

Every Student Succeeds Act Side-by-Side

	No Child Left Behind	NCLB Waivers	Every Student Succeeds Act
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TITLE I			
Length	The authorization period for the entire law was five years from 2003 through 2007.	Not applicable.	The authorization period for the entire law is four years from 2017 through 2020.
Role of Governor	Governors have no recognized role in NCLB.	Governors have no recognized role in NCLB waivers.	In order to receive an ESEA grant, the state education agency develops the state plan with required collaboration with the Governor. The consultation shall include meetings of officials from the state educational agency and the Governor's office. Governors would sign off on the ESEA state plan. Governors are the grantee for the Preschool Development Grant programs.
Academic Standards	All states are required to have academic content and achievement standards in reading/English language arts, math and science.	All states are required to have fully implemented "college and career ready" standards in all public schools in the state for all students, including English Learners, students with disabilities, and low-achieving students. A state's public 4- year university system must certify that mastery of the standards ensures that a student will not need to take remedial coursework upon admission to a postsecondary institution.	Each state's plan must provide an assurance that the state has adopted challenging academic content standards and aligned academic achievement standards ("challenging state academic standards") that include not less than three levels of achievement. Standards must apply to all public schools and public school students in a state. States are required to have academic standards for math, reading or language arts, and science and may have them for any other subject determined by the state. The state must demonstrate that standards are aligned with state higher education entrance requirement for credit-bearing coursework.
ELP Standards	Each state is required to have English language proficiency (ELP) standards.	Waivers maintain the requirement to have ELP standards.	Each state required to adopt ELP standards aligned to the state's reading or language arts content standards. Standards must be aligned to ensure students who meet the standards are on track for postsecondary education or employment.

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Alt. Stds.	Alternative standards for students with the most severe cognitive disabilities are permitted by regulation, but not described in law.	Permitted and requires that they must be consistent with	States statutorily permitted to adopt alternate achievement standards for students with the most severe cognitive disabilities on a case by case basis with approval from the Department.
Prohibitions	“Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s specific instructional content, academic achievement standards and assessments, curriculum, or program of instruction.”	None.	A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval. The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.
Assessment Frequency	All states must assess students in math and reading/English language arts and science. Math and reading/English language arts must be assessed: <ul style="list-style-type: none"> Annually in grades 3-8; and Once in grades 10-12. Science must be assessed: <ul style="list-style-type: none"> Once in each of the following grade spans: <ul style="list-style-type: none"> 3-5; 6-9; and 10-12. States may assess other subjects.	Maintains NCLB testing frequency requirements with additional requirement that assessments must be aligned to college- and career-ready standards. States would be permitted to request flexibility for local school districts to pilot innovative assessments, including competency- and portfolio-based assessments.	Maintains NCLB testing frequency requirements with additional requirement that assessments must be aligned to college- and career-ready standards. Assessments must measure multiple measures of student achievement, including higher-order thinking skills and student growth. States are permitted to meet these requirements by administering a single summative assessment or multiple assessments during a school year. Each method must result in a single summative score. Portfolios, projects, extended performance tasks and computer-adaptive assessments are permitted testing practices. States may cap the amount of time devoted to administration of assessments in each grade. States may approve district substitution of a nationally-recognized exam for the required assessment in high school.

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Results Disaggregation	<p>Assessment results must be disaggregated by states, districts and schools into the following subgroups:</p> <ul style="list-style-type: none"> Racial or ethnic; Economically disadvantaged; Students with disabilities; English language proficiency; Gender; and Migrant status. 	Maintains NCLB requirements.	Maintains NCLB requirements.
Prohibitions	None.	None.	“The Secretary shall assist with the identification of appropriate academic assessment measures in the needed languages, but shall not mandate a specific academic assessment or mode of instruction.”
Assessment Participation	<p>Annually, states must ensure that assessments measuring achievement are administered to not less than 95% of the overall student population and 95% of each individual subgroup.</p> <p>Includes no provision allowing parents to opt their students out of assessments.</p>	Maintains NCLB requirements.	<p>Maintains NCLB requirements.</p> <p>Includes clarification that nothing in ESSA preempts state law permitting parents to opt their child out of assessments, but does not exempt states from the 95% requirement if they such a law in place.</p> <p>Districts must notify parents of any state or local policies regarding student participation in assessments.</p>
Assessments for Students w. Disabilities	<p>In NCLB, states are permitted to offer alternative assessments to students with disabilities, but the law did not limit their use or dictate how they apply to accountability.</p> <p>Federal regulations require assessments be aligned with the state’s alternative standards and place a 1% cap on the percentage of students in the state that may be offered these assessments.</p> <p>A previous regulation allowing a 2% cap has been phased out.</p>	Maintains 1% regulation, but requires states to administer regular assessments to students with disabilities once states have fully implemented assessments based on college- and career-ready standards.	<p>States may administer alternative assessments aligned with the state’s alternative academic achievement standards to students with the most severe cognitive disabilities.</p> <p>In each subject, the alternative assessments may not be administered to more than 1% of all students in the state.</p> <p>States may not place a cap on district use of alternative assessments and must provide additional oversight to those districts utilizing these assessments on more than 1% of students.</p>

