**Reimagining Title II-A:**

**A Resource for Creating and Improving State Plans and Working with LEAs**

**February 2017**



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# Introduction

It is a new era in public education, one that should inspire great creativity, collaboration and hope in both state and local educational agencies (SEAs and LEAs). The recently reauthorized Elementary and Secondary Education Act (ESEA), the Every Student Succeeds Act (ESSA), shifts control of public education back to SEAs and LEAs and provides the opportunity to design new accountability, assessment, evaluation, and professional learning systems that are consistent with each State’s context and stakeholder needs. Equally important are the opportunities to invest in developing the workforce each state needs to best serve the students who are the intended beneficiaries of ESSA.

Title II should in particular be a source of excitement. It provides the perfect boost to SEAs eager to implement even more successful strategies to improve the attraction, preparation, development and retention of great educators and ensure that all students – regardless of socio-economic status or race – have equal access to great educators.

ESSA gives each state and LEA an opportunity to bring educators, parents, unions, community-based organizations, advocacy groups, policy-makers and other stakeholders together to reimagine their vision for education and strategies for improvement.

This toolkit focuses on Title II[[1]](#footnote-2). Its seven steps will help state education agencies (SEAs) develop, refine, and evaluate their Title II-A plans before their submission to the federal government in 2017:

* Part I: Plan Pre-Work
* Step 1: Familiarize yourself with the nuts and bolts of Title II-A
* Step 2: Conduct a self-assessment of current policies and spending
* Part II: Draft the Plan
* Step 3: Develop or refine your state’s vision and goals for education
* Step 4: Engage stakeholders
* Step 5: Determine the strategies to achieve your state’s goals
* Step 6: Determine how LEA applications and guidance complement the state’s strategy
* Step 7: Develop a strategy to monitor implementation and continue engaging stakeholders

The toolkit will help SEAs understand the key requirements of the new law, show them how equity can be threaded throughout the plan and guide them through the development of policies that attract, prepare, develop and retain effective teachers and school leaders. Guiding questions throughout the document facilitate movement through the seven steps.

Some steps also include a self-assessment tool that SEAs can use to evaluate their draft plans or have others – potentially groups of peers – review them and provide feedback. The tool also focuses states’ thinking on how their plans addresses the four parts of the CCSSO Educator Workforce Framework in the [Teacher and Leader Critical Area Outline](http://www.ccsso.org/Documents/2016/CriticalAreaOutlineTeacherandLeaderQuality.pdf): Attract, prepare, develop and retain. Additional resources can be found on [CCSSO’s ESSA website](http://www.ccsso.org/Resources/Programs/Every_Student_Succeeds_Act.html). The appendix of this toolkit also contains more information on the nuts and bolts of Title II-A, including the new list of state and local activities allowed by ESSA.

**Part I: Plan Pre-Work**

# Step 1: Familiarize yourself with the nuts and bolts of Title II-A

Developing a great plan for Title II-A that has a significant impact on student learning is contingent upon having a strong understanding of Title II-A itself. You can find some of the key changes described below. For more detail, review additional resources and “[Nuts and Bolts of Title II-A](#_Appendix_B:_Additional)” in Appendix A.

**Formula Funding and State Set-Asides.** Starting in 2018, the formula for states will begin to weight poverty more each year until 2020, when poverty will determine 80 percent of formula grants. States may use up to five percent of Title II-A funds on a broad set of state activities that improve the quality of the educator workforce, including those for teachers and leaders. States may set-aside an additional three percent for activities that strengthen school leadership.

**Teacher and School Leader Professional Learning.** ESSA offers a new definition of professional development focusing on the key terms intensive, data driven, evidence based, and classroom focused. States should consider how to thread these elements of professional learning throughout their plans, and can use Learning [Forward’s Definition of Professional Development](https://www.youtube.com/watch?v=3LqIlQ6oGBk&feature=youtu.behttps://learningforward.org/who-we-are/professional-learning-definition) for more detail. For school leaders, it suggests learning models in which they engage school teams to develop new curriculum models and sharing best practices, gather with other school leaders to discuss best practices and problem-solve. Note that LEAs are required to demonstrate that Title II-A-funded professional development activities are evidence-based. Find information on evidence-based practices in Appendix B.

**Teacher and School Leader Quality.** ESSA eliminates the “highly qualified” NCLB requirement but mandates that states report on teacher qualifications in high vs. low-poverty schools to show that high-poverty and minority students are not disproportionately taught by “ineffective, out-of-field, and inexperienced teachers.”[[2]](#footnote-3)

**Guiding Questions as You Draft your Plan**

Is your state receiving more or less funding each year for Title II-A? How does this impact your approach?

Do the new requirements disrupt any of your current policies or programs?

How will you ensure LEAs and stakeholders understand all of the new options, flexibilities and requirements?

**Teacher and Principal Evaluation.**

SEAs and LEAs can now use Title II funds to create evidence-based teacher and school leader evaluation systems using in part evidence of student achievement, but there is no requirement that student growth factor into those evaluations.

**Teacher and Leader Preparation.** ESSA explicitly invites states to use funds to facilitate teacher and school leader residencies and/or use up to two percent of the funds to create alternative teacher and school leader preparation academies outside of institutions of higher education.

**LEA Activity Requirements.** ESSA’s expanded list of allowable activities for LEAs now includes more activities for school leaders. Notably, LEAs must demonstrate to SEAs how uses of funds are “[evidence-based](#_Appendix_B:_Additional).”

