

## **Every Student Succeeds Act (ESSA)**

### **Summary of Key Provisions for State Policymakers**

### **(Updated February 2016)**

In December 2015, President Obama signed into law the Every Student Succeeds Act (ESSA), the conference report to reauthorize the Elementary and Secondary Education Act (ESEA). It passed the House by a vote of 359 to 64 and the Senate by a vote of 85-12. The strong bipartisan vote of support was generated by a compromise federal framework that substantially reduces the federal role and gives more authority to states and school systems while also maintaining accountability for the success of all students by preserving annual assessments and key reporting requirements.

This new framework will present both challenges and opportunities for state policymakers. Over the next 18 months, states must continue their transitions to new assessment systems, unwind their waivers, prepare for new opportunities for innovation, and revise their accountability systems to meet new requirements and take advantage of new flexibilities under ESSA.

The Foundation for Excellence in Education (ExcellinEd) believes that the first, important step in this transition is understanding the content and implications of the complex new federal law. Below, we have provided a comprehensive summary of ESSA. Organized by policy area (e.g., accountability, digital learning, charter schools, college and career readiness, K-3 reading), the summary outlines the provisions that are most relevant for each policy and provides preliminary recommendations for states.

Over the coming months, ExcellinEd is available to help state policymakers digest this summary, set the stage for new opportunities and prepare to tackle new challenges. This includes:

- Answer technical questions related to accountability system design and the transition from waivers to those new accountability systems;
- Identify ways that new federal funds can support state reforms in areas including K-3 reading, college and career readiness and digital learning;
- Support state efforts to participate in the U.S. Department of Education's rulemaking and guide the implementation of ESSA; and
- Support state efforts to preserve rigorous standards and assessments and strong accountability systems during the transition to the new law.

We look forward to partnering with each of you as we embark on this exciting new era of state-led education reform.

## Table of Contents

I.	Waivers and Limitations on the Secretary (Sections <a href="#">1005</a> , <a href="#">8401</a> , <a href="#">8526A</a> , <a href="#">8527</a> and others) .....	3
II.	Standards and Assessment (Sections <a href="#">1005</a> and <a href="#">1201</a> ) .....	5
III.	Accountability (Sections <a href="#">1003</a> , <a href="#">1005</a> , and <a href="#">1006</a> ) .....	7
IV.	Innovative Assessment and Accountability Demonstration Authority (Section <a href="#">1204</a> ) .....	13
V.	New Flexibility to Advance State Priorities.....	15
VI.	Course Access and Online Learning (Sections <a href="#">1004</a> and <a href="#">4104</a> ) .....	17
VII.	Digital Learning and Technology (Sections <a href="#">4101- 4109</a> ) .....	19
VIII.	School Choice (Sections <a href="#">1004</a> , <a href="#">1011</a> and others) .....	21
IX.	Charter School Program (CSP) (Sections <a href="#">4301-4311</a> ) .....	22
X.	Weighted Student Funding Pilot (Section <a href="#">1501</a> ) .....	24
XI.	College and Career Readiness (AP/IB) (Sections <a href="#">1004</a> , <a href="#">4104</a> and others) .....	25
XII.	K-3 Reading (Sections <a href="#">2222-2226</a> , <a href="#">2244</a> and <a href="#">4501-4506</a> ) .....	27
XIII.	Pre-K (Sections <a href="#">2223</a> and <a href="#">9212</a> ).....	29

## **I. Waivers and Limitations on the Secretary (Sections [1005](#), [8401](#), [8526A](#), [8527](#) and others)**

Under ESSA, Congress has placed a number of restrictions on the U.S. Secretary of Education’s authority to promulgate regulations and approve state accountability plans, especially around the following topics: waivers, standards, assessments, school rating systems, and school turnaround. But the true extent of those limitations remains unclear at this time.

On the one hand, the legislation prohibits the Secretary from using regulations to add new requirements that are outside the scope of the law and from prescribing goals, accountability indicators, or the weight of indicators. On the other hand, there are many ambiguities and undefined terms in the law that the U.S. Department of Education has a responsibility to explain, and the Secretary still has the power to withhold funds from a state that fails to comply with the requirements of the law.

Therefore, the actual effects of the new limitations on the Secretary will have to play out – politically and legally – over time.

### Limitations on Secretarial Authority

Congress has placed new limitations on the Secretary in the following areas:

- Rulemaking. The Secretary may not “promulgate any rule . . . that would add new requirements [or new criteria] that are inconsistent with or outside the scope” of the law or “in excess of statutory authority granted to the Secretary.”
- Standards. The Secretary may not require states to submit any academic standards for review or approval. Nor may the Secretary “mandate, direct, control, coerce or exercise any direction or supervision over” standards implementation; or require a state to add or delete a specific standard.
- Other components of accountability. The legislation states that the Secretary may not “prescribe”: goals or lengths of terms; specific academic assessments or items; accountability indicators (including any requirement to measure student growth); the weight of indicators; the specific methodology used to differentiate schools; specific school support/improvement strategies; exit criteria; minimum n size; any aspect of a teacher evaluation system; or how a state factors in the 95 percent participation requirement. However, in light of the unclear language around some of these components of accountability, the Secretary may be able to regulate and/or provide guidance that further explains requirements or establishes some permissible ranges around these components, as long as the Secretary does not “prescribe” specific goals, weights, methodologies, etc.
- Non-regulatory guidance. The Secretary may not provide an exhaustive list of examples for how to comply with the law’s requirements.