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ELP Assessments	Districts must annually assess and report the English language proficiency (ELP) of recently-arrived students whose native language is not English.	Two states were granted waivers to exempt English language learners entering school from ELP assessments for up to 24 months and for the purposes of accountability.	Maintains NCLB requirement, but allows states to exempt English language learners entering school from ELP assessments for up to 24 months and for the purposes of accountability. OR A state may assess recently arrived English learners in the first year, use a measure of ELP growth in the second year and use overall proficiency in the third and subsequent years.
Innovative Assessments	Innovative assessments are not addressed in NCLB.	One state (New Hampshire) was granted a waiver to administer an innovative assessment pilot in a small number of districts. The waiver was granted one and a half years after the state submitted their request.	Up to seven states, and a consortia of no more than four states, may implement an innovative assessment and accountability pilot which may include: the use of competency- or performance-based assessments for accountability purposes, and removes the requirement for annual statewide assessments to be used for accountability purposes.
Assessment Reduction	States are provided formula grants to develop and implement the annual assessments required by NCLB. Competitive grants to states or state consortia are also authorized to improve assessments or develop new assessments beyond the requirements of the law.	Maintained.	Maintained and states are permitted to use 20% of funds to audit assessments and for activities to reduce the number of assessments or the amount of time spent administering assessments.
Proficiency Goal	States were required to ensure that all students in all schools meet 100% proficiency.	The 100% federal goal was replaced with performance targets detailed below.	This federal proficiency goal is repealed.

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Annual Accountability Measures	<p>States must develop and maintain an accountability system based on Adequate Yearly Progress (AYP) toward the 100% proficiency goal. AYP is state-determined, but must take into account:</p> <ul style="list-style-type: none"> • student academic achievement on required math and reading exams; • 95% participation (see above) in assessments by all students and each disaggregated subgroup; and • Student performance on another academic factor, which must include high school graduation rates. <p>AYP must be determined for all students and each subgroup of students. If districts and schools do not meet the three factors above for all students and each subgroup, they do not meet AYP.</p>	<p>To qualify for a waiver, states committed to:</p> <ul style="list-style-type: none"> • setting new AMOs (see below) by subgroup that would cut the achievement gap in half between where scores are now and 100% in 6 years; or • setting new AMOs to ensure all students to 100% proficiency by 2020, using school year 2010-2011 data as the initial measure; or • developing their own ambitious, but achievable AMOs on a different timeline than the previous two options, upon negotiation with the Secretary. 	<p>AYP is repealed and replaced with a single state-designed and –determined accountability system.</p> <p>For all students and each subgroup of students, the statewide accountability system must annually measure:</p> <ol style="list-style-type: none"> 1. Academic achievement measured by proficiency on annual assessments – which may include student growth for high schools. 2. In elementary and middle grades - a measure of student growth or other valid and reliable indicator that allows for differentiation in student performance. 3. In high schools – a four-year adjusted cohort graduation rate with an extended year graduation rate allowable at the state’s discretion. 4. Progress in achieving English language proficiency. 5. At least one indicator of school quality or student success that is “valid reliable, comparable and allows for meaningful differentiation. <ul style="list-style-type: none"> • Any additional measures as determined by the state.
Annual Objectives/Goals	<p>To ensure schools make progress toward the federal 100% proficiency goal, states must negotiate annual measurable objectives (AMOs) for reading and mathematics with the Secretary. AMOs must be set for subgroups in all schools and districts and measured using federally-required assessments.</p>	<p>To qualify for a waiver, the Department prescribed annual performance targets for all students and each subgroup of students, including English language learners.</p>	<p>AMOs are eliminated and replaced with state-set long-term goals encompassing all subgroups with measures of interim progress established to meet those goals. The goals and interim measures must be based on indicators in the accountability system, including academic achievement and graduation rates.</p> <p>States must also set goals to increase the percentage of English language learners achieving proficiency on assessments aligned with state ELP standards.</p>
Differentiation	<p>States were not required to differentiate schools, but narrow requirements were prescribed for determining if schools or districts met AYP, including federally-dictated levels of student performance on annual assessments in math and language arts.</p>	<p>Not required.</p>	<p>States define and establish a system of meaningful differentiation for all public schools in the state based on state-determined measures. The system must be based on the indicators for all students and for all subgroups. The system must assign substantial weight to each indicator and indicators I-IV (as described above) in the aggregate will be afforded “much greater weight” than indicator V.</p>

