

## Questions and Answers about the Every Student Succeeds Act (ESSA)

### **Q:** What is the ESSA?

The Every Student Succeeds Act (ESSA) is the name of the 2015 legislation that revised and reauthorized the federal K-12 education law known as the Elementary and Secondary Education Act of 1965 (ESEA). Prior to passage of ESSA, the law was referred to by the moniker No Child Left Behind.

ESSA/ESEA is the source of most federal K-12 education initiatives, such as Title I schools, accountability for student achievement, programs for English language learners, math-science partnerships, and Title II professional development. Approximately \$21 billion in federal funds under ESEA is distributed to the states and school districts each year through complex formulas based on student population and poverty and through individual grant programs.

### **Q:** Is there anything in ESSA relevant to gifted and talented students?

Yes. ESSA retained the Javits Gifted and Talented Students Education Program, which was part of the prior ESEA, and added new provisions that address data collection and reporting, use of professional development funds, use of Title I funds, and computer adaptive assessments.

### **Q:** Is anything required of states related to gifted and talented students?

Yes. There are two new requirements:

- On the state report cards: States must include student achievement data at each achievement level that is disaggregated by student subgroup. Previously, states provided detailed information for students performing at the proficient level and below. Now, states also will have to include information on students achieving at the advanced level.
- In applying for Title II professional development funds, states must include information about how they plan to improve the skills of teachers and other school leaders that will enable them to identify gifted and talented students and provide instruction based on the students' needs.

## **Q:** Is anything required of districts related to gifted and talented students?

Yes. There are two new requirements:

- Districts (“local education agencies” in ESSA) must collect, disaggregate, and report their student achievement data at each achievement level, as the states are required to do.
- Districts that receive Title II professional development funds must use the money to address the learning needs of all students. ESSA specifically says that “all students” includes gifted and talented students.

## **Q:** What about the Javits program?

The Javits program, which has been operating since 1988, was retained in ESSA. The program focuses grant funds on identifying and serving students who are traditionally underrepresented in gifted and talented programs, particularly minority, economically disadvantaged, English language learners, and children with disabilities in order to help reduce gaps in achievement and to encourage the establishment of equal educational opportunities for all students. In addition, the Javits program funds a national research center on gifted education and when funding permits, also funds grants to states to improve the ability of elementary and secondary schools to meet the special educational needs of gifted and talented students. As with other grant programs, Congress must provide funding for the Javits program each year. Information about the current group of grantees is available on the NAGC website.

## **Q:** What else is noteworthy in ESSA?

There are several other provisions in ESSA that support gifted and talented students:

- For the first time, ESSA specifically notes that districts may use Title I funds to identify and serve gifted and talented students.
- ESSA now allows states to use computer adaptive assessments as the format for state assessments used for accountability purposes and authorizes grant funding to states to develop such assessments.
- Districts may use their Title II professional development funds to provide training on gifted education-specific instructional practices, such as enrichment, acceleration, and curriculum compacting.

## **Q:** When do the new provisions go into effect?

The 2016-2017 school year is a big transition year. Applications for Title I and other formula grants will begin July 1, 2016; other federal grant programs will go into effect in October 2016. State accountability plans will go into effect in the 2017-2018 school year.

## **Q:** Now that the new law has been passed, what should advocates be doing?

There is much education and advocacy to be done to ensure that state and local education policy makers understand the new requirements and that the new ESSA provisions are implemented as effectively as possible to yield the positive changes that advocates are seeking.

### **(1) Advocate for Effective Professional Development**

- State-level advocates will want to meet with the state education agency staff responsible for Title II of ESEA/ESSA to discuss the state Title II Plan and the ways in which it can be modified to effectively implement the new requirement to ensure that teachers and others in the schools are able to identify and serve gifted and talented students.

A state's gifted education advisory committee also may be involved in the discussion or make recommendations to the state education agency, so it is important that the advisory committee is also knowledgeable about the changes to the law and is in sync with advocates about recommended changes.

- Local advocates will need to determine if their local school district receives Title II professional development funds. Those districts that receive Title II money are now required to use the funds, in part, to address the learning needs of gifted and talented students. Advocates will want to ensure that the district develops specific plans for its Title II funds to meet this requirement. Advocates may want to share the new language from ESSA that allows districts to use their Title II funds to provide training on gifted education-specific instructional practices, such as enrichment, acceleration, and curriculum compacting.

### **(2) Educate on the Use of Title I Funds to Support Gifted Students**

- State-level advocates will want to be sure that state Title I officials are familiar with the new provision that allows districts to identify and serve gifted and talented students with their Title I funds. Gifted education advocates might also want to ensure that Title I officials across the state are familiar with the knowledge and skills teachers need to identify and support gifted students in the classroom.
- Nearly every school district in the nation receives Title I funds, submitting a plan to the state education agency to receive funds, which are calculated based on the percentage of low-income students served. Local gifted education advocates will want to be sure to share with district officials the new language in ESSA that allows districts to use their Title I funds to identify and serve low-income gifted and talented students and share strategies teacher may employ to provide appropriately challenging instruction.

### **(3) Use New Data on Advanced Achievement**

- Under ESSA states must report student achievement on the state assessment, disaggregated by student subgroup, at each achievement level. In many cases, achievement data at the state's advanced level(s) will be readily available for the first time, allowing the public and decision makers to see who is, and who is not achieving at top levels. For state-level advocates, the disaggregated data will provide multiple opportunities annually to propose strategies to address the implications of the achievement data with state legislators and other state-level policymakers.
- State-level advocates will also want to meet with the state education agency's assessment experts to discuss the value of computer adaptive assessments that can measure student mastery of above-grade level standards.
- Districts also will report student achievement data, disaggregated by subgroup, at each achievement level on their local report cards. The data will provide local advocates with annual opportunities to discuss any concerns related to the data and to develop recommendations for instructional change.

### **(4) Preparing to Support Funding for the Javits Program**

Gifted education supporters must advocate annually for funding from Congress for the Javits program. To better prepare for this advocacy it will be important for all advocates to have information about how students in their states are benefitting from this federal grant program. NAGC will compile some basic information about the grant program on the website, but advocates can increase the effectiveness of their messages with examples of projects operating in school districts in their area that are participating in either the Javits demonstration grants or in the statewide grant projects.

For more information on ESSA, visit the legislation update section of the NAGC website. Contact Jane Clarenbach, NAGC Director of Public Education, with questions. [janec@nagc.org](mailto:janec@nagc.org) or 202-785-4268.