**Helpful Resources:**

* **CCSSO’s** [**Critical Area Outline for Teacher and Leader Quality**](http://www.ccsso.org/Documents/2016/CriticalAreaOutlineTeacherandLeaderQuality.pdf) lays out the opportunities SEAs have to use Title II-A funds to improve the attraction, preparation, development and retention of effective teachers and leaders and aligns each of these areas with Title II-A’s state activities.
* **The U.S. Department of Education’s** [**Overview of Proposed Regulations**](https://www2.ed.gov/policy/elsec/leg/essa/nprmstatedatarptwebinar692016.pdf) provides information about the transition from NCLB to ESSA and state plan requirements—including the components of consolidated state plans, stakeholder consultation requirements and how to submit plans.
* **The U.S. Department of Education’s** [**Template for Consolidated State Plans**](http://www2.ed.gov/policy/elsec/leg/essa/essa-consolidated-state-plan-final.docx)aligns to the regulations and includes a section titled “Supporting Excellent Educators.”
* **The U.S. Department of Education’s** [**Non-Regulatory Guidance for Title II-A**](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) details the allowable activities states can engage in to make sure that low-income and minority students are not disproportionally taught by ineffective, out-of-field or unqualified teachers.
* **Congressional Research Service’s** [**State Title II-A Allotment Estimates**](https://assets.documentcloud.org/documents/2644885/ESEA-Title-II-a-State-Grants-Under-Pre.pdf) through fiscal year 2023 includes funding estimates for each state.

# Step 2: Conduct a self-assessment of current policies and spending

SEAs should learn how school districts are currently spending Title II-A funds and how that spending aligns with state policies and priorities. To do this, states may choose to select a few districts with the largest allocations and determine if the activities for which they are using Title II-A funds are consistent with state policy and priorities. Figure out which activities are focused on attracting, preparing, developing or retaining educators and seek out evidence for the effectiveness of existing programs and activities. Review actual outcomes, evaluations and research to determine if the activities, programs or policies are worth continuing. Determine if activities will meet ESSA’s stronger evidence requirements.

Identify any activities that the SEA or LEAs would like to support but are not being implemented. Identify the source of the disconnect, i.e. a lack of knowledge that the activity is allowed, intentional SEA limits or unintentional barriers from the SEA, LEA or state law. Finally consider whether any state-imposed restrictions on LEA spending are consistent with state objectives. Where restrictions are not consistent, SEAs can make the necessary adjustments and help encourage new LEA spending patterns and greater student success.

**Guiding Questions as You Draft your Plan**

Is there strong alignment between the state’s priorities and district implementation?

What are all the touchpoints between the SEA and LEAs that might influence the use of LEA funds?

How can the SEA use those touchpoints to ensure effective use of LEA funds and alignment between LEA activities and state priorities?

Where did you have trouble evaluating the effectiveness of programs and policies and how might that be addressed upfront in your ESSA plan?

**Helpful Resources:**

* **CCSSO’s** [**Maximizing ESSA Formula Funds for Students: State Readiness Self-Assessment**](http://www.ccsso.org/Documents/2016/ESSA/MaximizingESSAFormulaFundsforStudentsApril2016.pdf) gives SEAs the opportunity to examine current policies and practices to maximize ESSA grants and assess whether their policies and practices regarding federal formula grants are aligned with objectives and promote or hinder sound educational programs.
* **The U.S. Department of Education’s** [**Non-Regulatory Guidance for Title II-A**](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) has a detailed discussion of the evidence-based requirements and questions that SEAs should ask themselves as they consider the use of evidence-based strategies – including asking whether they are cost-effective.
* **CCSSO’s** [**Memorandum on the Use of Evidence-Based in ESSA**](http://www.ccsso.org/Documents/2016/ESSA/ESSAEvidenceBasedSummaryAndAnalysis.pdf) summarizes and analyzes how the definition of the term “evidence-based” is used in ESSA.

**Part II: Drafting the Plan**

# Step 3: Develop or refine your state’s vision and goals for education

A shared statewide vision and concrete set of goals helps stakeholders from across any state determine how to achieve those goals – which includes aligning Title II expenditures to them. One component of ESSA can support others. If a state is planning assessment changes, it might need to invest in professional development to make the changes work. Another state may focus on leadership development as a primary school improvement strategy, combining ESSA’s goals for Title I and Title II.

**Guiding Questions as You Draft your Plan**

Does your existing vision and goals completely and accurately describe what you are trying to achieve for your students?

How satisfied are you that your prior ESEA funding strategies have been helping you meet your goals and achieve your vision to the greatest extent possible?

Does your state’s vision include a comprehensive approach to talent management or does it focus on a few parts of the system?

With its flexibility and devolution of authority to the States, ESSA has created a prime opportunity for States to examine and potentially refine their visions and goals for education and use Title II-A and its flexible funding to achieve them.

**Helpful Resources:**

* **CCSSO’s** [**State Strategic Vision Guide**](http://www.ccsso.org/Documents/2016/StateStrategicVisionGuide.pdf) is a tool to help states establish their visions and priorities for education, determine strategies to address the priorities and then develop plans.
* **CCSSO’s** [**Developing a Comprehensive State Plan pursuant to the Every Student Succeeds Act: A Tool for Structuring Your Plan**](http://www.ccsso.org/Documents/2016/ESSA/CCSSOComprehensiveStatePlanWritingToolUpdated112016.docx) **provides a template for creating a state plan that is reflective a coherent systems.**
* **CCSSO’s** [**Decision Guide for Implementing ESSA: State Considerations for Effective Grant Program**](http://www.ccsso.org/Documents/2016/ESSA/CCSSODecisionGuideForESSAImplementation.pdf)provides states with in depth information regarding federal funding while also highlighting SEA opportunities for more holistic approaches to ESSA implementation.

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| **Evaluate Your Draft Plan: Vision & Goals** | | | | |
| **Key Questions** | | | **Response & Evidence** | |
| 1. Does the draft plan, including state and local activities, align with the state’s vision for education? | | |  | |
| 1. Do the strategies outlined in the draft plan address the state’s highest priorities for educators? How do the strategies include LEAs and partners? | | |  | |
| 1. Do the policies, initiatives and funding in the draft plan complement and support other sections of the state’s ESSA plan and existing initiatives? | | |  | |
| 1. Does your state vision for student learning align with the vision for teacher and school leader professional learning? | | |  | |
| **Plan Strengths** | | **Areas to Improve** | | |
|  | |  | | |
| **How do the vision and goals address each part of the educator workforce framework:** | | | | |
| **Attract** | **Prepare** | **Develop** | | **Retain** |
|  |  |  | |  |

# Step 4: Engage Stakeholders

Once state teams have established the vision, goals and priorities for using Title II dollars to support the state’s ESSA and Equity plans, it’s time to engage stakeholders to refine and build support for them. ESSA requires SEAs to engage a broader set of stakeholders than was previously required by federal law.