### Waivers

- Waivers. States and districts (with state approval) may request waivers of many provisions of the law if the state/district shows the waiver will advance student achievement. The Secretary has 120 days to approve a waiver.

- Limitations: The Secretary cannot disapprove a waiver “based on conditions outside the scope of the waiver request,” which essentially restricts the ability for the Secretary to offer relief in exchange for a state/district adopting another set of policies. Nor may the Secretary require a state/district to, as a condition of granting the waiver request, include or delete specific standards, use a specific academic assessment, or adopt a teacher evaluation system.
- Requirements that cannot be waived. Like under previous versions of the law, waivers are not available for the following requirements: civil rights, maintenance of effort, comparability, supplement not supplant, private school participation, parental participation and involvement, or allocations or distributions of funds to states, districts or other recipients.

## II. Standards and Assessment (Sections 1005 and 1201)

States must adopt "challenging" academic standards, just like under No Child Left Behind (NCLB). While those standards could be the Common Core State Standards, they do not have to be; and the legislation includes numerous clear and strict prohibitions on the Secretary mandating, coercing, or encouraging any specific set of standards. ESSA also preserves the annual testing requirements in current law but gives states some new flexibilities around delivery options and use of nationally-recognized high school assessments. The law will also allow states to use assessment grant funds toward assessment audits.

### Funding Levels for Title I

In fiscal year 2016, Congress appropriated \$14.9 billion for Title I part A (Grants to States). Under ESSA, the authorized funding level will increase gradually to \$16.1 billion by fiscal year 2020.

### Standards

- Challenging academic content standards. States must provide an assurance that the state has adopted "challenging academic content standards" in math, reading and science.
  - Standards must apply to all students in the state with the exception of alternate academic achievement standards for students with the most significant cognitive disabilities.
  - States must demonstrate that their standards are aligned with entrance requirements for credit-bearing coursework in the public higher education system in the state and with relevant career and technical education standards. Alternate academic achievement standards must be aligned to ensure that a student who meets those standards is on track to pursue postsecondary education or employment.
- Limits on Secretarial review. The Secretary may not require states to submit their standards for review or mandate, direct or exercise any control over states' standards.

### Assessments

- Funding. In fiscal year 2016, federal funds for academic assessments were \$378 million. ESSA authorizes that same amount through fiscal year 2020.
- Annual assessments. States must assess students in reading and math, annually in grades 3-8 and once in high school, as well as in science at least once in grades 3-5, at least once in grades 6-9, and at least once in grades 10-12.
  - States can select one or more nationally recognized high school assessments for districts to use in place of the statewide assessment. Districts can also ask the state for permission to use a national assessment. These assessments must be aligned to the state standards and provide data on academic achievement that is comparable to the statewide assessment and valid and reliable for all groups of students.
- Higher order thinking skills. Assessments must assess higher order thinking skills and may be partially delivered using portfolios, projects, or performance tasks.

- New delivery options. Assessments may be administered as a single test or as a set of interim tests that can be rolled up into a single annual result for each student. Computer adaptive assessments are explicitly allowed, ending the uncertainty under NCLB.
- Flexibility to establish time limits. Each State may set a target limit on the aggregate amount of time devoted to the administration of assessments for each grade, expressed as a percentage of annual instructional hours.

### State and District Assessment Audits

The Secretary can make grants available (minimum of \$1.5 million) for audits of state or district assessment systems.

- Audit requirements. Audits shall, at a minimum, report on:
  1. The schedule for the assessments;
  2. The purpose for which the assessment was designed and the purpose for which the assessment is used;
  3. The legal authority for the administration of the assessment;
  4. How teachers, principals, other school leaders, and administrators use assessment data to improve and differentiate instruction;
  5. The distribution of technological resources and personnel necessary to administer assessments;
  6. The extent to which assessment data is presented in an accessible and understandable format for all stakeholders;
  7. The amount of time teachers spend on assessment preparation and administration;
  8. The assessments that administrators, teachers, principals, other school leaders, parents, and students, if appropriate, do and do not find useful; and
  9. A plan for using this information to streamline the assessment system.

### Recommendations for States

- **Plan to streamline assessment systems:** States that have not already audited their assessment systems should begin the audit process to identify and eliminate repetitive, unnecessary or low-quality assessments. States now have the opportunity to apply for a federal grant to fund the audit.
- **Consider new assessment delivery options:** The law clarifies that states can use computer adaptive assessments, and tests may be administered as a single test or as a set of interim tests that can be rolled up into a single annual result for each student as long as **validity, reliability, and comparability are demonstrated**. These new options give states greater flexibility to experiment with innovative assessment models that support competency-based learning.

