



## **Analysis of the Illinois Third Draft Every Student Succeeds Act (ESSA) Plan**

March 15, 2017

View the plan <https://www.isbe.net/Documents/ESSA-Illinois-State-Plan-draft-3.pdf>

Submit comments on the plan in a form on this webpage <https://www.isbe.net/essa/> or through email at [essa@isbe.net](mailto:essa@isbe.net). **No deadline was provided for feedback, but Illinois intends to submit its plan on the April 3, 2017 submission date.**

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).

**The Illinois draft plan is out of compliance in significant ways with the ESSA statute. Therefore, the state should delay submission of its Consolidated Plan until the September 18, 2017 submission date in order to correct the problems with the plan and give adequate time for stakeholders to review and comment on the completed application.**

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 3rd draft of the Illinois 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. Illinois should be strongly encouraged to include in their final state plan the information that was included in the previous template, even though some of the information is no longer required. Two 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

### **Long-term goals (page 7)**

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.

While ESSA does not limit the timeline for the long-term goals states are required to set, Illinois' choice to set the timeline to achieve goals at 15 years seems far too long in our opinion.

### **Academic Achievement Goal**

The long-term goals are ambitious, 90% on reading and English language arts state assessments by 2032, and are the same for all subgroups, which means students who are further behind are expected to make more progress, as required. The plan does not mention specifically that proficiency on state assessments is what is being measured (as required by ESSA) and that should be made clear.

### **Graduation Goals**

Illinois also is proposing a goal of 90% for all students and each subgroup for the 4-year adjusted cohort graduation rate (ACGR) by 2032. In addition, Illinois sets the same 90% goals for the extended 5-year and 6-year extended graduation rates. A state MAY establish long-term goals and interim measures of progress for extended-year cohort graduation rates (to capture students who take longer to graduate) as long as such goals are more rigorous than the goals set for the 4-year adjusted cohort graduation rate. **This requirement is not met by setting the same goals for the 4-, 5- and 6-year graduation rates.**

**The Illinois plan should also add a commitment to hold all goals and interim targets steady; and not reset downward when/if actual performance falls short of the targets. Given the extremely long timeline for goal achievement (15 years), it is highly likely that changing circumstances (student demographics, changes in federal and/or state laws, etc.) will lead to revised goals. Doing so renders the long-term goal meaningless.**

### **Meaningful Stakeholder Consultation (page 15)**

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 implies that outreach to and input from all stakeholder groups happened, but nothing on the face of the plan points to involvement by the disability community. For transparency and parent engagement purposes, Illinois should continue to provide information about consultation with stakeholders even though the new plan submission application does not require this information.

If you don't believe Illinois has included the disability community in meaningful stakeholder consultation in the development of the draft, you should make an issue about it in your comments on the plan.

### **Assessments** (page 29)

States are required to develop their assessments using the principles of universal design for learning (UDL). 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. This information was in the second draft of the Illinois plan but was deleted for this third draft when they changed to the current template.

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 Illinois 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** (page 32)

#### **Indicators** (page 32)

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 academic achievement indicator described in the plan does not mention that proficiency on state assessments is the measure. This is an ESSA requirement and should be clarified in the plan. For graduation rate, the plan includes a 5- and 6-year graduation rate, in addition to the 4-year adjusted cohort graduation rate (ACGR). Illinois should be encouraged to use only the 4-year ACGR for the purposes of identifying schools for comprehensive support and improvement. This is important to encourage on-time graduation for all students, including those with disabilities. States that use extended graduation rates to identify these schools could potentially have schools where none of the students graduate on time, yet still not be identified for comprehensive support and improvement.

For the School Quality or Student Success indicator the plan says Illinois will use “chronic absenteeism,” a measure of being on track in 9<sup>th</sup> grade (if students have earned five full year course credits and not more than one semester F in a core course in 9<sup>th</sup> grade), a college and career readiness indicator that has not yet been determined, and a school climate survey. It is important that Illinois determine its college and career indicator and get public input on it prior to submitting its plan. A school climate survey should not be considered an evidence-based measure of School Quality or Student Success.