Most states have already begun to solicit input from stakeholders as part of ESSA planning. SEAs should seek stakeholder input – and identify constituencies that have not been but should be consulted – before they make final decisions to improve the quality of their plans. SEA staff should also develop key messages about Title II-A program changes that explain the rationale and the implications of funding and programmatic changes for stakeholders.

**Helpful Resources:**

* **CSSSO’s** [**Stakeholder Engagement Guide**](http://www.ccsso.org/Documents/2016/ESSA/CCSSOStakeholderEngagementGuideFINAL.pdf) offers 10 action steps for engagement, state examples and reflection questions for assessing and broadening engagement plans.
* **CCSSO’s** [**ESSA Implementation Considerations: Stakeholder Engagement**](http://www.ccsso.org/Documents/2016/ESSA/CCSSOESSAImplementationConsiderationsStakeholderEngagement(0).pdf) includes the legal stakeholder engagement requirements for individual program plans.
* **The Center on Great Teacher & Leaders’** [**Equitable Access Toolkit**](http://www.gtlcenter.org/learning-hub/equitable-access-toolkit) **and** [**Equity Plan Implementation Playbook**](http://www.gtlcenter.org/learning-hub/equitable-access-supports/implementation-playbook)can help SEA staff develop effective presentations and protocols for meaningful stakeholder engagement throughout the design and implementation process.
* **Education First’s** [**Educator Evaluation Communications Toolkit**](http://education-first.com/library/publication/educator-evaluation-communications-toolkit/) provides state leaders with tools and resources to communicate with stakeholders about educator evaluation systems and in particular about difficult and complex topics such as the use of value-added data.

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| **Evaluate Your Draft Plan: Stakeholder Engagement** | | | | |
| **Key Questions** | | | **Response & Evidence** | |
| 1. Does the draft plan describe a meaningful engagement effort that goes beyond the minimum requirements to ensure a diverse set of stakeholders had a role in its development? | | |  | |
| 1. Does the draft plan show how the state used input from new voices representing underserved and low-performing communities and students? | | |  | |
| 1. Does the draft plan outline the process for continuing stakeholder relationships beyond the plan development phase into implementation and future updates to the plan? | | |  | |
| 1. Does the draft plan include a summary of the SEA’s communications strategy and how it will leverage stakeholders to communicate and implement the plan? | | |  | |
| **Plan Strengths** | | **Areas to Improve** | | |
|  | |  | | |
| **How do your stakeholder engagement address each part of the educator workforce framework:** | | | | |
| **Attract** | **Prepare** | **Develop** | | **Retain** |
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# Step 5: Identify strategies to achieve your state’s goals

Find the requirements for state plans/applications [here](https://drive.google.com/file/d/0B5HP3vSIig4McjhIQ2dyR3NIakk/view?usp=sharing) and for local plans/applications [here](https://drive.google.com/file/d/0B5HP3vSIig4MMHFQZ1VlSE5YdHc/view?usp=sharing). The single most important part of your plan is the strategies it will employ to address your vision and meet your goals. To develop strategies, SEAs should talk to experts, local educators and other stakeholders and consider the resources this toolkit makes available to them. SEAs can also see and what the allowable activities are for SEAs and LEAs in Appendix B.

Title II-A provides states the means to support and even enhance their state equity plans. Consider starting Title II-A planning with your state’s equity plan. It already includes goals and priorities related to teacher and leader quality.

**Guiding Questions as You Draft your Plan**

What strategies would better attract teachers and leaders to the profession, prepare them to be ready on day one, develop them throughout their careers and retain the most effective educators?

How do these strategies, programs and policies promote equity and ensure all students have access to effective educators?

How do existing and proposed strategies align to the state’s current vision and goals?

How realistic are these strategies given political constraints and changing funding levels?

Where are the opportunities for policies and programs to stretch across multiple ESSA areas?

**Helpful Resources:**

* **CCSSO’s** [**Critical Area Outline for Teacher and Leader Quality**](http://www.ccsso.org/Documents/2016/CriticalAreaOutlineTeacherandLeaderQuality.pdf) can help SEAs develop their plans and applications. It examines opportunities SEAs have to address four specific areas: Attract, prepare, develop and retain teachers and school leaders, and connects each of these four areas to Title II’s allowable activities for states. The tool also details the specific information that states must submit in their applications and how to elevate equity in their plans.
* **The U.S. Department of Education’s** [**Template for Consolidated State Plans**](http://www2.ed.gov/policy/elsec/leg/essa/essa-consolidated-state-plan-final.docx)aligns to the regulations and includes a section titled “Supporting Excellent Educators.”
* **The U.S. Department of Education’s** [**Non-Regulatory Guidance for Title II-A**](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) presents strategies SEAs can implement to address priorities in several areas: Multiple pathways to teaching and leading, induction and mentorship, meaningful evaluation and support, strong teacher leadership and transformational school leadership. Further, it details the allowable activities states can engage in to make sure that low-income and minority students are not disproportionally taught by ineffective, out-of-field or unqualified teachers.
* **Congressional Research Service’s** [**State Title II-A Allotment Estimates**](https://assets.documentcloud.org/documents/2644885/ESEA-Title-II-a-State-Grants-Under-Pre.pdf) through 2023 includes funding estimates for each state. It can help states determine if their overall funding will increase or decrease as a result of the new formula.