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School Improvement Identification	<p>States are required to administer a federally-prescriptive regime of identification and actions and identify districts as needing improvement. Schools must identify based on the following criteria:</p> <ul style="list-style-type: none"> • After missing AYP for two years, schools must be identified for school improvement. • After missing AYP for four years, schools must be identified for corrective action. • After missing AYP for five years, schools must be identified for restructuring. 	<p>States are required to identify three main categories of schools:</p> <ul style="list-style-type: none"> • Focus Schools – the 10% of schools with the largest achievement gaps; and • Lowest-Achieving Schools – the lowest achieving 5% of schools. <ul style="list-style-type: none"> ○ High schools that have less than a 60% graduation rate are also identified as lowest-achieving schools. • Reward Schools – the top performing schools in the state. 	<p>Beginning in School Year 2017-2018 and every three years thereafter, states must identify schools in need of comprehensive support and improvement using a state-designed methodology. States may set their own categories of schools for identification, but are required to identify:</p> <ul style="list-style-type: none"> • The lowest-performing 5% of all schools receiving Title I funds due to overall performance or subgroup performance; • High schools failing to graduate 1/3rd or more of their students; • Schools that have not improved within a state-determined number of years not exceeding 4 years.
School Improvement Activities	<p>Mandated federal interventions for identified schools:</p> <ul style="list-style-type: none"> • <u>School improvement</u> requires: reserving 10% of Title I funds for educator professional development, providing students the opportunity to attend another public or charter school (using up to 20% of Title I funds) and requires offering students private tutoring. • <u>Corrective action</u>, in addition to school improvement activities, requires: replacing low-performing educators, comprehensive installing a comprehensive new curriculum and internal reorganization of the school. • <u>Restructuring</u>, in addition to the actions above, requires significant governance changes that include: reopening the school as a public charter school, replacing all or most of the school’s staff, or turning operation of the school over to a private management company. 	<p>NCLB interventions are not required if a state has been granted a waiver. Instead, states must require priority schools to implement one of four federally-prescribed school improvement models:</p> <ul style="list-style-type: none"> • <u>Turnaround</u> – Replace principal and at least 50% of school staff, adopt new governance and implement a new or revised instructional program. • <u>Restart</u> – Close the school and restart it under the management of a charter school operator or education management operator. • <u>Closure & Consolidation</u> – Close the school and enrolling students who attended the school in other public schools in the district. • <u>Transformation</u> – Develop teacher and school leader effectiveness programs, implement comprehensive instructional reforms, extend learning time and provide operating flexibility in the school. 	<p>Federal school improvement models are repealed.</p> <p>For each school identified as low-performing, districts must develop a comprehensive support and improvement plan that included “evidence-based” interventions. The plan should be developed after a needs assessment and identification of resource inequities in each low-performing school.</p> <p>States must approve the plan, conduct ongoing monitoring of schools and take more state-determined rigorous action after a state-determined number of years, not to exceed 4 years.</p> <p>Each school identified for low subgroup performance must develop and implement a targeted support and improvement plan that includes “evidence-based” interventions and identified resource inequities. Districts must monitor and support those schools. States must identify the schools for comprehensive support and improvement detailed above if they do not improve in a state-determined number of years.</p>

