



**Report to the
Colorado General Assembly**

**Interim Committee to
Study the Every
Student Succeeds
Act**

Prepared by

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Interim Committee to Study the Every Study Succeeds Act

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To Members of the Seventy-first General Assembly:

Submitted herewith is the final report of the Interim Committee to Study the Every Student Succeeds Act. This committee was created pursuant to Legislative Council Executive Committee approval of Interim Committee Letter 2016-6. The purpose of this committee is to study new federal legislation requiring state actions related to education.

Sincerely,

/s/ Representative Dickey Lee Hullinghorst
Chairman

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This report is also available on line at:
<https://www.colorado.gov/pacific/cga-legislativecouncil/2016-interim-committee-study-every-student-succeeds-act>

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Committee Charge

Pursuant to Interim Committee Letter 2016-06, the committee is charged with studying the following policy issues:

- a general overview of the federal Every Student Succeeds Act (ESSA);
- transitioning Colorado from the requirements of the federal No Child Left Behind Act (NCLB) and its associated waivers to the requirements of ESSA;
- additional indicators required or permitted by ESSA; and
- ESSA's impact on the statewide accountability system.

Committee Activities

The committee held three meetings during the 2016 interim. Briefings and presentations were made by representatives of the National Conference of State Legislatures (NCSL), the Colorado Department of Education (CDE), the State Board of Education, the Alliance for Excellent Education, the Data Quality Campaign, WestEd, the Fordham Institute, Achieve, and the Education Commission of the States on a wide range of subjects, including:

- requirements of ESSA;
- CDE activities;
- accountability and assessments under ESSA; and
- alignment of state and federal law.

The following sections discuss the committee's activities during the 2016 interim.

Requirements of ESSA

The committee heard expert testimony on the requirements of ESSA, how ESSA differs from NCLB, and the timeline given to states for implementation of ESSA. Representatives from NCSL provided testimony on how the new law will impact states; the elimination of the "highly qualified teacher" and "adequate yearly progress" metrics; the new prohibition on federal agencies controlling academic standards adopted by states or endorsing any particular curriculum; the new law's support for using Title I funds for science, technology, engineering, and math programs; grants provided under ESSA; and the federal process for rulemaking under the law. Representatives from Achieve and the Education Commission of the States presented information on the new nonacademic metrics to measure school quality that are required under ESSA, and provided examples of the types of metrics being considered.

CDE Activities

Representatives from CDE provided information to the committee on its progress creating the state plan as required under ESSA, including its creation of a hub-and-spoke committee structure to formulate portions of the state plan, and its schedule of community meetings to engage stakeholders. The Commissioner of Education spoke about the agency's stakeholder

engagement process, the draft rules released in early summer 2016 by the U.S. Department of Education (department), and CDE's feedback to the department. CDE staff provided information about its participation in statewide assessments, the state's five-year accountability clock, ESSA's impact on statewide assessments in Colorado, the involvement of the State Board of Education, and the possibility of exceptions for advanced eighth grade math students.

Accountability and Assessments under ESSA

Experts from several national organizations provided information to committee members on how accountability and assessment requirements are or are not changing under ESSA. A representative from the Alliance for Excellent Education spoke about growth gaps, opportunities for equity, and state approaches to addressing these problems, as well as ESSA's requirements for intervention in low-performing schools. A representative from the Data Quality Campaign spoke about the importance of quality data in making policy decisions and participation in statewide assessments.

Representatives from NCSL spoke about ESSA's increased flexibility for state assessments, despite the continuation of required assessments in grades 3 through 8 and once in high school, and how ESSA's required reporting of a summative score allows states and districts to break assessments down into separate parts to be given throughout the school year. Committee members heard testimony on the Innovative Assessment Pilot program available to states under ESSA. A representative from WestEd spoke about ESSA's areas of assessment flexibility, tiers of assessment, and proposed federal regulations. A representative from the Fordham Institute explained that organization's study of the relative value of specific assessments and presented findings related to the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments.

Alignment of State and Federal Law

A representative of the Office of Legislative Legal Services (OLLS) gave a presentation about the areas of state law that may need to be aligned with ESSA, including assessment and accountability, English language learners, and educators, among others.

Summary of Recommendations

As a result of committee discussion and deliberation, the Interim Committee to Study the Every Student Succeeds Act did not recommend any bills for consideration during the 2017 legislative session.

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Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://www.colorado.gov/pacific/cga-legislativecouncil/interim-committees>

Meeting Date and Topics Discussed

August 4, 2016

- ◆ Overview of the Every Student Succeeds Act
- ◆ Requirements of the Every Student Succeeds Act and opportunities for states
- ◆ Comparison of the Every Student Succeeds Act to No Child Left Behind
- ◆ Timeline for implementation
- ◆ Stakeholder engagement
- ◆ Update from Colorado Department of Education
- ◆ Remarks from the State Board of Education

August 31, 2016

- ◆ Accountability
- ◆ Assessments
- ◆ Non-academic Accountability Indicator Requirement
- ◆ Update from CDE

December 13, 2016

- ◆ Update from the National Conference of State Legislatures
- ◆ Update from CDE
- ◆ Federal and state education policies