



## Stakeholder Feedback on Pennsylvania's Proposed ESSA State Plan

Section 1005 of the Every Student Succeeds Act (ESSA) specifically calls for each state to develop a plan “with timely and meaningful consultation” with members of the State Legislature. In the Pennsylvania General Assembly, the Senate and House Education Committees are the standing committees designated to address issues related to education within the Commonwealth. Therefore, as Chairmen of the Senate and House Education Committees, we submit the following feedback and requests for changes to the State Plan (Plan) prior to its submission to the United States Department of Education (USDE) on September 18<sup>th</sup>. While the proposed Plan has some positives, we believe it is a step backwards for this Commonwealth.

### General Concerns

- Consultation with the Legislature: The Plan notes that the Pennsylvania Department of Education (PDE) has held meetings with members of the General Assembly and legislative staff, in the form of testimony at two public hearings and briefings with staff. While the Plan goes into considerable detail to explain how PDE has considered the comments received through the stakeholder engagement, in particular providing a response to specific comments included in the formal recommendations submitted by ESSA working groups and survey responses, the Plan makes no mention of how feedback received during the briefings with the General Assembly and staff informed the Plan.
- Detail of the Plan: Overall, the Plan lacks sufficient details in critical areas, particularly in Section 4 regarding the accountability provisions (identification of CSI/TSI schools, interventions, and exit criteria) and Section 5 regarding teacher quality. A number of the most critical areas requiring further detail are enumerated further in the sections below.
- ESSA Compliance: Some components of the Plan seem to stretch the limits of what is allowable under ESSA or presume that USDE will offer additional flexibility to states in complying with the provisions of the law. Again, several critical examples are noted below.
- Act 82 Teacher Evaluations: While PDE notes that efforts to alter Act 82 are not included in the Plan, the Plan suggests that PDE has been working with members of the General Assembly to make changes to the state law. To our knowledge, this engagement has yet to take place. Furthermore, the Plan fails to state that while ESSA does not require states to factor student achievement into educator evaluations, USDE guidance to states continues to recommend its inclusion in evaluations, and it remains a requirement in evaluations supported under Title II, Part A. We believe that a meaningful, robust system of teacher evaluations is an indispensable component of an accountability system.
- SPP and FRPI: The Plan states that beginning in the fall of 2018 PDE intends to utilize a new school report card, known as the Future Ready PA Index (FRPI), which will contain

a number of new indicators, such as “student success after graduation,” locally-selected assessments, and career pathways, which will all be presented in a dashboard interface. While the Plan provides little detail on how this new forward-facing tool for the public will present all these new indicators, it does not appear that this tool will fully comply with the requirements of ESSA and, therefore, will not be used to identify the lowest-performing schools. Instead, the Plan purports to create an additional system, comprised of six indicators, to identify struggling schools and meet accountability requirements under federal law, though it remains unclear whether this system will also be forward-facing to the public and how it will interplay with FRPI. These measures are also in addition to the School Performance Profile, which is required under state law and is already being used. Not only does the creation of additional measures seem unnecessarily duplicative, but multiple forward-facing accountability systems also have the potential to confuse the public and relevant stakeholders attempting to glean information about the performance of schools. In finalizing the Plan, PDE should reconsider, at a minimum, whether it is necessary to expend additional resources and deploy FRPI in addition to both the SPP and the new system designed to comply with ESSA.

### **Section 3: Academic Assessments**

- Reduction in Test Time: The Plan indicates that beginning in spring 2018, the number of sections included in the Pennsylvania System of School Assessment test (PSSA) will be reduced. While reducing the burden of testing for students likely has considerable support in general, additional details must be made available in order to adequately inform the public as to how the potential removal of sections will impact the reliability and validity of the results of these assessments.
- Change to Testing Window: Recently, the Governor and Secretary also announced the intention to change the testing window for the PSSA, though no mention of this is included in the Plan. The Plan should reflect any logistical changes that the Governor or PDE is proposing to the state assessment system at this time.

