

## MEMORANDUM

TO: **CCSSO**  
FROM: **Penn Hill Group**  
DATE: **January 26, 2016**  
SUBJECT: **State Report Card Requirements**

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### **Introduction**

On December 10, 2015, President Obama signed into law the Every Student Succeeds Act (ESSA), the latest reauthorization of the Elementary and Secondary Education Act (ESEA or “the Act”). The revised ESEA replaces the version of the Act that was reauthorized 15 years ago by the No Child Left Behind Act (NCLB).

Title I of the reauthorized Act continues the requirement that each state educational agency (SEA) prepare and distribute widely an annual report card containing various descriptions and data, but makes major changes to the requirements for the report card. The purpose of this memorandum is to analyze the new requirements, with particular attention to changes from NCLB and to the requirements that may be most challenging or burdensome for SEAs.

### **Overview of State Report Card Requirements**

Section 1111(h)(1) of the reauthorized Act describes the state report card requirements. The law requires that the report cards include a number of descriptions (e.g., a description of the state’s accountability system, a description of its methodology for identifying a school as in need of comprehensive support and improvement or for targeted support and improvement) and a number of data items (e.g., the percentage of students in different subgroups attaining different levels of achievement on state assessments).

In the attachments to this memo, we describe each of these requirements and make estimates of the total number of descriptions and data items that states will need to include on their report cards. We provide this analysis both for states in general and for one actual, medium-sized state (Kentucky).

Our analysis indicates that the state report card will contain some 128 separate descriptions. This estimate is somewhat based on our assumptions about how states are likely to construct their new accountability systems under the new law. For example, regarding the requirement that a state describe its annual indicators for all students and for each subgroup, we have assumed that a state will adopt seven indicators (a student proficiency indicator, a student growth indicator, one other academic indicator for elementary middle schools, the four-year adjusted cohort graduation rate, an extended-year adjusted cohort graduation rate, one school quality or student success indicator applicable to elementary and middle schools, and one

school quality or student success indicator applicable to high schools) applicable to all subgroups, as well as an English language proficiency (ELP) indicator applicable only to the English learner subgroup. This generates a total of 64 descriptions because of the requirement that all indicators (except the ELP indicator) be specified “separately for each subgroup.” Other analysts might make different assumptions about the number of indicators states will adopt. In footnotes to the two tables, we specify each of our assumptions.

The number of data items required to be included in a state’s report card will depend on the size of the state, in addition to other factors like the structure of the state’s accountability system. Making certain assumptions, we estimate that the report card will include some:

- 2,107 data items irrespective of the state’s size;
- One item for each school identified as in need of comprehensive support and improvement or targeted support and improvement;
- 1,692 items for each local educational agency (LEA) in the state;
- 6 data items for each public school in the state; and
- 18 data items for each public high school in the state.

For Kentucky, which has 173 LEAs, 1,233 total public schools, and 234 high schools (and which we assume would identify 5 percent of its Title I schools for comprehensive support and improvement 10 percent for targeted support and improvement), this analysis generates a total estimate of more than 306,300 discrete data items.

We further note that most of the new requirements were not included in the much shorter list of report card requirements under NCLB; in the attachments to this memo, we have flagged the required elements that continue from the previous law.

## **Significant New Data Collection and Reporting Requirements**

### **Data on School Climate, Preschool Enrollment, and Accelerated Coursework**

The law requires that state report cards include in certain information, for the state as a whole and for each LEA, “Information submitted... in accordance with data collection conducted pursuant to section 203(1) of the Department of Education Organization Act.” This is a reference to the Civil Rights Data Collection conducted by ED’s Office for Civil Rights (OCR). The information that must be included pursuant to this requirement are:

- Data on school quality, climate, and safety (including rates of in-school suspensions, out-of school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism, and incidences of violence, including bullying and harassment);
- The number and percentage of students in enrolled in preschool programs; and
- The number and percentage of students enrolled in accelerated coursework to earn postsecondary credit while still in high school, such Advanced Placement (AP) and



International Baccalaureate (IB) courses and programs and dual- or concurrent-enrollment programs.