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School Improvement Funding	<p>The law authorizes formula grants to states for subgrants to districts to provide assistance to schools on federally-mandate interventions listed above.</p> <p>Formula grants were authorized for 1 year before an alternative program was developed by the Secretary through the federal rulemaking process.</p>	<p>The American Recovery and Reinvestment Act (ARRA) granted the Secretary authority to develop an alternative program to NCLB's mandated interventions. The Secretary designed the School Improvement Grant (SIG) program consisting of four school improvement models listed above. ARRA also authorized more than \$3 billion in FY 2009 for states to implement SIG. In subsequent years, states received a smaller amount. In FY 2015, states received \$505 million for SIG.</p>	<p>SIG is repealed and subsequent funding is re-allocated to Title I. Beginning in FY 2016, states are required to reserve the greater of 7% of the total amount the state receives under Title I-A or the sum of the amount the state received for SIG in 2015.</p> <p>Beginning in FY 2018, the state would only be permitted to reserve the full amount permitted under Title I for school improvement if the reservation does not result in school districts in the state during the previous year.</p>
Choice/Tutoring	<p>Districts and schools identified as in need of improvement are required to reserve 20% of their Title I-A funds for public school choice (transportation) and private tutoring/supplemental education services.</p>	<p>States with waivers are exempt from the school choice and tutoring reservation requirement.</p>	<p>The school choice/tutoring reservation is repealed. States may reserve up to 3% of the total amount of Title I-A funding to make competitive grants to districts for direct student services, including career and technical education, Advanced Placement/International Baccalaureate test fees, tutoring and transportation to support public school choice.</p>
Prohibitions	<p>None.</p>	<p>None.</p>	<p>The U.S. Secretary of Education is prohibited from:</p> <ul style="list-style-type: none"> • requiring a state to add new requirements inconsistent with or outside the scope of Title I, Part A; • prescribing goals of progress or measurements of interim progress that are set by states under the accountability system; • prescribing specific assessments or items to be used in assessments; • prescribing indicators that states must use; • prescribing the weight of measures or indicators; • prescribing the specific methodology states must use to differentiate or identify • schools; • prescribing school improvement strategies or exit criteria; • prescribing min. N-sizes; • prescribing any teacher or principal evaluation system; • prescribing any measures of teacher or principal effectiveness; and

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			<ul style="list-style-type: none"> prescribing the way in which the State factors the 95% requirement into their accountability system. <p>The Secretary also has no authority to issue new non-regulatory guidance that provides a strictly-limited exhaustive of list;</p> <ul style="list-style-type: none"> provide a strictly limited or exhaustive list for implementation purposes; purports to be legally binding or requires new data collection beyond data from existing Federal, State and local reporting; and define a term that is inconsistent with or outside the scope of Title I, Part A. <p>Federal law or regulation may not prohibit parents from taking over consistently low-performing schools, if consistent with state and local law.</p>
NAEP	States must participate in 4th and 8th grade reading and mathematics assessments under the National Assessment of Education Progress (NAEP) if the Secretary pays for the costs of such assessments.	Maintains NCLB requirements.	Maintains NCLB provision.
State Report Cards	<p>States must submit to the Secretary an report card that includes:</p> <ul style="list-style-type: none"> State assessment results by performance level and disaggregated by subgroup; Accountability information comparing achievement goals and actual performance; Percentage of each group of students not tested; An additional state-determined indicator of student performance, for elementary and middle school academic achievement; Graduation rates for secondary school students; District and school progress in making Adequate Yearly Progress goals. Professional qualifications of teachers in the state; Percentage of teachers teaching under emergency or provisional credentials; and 	Maintains NCLB requirements.	<p>States must submit to the Secretary an report card that includes:</p> <ul style="list-style-type: none"> Goals and indicators used to differentiate schools; Disaggregation of achievement data based on academic assessments; Percentage of students not tested; Disaggregated high school graduation rates; English language proficiency acquisition rates; All schools identified for improvement; State-determined measures of school quality; Data from the state’s Civil Rights Data Collection survey; Professional qualifications of teachers, principals, and other school leaders, disaggregated by high-poverty schools and low- poverty schools; Per-pupil expenditures, disaggregated by source of funds State NAEP results in grades 4 and 8;