### **Section 4: Accountability, Support, and Improvement for Schools**

- School Indicators:
  - *Academic Achievement* – This indicator, as described in the Plan, does not account for the 95% participation requirement for students to participate in state assessments, nor does the Plan impose a requirement for a state-approved improvement plan to include a rigorous consequence to encourage schools to improve participation rates. While the Plan does propose publishing participation rates in annual school report cards, PDE should also consider whether participation could effectively be incorporated into this indicator.
  - *Average Growth Index* – This indicator, as described in the Plan, only compares student growth to the performance of other students across the state (i.e. norm-referenced growth model) rather than measuring how well an individual student

progressed towards meeting a predetermined standard (i.e. criterion-referenced growth model). The Plan should consider using both measures.

- *Graduation Rate* – Utilizing the higher of the 4-year or 5-year graduation rate for accountability purposes, as the Plan proposes, provides little incentive for schools to prepare students for graduation in four years rather than five and instead seems to “lower the bar” for what is expected of schools.
- *Chronic Absenteeism* – According to the identification methodology in the Plan, this indicator has comparatively little impact on whether a school is identified for CSI or TSI but improvement in this indicator alone can determine a school’s exit from this designation. While we are supportive of a school accountability system that includes multiple measures of student and school success, we believe that the Plan must clearly outline how this indicator will be calculated and how it will be used to determine designation as and exit from CSI and TSI status.
- *English Language Proficiency* – The Plan should include ELL students meeting criteria for a full academic year rather than only including those students enrolled for two years.
- *Career Readiness* – Presently, there is no statewide definition of what constitutes “college and career readiness,” which can create significant deviation when determining whether or not a student has met this undefined standard. Furthermore, by noting that PDE is committed to providing technical assistance to support LEAs with respect to this indicator, the Plan implies that schools currently do not and are insufficiently prepared to meet the goals of this indicator. In this regard, we would request additional data regarding the implementation of Chapter 339 Plans (related to vocational education guidance services), as student participation in career activities related to these plans will be a component of this proposed indicator. Finally, across the anticipated factors of the indicator itself, there appears to be little room for differentiation among schools, as is required by ESSA (for example, simply reporting percentage of 5<sup>th</sup> grade students demonstrating engagement in career exploration does not seem to be a rigorous enough measure in order to lead to differentiation). The Plan should provide additional detail regarding how PDE proposes to calculate this factor, as well as how it will be used to determine CSI and TSI designation and ultimately exit from CSI and TSI.
- Dashboard vs. Summative Score: Moving toward a dashboard model and away from a summative score, as suggested under the Plan, is a step backward for transparency, will impede stakeholders and the general public from making comparison among schools and limits the extent to which individuals will be able to meaningfully differentiate among schools. In light of these concerns, it is particularly interesting that of the 17 states that have already submitted their Plans to USDE, only two states have not pursued inclusion of a summative rating. At a minimum, the Plan should provide for an accountability system that utilizes both summative and dashboard models in order to maximize the usefulness of this information and data, and when finalizing the Plan, PDE should

consider whether existing accountability systems can incorporate both a summative and a dashboard model in order to be fiscally responsible and make the best use of resources.