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| **Evaluate Your Draft Plan: Strategies to Achieve State Goals** | | | | |
| **Key Questions** | | | **Response & Evidence** | |
| 1. Does the draft plan maintain or strengthen a commitment to improving the effectiveness of all teachers and school leaders? | | |  | |
| 1. Is the draft plan likely to improve equitable access to effective and qualified educators for all students? | | |  | |
| 1. Does the draft plan include a definition of “effective” for educators that is robust and allows schools to improve equitable access through strategic staffing and professional development decisions? | | |  | |
| 1. Will the strategies in the draft plan lead to improved success for all students, especially where state accountability systems signal persistent under-performance? | | |  | |
| 1. Do the strategies in the draft plan account for changes in the state’s projected funding levels and set-asides over time? | | |  | |
| 1. Does the state plan use the new opportunities in ESSA to build on and support the state equity plan? | | |  | |
| 1. Do the proposed activities ensure that educators will have the necessary knowledge and skills to support the proposed accountability model, changes with ELL requirements, and implement the supports and interventions now required as part of the overall school improvement component of ESSA? | | |  | |
| 1. Do the strategies align with the new definition of professional development and evidence based guidance? | | |  | |
| **Plan Strengths** | | **Areas to Improve** | | |
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| **How do these strategies address each part of the educator workforce framework:** | | | | |
| **Attract** | **Prepare** | **Develop** | | **Retain** |
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# Step 6: Align LEA applications and guidance with state strategies

SEAs can play a significant role in determining how local education agencies spend the bulk of their states’ Title II-A allotment. A key decision each state will make is how it will align the vision and priorities it establishes in its state plan with the application it creates for local funding. For instance, will it limit allowable expenditures or will it give LEAs the opportunity to use funds for any of the local activities described in the Title II-A portion of ESSA?

SEAs can shape how funds are used in LEAs in two key ways. An SEA can develop formal guidance for how LEAs can align their activities to the state’s education objectives. And they can create rigorous requirements for LEA applications that ensure they address the state’s objectives.

In its non-regulatory guidance, the U.S. Department of Education encourages each SEA to invest in robust LEA application design, review, and approval systems. This may include withholding approval until the LEA demonstrates it has engaged its stakeholders meaningfully, met any evidence-standards required by law, and is proposing activities that ensure that low-income and minority students have greater access to effective educators.

**Helpful Resources:**

**Guiding Questions as You Draft your Plan**

How much independence do we want to give LEAs in our state?

How will the state plan describe the ways the SEA will ensure LEA funds are spent on activities that support the state’s education goals?

How will states ensure that funding for professional development and class-size reduction programs meets their own guidelines and that the reported results contribute to an evidence-based standard?

What type of guidance are our LEAs seeking from us? How is this different from previous years?

* **The U.S. Department of Education’s** [**Non-Regulatory Guidance for Title II-A**](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) discusses the responsibilities SEAs have to provide guidance to LEAs, details ESSA’s evidence-based requirements, provides a helpful table that enumerates them, and lists questions SEAs should ask themselves as they consider LEAs’ use of evidence-based strategies, including one that calls on them to consider whether the strategies are cost-effective.
* **CCSSO’s** [**Maximizing ESSA Formula Funds for Students: State Readiness Self-Assessment**](http://www.ccsso.org/Documents/2016/ESSA/MaximizingESSAFormulaFundsforStudentsApril2016.pdf) provides guidance (see pages six and seven) on how SEAs can decide what activities districts can and cannot pay for with federal funds and how SEAs can communicate spending policies to districts. It also describes how an SEA can develop guidance documents and application tools to ensure that its spending policies are applied consistently.

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| **Evaluate Your Draft Plan: LEA Application & Guidance Strategy** | | | | |
| **Key Questions** | | | **Response & Evidence** | |
| 1. Does the draft plan align allowable local efforts with the state’s vision and goals? | | |  | |
| 1. Does the draft plan describe how the state will develop user-friendly guidance for LEAs based on the needs expressed during stakeholder outreach? | | |  | |
| 1. Does the draft plan include a robust definition for “evidence-based” that ensures Title II-A funds will be spent on the most effective activities aligned with the state’s vision and goals? | | |  | |
| **Plan Strengths** | | **Areas to Improve** | | |
|  | |  | | |
| **How do the LEA application and guidance address each part of the educator workforce framework:** | | | | |
| **Attract** | **Prepare** | **Develop** | | **Retain** |
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# Step 7: Develop a strategy to monitor implementation and continue engaging stakeholders

Once SEAs and LEAs begin implementing their plans, SEAs must monitor them. Sustained change takes time and an ongoing commitment to continuous improvement through monitoring progress and making adjustments. SEAs must have clear structures and timelines in their ESSA plans for checking the progress of Title II-A implementation, assessing its impact, and changing course with stakeholder input if necessary.

It is critical for state teams to define leading indicators or metrics of progress towards long-term goals and to identify quantitative and qualitative data that can be used to track those indicators. An important source of qualitative data is stakeholder interviews, focus groups and surveys. SEAs can use monitoring data to determine what’s on track and what roadblocks or challenges are emerging that need to be addressed. If the data indicate that goals are not being met, shifts in communications or support strategies can make a huge impact on progress.

**Guiding Questions as You Draft your Plan**

What benchmarks and indicators should be in the plan to monitor progress in the short and long-term?

Should the SEA partner with outside organizations for help implementing and monitoring the plan?

How is the SEA going to engage stakeholder groups from the development of the initial plan to later revisions and show how their feedback informed the plan?

How are stakeholders involved in amendments to the plan and implementation course-corrections based on monitoring?

Ongoing stakeholder engagement should be a central part of all SEAs’ implementation and monitoring plans. Stakeholder input should not be a one-time event. SEAs should set up an ongoing engagement process with all key stakeholders, particularly teachers and school leaders, and especially those representing traditionally underserved and low-performing communities and students. Show stakeholders how their input was considered, and explain why it was not included if it is omitted from revised plans. Continued engagement can help SEAs manage course corrections and create buy-in across constituencies.