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	<ul style="list-style-type: none"> Percentage of classes statewide taught by teachers not meeting the highly qualified teacher requirements, in total and categorized by high-poverty and low-poverty schools. 		<ul style="list-style-type: none"> Beginning in 2017, the rate at which high school students attend college; and Any additional information/data the state chooses to provide. <p>States must assess the state system for collecting data for report cards and provide technical assistance to reduce the data collection burden on school districts.</p>
Local Report Cards	Annual district report cards must report the same information as the state reports, categorized by district level and school level.	Maintains NCLB requirements.	Maintains NCLB requirements.
Data Subgroups	States and school districts must collect disaggregate data for subgroups that include: <ul style="list-style-type: none"> Low-income students; Students from major racial and ethnic groups; Students with disabilities; English language learners; Migrant status; and Gender. 	Maintains NCLB requirements.	Maintains NCLB requirements and also requires states and districts to collect and disaggregate data for subgroups that include: <ul style="list-style-type: none"> Homeless students; Students in foster care; and Students from with at least one parent currently serving in the armed services.
Schoolwide Programs	For schools with at least 40% of the student body living in low-income households, the school district may consolidate their state, local and federal funds to upgrade an entire educational program. Schools must provide record that Title I funds are spent on allowable uses and provide additional services to students identified as failing or at risk of failing to reach proficiency.	Maintains NCLB requirements.	Maintains NCLB requirements, but allows states to approve districts to operate a schoolwide program with a poverty percentage below 40%.

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State Plan Process	The Secretary is required to approve a Title I state plan within 120 days of submission by the states unless the Secretary determines it does not meet NCLB requirements. States are permitted to revise and resubmit their plan if originally denied by the Secretary.	Not applicable.	<p>The Secretary is required to approve a Title I state plan within 120 days of submission by the states unless the Secretary is permitted to reject the plan based on criteria established in ESSA. The Secretary is prohibited from requiring states to submit standards for approval or review. The Secretary must establish a peer-review process to assist in the review of state plans.</p> <p>State plans must be made publically available for review before submission to the Secretary. The federal government is permitted to withhold all funds for state administration of Title I if the state fails to meet the requirements they agree to in an approved state plan.</p> <p>If the Secretary determines that the plan does not meet the requirements of Title I, states would be permitted to revise and resubmit the plan within 45 days. The Secretary must provide technical assistance for re-submittal of the plan.</p>
Title I Formula	<p>States must subgrant their allocation of Title I to school districts based on four formulas based on:</p> <ul style="list-style-type: none"> • Counts of children from low-income households; • Concentrations of children from low-income households; • State per-pupil education spending; and • Measures of state efforts and equity in supporting education. 	Maintains NCLB requirements.	Maintains NCLB requirements.
TITLE II – Preparing High-Quality Teachers and School leaders			
Highly Qualified Teachers	States must ensure that all teachers meet the federal definition of “highly qualified,” which requires that teachers possess a bachelor’s degree, hold a full teaching certification and demonstrate subject-matter expertise in each subject they teach. If a school or district cannot demonstrate that the majority of their teachers are highly qualified, the state must take over their professional development programs.	Maintains NCLB highly qualified definition, but does not require state to take over a school or district’s professional development program.	Repeals federal definition of “highly qualified.” Instead, teachers and paraprofessionals must meet state certification and licensure requirements required for the subjects they teach.

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Educator Evaluation Systems	No requirements or recognition of state or local teacher and school leader evaluation systems are included in the law.	To qualify for a waiver from NCLB, states must develop, adopt and implement teacher and principal evaluation and support systems with the following characteristics: <ul style="list-style-type: none"> • Results must be used for continual improvement of instruction; • Results must differentiate between at least three performance levels; • Indicators must include multiple valid measures in determining performance levels, including student growth as a significant factor; • System must be used to evaluate teachers and principals on a regular basis; • Indicators are designed to provide feedback that identifies needs and guides professional development; and • Data must be used to inform personnel decisions. State must develop and adopt guidelines for local teacher and principal evaluation.	States are not required to establish teacher and/or school leader evaluation systems. States may utilize Title II funding to fund the development and/or ongoing administration of a state-determined teacher and school leader evaluation system. The Secretary may not prescribe any specific characteristics that states must use for their teacher or school leaders evaluation systems. If a state operates a teacher and school leader evaluation system, the state must make public any methods or criteria used as part of the evaluation system.
Title II Formula	The federal government must distribute Title I funds among the states based: <ul style="list-style-type: none"> • 35 percent on each state’s share of the total 5-17 year old population; and • 65 percent on each state’s share of the 5-17 year old population living in poverty. No state can receive an additional allocation that is less than one-half of one percent of the overall national funding.	Maintains NCLB requirements.	The formula for distribution of Title II funds to states would change from 65% poverty and 35% population to 80% poverty and 20% population. The transition to the new formula takes place over seven years with a 14.29% reduction for each year for states losing money under this new provision.
Equitable Distribution	States must provide a plan to make certain that schools receiving Title I funding provide instruction from “highly qualified” teachers or paraprofessionals. The plan must include safeguards to ensure that low-income and minority students are not instructed at higher rates than other children by unqualified or inexperienced teachers. States must also provide a description of how they will evaluate district and school progress on equitable distribution.	Maintained NCLB requirements. In 2014, states were required to update their plans to address equitable distribution of teachers and submit an updated plan to the Secretary. These plans were designed with the federal definition of “highly qualified” still in place.	Maintains NCLB requirements. In January 2016, The Secretary announced that states would have to demonstrate to the federal government by Summer 2015 that they have begun implementing their updated plans. The federal definition of “highly qualified” has been repealed.

