

Comments to Mass. Draft ESSA plan
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DELAY SUBMISSION UNTIL SEPT. 2017. We strongly encourage MA DESE to consider delaying the submission of its ESSA Consolidated State Plan until September 18, 2017. This delay will allow DESE to have results from the 2016-2017 administration of its new state assessment, Next-Generation MCAS, and generate the long-term goals and measurements of interim progress required by ESSA.

GRADUATION GOALS. The draft plan proposes to use a “modified version of the five-year graduation rate in its district and school accountability system.” This does not comply with ESSA, which defines extended year adjusted cohort graduation rate (ACGR).

SYSTEM OF PERFORMANCE MANAGEMENT. The draft application contains no information under the areas of “Review and Approval of LEA Plans” and “Monitoring” – stating that this information will be inserted prior to submission. This approach does not allow stakeholders to review and comment on these important components of performance management.

ACADEMIC ASSESSMENTS. 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.

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. In addition, 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 MA 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.

Academic Achievement Indicator: The draft states that MA will use average scale scores for the academic achievement indicator. ESSA requires the state to set long-term goals and measurements of interim progress using percentage of students attaining grade-level proficiency on annual assessments. The state could include average scale scores IN ADDITION TO proficiency achievement, but not in lieu of.

Academic Growth Indicator: MA will continue to use the student growth percentile (SGP) as a measure of student growth. 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](#).) The draft indicates that the state will pursue the possibility of using a growth to standard measure for public reporting and as a metric in the district and school accountability system. We encourage the state to move to a growth to standard measure as quickly as possible to replace the use of SGPs.

Graduation Indicator: Use of the proposed “five year plus” graduation rate does not comply with ESSA. Annual dropout rate is not a part of the graduation indicator. It could, however, be used as one element of the state’s School Quality or Student Success Indicator.

School Quality or Student Success Indicator: Measuring student access to advanced coursework will be measured by the percentage of students that enroll in advanced coursework (defined as AP, IB, honors etc.) in a school year. However, access and participation are two very different things. Students can’t take advanced courses unless they have access to them. The Civil Rights Data Collection indicates that very often students with disabilities have limited or no access to advanced coursework.

SUBGROUPS.

Including former students with disabilities in measures of achievement. The state asks to “retain the flexibility of including former students with disabilities in the students with disabilities subgroup for up to two years, but is not ready to commit to doing so at this point.” ESSA requires states to declare whether they will include former students with disabilities in measures of achievement. There is no option for “retaining” this flexibility. If MA decides to include these students in the students with disabilities subgroup the state should disaggregate the academic performance of “former” and “current” students with disabilities in order to provide transparency and data to understand the impact of including former students in achievement results.

Minimum subgroup size. The draft indicates that use of a “High Needs subgroup” (any student in the economically disadvantaged, students with disabilities or formerly/current English language learner subgroups) would allow over 150 additional schools to be held accountable as opposed to inclusion based on the three discreet subgroups comprising the High Needs subgroup. While it is admirable for MA to use an additional group to enhance accountability, the same result could be achieved by lowering the ‘n’ size of 20 to a lower number, for example 15.

The state also needs to present information on the number and percentage of students (all and by subgroup) that will be included in the accountability system for the graduation rate indicator.

Weighting of indicators. The state does not provide information on weighting since it does not have assessment data. This is a critical element of ESSA – one that stakeholders need to have an opportunity to review and comment on. Not having assessment data should not prevent the state from determining indicator weighting.

Also, it is unclear how the performance of student subgroups will be included in the accountability system.

Participation requirement. The plan indicates that “those schools that do not meet the participation requirements would be eligible to be moved down a level on the performance scale.” This would allow a school that fails to assess at least 95% of all students and each student subgroup to receive a very high rating (Tier 2, for example, based on the chart on page 47) despite failing to adequately assess students.

Failing the participation requirement should result in a much more substantial penalty than what is proposed. The plan should also clearly articulate that once a school fails below 95% participation, students not assessed are counted as non-proficient as required by ESSA.

Including all public schools in the accountability system. The answers about how the schools listed in this section are to be included in the accountability system are inadequate for public feedback. MA has not yet developed a protocol for including most of these schools and for schools designed to serve special populations the plan says MA plans to explore a protocol for differentiating between these schools. The requirement is to include them in the broader accountability system, not just differentiate between them.

IDENTIFICATION OF SCHOOLS.

Comprehensive Support. This category requires identification of:

- the lowest 5% of title I schools – the draft says “lowest 5% of schools.”
- high schools with a four-year graduation rate of 67% or lower. The draft says “lower than 67%. Also, the draft indicates that only “comprehensive high schools” will be the subject of identification. ESSA requires states to examine all public high schools for purposes of identification for low graduation rates.

The draft fails to provide the exit criteria for schools identified for comprehensive support – another requirement of ESSA.

Targeted Support. The draft fails to provide the methodology that will be used to identify schools with consistently underperforming subgroups – a designation of particular importance to obtaining attention for students with disabilities. We recommend that “consistently underperforming” 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 draft states that schools with low-performing subgroups will be a school that “has a subgroup that is in the lowest performing 10% of all eligible subgroups and the school has not already been identified for comprehensive support.” What does this mean??? That the subgroup will be compared to the same subgroup in the lowest performing 10% OR the all student performance in the lowest 10%?

The draft fails to provide the exit criteria for schools identified for targeted support – another requirement of ESSA.

SUPPORTING EDUCATORS. MA is to be congratulated for its outstanding work in creating resources to promote inclusive practices and Universal Design for Learning. It would be good to see more details about how UDL and inclusive practices are being implemented in both the Supporting Educators and the Supporting All Students sections of the plan. A document that discusses how UDL can be included throughout the ESSA state plan can be found at <http://www.udlcci.org/policy-two-pagerdraft-2-4-17-vers41/>.

CONDITIONS FOR STUDENT LEARNING

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 MA plan does not mention any strategies to reduce aversive behavior interventions.

TITLE I, PART D: PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK. Students served under this part are disproportionately special education students. The plan should include specific information on how MA DESE will ensure students receive special education services and transition planning in accordance with their IEPs as well as ensure that there is an IDEA-compliant Child Find procedure in place in correctional facilities.

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