### Additional Resources

- [ExcelinEd: Proficiency Matters](#)
- [Achieve: Student Assessment Inventory for School Districts](#)
- [ExcelinEd: Four ways to reduce testing and maintain accountability](#)

### III. Accountability (Sections 1003, 1005, and 1006)

State accountability plans must comply with the following requirements related to goals, school rating systems and school supports and interventions.

#### Goals

- Long-term goals and interim progress targets. States must establish “ambitious, state-designed long-term goals” and interim progress targets for all students and for each subgroup for:
  1. Proficiency
  2. High school graduation rate (four-year graduation rate required; extended graduation rate goals are optional); and
  3. English proficiency for English Language Learners (ELLs).
  - Subgroup requirements: Each subgroup must be given the same length of time to reach its goals; and for groups that are behind, goals have to take into account the improvement needed to make “significant progress” in closing achievement gaps.

#### School Rating Systems

- Differentiating school performance. States must establish a system of meaningfully differentiating schools on an annual basis. The system must be based on the following indicators for all students and for each subgroup. The system must give “substantial” weight to each indicator and “in the aggregate much greater weight” to the academic indicators (numbers 1-3 below) compared to the additional indicator of school quality (number 4 below).
  1. **Academic achievement.** Based on the long-term goals established by the state, proficiency on annual assessments and, at the state’s discretion, growth at the high school level. When calculating proficiency rates, use as a denominator the greater of 95 percent of all students (or all students in the subgroup) or the number of students participating in the assessment.
  2. **Another academic indicator.** For elementary/middle schools, student growth or another valid and reliable statewide indicator. For high schools, based on the long-term goals, graduation rate (adding extended graduation rate is optional).
  3. **English proficiency.** Progress in achieving English proficiency for ELLs within a state-determined timeline.
  4. **Additional indicator of school quality.** At least one indicator of school quality or student success that is valid, reliable, comparable and statewide. Examples: student engagement, student access to/completion of advanced coursework; school climate/safety.
- Identification of schools. Based on this school rating system, the state must identify the following categories of schools:
  1. **Comprehensive support and improvement schools** (identified at least once every 3 years):
    - Lowest performing 5 percent of Title I schools, and
    - All high schools that fail to graduate 67 percent or more of their students.
  2. **Targeted support and intervention schools:** Schools in which any subgroup of students is “consistently underperforming” as determined by the state.

- Schools that have a subgroup performing as poorly as the bottom 5 percent of schools in the state are subject to additional interventions as described below.

### School Interventions

States and districts are required to perform the following school support and improvement activities:

1. **Comprehensive support and improvement schools.**
  - State role: Notify districts of identified schools, monitor and periodically review district improvement plans, and set exit criteria.
    - If the exit criteria are not satisfied within a state-determined number of years (not more than 4 years), the state must take more rigorous actions, which may include addressing school-level operations.
    - The state may establish alternative evidence-based strategies that can be used by districts serving these schools.
  - District role: Develop and implement a comprehensive support and improvement plan that must include evidence-based interventions, identify resource inequities, be informed by all indicators, and be approved by the school, district and state. Districts may offer public school choice, if they do so they must give priority to the lowest-achieving students from low-income families.
  
2. **Targeted support and improvement schools.**
  - State role: Notify districts of identified schools.
  - District role: Districts must notify schools, approve improvement plan, and monitor implementation.
    - If the school fails to improve after a district-determined number of years, the district must take additional action.
  - School role: Must develop and implement an evidenced-based plan that is informed by all indicators.
  
3. **Additional schools.**
  - If any of these targeted support and improvement schools has a subgroup performing as poorly as the bottom 5 percent of Title I schools in the state:
    - That school must also identify resource inequities in its improvement plan; and
    - The state must set exit criteria. If those criteria are not met within a state-determined number of years, the school becomes identified for Comprehensive Support and Improvement.
  
- **Funds for school improvement.** The School Improvement Grant (SIG) is replaced with a requirement that states set aside 7 percent of Title I, Part A funds. The state may:
  - Distribute 95 percent to districts through formula or competitive grants to serve comprehensive support and improvement schools or targeted support and intervention schools; or
  - With the approval of the district, the state may directly provide for improvement activities through other entities such as school support teams, or non-profit or for-profit external providers.



- Additional state responsibilities. With respect to those districts serving a significant number of identified schools (comprehensive or targeted):
  - The state must periodically review resource allocation and provide technical support; and
  - The state may take additional action to initiate improvement.

#### Notes on the Accountability Provisions

- Inclusion of ELLs. With respect to ELLs who have been enrolled in a U.S. school for less than 12 months, states have two choices:
  - A. For one year, exclude the ELL from taking the ELA assessment, and exclude the results of math and English proficiency tests from the accountability system; OR
  - B. Assess the ELL on all tests the first year, but for the purposes of accountability: exclude the year 1 results, include only growth in year 2, and include proficiency and growth in year 3.
- States may include previously identified ELLs in the ELL subgroup for not more than 4 years.
- Minimum N. States determine their minimum n size. States must explain how the number is statistically sound; how such number was determined in collaboration with teachers, parents and other stakeholders; and how the number is sufficient to not reveal any personally identifiable information.
- 95 percent requirement. States must annually test no less than 95 percent of students overall and within each subgroup, and states must provide a clear explanation of how the state will factor this requirement into its accountability system.