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	TITLE III – Language Instruction for English Learners		
	<p>Formula grant allocations made to states based on the proportion of LEP students and immigrant students in each state relative to all states. States make subgrants to eligible entities based on the relative number of LEP students in schools served by the eligible entity. States required to reserve up to 15% of the state allocation to make grants to eligible entities that have experienced a significant increase in the number of immigrant students enrolled in schools in the geographic area served by the eligible entity.</p> <p>Funds must be used to increase the English language proficiency of ELP students by providing high-quality instructional programs that are grounded in scientifically based research. Funds must also be used to provide high-quality professional development to school or staff-based personnel that work with LEP students.</p> <p>Each state is required to develop and hold eligible entities responsible for meeting annual measurable objectives.</p>	<p>Maintains NCLB requirements.</p>	<p>States must establish and implement, with consultation with school districts: standardized statewide entrance and exit procedures for English learners; educator professional development and preparation activities to improve; teaching skills in meeting the diverse needs of English learners; technical assistance to improve the education of English learners; and providing recognition to subgrantees who improve the progress of English learners in long-term goals and measures of interim progress for English proficiency and the challenging State academic standards.</p>
	Title IV – 21st Century Schools		
Student Support & Enhancement Grants	<p>None.</p>	<p>None.</p>	<p>Each state receives a formula grant to increase the capacity of their education system to provide a well-rounded education, improve school conditions for learning and improve school technology.</p> <p>States must allocate 95% of funds to school districts for flexible use that may include:</p> <ul style="list-style-type: none"> • STEM, history, computer science, arts and music education programs • Accelerated learning programs • School-based mental health services/drug prevention • Bullying and dropout prevention; healthy lifestyle • Building blended learning and technological capacity • Digital learning and rural internet access

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	Early Childhood Education Provisions in ESSA		
Preschool Development Grants	Not included.	<p>Beginning in 2014, governors were awarded \$250 million in competitive grants each year from the U.S. Department of Education to develop or expand access to high-quality pre-K slots for four-year-olds from low-income families.</p> <p>To qualify for funds, states must establish quality indicators, including full-day preschool programs and preschool teachers with bachelor’s degrees paid comparably to K-12 educators.</p>	<p>Authorizes a competitive grant program for governors to improve collaboration and coordination among state and federal early education programs with the K-12 system. Governors must also use the grant to improve student transitions from early education into kindergarten.</p> <p>States are no longer required, but they are encouraged, to have in place quality indicators for early education programs receiving grant funds. States may apply for an initial one-year grant focused on collaboration and a three-year renewal grant focused on early education transitions.</p>
Early Education Opportunities Throughout Law	No Child Left Behind included vague language that allowed states or districts to target resources for early childhood education, but this flexibility was not widely utilized.	Not included.	<ul style="list-style-type: none"> • Title I funds are permitted to be used on programs increasing the quality of transitions between early education and K-12. • Title I state and local plans ask for descriptions of support, coordination of services and the transition process with early childhood education programs and the local educational agency or elementary school. Preschool programs are defined in ESSA as being for children under age 6. • Title II funds may be used to encourage Collaboration between elementary school leaders, teachers and paraprofessionals with early childhood education directors and providers is allowable by having joint professional learning and planned activities that help children with the transition to elementary school and assist with school readiness. • Early childhood education programs are included as an eligible entity in several literacy grant programs. • The allowable use of Title III funding is expanded to include early childhood education programs and to support school readiness and the transition from early childhood education programs for English learners.

