

ELEMENTARY AND SECONDARY EDUCATION ACT

Comparison of Pending Changes



Congress is currently considering sweeping changes to the Elementary and Secondary Education Act (ESEA). The Obama administration has also promised relief from the current law's most onerous provisions in return for states' commitments to additional requirements. This chart provides a breakdown of the pending changes as well as ASCD's position on key provisions.

Current Law	Senate Harkin/Enzi Bill (ESEA reauthorization)	House Bills (HR 3989 and HR 3990)	U.S. Department of Education ESEA Flexibility Plan (waivers)	ASCD Position
STANDARDS/ASSESSMENTS				
Requires state standards in reading, math, and science in all grade levels.	Requires states to adopt college- and career-ready standards in reading and math. Science standards must align with coursework at state institutes of higher education.	Requires states to adopt standards in reading and math.	Requires college- and career-ready state standards that may be demonstrated by adopting the Common Core State Standards or having the standards approved by the state's university system.	Believes multiple measures of student achievement should determine student proficiency. Furthermore, each student deserves equal access to a credible, comprehensive, and well-rounded education that includes instruction in all core academic subjects. Those subjects must be reflected in states' standards, accountability systems, and public reporting of achievement.
Allows states to develop standards in other content areas.	Same as current law.	Same as current law.	N/A	
Requires state testing in reading and math annually in grades 3–8 and once in high school.	Same as current law and allows states to use one test or multiple tests throughout the school year.	Same as Senate bill.	N/A	
Requires state testing in science annually in grade spans 3–5, 6–8, and 10–12.	Same as current law.	Eliminates the science testing requirement, but allows states the option of developing assessments in science.	N/A	
Allows states to develop assessments in other subjects.	Same as current law.	Same as current law.	N/A	
Requires the same academic standards apply to all schools and children in the state.	Allows states to adopt alternative academic achievement standards in any subject included in the state's accountability systems for students with the most significant cognitive disabilities.	Allows states to adopt alternative academic achievement standards for students with the most significant cognitive disabilities.	N/A	

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STANDARDS/ASSESSMENTS				
<p>Requires states to provide reasonable adaptations and accommodations for students with disabilities under section 602(3) of the Individuals with Disabilities Education Act necessary to measure the academic achievement of such students relative to state academic content and state student academic achievement standards.</p>	<p>On accommodations, same as current law.</p> <p>Allows states to provide alternative assessments aligned with the alternative academic achievement standards for students with the most significant cognitive disabilities.</p>	<p>Requires states to provide reasonable adaptations and accommodations for students with disabilities necessary to measure their academic achievement relative to the states' academic standards.</p> <p>States may provide alternative assessments aligned with the alternative academic achievement standards for students with the most significant cognitive disabilities.</p>	<p>N/A</p>	<p>Believes multiple measures of student achievement should determine student proficiency. Furthermore, each student deserves equal access to a credible, comprehensive, and well-rounded education that includes instruction in all core academic subjects. Those subjects must be reflected in states' standards, accountability systems, and public reporting of achievement.</p>
<p>Requires districts to annually assess all students with limited English proficiency.</p>	<p>Requires districts to annually assess English language learners no later than the beginning of the 2015–16 school year. Such assessments must be aligned to the state's English language proficiency standards and measure student progress toward English proficiency.</p>	<p>Requires districts to annually assess the English proficiency of all English language learners. Such assessments must be aligned with the state's English language proficiency standards.</p>	<p>States must adopt English language proficiency standards that align with college- and career-ready standards.</p>	
<p>Requires assessments to be administered to at least 95% of students.</p>	<p>Same as current law.</p>	<p>Same as current law.</p>	<p>N/A</p>	
<p>Requires states and districts receiving Title I A funds to administer National Assessment of Educational Progress (NAEP) tests in grades 4 and 8 in reading and math.</p>	<p>Same as current law.</p>	<p>Same as current law.</p>	<p>N/A</p>	