#### State Plan Approval Process

- Peer review. The Secretary shall establish a peer review process to review state accountability plans. The purpose of peer review is to maximize collaboration with states, promote effective implementation, and provide timely transparent feedback. The names of peer reviewers must be made public.
- Secretarial approval. The Secretary must approve a state plan no later than 120 days after submission unless the Secretary determines that the state fails to meet the requirements of the law and offers the state an opportunity to revise, resubmit and have a hearing. The Secretary may not, as a condition of approval, require a state to add any requirements that are “inconsistent with or outside the scope” of the law.

#### Reporting

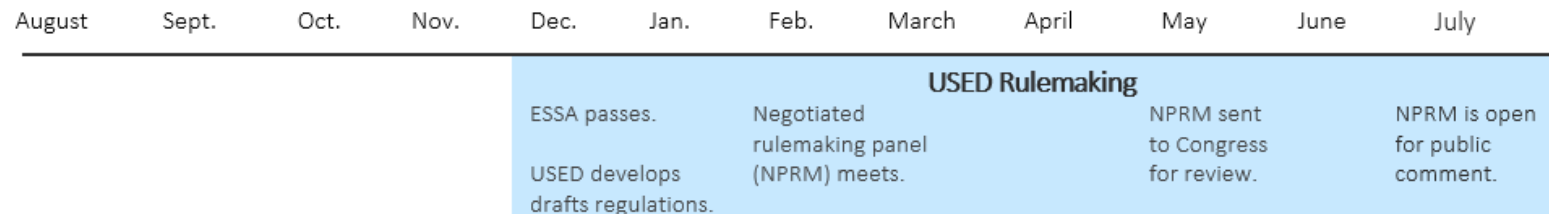
Every year, each state must publish a statewide report card, and each district must publish a district report card. Both state and district report cards must include the following elements:

1. Details of the state accountability system, including goals, indicators, weights of indicators, and schools identified for Comprehensive Support and Improvement and Targeted Support and Improvement.
2. Disaggregated results on all accountability indicators, including state assessments and graduation rates.
3. Disaggregated assessment participation rates.
4. Information on the acquisition of English language proficiency.
5. The state's minimum N.
6. Disaggregated results on the indicators that the state and its districts are already reporting to the Civil Rights Data Collection, including, but not limited to:
  - a. access to advanced coursework, such as AP, IB, and dual enrollment;
  - b. exclusionary discipline rates; and
  - c. chronic absenteeism.
7. The professional qualifications of educators (including the number and percentage of inexperienced teachers, principals, and other school leaders as well as teachers teaching with emergency credentials or teaching out of subject) disaggregated by high-poverty compared to low-poverty schools.
8. State, local and federal per-pupil expenditures, by funding source. These expenditures have to include actual personnel expenditures for each school, not just district averages.
9. The number and percentage of students with the most significant cognitive disabilities taking the alternate assessment.
10. At the state level, results of the National Assessment of Educational Progress (NAEP), as compared with national averages.
11. Where available, for each high school, the disaggregated rates of students who graduate from high school and enroll in higher education.