While the language “Information submitted...in accordance with” is not completely clear, the best reading is probably that states will need to include data on the same indicators and with the same disaggregations as SEAs and LEAs must submit to OCR. In estimating the impact of reporting data in this manner, we reviewed the most recent (2011-2012) Civil Rights Data Collection data posted online by OCR. In that year, OCR reported data on 11 data items related to student disciplinary actions and displayed them as numbers and percentages for 66 student categories (e.g., male students who are of two or more races, have disabilities, and are served under the Individuals with Disabilities Education Act). It reported preschool enrollment as numbers and percentages for 27 student categories, and data on AP and IB enrollment as numbers and percentages for 30 student categories. If OCR continues to collect data on the same number of indicators and in the same number of categories, states’ report cards will need to include 1,686 data items for each LEA in the state, plus an additional 1,686 for the state as a whole. For Kentucky, this would be a total of 293,160 items, more than 95 percent of all data items for the state. These items would, however, be data that a state and its LEAs are already collecting for and reporting to OCR.

### Teacher Qualifications

Under the reauthorized Act, the state report card must include information (presented in the aggregate and disaggregated by high- and low-poverty schools) on the professional qualifications of teachers in the state, including the number and percentage of:

- Inexperienced teachers, principals, and other school leaders;
- Teachers teaching with emergency or provisional credentials; and
- Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

NCLB had somewhat similar language, including a similar disaggregation requirement, but specifically required reporting only on teachers teaching with emergency or provisional credentials (as well as on teachers who were not “highly qualified,” a concept that is not continued in the new Act). States will need thus need to define “inexperienced” and collect and report data on the experience levels of teachers, principals, and other school leaders and on whether teachers are teaching “out of subject.” Note that there is no requirement that these data be reported at the LEA or school level.

### School-by-School and LEA-by-LEA Finance Data

Under ESSA, the state report card must include per-pupil expenditures of federal, state, and local funds, including actual personnel and non-personnel costs, for each LEA and each school in the state for the preceding fiscal year. There was no comparable language under NCLB, and states will need to implement procedures for collecting these data, including by clearly defining



“personnel” and “non-personnel” expenditures, specifying which expenditures are attributable to which funding source, and, most importantly, specifying which expenditures are truly “school-level.” Note, however, that states several years ago completed a similar data collection exercise for ED, for a study mandated by the American Recovery and Reinvestment Act.<sup>1</sup>

### Disaggregation by Student Category

Under NCLB, the state report cards were required to include disaggregated achievement data for the “accountability subgroups” (major racial and ethnic groups, economically disadvantaged students, students with disabilities, and English learners) and for male, female, and migrant students. Separately, the reports included information on the extent to which each accountability subgroup was meeting the state’s Title I annual measurable objectives.

The Act as reauthorized by ESSA includes different disaggregation requirements for different data items. Specifically:

- Student achievement information must be reported for the accountability subgroups and for homeless, military-connected, and foster care students.
- Graduation rates, as well as student performance on the “other academic indicator” for elementary and middle schools, must be reported for the accountability subgroups, homeless students, and foster-care students.
- Data on the indicator(s) of school quality or student success, on progress toward the state’s long-term goals, and on progress against its interim indicators, must be reported for the accountability subgroups.
- The percentage of students assessed and not assessed must be reported for major racial and ethnic groups and based on students’ gender and economically disadvantaged, disability, English learner, and migrant status.
- As discussed earlier, it appears that school climate, preschool enrollment, and advanced coursework data will be disaggregated as called for in the OCR Civil Rights Data Collection.

States will need to develop and maintain data collection and reporting systems that meet these various disaggregation requirements. This will likely mean having to revise data collection instruments so as to collect certain data specifically on homeless, military-connected, and foster-care children.

### Cross-Tabulation of Student Data

ESSA does not require that the state report card include further disaggregation of student data beyond the requirements discussed above, but it does require that an SEA “provide..to the public, in an easily accessible form that can be cross-tabulated by, at a minimum, each major ethnic and racial group, gender, English proficiency status, and children with or without

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<sup>1</sup> See <https://www2.ed.gov/rschstat/eval/title-i/school-level-expenditures/school-level-expenditures.pdf>.

disabilities,” the report card data on student achievement, the “other academic indicator,” the graduation rate, and the percentage of students assessed and not assessed.