**Helpful Resources:**

* **CSSSO’s** [**Stakeholder Engagement Guide**](http://www.ccsso.org/Documents/2016/ESSA/CCSSOStakeholderEngagementGuideFINAL.pdf) offers strategies for sustaining stakeholder engagement beyond the plan development phase. The guide includes state exemplars.
* **The Center on Great Teacher & Leaders’** [**Equity Plan Implementation Playbook**](http://www.gtlcenter.org/learning-hub/equitable-access-supports/implementation-playbook)includes templates and questions SEAs can ask themselves as they create and analyze a monitoring plan.

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| **Evaluate Your Draft Plan: Strategies for Implementation & Engagement** | | | | |
| **Key Questions** | | | **Response & Evidence** | |
| 1. How does the draft plan define success for state and local implementation efforts? What metrics to measure success are included in the plan and when on a timeline does measurement occur? | | |  | |
| 1. Is there a process and timeline in the draft plan for revisiting and updating the plan based on new stakeholder input, research findings and evaluation results? | | |  | |
| 1. Does the draft plan show a commitment to data-driven policy decisions and evidence-based strategies at the state and local level? | | |  | |
| **Plan Strengths** | | **Areas to Improve** | | |
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| **How do these strategies address each part of the educator workforce framework:** | | | | |
| **Attract** | **Prepare** | **Develop** | | **Retain** |
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# Appendix A: Additional Information on the Nuts and Bolts of ESSA and Title II-A

**What is ESSA and how is it Different from NCLB?**

The Every Student Succeeds Act (ESSA) is 2015’s reauthorized version of 1965’s *Elementary and Secondary Schools Act*, which establishes the federal government’s role in funding public education. The National Conference of State Legislatures provides a [13 page overview](http://www.ncsl.org/documents/educ/ESSA_summary_NCSL.pdf) of the law. There are important differences between the ESSA and the last iteration of the Elementary and Secondary Schools Act, No Child Left Behind (NCLB). In its [State Strategic Vision Guide](http://www.ccsso.org/Documents/2016/StateStrategicVisionGuide.pdf) for ESSA, CCSSO directs states to pay attention to several major changes:

* **Assessment:** States have *more flexibilit*y on how they meet annual assessment requirements, including the opportunity to participate in a pilot project to create innovative models of assessment.
* **Accountability & School Improvement:** States can now design accountability systems that consider more than test scores and implement interventions created for each school’s unique context.
* **English Language Learners:** States will now *integrate federal requirements* for ELLs in their primary accountability systems instead of using a separate federal system.
* **Teacher and Leader Quality:** States can take advantage of *new flexibility* to ensure that educators are prepared to deliver each state’s strategic vision, including refinements to educator evaluation systems and an increased focus on, and funding for, school leadership development.
* **Federal Funding:** States have new grant funding opportunities and expanded flexibility to align federal and local funding streams with the state’s ESSA policy objectives.

There are several key differences between Title II-A in ESSA and NCLB. The table below provides a high-level description of the key changes related to Title II. For a detailed breakdown of NCLB vs. ESSA requirements across all titles including Title II, reference [this chart](http://www.ccsso.org/Documents/2016/ESSA/CCSSOComparisonofSelectElementsofESEA12142015.pdf) from CCSSO.

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| **Title II Area** | **NCLB & NCLB Waivers** | **ESSA** |
| **Teacher and Principal Evaluation** | Not required under NCLB—however, many states’ NCLB waivers required educator evaluation systems that incorporated student growth, based on standardized assessment results, into teacher evaluation summative ratings. | SEAs and LEAs can now use Title II funds to create evidence-based teacher and school leader evaluation systems based in part on evidence of student achievement, but there is no requirement that student growth factor into those evaluations. |
| **Teacher and School Leader Quality** | States were required to take steps to ensure all core academic area teachers were “highly qualified,” meaning they hold a bachelor’s degree, state certification, and subject matter expertise. | ESSA eliminates the “highly qualified” NCLB requirement but mandates that states report on teacher qualifications in high vs. low-poverty schools to show that high-poverty and minority students are not disproportionately taught by “ineffective, out-of-field, and inexperienced teachers.” |
| **Formula Grant Funding** | Thirty-five percent of each state’s Title II formula funds were based on its total school-aged population, while 65 percent of its allocation was based on the number of school-aged children living in poverty. | Starting in 2018, the formula will begin to weight poverty more each year until 2020, when formula grants will go to states based on 20 percent overall population and 80 percent total population living in poverty. |
| **Teacher and School Leader Prep** | States can reserve up to 2.5 percent of Title II funds for activities such as reforming teacher certification, teacher supports and alternative certification programs. | ESSA explicitly invites states to use up to five or eight percent of funds to facilitate teacher and school leader residencies and/or create alternative teacher and school leader preparation academies outside of institutions of higher education (see CCSSO’s [description](http://www.ccsso.org/Documents/2016/ESSA/TeacherPreparationCCSSOESEAImplementationConsiderations.pdf) of teacher preparation in ESSA). |

**Formula, Set-Asides and Flexibility for Title II-A Funding**

There will be a Title II-A formula change that the Department of Education will phase in over the next few years. For the school year 2017, the formula for grants will remain the same. Starting in 2018, the formula will begin to change, giving increasing weight to child poverty rates through 2020, when formula grants will go to states based on 20 percent overall population and 80 percent total population living in poverty. The Congressional Research Service has provided [estimates of each state’s allotment](https://nassp.org/Documents/nassp/Advocacy/ESEA%20Title%20II-A%20State%20Grants%20-%20FY17.pdf?SSO=true) in 2017 for several funding scenarios.

ESSA allows each state to set aside some of its Title II-A funds before the bulk of the funding goes on to local education agencies. It is possible for states to set aside up to eight percent of the funding, depending on how they use the funds. The Department of Education included a detailed description of the set-asides in its [non-regulatory guidance](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) for Title II-A. At a high-level, the law allows each state to, out of the total funding received by the state:

* Use up to five percent of the funds on state activities that improve the quality of the educator workforce, including teachers and leaders:
  + Up to one percent of funds to cover SEA administration activities;
  + No more than two percent of funds to support teacher and school leader preparation academies; and
* Use up to an additional three percent of the funds on state-level activities that strengthen school leadership.

