

## **ELC Recommends Revisions to PA’s ESSA Plan to Improve Educational Opportunities and Close the Achievement Gap for Vulnerable Students**

### ***SUMMARY OF RECOMMENDATIONS***

#### **RECOMMENDATIONS TO ENSURE AN EFFECTIVE ACCOUNTABILITY SYSTEM:**

- Establish meaningful, aggressive, and consistent goals to ensure that children of *all* races, socio-economic backgrounds, etc. are prepared for future success;
- Establish clear metrics for identifying low-achieving schools and clarify how all accountability measures will be weighted;
- Explain *how* the state will hold schools and districts responsible for educating all students and *detail* the procedures, methods, and interventions for addressing and closing our wide achievement gaps forged by gross disparities in school funding and educational opportunities;
- Remove “career readiness” as an accountability metric in its current form, on the grounds that it is highly subjective and addresses student career exploration rather readiness.
- Add other evidence-based measures to Pennsylvania’s accountability system or Future Ready PA Index, such as school climate, the adequacy and equity of funding, and progress toward closing the achievement gap for additional at-risk students such as students in foster care, those experiencing homelessness, and those in the juvenile justice system;
- Make additional refinements to accountability methods to ensure the accuracy and reliability of data to assess schools such as (1) lowering the N-size from 20 to 10; (2) placing specific and greater weight on academic indicators, including language proficiency; (3) clearly requiring 95% participation in annual assessments for the all student group and every student subgroup;
- Provide a more detailed description of evidence-based interventions, state monitoring procedures, and exit criteria for low-performing schools.

#### **RECOMMENDATIONS TO IMPROVE SCHOOL CLIMATE:**

- Include school climate as an accountability measure;
- Require schools to address the fact that students of color, students with disabilities, LGBTQ students, and other educationally at-risk groups are disproportionately affected by bullying and harassment and punitive exclusionary discipline policies, which negatively impact academic progress;
- Articulate a detailed plan for the collection of data regarding incidences of bullying and harassment in all Pennsylvania schools, disaggregated by the race, gender, disability status, and age of the bullying victim and publish this data in the Department’s Safe Schools report on an annual basis;
- Charge the PDE Office of Safe Schools to receive and investigate complaints related to bullying and harassment in Pennsylvania’s schools and collect and maintain data regarding outcomes. Publish an annual report detailing the number of complaints filed, the outcomes of complaints and investigations, and trends in the nature of complaints, including data regarding the race, gender, and disability status of the bullying victim and

whether the bullying was based in whole or in part on racial, gender, religious and/or disability bias;

- Provide technical assistance to schools and/or school districts where (1) the Department has received a critical number of complaints regarding bullying and harassment and (2) the Department has determined a need for intervention based on information received through an investigation or other source;
- Define exclusionary discipline practices, aversive behavioral interventions, and overuse of discipline practices with clarity and precision;
- Reduce the overuse of exclusionary disciplinary practices by developing and publishing an annual review of Safe Schools data, as well as recent CRDC data, to identify schools with either (1) significant disproportionalities (racial, disability, etc.) in the use of suspensions (both in-school and out-of-school), expulsions, referrals to AEDY, and referrals to law enforcement and (2) high numbers of suspensions, expulsions, referrals to AEDY, and referrals to law enforcement, and target those schools for technical assistance and corrective action;
- Earmark funding specifically for schools to use to reduce racial and other disproportionalities in school discipline and the overuse of exclusionary practices;
- Further refine the definition of “chronic absenteeism” to validly include all such students and reduce the potential ways to manipulate and game chronic absenteeism data;
- Articulate a clear plan to assist schools in addressing chronic absenteeism.

### **RECOMMENDATIONS TO IMPROVE SCHOOL READINESS:**

- Require the Office of Child Development and Early Learning (“OCDEL”) to collect data and disaggregate data based on race, ethnicity, and disability to monitor and ensure equitable access to quality programs that improve school-readiness;
- Include rates of suspensions and expulsions in preschools as a critical measure of positive school climate;
- Ensure smooth and successful transitions from early childhood programs to school by collecting transition-related data.