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	Other Titles-Funding Provisions		
Maintenance of Effort	In each school year, states and school districts must maintain at least 90% of the amount of state and/or local K-12 education funding expended in the prior fiscal year.	Maintains NCLB requirements.	Maintains NCLB requirements at 90% of the fiscal effort from the previous year and provides additional flexibility that: <ul style="list-style-type: none"> • Provides one year grace period for states and districts to restore K-12 education funding if the federal government determines that their financial support fell below the federally-mandated level; or • If states or districts institute policies to make state or district school systems more efficient, they will not be penalized.
Funding SNS	NCLB continues longstanding federal policy that requires federal funds be used to augment regular state and local education funding. States and districts are prohibited from substituting federal funds for funding or services that would otherwise be provided by the state or the school district.	Maintains NCLB requirements.	Maintains NCLB requirements, but prohibits the Secretary from requiring states or school districts to: <ul style="list-style-type: none"> • Justify individual costs or services; or • Provide services through a particular instruction method.
Transferability	States and school districts are permitted to transfer up to 50% of a program's allocation under Title II to Title I. States or LEAs are not permitted to transfer funds out of Title I.	Maintains NCLB Requirements	States and school districts may transfer 100% of funds between Title II and Title IV.
Waivers from Statutory Provisions	States and school districts may request waivers of NCLB provisions. States must submit justification for how the waiver will continue to prioritize the academic achievement of students. Waivers are not permitted for: allocations or distributions of funds to states, LEAs or other recipients; maintenance of effort; comparability; supplement not supplant; private school participation; parental participation and involvement; civil rights; charter school requirements; prohibitions regarding state aid and religious instruction; and prohibitions on using funds for distribution of materials that encourage sexual activity.	Waivers from NCLB were granted under this authority, but were made conditional on accepting other requirements offered by the Secretary. Under NCLB, conditional waivers are not prohibited.	States may request a waiver for any statutory or regulatory requirement under ESSA at any time after passage. School districts would be permitted to request a waiver from ESEA statutory and regulatory requirements only after approval for the waiver request is granted by the state education agency. The U.S. Secretary of Education would be required to approve the waiver request within 60 days after the state submits it. States are given an opportunity to revise and re-submit the waiver request within 60 days after the Secretary notifies that state that their waiver has not been approved.

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			<p>States would be granted the right to request a hearing if their waiver request is denied after re-submission of the request.</p> <p>The Secretary would be prohibited from disapproving a waiver request for conditions outside of the scope of the waiver request.</p>
40 Program Eliminations and Consolidations			
	<p>** Funded in FY 2015</p> <ul style="list-style-type: none"> • School Improvement Grants (SIG)** -- \$505,756,000 • Race to the Top • Reading First • Early Reading First • Even Start • Improving Literacy through School Libraries • Close Up Fellowships • Comprehensive School Reform • Advanced Placement** -- \$28,483,000 • School Dropout Prevention • Math and Science Partnerships** -- \$152,717,000 • Transition to Teaching ** -- \$13,700,000 • National Writing Project • Cooperative Education Exchange • Teaching of Traditional American History • Educational Technology (Ed-Tech) • Safe and Drug Free, State Grants • Safe and Drug Free, National Programs** -- \$70,000,000 • Alcohol Abuse Reduction • Mentoring Programs • Innovative Programs 	<ul style="list-style-type: none"> • Voluntary Public School Choice • Elementary and Secondary School Counseling** -- \$49,561,000 • Character Education • Smaller Learning Communities • Reading is Fundamental • Star Schools Program • Ready to Teach • Foreign Language Assistance • Carol M. White Physical Education Program** -- \$47,000,000 • Community Technology Centers • Exchanges with Historic Whaling and Trading Partners • Excellence in Economic Education • Grants to Improve the Mental Health of Children, Mental Health Integration in Schools • Grants to Improve the Mental Health of Children, Foundations for Learning Parental Assistance and Local Family Information Centers • Combating Domestic Violence • Healthy, High-Performance Schools • Grants for Capital Expenses of Providing Equitable Services for Private School Students • Additional Assistance for Certain Local Educational Agencies Impacted by Federal Property Acquisition • Women’s Educational Equity Act 	
Major ESSA Program Funding			
	<p>Every Student Succeeds Act – Numbers in thousands</p> <p>Total FY 2015 Appropriation for ESEA programs: \$23,304,953</p> <p>Total Authorized levels in ESSA:</p> <ul style="list-style-type: none"> • FY 2017: \$24,540,409 (+\$1,235,456 over FY 15, +5.3%) • FY 2018: \$25,103,614 (+\$563.205 over FY 17, +2.3%) 	<p>TITLE IV, Part A: Student Support and Academic Enhancement Grants</p> <p>FY 2015 Appropriation: New Program</p> <p>ESSA AUTHORIZED LEVELS:</p> <ul style="list-style-type: none"> • FY 2017: \$1,650,000 • FY 2018: \$1,600,000 	