ESSA also increases Title II funding flexibility by allowing states to transfer up to all (instead of half) of the Title II-A funding set-aside for state activities into Title I or in and out of Title IV activities to create “braided” funding streams. In the ESSA [proposed regulations](https://www2.ed.gov/policy/elsec/leg/essa/nprmaccountabilitystateplans52016.pdf), the Department of Education notes that it is seeking to encourage “greater cross-program coordination, planning and service delivery; provide greater flexibility to state and local authorities through consolidated plans and reporting; and enhance the integration of programs under the ESEA.”

To help states assess where and how they can use braided funding to create the best outcomes for all students, CCSSO and the Federal Education Group developed a [self-assessment](http://www.ccsso.org/Documents/2016/ESSA/MaximizingESSAFormulaFundsforStudentsApril2016.pdf). States can use this self-assessment to analyze previous spending policies and practices, align future funding with SEA objectives and make strategic decisions that maximize the impact of federal funds.

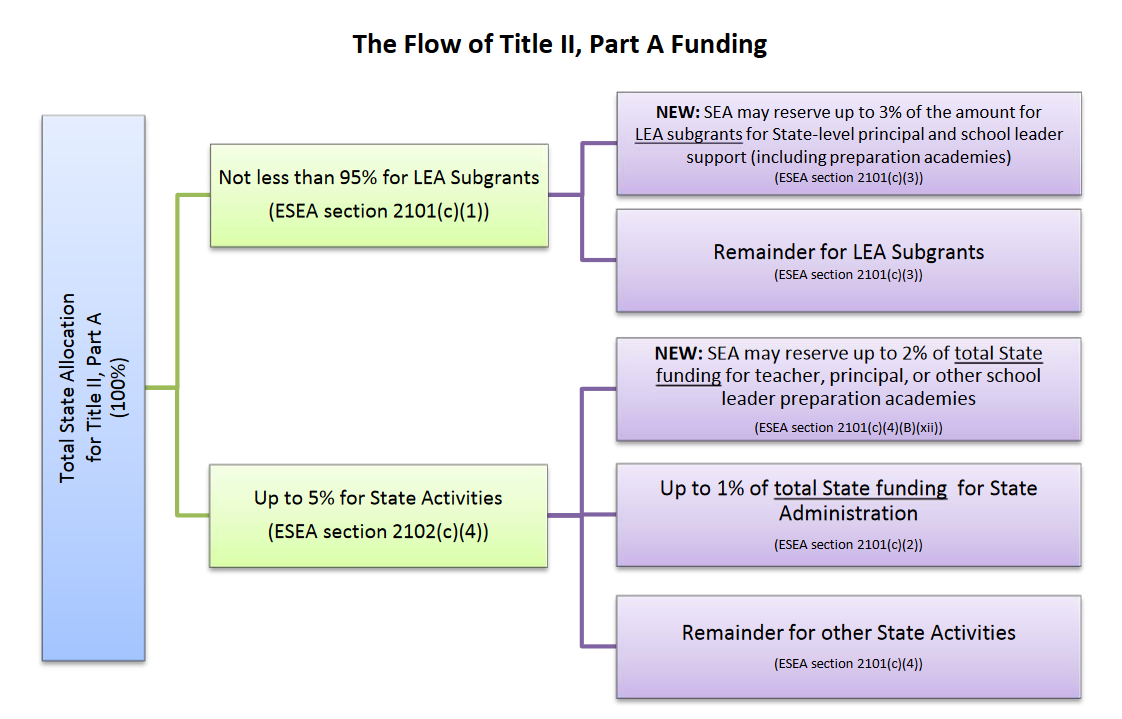
**State Activities Under Title II-A**

Figure 1: USED Non-Regulatory Guidance

ESSA allows states to spend Title II-A funds on a broader set of activities than NCLB permitted. Under ESSA, states can use Title II-A funds to attract, prepare, develop and retain effective teachers and school leaders and to ensure that all students have access to effective educators. This toolkit focuses on the newest and most high-profile activities for states. The full list of state and local activities can be found in Appendix B.

A primary goal of Title II-A is to [ensure equitable access to effective teachers](http://educationpolicy.air.org/sites/default/files/Oday-EqualityQuality.pdf) for all students. ESSA allows states to fund human capital management strategies to reduce gaps in access to effective educators. This includes attracting diverse candidates to become educators, developing incentive programs recruiting the most effective talent to low-performing schools, implementing evidence-based professional development and creating career ladder models to retain effective educators.

School leadership is second only to the quality of teaching among all school-related factors that contribute to student learning. In fact, there is [not a single documented case](https://www.researchgate.net/publication/251888122_Seven_Strong_Claims_about_Successful_School_Leadership) of a school successfully turning around its student achievement without talented leadership. Given their importance, nearly all the activities at the state and local level may now include principals and other school and district leaders in addition to teachers. ESSA supports this focus on leadership with three percent set-aside allowed exclusively for leaders. ESSA also provides states additional opportunities to design new and innovative educator preparation approaches.

States may now use their Title II-A funding to take their educator evaluation systems to the next level. The [non-binding guidance](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) from the Department of Education encourages states to focus their evaluation systems on support rather than punitive action.

**Local Activities and Requirements under Title II-A, Including Evidence-Base Requirement**

The bulk of the funding from Title II-A passes through the state to LEAs. The list of local activities aligns with the list for states (Appendix C for both state and local allowable activities). States and LEAs should focus their efforts on the most effective strategies appropriate for their contexts, while not severely restricting the uses of local funds as they align activities to their vision.

ESSA requires states to hold two out of the sixteen activities to a higher standard of evidence when approving local applications for funds: LEAs must show how (1) professional development and (2) class-size reduction programs are “evidence-based, to the extent the state (in consultation with LEAs in the state) determines that such evidence is reasonably available.” Historically, local school districts have spent the majority of their Title II dollars on class size reduction and professional development activities.