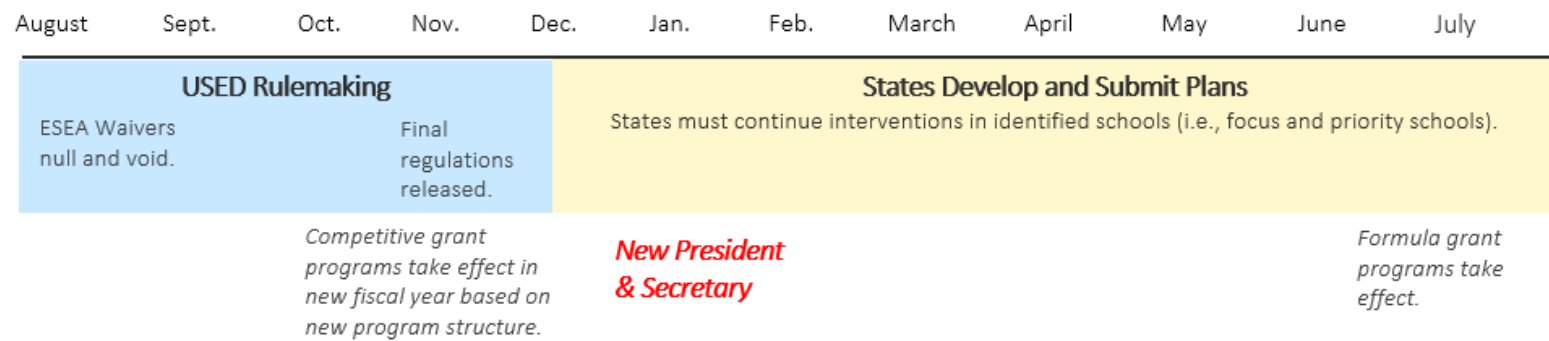
Timeline for Implementation of ESSA

# Timeline

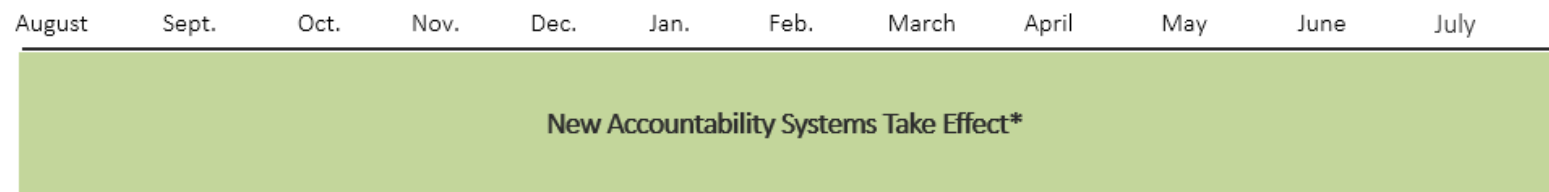
## 2015-16 School Year: Bill Passage and Initial Rulemaking



## 2016-17 School Year: Transition



## 2017-18 School Year: New Systems in Place



### Recommendations for States

- **Wait for final regulations and guidance before taking action.** States should wait until final regulations are issued in the fall or winter of 2016 before making any major or permanent changes to their accountability systems. States that make changes during the current legislative session may have to reopen their systems for additional changes in 2017 when the U.S. Department of Education releases final regulations interpreting the new law.
- **Plan a thoughtful transition:** The 18-month implementation timeline gives states an opportunity to be thoughtful about their transition to a new accountability system. States should: begin looking at data on what is/is not working under their current system; consult with national and state level education reform groups; and build political will for a modified accountability system that complies with the new federal law.
- **Prepare for new accountability requirements and responsibilities.** Although we do not recommend that states make major legislative or regulatory changes to their accountability systems this year, states can begin to think about how they will comply with certain aspects of the new law. For example, states ought to begin to consider which valid, reliable, additional indicator of school quality or student success would be most appropriate and how they would incorporate that indicator into their accountability system. States should also prepare for new freedom around supports and interventions. Under ESSA, States will have tremendous freedom around school turnaround, which is one of the most difficult tasks in all of education reform. States should start to think about what tools they want to have in their turnaround toolbox – achievement school districts, reconstitution, high-performing charters, public school choice, equitable distribution of effective teachers, and/or new curricula based on digital learning.
- **Understand new restrictions, and opportunities, around waivers:** New restrictions on the Secretary’s waiver authority will allow states to seek unconditional waivers of burdensome provisions without worrying about being required to do anything unrelated in return. For example, a state could request a waiver of an accountability provision, which the Secretary would have to accept or reject; the Secretary could not require that state to enact a specific policy in order to receive the waiver.

### Additional Resources

- [ExcelinEd: Resources on Common Core, A-F, school recognition, and accountability](#)
- [ExcelinEd: My School Information Design Challenge results](#)

#### **IV. Innovative Assessment and Accountability Demonstration Authority (Section 1204)**

The legislation allows the Secretary to run a pilot for states to experiment with new, innovative assessment and accountability systems.

- **Process.** The Innovative Assessment and Accountability Demonstration Authority allows the Secretary to authorize state proposed innovative assessment and accountability systems for no more than five years and a maximum of seven states (or consortia of states). Consortia cannot exceed four states. The Secretary will determine when the pilot will start, but the earliest it would begin is the 2017-18 school year.
- **Requirements.** Application requirements are extensive and will require significant commitment to both prepare and implement.
  - While the innovative system can begin with a subset of districts, the plan must be to scale statewide by the end of the demonstration period.
  - States must demonstrate applicability of the new system to all students and all subgroups.
  - The proposed innovative system must be able to “generate results that are valid, reliable and comparable for all students and each subgroup as compared to the results for statewide assessments given to other students”, however inclusion of the statewide summative assessments in the new innovative system is optional.
- **Accountability determinations.** A state granted demonstration authority may decide to use the results from the innovative assessment systems in accountability determinations for the participating districts instead of, or in addition to, results from the statewide assessment system.
- **Progress report.** After the initial three year demonstration period, the Institute for Education Science (IES) within the U.S. Department of Education must publish a report detailing whether the innovative systems have demonstrated progress in complying with the criteria, and how the systems are being received. The Secretary shall respond describing how the findings will be used to support participating states and inform the peer review process for the extension of demonstration authority to additional states.
- **Withdrawal of demonstration authority.** The Secretary must withdraw authority if, at any point, a state cannot demonstrate “substantial evidence” of compliance with quality standards.