This means that, for any specific data item (e.g., the percentage of students achieving at the proficient level in reading), the state will need to maintain an easily accessible spreadsheet that cross-tabulates the data across some 40<sup>2</sup> student population groups (male Asian-American who are non-disabled and non-EL; male Asian-American students who are non-disabled but are EL, etc.). This requirement may necessitate changes in states’ data collection and maintenance procedures.

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<sup>2</sup> Assumes 5 major ethnic and racial groups, 2 genders, 2 English proficiency statuses, and 2 disability statuses.



## ESSA STATE REPORT CARD REQUIREMENTS

Data Requirement <sup>1</sup>	Number of Descriptions	Number of Data Items
Description of the state's accountability system.	1	
Description of the state's minimum "n size" for subgroups	1	
Description of the state's long-term goals, and interim measures of progress, for all students and for each subgroup	56 <sup>2</sup>	
Description of the state's annual indicators	64 <sup>3</sup>	
Description of the state's system for meaningfully differentiating school performance	1	
Description of the specific weight given each indicator	1	
Description of the state's methodology for identifying a school as consistently underperforming for any subgroup of students (including the time period used)	1	
Description of the state's methodology for identifying a school for comprehensive support and improvement	1	
<i>Names of schools identified for comprehensive support and improvement and targeted support and improvement, and the total numbers of such schools</i>		Number of identified schools, + 2 state totals

<sup>1</sup> Data requirements that are continued from No Child Left Behind are italicized.

<sup>2</sup> Assumes that a state will have long-term goals and an interim measure in three areas (academic achievement, four-year adjusted cohort graduation rate, extended-year adjusted cohort graduation rate) for all students and separately for each of eight student subgroups. Assumes that state will also have a long-term goal and an interim measure for the English language proficiency of English learners.

<sup>3</sup> Assumes that the average state will have 7 annual indicators (student proficiency, student growth, 1 other academic indicator for elementary and middle schools, 4-year adjusted cohort graduation rate, extended-year cohort graduation rate, 1 school quality or student success indicator for elementary and middle schools, 1 school quality or student success indicator for high schools) that apply to all students and all subgroups, plus an English language proficiency indicator that applies only to English learners. This comes to 64 separate descriptions, because the statute requires the establishment of indicators "for all students and *separately* for each subgroup of students."

Descriptions of exit criteria for schools identified for comprehensive support and improvement and for schools identified for targeted support and improvement	2	
<i>Information on the achievement of all students and all subgroups (plus homeless, military dependent, and foster-care students) at each level of achievement<sup>4</sup>.</i>		48 <sup>5</sup>
<i>For all students, all subgroups, homeless students, and foster-care students, information on student performance on the “other academic indicator” for elementary and middle schools</i>		11 <sup>6</sup>
For all students, all subgroups, homeless students, and foster care students, the four-year adjusted cohort high school graduation rate and, at state discretion, an extended-year cohort graduation rate		22 <sup>7</sup>
Number and percentage of English learners achieving English proficiency		2
For all students and all subgroups, information on performance on the “other indicator or indicators of school quality or student success”		9 <sup>8</sup>
For all students and all subgroups, information on progress toward meeting the state’s long-term goals		9
For all students and all subgroups, information on progress against the state’s measures of interim progress		9
<i>For all students, each racial and ethnic group, economically disadvantaged students, non-economically disadvantaged students, students with disabilities, students without disabilities, English learners, non-English learners, male and female students, migrant students, and non-migrant students<sup>9</sup>, the percentage of students assessed and not assessed</i>		

<sup>4</sup> No Child Left Behind also required reporting by gender and by migrant status.

<sup>5</sup> Assumes data on 4 levels of achievement (advanced, proficient, basic, and below basic) reported for all students, 8 subgroups, and 3 additional groups.

<sup>6</sup> Assumes that states will report only a single indicator (e.g., percentage of students achieving a growth target, school attendance rate) for all students and each of 8 subgroups.

<sup>7</sup> Assumes that states will report both the 4-year rate and an extended-year rate.

<sup>8</sup> Assumes that a state will have only a single indicator of school quality or student success

<sup>9</sup> Assumes that the law’s references to “English proficiency status” and “migrant status” are intended to require reporting on both EL and non-EL students and on both migrant and non-migrant students.