[Recent research](https://www.americanprogress.org/issues/education/news/2013/07/26/70724/ensuring-title-ii-part-a-funds-are-used-for-student-achievement-gains/) from the Center for American Progress, however, shows some professional development programs not yielding results. TNTP’s 2016 report, [The Mirage](http://tntp.org/publications/view/the-mirage-confronting-the-truth-about-our-quest-for-teacher-development), underlines these findings, noting that it finds no evidence current professional development “consistently helps teachers improve” in three school systems where new evaluation and teacher support systems were put into place. Nonetheless, not all professional development approaches are ineffective. When implemented with fidelity, professional development has been shown to develop leaders who turn around schools and teachers who lead students to greater academic success. Learning Forward compiled [principles of professional learning](https://learningforward.org/standards-for-professional-learning), for instance, that SEAs can use to evaluate proposed professional development activities. There is also a [report from Learning Forward and Public Impact](https://learningforward.org/docs/default-source/pdf/coaching-for-impact.pdf) on investing in coaching that should help SEAs determine whether there is a research base for professional development activities. Finally, see [here](http://www.rand.org/pubs/research_reports/RR1550.html) for a Rand report that includes information on evidenced-based professional learning for school administrators.

Research on class-size reduction is decidedly mixed, producing an evidence base that suggests that class-size reduction efforts work only under certain circumstances. The Brookings Institute conducted a [review of research](https://www.brookings.edu/research/class-size-what-research-says-and-what-it-means-for-state-policy/) in 2011 and concluded that though they are very expensive, class size reduction efforts of significant magnitude can result in improved learning for students, particularly in the early grades. The Center for Public Education has also [compiled findings from 19 research studies](http://www.centerforpubliceducation.org/Main-Menu/Organizing-a-school/Class-size-and-student-achievement-At-a-glance/Class-size-and-student-achievement-Research-review.html) specifying the circumstances under which class-size reduction efforts impact student learning. Findings show that “small” classes must have no more than 18 students and that minority and low-income students show even greater gains than they would otherwise when placed in small classes in the primary grades.

**“Evidence-based” Interventions**

ESSA requires [many activities](http://results4america.org/wp-content/uploads/2016/06/RFA-ESSA-Scan-062716.pdf) or interventions to be “evidence-based,” including professional development, class-size reduction efforts and residency program coursework. There are four levels of evidence in ESSA. The [four levels](http://www.ccsso.org/Documents/2016/ESSA/ESSAEvidenceBasedSummaryAndAnalysis.pdf) require that an intervention in question demonstrates a statistically significant effect on improving student outcomes:

* **Level 1, Strong Evidence**: At least one well-designed and well-implemented experimental study (i.e. randomized);
* **Level 2, Moderate Evidence**: At least one well-designed and well-implemented quasi-experimental study (i.e. matched);
* **Level 3, Promising Evidence**: At least one well-designed and well-implemented correlational study with statistical controls for selection bias; and
* **Level 4, Demonstrates a rationale:** Can demonstrate through the use of a logic model or other tools developed through research or evaluation that the intervention will likely improve student outcomes.

The Department of Education’s optional [Non-Regulatory Guidance for Title II-A](http://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf) has a detailed discussion of the evidence-based requirements, including a helpful table that enumerates them, and questions that SEAs should ask themselves as they consider the use of evidence-based strategies – including asking whether they are cost-effective. The guidance also points to the [standards](http://ies.ed.gov/ncee/wwc/Handbooks) used by the (freshly-revamped) [What Works Clearinghouse](http://ies.ed.gov/ncee/wwc/FWW) (WWC) for reviewing the validity, reliability and rigor of studies conducted on education interventions.

**Stakeholder Engagement**

ESSA requires states to [meaningfully engage stakeholders](http://www.ccsso.org/Documents/2016/ESSA/CCSSO%20Stakeholder%20Engagement%20Guide%20FINAL.pdf) as they develop their Title II-A plans. The law specifies the engagement requirements for states submitting plans for individual ESSA programs. The [proposed regulations](https://www2.ed.gov/policy/elsec/leg/essa/nprmstatedatarptwebinar692016.pdf) for ESSA consolidated plans include additional engagement requirements (though this approach will satisfy the engagement requirements of multiple ESSA titles at once). A full list of required stakeholders and the difference in required stakeholders between individual and consolidated plans can be found in the table below.

|  |  |
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| **Stakeholders Required for Individual Title II-A Plan** | **Stakeholders Required for Consolidated Plans by Proposed Regulations** |
| * Teachers * Principals and other school leaders * Paraprofessionals, including organizations representing such individuals * Specialized instructional support personnel * Charter school leaders, if the state has charter schools * Parents * Governor * Community partners * Local educational agencies (LEAs) * Educator preparation programs * The entity responsible for teacher, principal, or other school leader professional standards, certification and licensing for the State * Other organizations or partners with relevant expertise | * Members of the state legislature * Members of the state board, if the state has a state board * Rural local educational agencies (LEAs) * Representatives of Indian tribes located in the state * Families * Representing students with disabilities, English Learners, and other historically underserved students * Institutions of higher education * Employers * The public, generally |

**Options for State Plan Submission**

Title II-A describes the requirements and opportunities in ESSA for states to improve teacher and school leader quality and create more equitable student access to high-quality educators. Under §8302 of ESEA, as amended by ESSA, state education agencies (SEAs) can submit either individual plans for each of the ESSA programs in which the state participates or consolidated plans that include strategies and timelines for spending and disbursing to local education agencies (LEAs) funds to achieve the educator quality and student access goals in Title II.