#### **Recommendations for States**

- **Understand the far-reaching commitment before applying for the pilot.** This pilot program is for those states that are deeply committed to the transition to competency-based education and the assessment and accountability models that support it. Before applying, states should allow for sufficient time to gather the input and commitment of key stakeholders and consider the pilot’s extensive application and implementation requirements, including:

- States may begin with a subset of districts, but the plan must be to scale statewide by the end of the demonstration period which may not exceed five years;
  - States must demonstrate applicability of the new system to all students and all subgroups; and
  - The proposed innovative assessment and accountability system must be able to “generate results that are valid, reliable and comparable for all students and each subgroup as compared to the results for statewide assessments given to other students.”
- **Begin by authorizing an Innovation Schools program.** States that wish to apply should pilot new models by authorizing an Innovation Schools program or by identifying districts that have already begun the transition to competency-based education. From these schools and districts, interested states can begin to identify policy barriers as well as the types of assessments needed to support full implementation.

### **Additional Resources**

- [ExcelinEd: Competency-Based Education - Policy Summary](#)
- [ExcelinEd: Competency-Based Education - Fundamental Principles](#)
- [ExcelinEd: Competency-Based Education - Model Legislation](#)
- [National Governors Association: Expanding Student Success - A Primer on Competency-Based Education from Kindergarten through Higher Education](#)
- [Council of Chief State School Officers: Innovation Lab Network Roadmap to Competency-Based Education](#)

## V. New Flexibility to Advance State Priorities

ESSA includes two provisions – **Direct Student Services** and the **Student Support and Academic Enrichment Grants** – that will give states greater flexibility to use federal funds to support state-determined policy priorities. As detailed in later sections, states may use these two provisions to advance course access, digital learning, school choice, college- and career-readiness initiatives and/or K-3 reading programs.

### 1. Direct Student Services

- Optional Title I set aside. Likely beginning with the 2017-18 school year, states will have the option to reserve up to 3 percent of Title I funds to make awards to districts to provide Direct Student Services. Ninety-nine percent of these funds must be distributed to districts. These services could be supplemental courses (advanced/recovery/CTE), tutoring, or public school choice, including transportation to a different school. Estimated examples of the 3 percent set aside amounts can be found in Appendix A.
- Required prioritization. Awards must go to districts serving the highest number of schools identified for comprehensive and then targeted support and improvement. Within those districts, the costs must be prioritized as follows:
  - First, for students at schools identified for **comprehensive improvement**.
  - Second, for low achieving students at schools identified for **targeted improvement**.
  - With any remaining funds, for low achieving students served by the district.
- Application process. Districts must apply to the state, in a manner determined by the state, to receive funds. However, these applications must detail:
  - How the district will inform parents of available opportunities with enough time to enroll their child in a direct student service; and
  - How they will select providers from one or more categories above and how they will monitor and report on results.

### 2. Student Support and Academic Enrichment Grants

This new block grant is authorized at \$1.6 billion, but the programs pursuing similar goals that were rolled into this block grant only received appropriations of \$400 million in fiscal year 2016. For an approximation of the possible range of funds available to each state, please see Appendix A. These new funds will likely become available annually starting with the 2017-18 school year.

- Process. To receive their allocation of the block grant funds, districts receiving awards over \$30,000 must conduct a needs assessment every three years and then submit an application describing the programs and activities they will carry out.
- Funding Priorities. Districts must fund activities in three categories:
  1. **Well-rounded educational opportunities** (at least 20 percent of funds). This category includes efforts to increase access to and success in a well-rounded educational experience, such as: increasing access to accelerated learning opportunities (AP and IB);

expanding access to STEM courses; and strengthening the teaching of American history/civics, foreign language, and volunteerism.

2. **Safe and healthy students** (at least 20 percent of funds). This category includes activities that foster safe, healthy, supportive, and drug-free schools and/or promote the involvement of parents, such as: school-based mental health services, anti-bullying campaigns, and implementation of school-wide positive behavioral interventions.
3. **Effective use of technology** (no minimum on the percentage of funds spent, however no more than 15 percent of funds can be used on technology infrastructure, which is defined as purchasing devices, equipment, and software applications). This category includes:
  - Providing resources, devices, or content to help teachers and administrators personalize learning;
  - Building capacity and infrastructure;
  - Developing or using strategies for the delivery of specialized or rigorous academic courses and curricula through technology;
  - Carrying out blended learning, including planning, design, and training;
  - Providing professional development on using technology to increase student achievement in STEM; and/or
  - Providing students in rural/remote/underserved areas with resources to take advantage of high-quality digital learning, including online courses.



## VI. Course Access and Online Learning (Sections 1004 and 4104)

ESSA contains two potential sources of support for state Course Access programs: (1) the Direct Student Services provisions and (2) the Student Support and Academic Enrichment grants.

### 1. Direct Student Services

- As explained in Section V, the Direct Student Services provision empowers states to set aside 3 percent of Title I funds and direct those funds toward state-determined student services, such as a state Course Access program. Through competitive grants targeting struggling districts, states can help expand enrollment in supplementary courses in high-needs districts. The Direct Student Services provision also enables states to use a 1 percent administrative holdback to develop and implement procedures for monitoring the quality of providers and establish a plan for dealing with providers that are not improving student outcomes.