#### **Subgroups (page 40)**

Illinois is planning to use “Students formerly with a Disability” and “Former English Learners” as additional subgroups in its accountability system. These subgroups should be eliminated from the plan. They have no relevance under ESSA and the more subgroups there are, the less each one matters in the school rating.

ESSA regulations (repealed March 9, 2017) allowed states to count students previously receiving special education (i.e., IDEA-eligible) for up to 2 years in all accountability measures relating to achievement. The Illinois definition of “students formerly with a Disability) counts students formerly eligible under both IDEA and Section 504 for 4 years.

#### **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.

Illinois's earlier draft set an n-size of 20, but this draft raises it to 25 with an n-size of 10 for reporting data. In the interests of transparency, Illinois should be strongly encouraged to provide an analysis in its plan of the specific impact of the chosen n-size on subgroup accountability for both assessment and graduation rate, as many other states have done. The requirement to provide this analysis was in the repealed ESSA regulations.

**Performance levels for the indicators (page 45):**

Illinois has not yet determined how all the levels of school performance for the accountability system will be calculated as required by the law.

**Weighting of indicators (page 47)**

The plan does not provide a final decision on the weighting of the indicators, which is required and critically important. The academic indicators (achievement, growth, graduation rate and English language proficiency) must, in the aggregate, be given "more substantial weight" than nonacademic indicators. We also believe that growth should not be weighted more than achievement since the goal is to get all students to meet the standards.

**Summative school rating system (page 49)**

A five level system for describing school performance is being proposed by Illinois. The descriptions of schools that are "Meeting" and "Leading" set the bar very low. All schools that perform more poorly are lumped together in the "Learning" level. It is important to note that the requirement for a summative rating system that helps families quickly see how their school is doing was repealed with the ESSA regulations. Illinois should improve their rating system and use it, even though it is no longer required.

**Including all schools in the accountability system (page 51)**

The draft plan does not 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. They are saying the application will be amended later to add that information. However, Illinois should wait to submit the plan until all the information is in the application.

**95% Participation Rate Requirement (page 50)**

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 Illinois plan states that it will incorporate the 95 percent rate into the proficiency academic indicator. If a school does not have 95 percent participation rate, it cannot score at the highest level of proficiency. This is not a sufficient consequence.**

There is discussion later in the plan that seems to indicate that Illinois intends to identify schools that do not meet the participation requirement for three years as a targeted support and improvement plan. **This would be a meaningful consequence eventually. However, during the years before the school can be identified for targeted support and improvement there should be another meaningful consequence.**

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

The Illinois plan does not reflect a full understanding of the statutory requirements for school identification. This is especially the case for targeted support and improvement (TSI).

### **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.

High Schools with graduation rate of 67% or less (not less than 67% as the plan says) must be identified for CSI. **Illinois should change its plan to correct this error and also ensure that all High Schools are included (including those with 67% ACGR). As stated earlier, Illinois should be encouraged to use only the 4-year ACGR when identifying schools for CSI.** This was a requirement before the regulations were repealed.

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.

### **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.

Illinois has not clearly answered the question in the plan about how it will define “consistently underperforming subgroup.”

The plan seem to say that a school that does not meet the 95% assessment participation rate requirement for all students or any subgroup for three years will be identified as having consistently underperforming subgroups. That is a good decision, but not sufficient. We recommend that the term “consistently underperforming subgroup” also be defined as a subgroup that has not met (or is not on track to meet) the state’s long-term goals and interim measures of progress for two consecutive years.

The plan also lists the following paragraph under the definition for consistently underperforming, which does not make sense:

“Any school for which the Former English Learner subgroup’s or the students formerly with disabilities subgroup’s performance is on par with that of the “all students” group in any school will be identified for comprehensive supports and improvement. “

This section of the plan is talking about TSI, so why CSI is being brought up is unclear. It is also unclear why only the former English language learner and the students formerly with disabilities subgroups are being mentioned under the consistently underperforming subgroup definition, which applies to ALL subgroups. As stated earlier, these groups should be eliminated from the plan. Reporting on the performance of such students serves no purpose and is likely to be misunderstood by the public.

