning disabilities in grades 3-8.”**

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See ESSA resources at <https://www.ndscenter.org/political-advocacy> (click on policy documents and webinar archives)

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