### 2. State Use of Funds for Student Support and Academic Enrichment Grants

- Under this new block grant, which could amount to as much as \$1.6 billion, states may reserve up to 5 percent of funding to administer state level activities, including administrative costs and reporting on how funds were used by districts (which may not exceed 1 percent of total allotment). Additional state-level activities may include:
  - Monitoring, technical assistance and capacity building for districts;
  - Supporting districts in providing programs and activities that offer well-rounded educational experiences to all students by increasing access to STEM, arts, languages, accelerated courses, AP, dual enrollment, history and civics, and environmental education;
  - Fostering safe and healthy school environments; and
  - Increasing access to personalized learning experiences supported by technology.

### Recommendations for States

- **Use the Direct Student Services set aside to create or expand a statewide Course Access program.** States could begin creating, or supplement an existing, Course Access program for supplemental course enrollments by encouraging or limiting districts' uses of funds for Direct Student Services to these activities. States could also use the 1 percent administrative set-aside of this program to develop infrastructure that could support enrollments funded by Direct Student Services as well as a wider state Course Access program. This infrastructure includes costs related to the review of provider applications, establishment of a course catalog, and monitoring of providers.
- **Encourage districts to use Student Support and Academic Enrichment Grant funds in support of statewide Course Access programs.** Districts will have to submit to states their plans for using their allotment of the block grant. This could create an opportunity to encourage districts to use the funds to provide access to Advanced Placement, well-rounded, and other online distance learning courses.

**Additional Resources**

- [ExcelinEd: Course Access 2015 White Paper](#)
- [ExcelinEd: Course Access Policy Summary](#)
- [ExcelinEd: Course Access Model Legislation](#)
- [ExcelinEd: Course Access Video Series](#)

## VII. Digital Learning and Technology (Sections 4101- 4109 and 4611)

ESSA includes three new provisions that can support state efforts to advance digital learning and technology.

1. Student Support and Academic Enrichment Grants. As explained in Section V, under the Student Support and Academic Enrichment grant, districts (or consortia of districts) will have an opportunity to use a portion of their block grant to support the effective use of technology. For example, districts could use funds to carryout blended learning and could use up to 15 percent of the funds to build capacity and infrastructure.
  
2. Education Innovation and Research. These grants continue the framework of the Investing in Innovation (i3) grant program created by the American Recovery and Reinvestment Act. The authorization is for up to \$72 million in FY 2017 and 2018 and \$92 million in FY 2019 and 2020. The premise behind these grants is that more and better evidence of effectiveness for an innovation will qualify an applicant for larger awards. Each grant needs to be accompanied by a plan for an independent evaluation to provide further evidence of the innovation’s effectiveness. The Secretary must dedicate 25 percent of the funds to grants where the majority of schools to be served are in rural areas.
  - Types of grants:
    - Early-phase grants fund the development and implementation of a program that research suggests has promise to improve achievement for high-need students.
    - Mid-phase grants fund implementation and rigorous evaluations of programs to measure their impact and cost effectiveness.
    - Expansion grants fund implementation and rigorous evaluations of effective programs to determine whether impacts can be reproduced and identify conditions where the program is most effective.
  
  - Eligible entities include:
    - Districts or state educational agencies, as well as consortia of districts or state educational agencies;
    - Bureau of Indian Education;
    - Nonprofit organization; or
    - One of the above groups in partnership with a nonprofit, business, educational service agency, or institution of higher education (IHE).
  
  - Matching funds
    - Entities must demonstrate that they can provide matching funds totaling 10 percent of the grant, unless the Secretary decides to waive the requirement due to exceptional circumstances.
  
3. Report on student home access to digital learning resources. ESSA includes a somewhat generic direction to IES to conduct a study within 18 months analyzing the “educational impact of access to digital learning resources outside of the classroom.” The study would look at barriers students face in accessing resources, challenges for students without home internet access, how those factors

influence educator practices in the classroom, and how states and districts have effectively addressed those challenges.

### **Recommendations for States**

- **Encourage districts to use Student Support and Academic Enrichment Grant funds to promote digital learning.** Districts will have to submit to states their plans for using their allotment of the block grant, which could create an opportunity to encourage or limit the use of funds for purposes that would:
  - Provide access to distance learning opportunities. These distance learning opportunities could meet the requirements for well-rounded educational opportunities for certain courses; and
  - Help develop and launch new personalized learning models.
  
- **Work with districts and schools to identify promising programs within the state where rigorous evidence of effectiveness exists.** Facilitate partnerships between entities such as IHEs, nonprofits, or companies to implement or replicate and evaluate such programs and apply for Research and Innovation grants to expand effective programs statewide.