- Assignment of Weights for Indicators: The Plan does not assign any specific weights to the indicators and, at the same time, suggests that the academic achievement and academic growth indicators function as the substantially weighted indicator used to identify CSI and TSI schools in a “four-step process.” There is further lack of clarity in the explanation in the Plan regarding how individual indicators will be utilized to make determinations in subsequent steps. The Plan should at a minimum provide a transparent calculation for these indicators and how they will specifically be weighted in the subsequent process for identification.
- Four-Step Process for Identification: The Plan provides that under the “four-step” identification process for CSI designation, schools will first be evaluated based on low performance in academic achievement and growth. The Plan provides no indication as to the level of performance on these indicators (or any subsequent indicators for that matter) that a school may achieve in order to qualify (or not qualify) for CSI. Rather, the Plan states that low achievement, low growth schools may be identified for CSI, depending on “a specific level of performance on remaining accountability indicators,” which is further undefined. This lack of clear details around the identification process makes it impossible to predict at this point what schools may be targeted for CSI, which also means that there is little transparency or predictability for schools to plan how they may be impacted by this system. Again, in order to enhance transparency in the identification process, the Plan should include a calculation for the identification of CSI and TSI schools.
- TSI Identification Timeline: The Plan does not provide an adequate explanation as to why it is necessary to wait for three years of data to identify schools with consistently underperforming subgroups, as proposed in the Plan, and does not address whether USDE has even indicated that it intends to allow for flexibility to delay identification of these schools until 2019-2020, as the Plan requests. Without further justification as to why a delay is needed, the Plan should reconsider the proposal to delay the identification of TSI schools until 2019-2020.
- Interventions: The Plan falls short in explaining what rigorous interventions must be implemented in low-achieving schools. Not only are there no specific interventions required to be implemented, but those more rigorous, yet optional, interventions enumerated in the Plan may not provide sufficient opportunity for transformative accountability in struggling schools. The Plan also fails to include detail about how PDE will provide guidance regarding changes in school instruction, personnel, leaders or support services, including the use of feedback from educator evaluations. PDE should revise the Plan to include a more robust list of interventions for CSI and TSI schools that might be informed by various turnaround strategies utilized in other states. Should the implementation of new interventions, such as changes to instruction or personnel, the reconstitution of schools, or school choice options, also require adjustments to state law, as Chairmen of the Education Committees of the Senate and House of Representatives, we would welcome the opportunity to engage further with PDE. The Plan should also

provide further details regarding what the expectations and requirements will be for the School Improvement Plans to be submitted by CSI and TSI schools.

- Exit Criteria for CSI and TSI Schools: The Plan fails to establish a meaningful level of performance (or improvement) for schools to exit CSI and TSI designation. In fact, the Plan notes that uniform exit criteria have yet to be finalized, pending additional data analyses of the indicators for chronic absenteeism, college and career readiness, and ELL progress. The Plan provides that schools must at a minimum show “measurable progress” on at least one accountability indicator, though no performance baseline for “measurable progress” is provided for any of the indicators. The Plan should clearly define for schools and the public the level of “measurable progress” on every indicator which will be used as exit criteria. Furthermore, the Plan seems to suggest that a CSI school would be able to exit this designation simply by demonstrating “measurable progress” on any indicator, including chronic absenteeism and career readiness, though the impact of these two indicators in particular on an initial school’s designation as CSI is, as PDE admits, minimal. Why should a school be able to show progress on these nonacademic indicators in order to leave CSI, when they were not a considerable factor in the school’s initial designation? Measurable progress on the “substantially weighted” indicators should be a primary factor for exit of CSI designation instead.
- Technical Assistance for Evidence-Based Interventions: The Plan states that Pennsylvania will use the Multi-Tiered System of Supports (MTSS) and Positive Behavior Interventions and Supports (PBIS) frameworks to provide technical assistance to LEAs as interventions to address academic and social-emotional barriers to success. These are not academic interventions; furthermore, these are frameworks already in place in Pennsylvania, which have yet to produce the desired improvements to academic outcomes. Additional, academic-focused assistance should be required.
- Intervention Infrastructure: The Plan proposes to use a network of interventions that includes the Pennsylvania Training and Technical Assistance Network (PaTTAN) and regional Intermediate Units (IUs), as well as independent consultants. However, the Plan does not include details about why PDE believes this infrastructure is the most appropriate. The Plan fails to state what funds would be used to contract with independent consultants and what their required qualifications would be.
- Timeline for Exit from CSI Designation: The Plan establishes no minimum timelines for schools to remain in CSI designation. Could this lead to schools bouncing in and out of CSI from year-to-year, leaving them little predictability and opportunity to implement meaningful interventions? The Plan should provide a suitable timeline for schools to exit this designation to ensure that struggling schools have time to implement interventions and demonstrate significant improvement.
- Utilizing Choice Options: The Plan fails to recognize additional options that may be available to address consistently low-performing schools, including the establishment of charter schools. The Plan should consider how to enhance opportunities for students and parents to take advantage of a variety of high-quality choice options if low-performing schools fail to improve and parents wish to pursue alternatives.