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For the state and each LEA in the state, measures of school quality, climate, and safety submitted in accordance with the OCR civil rights data collection, including rates of: <ul style="list-style-type: none"> <li>• In-school suspensions;</li> <li>• Out-of-school suspensions</li> <li>• Expulsions</li> <li>• School-related arrests</li> <li>• Referrals to law enforcement</li> <li>• Chronic absenteeism (including both excused and unexcused absences)</li> <li>• Incidences of violence, including bullying and harassment</li> </ul>		1,452 x (number of LEAs in the state +1) <sup>10</sup>
For the state and each LEA in the state, the number and percentage of students enrolled in preschool programs, as submitted in accordance with the OCR civil rights data collection		54 x (number of LEAs in the state +1) <sup>11</sup>
For the state and each LEA in the state, the number and percentage of students enrolled in accelerated coursework to earn postsecondary credit while in high school (such as AP and IB courses and examinations) and in dual- or concurrent enrollment programs, as submitted in accordance with the OCR civil rights data collection.		180 x (number of LEAs in the state +1) <sup>12</sup>
<i>Information on the professional qualifications of teachers in the state, presented in the aggregate and for high-poverty and low-poverty schools, including the number and percentage of:</i> <ul style="list-style-type: none"> <li>• Inexperienced teachers, principals, and other school leaders;</li> <li>• <i>Teachers teaching with emergency or provisional credentials;</i> and</li> </ul>		

<sup>10</sup> Assumes that “in accordance with data collection conducted pursuant to section 203(1) of the Department of Education Organization Act” means that states must include the same indicators and the same breakouts as are reported to OCR. The 2011-2012 OCR survey (the most recent one displayed on the OCR website) included 11 indicators of school climate and safety, and each indicator was reported as numbers and percentages for 66 different student categories.

<sup>11</sup> Assumes that “in accordance with data collection conducted pursuant to section 203(1) of the Department of Education Organization Act” means that states must include the same indicators and the same breakouts as are reported to OCR. The 2011-2012 OCR survey (the most recent one displayed on the OCR website) reported data on number and percentage of students enrolled in early childhood and prekindergarten programs for 25 categories of children, plus one figure on total number of children enrolled in the state.

<sup>12</sup> Assumes that “in accordance with data collection conducted pursuant to section 203(1) of the Department of Education Organization Act” means that states must include the same indicators and the same breakouts as are reported to OCR. The 2011-2012 OCR survey (the most recent one displayed on the OCR website) included six data items related to AP and IB and reported each item in 24 student categories. The 2011-2012 data collection did not include any data on dual- or concurrent-enrollment programs.

<ul style="list-style-type: none"> <li>Teachers who are not teaching in the subject or field for which the teacher is certified</li> </ul>		15 <sup>13</sup>
Per-pupil expenditures of Federal, State, and local funds, including actual personnel and actual non-personnel funds, disaggregated by source of funds, for each LEA and each school in the State for the preceding school year		6 x (number of LEAs in the State + number of schools in the State)
Number and percentage of students with the most significant disabilities who take an alternative assessment, by grade and subject		31 <sup>14</sup>
NAEP results for 4 <sup>th</sup> - and 8 <sup>th</sup> -grade reading and math, compared to national averages		32 <sup>14</sup>
Where available, for each school in the high school in the State, the cohort rate (in the aggregate and disaggregated by subgroup) at which students who graduate enroll in public postsecondary programs within the State		9 x (number of high schools in the State +1) <sup>15</sup>
Where available, for each school in the high school in the State, the cohort rate (in the aggregate and disaggregated by subgroup) at which students who graduate enroll in private postsecondary programs within the State or postsecondary programs outside the State		9 x (number of high schools in the State +1) <sup>16</sup>
<b>TOTAL NUMBER OF DESCRIPTIONS</b>	128	
<b>TOTAL NUMBER OF DATA ITEMS</b>		2107 + number of schools identified for improvement + (1692 x number of LEAs) + (6 x number of schools) + (18 x number of high schools)

<sup>13</sup> Assumes separate reporting on inexperienced teachers vs. principals vs. other school leaders. Assumes combined reporting on teachers with emergency and provisional credentials.

<sup>14</sup> Assumes testing in each of 7 grades in reading/language arts and math, and in 3 grades in science.

<sup>15</sup> Assumes availability of the data.

<sup>16</sup> Assumes availability of the data