Below is an outline of U.S. Department of Education (“USED”) requirements for ESSA-compliant state consolidated plans (and the timelines for developing and submitting those plans). Under section 8302 of ESSA, an SEA may include in a consolidated plan programs authorized by:

* Title I, part A: Improving Basic Programs Operated by State and Local Educational Agencies
* Title I, part C: Education of Migratory Children
* Title I, part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At-Risk
* Title II-A: Supporting Effective Instruction
* Title III, part A: Language Instruction for English Learners and Immigrant Students
* Title IV, part A: Student Support and Academic Enrichment Grants
* Title IV, part B: 21st Century Community Learning Centers
* Title V, part B, Subpart 2: Rural and Low-Income School Program

According to [regulations proposed by USED](https://www2.ed.gov/policy/elsec/leg/essa/nprmstatedatarptwebinar692016.pdf), states’ consolidated plans must include the following elements (see pages 19-28):

* A description of how the state engaged in timely and meaningful consultation with educators, parents, legislators, businesses, civil rights organizations and other stakeholders about components of the state’s Title II plan
* A description of how the state is coordinating various programs such as IDEA, the Rehabilitation Act, Head Start and the Workforce Innovation and Opportunity Act
* State plans for implementing challenging academic standards and aligned assessments
* State plans for implementing statewide accountability systems and supporting low-performing schools
* A description of the strategies and funding sources the state will use to support excellent educators for all students
* A report on whether low-income and minority students are taught at disproportionate rates by ineffective, out-of-field or inexperienced teachers
* A description of the strategies states will use to ensure that all students have the opportunity to earn a high school diploma that requires meeting high academic standards

According to [regulations proposed by USED](https://www2.ed.gov/policy/elsec/leg/essa/nprmstatedatarptwebinar692016.pdf), individual plans must address all state plan or application requirements applicable to such programs outlined in ESSA and applicable regulations, including all required statutory programmatic assurances. If a state submits an individual program plan for Title I, Part A, it must also meet the state plan requirements for consolidated plans related to educator equity (§299.18(c)), school-wide waivers of the 40-percent poverty threshold (§299.19(c)(1)) and English learners (§299.19(c)(3)).

# Appendix B: Allowable Title II-A Activities for SEAs and LEAs

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| Potential SEA Activities | |
| * Reforming teacher, principal or other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes * Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal or other school leader evaluation and support systems that are based in part on evidence of student academic achievement * Improving equitable access to effective teachers * Carrying out programs that establish, expand or improve alternative routes for State certification of teachers * Developing, improving, and implementing mechanisms to assist LEAs and schools in effectively recruiting and retaining teachers, principals or other school leaders who are effective in improving student achievement * Fulfilling the SEA’s responsibilities concerning proper and efficient administration and monitoring of the programs carried out under Title II-A * Developing or assisting local educational agencies in developing career opportunities and advancement initiatives that promote professional growth and emphasize multiple career paths, strategies that provide differential pay, new teacher, principal or other school leader induction and mentoring programs * Providing assistance to local educational agencies for the development and implementation of high-quality professional development programs for principals * Supporting efforts to prepare teachers, principals, or other school leaders to integrate technology into curricula and instruction * Providing preparation, technical assistance, and capacity building to local educational agencies that receive Title II-A sub-grants * Reforming or improving teacher, principal, or other school leader preparation programs, such as through establishing teacher residency programs and school leader residency programs * Establishing or expanding teacher, principal, or other school leader preparation academies, with an amount of the funds that is not more than 2 percent of the State’s allotment | * Supporting the instructional services provided by effective school library programs * Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, or other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment programs * Providing preparation for all school personnel in how to prevent and recognize child sexual abuse * Supporting opportunities for principals, other school leaders, teachers, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in joint efforts to address the transition to elementary school * Developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects * Supporting the professional development and improving the instructional strategies of teachers, principals, or other school leaders to integrate career and technical education content into academic instructional practices * Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements * Supporting and developing efforts to prepare teachers to appropriately use student data to ensure the protection of individual student privacy * Supporting other activities identified by the State that are, to the extent the State determines that such evidence is reasonably available, evidence based and that meet the purpose of Title II-A |

|  |  |
| --- | --- |
| Potential LEA Activities | |
| * Developing or improving a rigorous, transparent and fair evaluation and support system for teachers, principals and other school leaders * Developing and implementing initiatives to assist in recruiting, hiring and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and students who do not meet challenging academic standards to improve within-district equity in the distribution of teachers * Recruiting qualified individuals from other fields to become teachers, principals or other school leaders * Reducing class size to a level that is evidence-based * Providing high-quality, personalized professional development that is evidence-based * Providing programs and activities to increase the knowledge base of teachers, principals or other school leaders on instruction and measurement of learning in the early grades; the ability of principals and other school leaders to support teachers, teacher leaders, early childhood educators and others to meet the needs of students through age 8 * Providing preparation, technical assistance and capacity-building in LEAs to help teachers, principals and other school leaders select and implement formative assessments, design class-room based assessments, and use data to improve instruction and achievement | * Conducting professional development on the techniques and supports needed to help educators understand when and how to refer students affected by trauma or at risk of mental illness and forming partnerships between school and public-or private based, mental health programs, addressing issues related to school conditions for student learning, such as safety and peer interactions, substance abuse and chronic absenteeism * Providing preparation to identify students who are gifted and talented and adopting instructional practices that support these students * Supporting instructional services provided by school librarians * Providing preparation on how to prevent and recognize sexual abuse * Developing and providing professional development and other support to promote high-quality instruction and instructional leadership in STEM subjects * Developing feedback mechanisms to improve school working conditions * Providing high quality professional development on effective strategies to integrate rigorous academic content, career and technical education and work-based learning * Carrying out other activities that are evidence-based to the extent the State determines that such evidence is reasonably available and identified by the local education agency |

1. It is important to note that there are two parts to Title II: Part A and Part B, each with its own programs and appropriations. Part A designates funds and establishes parameters for spending them for state and local education agencies. Part B designates funds and establishes parameters for national priorities. This toolkit is focused on Title II, Part A, hereafter called Title II-A. [↑](#footnote-ref-2)
2. ESSA changes to the “highly qualified” teacher requirement and the “ineffective, out-of-field, and inexperienced” teacher definitions are actually part of Title I-A. These changes were included in this section because title IIA funds can be used to to improve equitable access to effective and qualified educators [↑](#footnote-ref-3)