In defining low-performing subgroups of students, there are also a couple of errors. The plan repeats the error of referring to schools with less than a 67% graduation rate, instead of 67% or less. Also, it describes low-performing subgroups of students as only being from Title I schools. The statute states that these subgroups can be identified in any school for purposes of TSI. However, for a low-performing subgroup of students to cause the subgroup to later be classified as chronically low-performing for the purposes of the school being moved from TSI to CSI, it must be a Title I school. Illinois is confusing these two provisions.

### **Supporting Educators (page 62) and Supporting All Students (page 72)**

#### **Skills to Address Specific Learning Needs (page 66)**

It is not clear how IL- EMPOWER, the Illinois Data for Fiscal and Instructional Results, Study, and Transparency (Illinois Data FIRST) project, Ed360, the Illinois Virtual School, and Online Impact will address specific learning needs for students with disabilities.

#### **UDL and Inclusion**

The sections of the plan that discuss support for educators and support for students should include strategies that will benefit all students, including students with

disabilities. Universal Design for Learning (UDL) should be discussed in many places throughout the plan, but especially in these two sections where UDL implementation initiatives would have the most impact for all students. A document that discusses in greater detail how UDL can be included in ESSA state plans can be found at <http://www.udlcci.org/policy-two-pagerdraft-2-4-17-vers41/>. In this third draft plan, Illinois deleted language about UDL that was in the second draft plan. Now the only remaining UDL language is in a footnote on page 54.

Also, there should be a meaningful discussion about capacity building and implementation of best practices for inclusive education. There is a mention of inclusion specialists and inclusive leaders on page 78 and a mention that somehow IL EMPOWER will build capacity for inclusive practices on page 59, but nothing substantive.

### **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 Illinois plan does not make a commitment as to how it will reduce these activities, which create poor conditions for student learning.** Instead it says: “ISBE is considering using a portion of its 5 percent administrative set-aside from the Title IV allocation to fund a grant to support safe, healthy schools. This grant would provide support and technical assistance to the 855 districts in Illinois. ISBE is unable to commit to this grant at this time since allocations for Title IV have not been finalized.”

### **Program-Specific Requirements**

#### **Children and Youth who are Neglected, Delinquent, or At-Risk (page 91)**

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)), 45% of students served under Subpart 1 have IEPs and 39% of students served under Subpart 2 have IEPs. **Illinois 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.**

#### **Consolidate State Plan Assurances (page 102)**

The state is supposed to assure it has coordinated its ESSA plan with other programs such as the Individuals with Disabilities Education Act. This box is checked even though the ESSA plan does not mention any coordination with the State Systemic Improvement Plan (SSIP) for students with disabilities. There is a tool to help states align their ESSA plan and their SSIP at [https://ncsi.wested.org/wp-content/uploads/2017/02/SSIP-ESSA-Alignment-Tool\\_NCSI-CCSSO\\_Winter2017.pdf](https://ncsi.wested.org/wp-content/uploads/2017/02/SSIP-ESSA-Alignment-Tool_NCSI-CCSSO_Winter2017.pdf).

Illinois Part B SSIP State Identified Measureable Result (SIMR): “Increase the percentage of 3rd grade Black and Hispanic students with disabilities who are proficient or above the grade level standard on the state English-language arts assessment.”

Ricki Sabia  
Senior Education Policy Advisor  
National Down Syndrome Congress  
PH: 301-452-0811  
Email: [ricki@ndscenter.org](mailto:ricki@ndscenter.org)  
See ESSA resources at <https://www.ndscenter.org/political-advocacy> (click on policy documents and webinar archives)

Candace Cortiella  
Director  
The Advocacy Institute  
PH: 540-364-0051  
Email: [Candace@advocacyinstitute.org](mailto:Candace@advocacyinstitute.org)  
See ESSA resources at [www.advocacyinstitute.org/ESSA](http://www.advocacyinstitute.org/ESSA)

© 2017 National Down Syndrome Congress and The Advocacy Institute