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ACCOUNTABILITY				
Requires that 100% of students be proficient in reading and math by the end of school year 2013–14.	Eliminates the requirement and deadline.	Eliminates the requirement and deadline.	Offers a waiver. States must set targets for continuous growth.	Believes the true measure of students' proficiency and readiness must be based on more than just their scores on state standardized reading and math assessments. States, districts, and schools should provide a more comprehensive picture of student achievement through a combination of evaluations, such as growth models; portfolios; and formative, interim, and summative assessments.
Requires that schools make adequate yearly progress (AYP) for all students.	Eliminates AYP. States develop their own school accountability systems using annual targets for determining student achievement progress, which may include multiple measures of student growth and achievement in subjects other than reading and math.	Eliminates AYP. States develop their own school accountability systems to include multiple measures of student growth, identification of achievement gaps, and systems for school improvement.	Eliminates AYP. States develop their own systems of differentiated recognition, accountability, and support to include annual measurable objectives in at least English language arts and mathematics and optional measures of student growth in other subjects.	
Requires achievement targets for all students in assessed grades, including subgroups.	Eliminates achievement targets.	Eliminates achievement targets.	Requires annual measurable objectives for the state and all districts, schools, and subgroups that provide meaningful goals and are used to guide support and improvement efforts.	Supports public reporting of student achievement data in disaggregated formats to allow transparency, promote equity, and hold appropriate stakeholders accountable.
Requires disaggregation of student data for all students and subgroups.	Same as current law.	Same as current law.	N/A	

Capitol Connection, the ASCD Educator Advocates weekly e-newsletter, provides you with the inside scoop related to

- Federal education developments from Congress, the U.S. Department of Education, and the White House.
- Key education issues, including assessment and accountability, school improvement, teacher effectiveness, and whole child education.
- Major legislation like the Elementary and Secondary Education Act.
- The latest national reports and research.

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ACCOUNTABILITY				
<p>Requires publicly available annual school report card on</p> <ul style="list-style-type: none"> • Student achievement at each level disaggregated by subgroup. • Comparison of actual achievement to state's objectives. • Percentage of students not tested. • Two-year achievement trend. • Other indicators used to determine AYP. • Graduation rates. • Local education agency progress toward AYP. • Teacher quality information. • Other information as determined by the state. 	<p>Requires publicly available annual school report card on</p> <ul style="list-style-type: none"> • An accountability system. • Student achievement at each level disaggregated by subgroup. • Percentage of students not tested. • Three-year achievement trend in each subject area tested and for each grade level. • Comparison of student assessment data to state's average in each tested subject. • Percentage of students making adequate academic growth. • The number of students who take alternative assessments. • Remediation rates. • NAEP results. • Other information as determined by the state. 	<p>Requires publicly available annual state report card on</p> <ul style="list-style-type: none"> • Student performance disaggregated by subgroup. • Participation rates on assessments. • Performance of students on other academic indicators. • Graduation rates. • School evaluation results. • Performance of English language learners. • Number of teachers in each rating category. • Other information as determined by the state. 	<p>N/A</p>	<p>Supports making data public through school report cards. Public, user-friendly reporting of all education and student achievement data in disaggregated formats, including resource allocations and funding levels, will allow transparency, promote equity, and empower all interested parties to hold appropriate entities accountable for their responsibilities to children.</p>

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TEACHER AND LEADER EFFECTIVENESS				
<p>Requires 100% of core subject teachers to be highly qualified:</p> <ul style="list-style-type: none"> Existing teachers must have had a BA and be certified or hold a license in the subject they teach. New teachers must hold a BA and pass subject-matter tests. 	<p>Same as current law, except for Hawaiian and native Alaskan teachers. Multisubject teachers may meet highly qualified requirements through distance learning.</p>	<p>Eliminates highly qualified teacher requirements.</p>	<p>Offers a waiver. See educator evaluation requirements two boxes below.</p>	<p>Believes each student should have access to highly effective teachers in every subject. Effective teaching leads to ongoing student achievement and growth; is evidence-based; and incorporates knowledge and skills into planning and preparation, classroom management, instruction, and subject content.</p>
<p>Allows alternative certification routes.</p>	<p>Same as current law.</p>	<p>Allows states to expand or improve alternative routes for certification or licensure.</p>	<p>N/A</p>	
<p>Requires states to provide scientifically based professional development for teachers of core academic subjects.</p>	<p>Same as current law.</p>	<p>Gives states flexibility to create professional development, but it is not required.</p>	<p>Requires states and districts to develop and implement teacher and principal evaluation and support systems that are likely to improve student achievement and the quality of instruction for students.</p>	<p>Believes school leaders and classroom educators need induction and mentoring supports, dedicated school time, and adequate resources to gain and sustain professional knowledge and skills. Endorses S. 1674, the Effective Teaching and Leading for Student Success Act, which would provide educators with the sustained professional knowledge, skills, and training necessary to address students' evolving needs.</p>
<p>Requires that Title II funds be used to prepare, recruit, and retain teachers and principals.</p>	<p>Same as current law and creates teacher and leader academies as alternative teacher preparation pathways.</p>	<p>Reformulates Title II funds into a new Teacher and School Leader Flexible grant program that allows funds to be used for professional development, recruitment/retention efforts, induction and residency programs, and other evidence-based initiatives for teacher and school instructional leaders.</p>		
<p>Requires schools and districts to develop instructional leadership capacity in principals.</p>	<p>Creates a new grant program to support principals as leaders in school improvement.</p>			