### **RECOMMENDATIONS TO IMPROVE EDUCATIONAL OUTCOMES FOR AT-RISK STUDENTS:**

#### **Students with Disabilities**

- Articulate how Pennsylvania will ensure meaningful consultation with the disability community;
- Provide guidance to LEAs regarding the definition of “Most Significant Cognitive Disabilities” so that IEP Teams make informed decisions about a student’s participation in alternative assessments;
- Include former students with disabilities who lost their disability designation in the current school year in the subgroup;
- Revise the Plan’s definition of chronic absenteeism to ensure that students with disabilities have equal access to inclusive instructional opportunities;

- Explain how the State will empower excellent special educators to promote the inclusion of students with disabilities and meet their individualized needs;
- Identify strategies to reduce the use of illegal aversive techniques and bullying, harassment, and exclusion of students with disabilities.

### **Students in Foster Care**

- Explain how the State will ensure school stability and immediate enrollment for all students in foster care pursuant to the requirements of ESSA;
- The Plan should address the following issues: (1) definitions of school of origin and child in foster care; (2) best interest determination and transportation procedures; (3) a dispute resolution process with regard to scope and how it will be accessed; (4) immediate enrollment procedures and (5) the roles and responsibilities of Points of Contact;
- The Plan should state specifically how it will ensure that students with disabilities are provided with critical special education and related services and how PDE and local education agencies will fulfill their duties to these highly mobile students, particularly those attending on-grounds schools;
- PDE should monitor and assess the educational programs in residential placements through annual public reviews that include assessing progress made while in placement;
- With regard to data collection and reporting, the Plan should define how students will be identified; and include four-year adjusted cohort graduation rates, extended-year adjusted cohort graduation rates, and two disaggregated subgroups: (1) students in foster care at the time of graduation and (2) students who ever qualified as children in foster care in grades 9-12;
- Designate students in foster care as a subgroup for all reporting purposes;
- Commit to issuing an Annual State Report Card regarding the graduation rates and academic achievement data of children in foster care.

### **Students in the Juvenile Justice System**

- Explain how and under what circumstances facilities will conduct meaningful education assessments upon a student's entry into a juvenile justice facility;
- Define with clarity the requisite components of such an education assessment and when a youth has "come into contact" with both the child welfare and Juvenile Justice systems;
- Develop a detailed description of the systemic procedures and evaluation tools whereby the State will provide opportunities for students to participate in credit-bearing coursework and career and technical education while ensuring that youth have *equal access* to traditional coursework that leads to recognized academic credit;
- Explain *how* PDE will ensure that upon reentry, students exiting the juvenile justice system will be timely re-enrolled in an appropriate quality education program or career and technical education program that best meets the needs of the student rather than placed in an alternative school or GED program;
- Describe how students with disabilities in the juvenile justice system will be provided with critical educational services;
- Monitor and assess the educational programs in juvenile justice facilities through annual public reviews that include assessing progress made while in placement;

- Devote resources to a reentry education guidance package for both juvenile justice and education stakeholders based on stakeholder input.

### **Students Experiencing Homelessness**

- Describe how PDE will implement the new data collection requirements and commit to issuing an Annual State Report Card;
- Designate students who are homeless as a subgroup for all reporting purposes;
- Calculating graduation rates both for students who are currently homeless at the time of reporting in twelfth grade (point-in-time cohort) and calculate rates for students who *ever* experienced homelessness while in high school;
- Describe how PDE will implement new ESSA requirements through the issuance of revised PDE guidance that includes:
  - o a revised best interest analysis; a definition of school of origin that includes pre-school children; a clarification that the right to school stability applies to “receiving” schools at the next grade level; a clarification that transportation must be provided until the end of the school year when a student finds permanent housing; delineate policies to eliminate barriers to academics and extracurriculars and a procedure for LEAs to affirm students’ eligibility for HUD assistance; require LEAs to explain how individualized college counseling will be provided to older youth experiencing homelessness and how unaccompanied youth shall be informed of their independent students and obtain LEA verification of that status.

### **English Language Learners**

- Describe how PDE will implement the new data collection requirements and commit to issuing an Annual State Report Card;
- Include former English Learners in the EL subgroup accountability metric;
- The timeline for English Learners to achieve English language proficiency must not exceed five years;
- Do not delay reporting for newly arrived Els until the fourth year; require test results to be reported no later than the third year to ensure that these students make sufficient progress;
- Require LEAs to report not only on aggregate Els but separately on English learners with disabilities, and other disaggregated subgroups of Els such as long-term ELs, recently arrived Els, and EL students with limited or interrupted formal education (“SLIFE”). This will enable LEAs to better tailor services for these unique subgroups;
- Establish clear and consistent exit criteria applicable to all EL students.