No Child Left Behind	NCLB Waivers	Every Student Succeeds Act
<ul style="list-style-type: none"> FY 2019: \$25,566,532 (+\$462,918 over FY 18, +1.8%) FY 2020: \$26,080,025 (+\$513,493 over FY 19, +2.3%) <p>TITLE I, Part A: Improving the Academic Achievement of the Disadvantaged</p> <p>FY 2015 Appropriation: \$14,409,802; FY 2015 Appropriation for School Improvement grants: \$505,756 (Combined appropriation: \$14,915,558)</p> <p>ESSA AUTHORIZED LEVELS:</p> <ul style="list-style-type: none"> FY 2017: \$15,012,318 FY 2018: \$15,457,459 FY 2019: \$15,897,371 FY 2020: \$16,182,345 <p>School Improvement Grants are eliminated as a separate program, but states must reserve 7% for school improvement activities.</p> <p>TITLE I, Part B: State Assessment Grants</p> <p>FY 2015 Appropriation: \$378,000 ESSA AUTHORIZED LEVELS: \$378,000 for each year, FY 2017 through FY 2020</p> <p>TITLE II, Part A: Supporting Effective Instruction</p> <p>FY 2015 Appropriation for Teacher Quality State Grants: \$2,349,830 ESSA AUTHORIZED LEVELS: \$2,295,830 for each year, FY 17 through FY 2020</p> <p>TITLE II, Part B, Subpart 1: Teacher And School Leader Incentive Program</p> <p>ESSA AUTHORIZED LEVELS:</p> <ul style="list-style-type: none"> 49.1% of the amount appropriated for National Activities for each year, FY 2017 through FY 2019 (maximum of \$230,221 for FY 17 and FY 18; maximum of \$230,361 for FY 19) 47% of the amount appropriated for National Activities for FY 20 (maximum of \$229,909) <p>TITLE III, Part A: ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT AND ACADEMIC ACHIEVEMENT ACT</p> <p>FY 2015 Appropriation: \$737,400</p> <p>ESSA AUTHORIZED LEVELS:</p> <ul style="list-style-type: none"> FY 2017: \$756,332 FY 2018: \$769,568 FY 2019: \$784,960 FY 2020: \$884,960 	<ul style="list-style-type: none"> FY 2019: \$1,600,000 FY 2020: \$1,600,000 <p>TITLE IV, Part B: 21st Century Learning Centers</p> <p>FY 2015 Appropriation: \$1,151,673</p> <p>ESSA AUTHORIZED LEVELS:</p> <ul style="list-style-type: none"> FY 2017: \$1,000,000 FY 2018: \$1,100,000 FY 2019: \$1,100,000 FY 2020: \$1,100,000 <p>Title IV, Part C: Expanding Opportunity Through Quality Charter Schools</p> <p>FY 2015 Appropriation: \$253,172</p> <p>ESSA AUTHORIZED LEVELS:</p> <ul style="list-style-type: none"> FY 2017: \$270,000 FY 2018: \$270,000 FY 2019: \$300,000 FY 2020: \$300,000 <p>TITLE V, Part B: Rural Education Initiative</p> <p>FY 2015 Appropriation: \$169,840</p> <p>ESSA AUTHORIZED LEVELS: \$169,840 for each year, FY 17 through FY 2020</p> <ul style="list-style-type: none"> Subpart 1: Small, Rural School Achievement Program Subpart 2: Rural and Low-Income School Program <p>TITLE IX, Part B: Preschool Development Grants</p> <p>FY 2015 Appropriation: \$250,000</p> <p>ESSA AUTHORIZED LEVELS: \$250,000 for each year, FY 2017 through FY 2020</p>	