## **Section 5: Supporting Excellent Educators**

- Optional 3% Set-Aside: The Plan does not adequately explain the rationale for exercising the optional 3% set-aside to support teacher and principal residency programs rather than having these funds distributed directly to LEAs. The Plan should also provide a clear distribution of how the 3% set-aside is proposed to be allocated and what the impact will be on funds directly received by LEAs.
- Distribution of Title II Funds: Distribution information should be provided in the Plan showing the impact of Title II formula changes under ESSA and federal spending reductions in order to better indicate which districts will be impacted and to what extent.
- Current and New Initiatives: A number of current and new initiatives proposed in the Plan focus on school leadership and administration rather than teacher effectiveness, including: Preparing Principals for Early Learning, Principal Clinical Residency Programs, PA Inspired Leadership Program, Differentiated Supports for Principals (National SEED Project), Secretary's Superintendents' Academy, and Building Principal Capacity. While we understand that school leadership can have an impact on school success, before additional resources are allocated to these programs instead of classroom and teacher improvement opportunities, the Plan should provide additional details and data on the outcomes of these programs, particularly those that PDE indicates are already operational, as well as the cost of these programs and whether there will be sustainable funding for such programs in the future.
- Section 5 in General: The Plan does not explain how PDE will ensure that teacher candidates are taught by individuals who are familiar with the current challenges in classrooms. PDE should include in the Plan a description of its efforts to do so, and should also consider providing teacher preparation programs with data on performance of program graduates so that they can adequately improve or refine their educational curriculum.

## **Section 6: Supporting All Students**

- Smooth Transitions during K-12 through Postsecondary: The Plan states that Pennsylvania has developed a number of resources and initiatives focused on promoting smooth transitions during a student's educational career, including from high school to postsecondary. The Plan should make clear what resources and initiatives have already been deployed to the field, in contrast to the goals and strategies contained in this section, and describe the success of these efforts thus far.

## **Miscellaneous**

- Statewide Goal for Postsecondary Attainment: In Section 1, the Plan states the State Board of Education adopted Pennsylvania's first statewide postsecondary goal. While

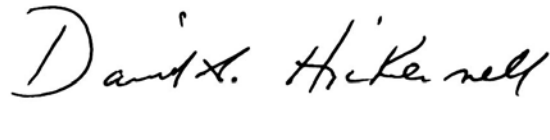
the Council of Higher Education made a motion to adopt such a goal in November 2016, the entire State Board has yet to formally adopt a 60% postsecondary attainment goal.

- Increasing FAFSA Completion: The Plan states that PDE is working to increase rates of FAFSA completion. Has Pennsylvania, PDE, or the State Board established a statewide goal for FAFSA completion? The Plan should explain its efforts to work with “national and state partners” in this area, as well as what efforts have been undertaken to engage postsecondary representatives.
- “15 to Finish”: The Plan also mentions the “15 to Finish” campaign to support on-time college graduation rates. The Plan should explain what campaign activities have been undertaken in Pennsylvania thus far and which public postsecondary education institutions in Pennsylvania are implementing this initiative.

We appreciate the opportunity to provide input and public comment on Pennsylvania’s draft ESSA Plan, and we look forward to PDE’s response to and consideration of these concerns.



Senator John H. Eichelberger, Jr.  
Chair, Senate Education Committee  
Senate of Pennsylvania



Representative David S. Hickernell  
Chair, House Education Committee  
Pennsylvania House of Representatives