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TEACHER AND LEADER EFFECTIVENESS				
Does not require teacher evaluations.	Gives states the option to develop teacher evaluations. States receiving Teacher Incentive Fund grants are required to establish evaluation systems based at least in part on student growth.	Requires states to develop evaluation systems based on multiple measures, including student achievement, with weighting determined by state. Funds may be spent to implement an already adopted evaluation system.	Requires states to develop and pilot evaluation systems based at least in part on student growth.	Believes any evaluation of an educator or school leader's effectiveness must be based on multiple criteria, including classroom practice and student achievement in the subject area for which an educator or leader is responsible. The evaluation should be based on a combination of input, including student performance, classroom observations, and parental feedback. Such evaluations must be used for educators' continual improvement and professional growth.

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SCHOOL IMPROVEMENT				
Triggers corrective action for schools that fail to meet AYP in consecutive years. Interventions escalate annually: public school choice, supplemental services, reconstitution, school restructuring, and state takeover/charter conversion.	Allows states to choose from six federal interventions (see below) or propose additional interventions subject to federal approval. States must develop needs assessment, select an improvement strategy, monitor effectiveness, and provide technical assistance.	Requires states to help low-performing schools improve, but allows states to determine their own thresholds for designation and allows states to use their own intervention strategies. No percentage of schools is specified.	Requires states to use one of four federally prescribed improvement models in the 5% of lowest-performing schools that receive School Improvement Grants (SIGs). States use one of the four models or another federally approved strategy for an additional 10% of low-performing schools.	Believes school improvement strategies should support enriched curriculum and high-quality teaching and learning opportunities that engage students, families, and staff.
Allows SIGs to help low-performing schools in turnaround efforts.	Requires schools receiving SIGs to use one of six improvement models: 1. Transformation 2. Strategic staffing 3. Turnaround strategy 4. Whole school reform 5. Restart strategy 6. School closure strategy	Eliminates SIGs.	Makes SIGs available for states using four prescribed models: 1. Turnaround model 2. Restart model 3. School closure 4. Transformation model	Supports funding to ensure schools are able to fully implement effective improvement strategies.

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FUNDING				
Makes grants available to support various subjects, such as history/civics, foreign languages, music/arts, and physical education.	Consolidates individual grant programs into one. States may choose to apply for grants in any of the subject areas listed.	Eliminates all subject-specific grant programs.	N/A	Supports well-rounded education, including subject-specific grant programs that provide funding to support a whole child education.
Requires states and districts to provide resources equitably among Title I and non-Title I schools, but exempts teacher salary differentials.	Same as current law, but eliminates the exemption for teacher salary differentials.	Same as current law.	N/A	Supports full resources for education, including flexibility in the use of Title I funds for states and schools that consistently perform well, close achievement gaps, succeed in cohort comparisons, or improve educator effectiveness.
Requires states to maintain the current-year education funding level at 90% of the preceding fiscal year, regardless of the federal funding level.	Same as current law.	Eliminates states' maintenance of effort requirements.	N/A	
Establishes formula funding based on the number of children in poverty (65%) and the number of children living in the state (35%).	Same as current law.	Reallocates the funding formula based on the number of children in poverty (50%) and the number of children living in the state (50%).	N/A	
Appropriates federal funding for ESEA based on budget resolution and determinations for individual programs.	Same as current law.	Caps appropriations at FY12 levels. Future increases are limited to rises in the Consumer Price Index.	N/A	

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