### **Additional Resources**

- [Digital Learning Now: Report Card 2014](#)
- [Digital Learning Now: Leading an Era of Change - On the Ground](#)
- [Digital Learning Now: Blended Learning Implementation Guide 3.0](#)

## VIII. School Choice (Sections 1004, 1011 and others)

ESSA advances options for students in the following ways:

- Charter schools. The law gives charters some additional support and more flexibility in how they can obtain and use that support (see the **Charter School Program** in section VIII).
- Public school choice. A few districts who favor public school choice may be able to benefit from the **Flexibility for Equitable Per-Pupil Funding pilot program** described below.
- Direct Student Services. In states that elect to set aside up to 3 percent of their Title I allocations for Direct Student Services, districts may elect to use these funds to support personalized learning activities such as high quality academic tutoring or transportation for students in a choice program.
- Private schools more broadly. Under the Elementary and Secondary Education Act (ESEA), private schools have been entitled to their share of funds for professional development/ instructional materials for teacher and resources to support programs for disadvantaged students. However, under prior versions of this law, access to these funds has proven challenging, and private schools often receive a much smaller share than public schools.
  - ESSA requires that a district calculate Title I funds for private school students with learning differences based on its total Title I allocation. Previously, a district could exclude certain expenditures and thereby reduce the allocation available for sharing beyond the local public schools. In many districts, this change could increase Title I allocations to private school students by as much as 50-75 percent.
  - Similarly, a district now must disseminate its Title II-A funds proportionately. The district must set aside a fair share of these funds for services to teachers in private schools based on its total Title II-A allocation. The previous iteration of the law allowed a district to calculate its shares based on a smaller allocation: only the funds it chose to earmark for professional development. In most districts, allocations available for services to private school teachers could see a significant increase.
  - ESSA also creates a new grant program for **Student Support and Academic Enrichment**. This program is broadly defined, giving states and school districts flexibility in using the grant for a range of educational purposes. These include health and safety, technology, foreign language instruction, STEM (science, technology, engineering, and mathematics) education, and more. As with the legal changes already mentioned, private and public schools must participate equitably in this grant funding.

### Recommendations for States

- **Encourage districts to maximize the number and variety of high quality educational options.** For example, states can encourage districts to use Direct Student Services funds to identify and evaluate the quality of tutoring or provide transportation for students in a choice program.

### Additional Resources

- [ExcelinEd: School Choice Policy Library](#)

## IX. Charter School Program (CSP) (Sections [4301-4311](#))

The Charter School Program (CSP) is a preexisting program designed to support the start-up, replication, and expansion of high-quality charter schools through providing grants to states, strengthening authorizing and assisting charters in accessing credit for facilities. ESSA updates the CSP, providing some additional support and flexibility to charters.

- Total funding and timeline. The CSP appropriation increased \$80M in fiscal year 2016 to \$333M, but is authorized in ESSA at \$270M in fiscal year 2017 and \$300M in fiscal years 2018-20. The changes described below will most likely take effect for the 2017-18 school year.
- Funding allotments.
  - **State grants.** 65 percent of CSP funds will be delivered via state grants in the form of 5 year grants. In the past, all state grants were awarded to state departments of education, but the new bill expands the eligible recipients to include governors, state charter boards, and/or charter support organizations. Through these grants the Secretary has to prioritize states that:
    - Offer a high degree of flexibility for charters;
    - Have an ambitious plan for their charter sector;
    - Allow for at least one other authorizer beside districts;
    - Provide equitable funding for charters;
    - Provide facilities support to charters; and
    - Have taken steps to ensure best practices in charter authorizing.
  - **National activities.** 22.5 percent of funds are reserved for national activities.
    - Up to 80 percent of national activities funds can be used for Charter Management Organizations (CMOs) to open, replicate, or expand high-quality charter schools. Priority is given to CMOs that serve diverse student bodies and that have had demonstrated success with turning around schools identified for Comprehensive Support and Improvement.
    - 9 percent of funds are for eligible charter applicants in states that did not receive a state grant.
  - **Facilities financing assistance.** 12.5 percent of funds are reserved for Facilities Financing Assistance.
    - At least 50 percent of this fund will be given via competitive grants to public or nonprofit entities with innovative methods to help charter obtain facilities through loans or bonds (current Credit Enhancement for Charter Schools Facilities Program).
    - Any remaining funds are to be distributed through competitive grants to states for “per-pupil facilities aid programs” giving funding to charters on a per-pupil basis to assist with facilities (current State Facilities Incentive Grant Program).

### **Recommendations for States**

- **Strengthen charter school laws and policies to improve the chances of winning a CSP grant.** States can increase the likelihood that they will win a CSP grant by passing policies that reflect the areas that the Secretary must prioritize in distributing the grants, such as providing facility support, moving towards per-pupil funding equity, and strengthening state charter authorizers.
  
- **Employ high quality charter schools as an important turnaround strategy.** States can use up to 7 percent of Title I funds for school turnaround and have tremendous freedom to determine their own “turnaround toolboxes,” including restarting an identified school as a charter school.

### **Additional Resources**

- [National Alliance for Public Charter Schools: Model Law](#)
- [National Association of Charter School Authorizers: Principles & Standards for Quality Charter School Authorizing](#)
- [ExcelinEd: High Quality Charter School Policy Toolkit](#)

## **X. Weighted Student Funding Pilot (Section 1501)**

ESSA authorizes the Secretary to enter into three-year agreements with up to 50 districts to give “flexibility to consolidate” federal, state, and local funds to create a weighted student funding formula for low-income and otherwise disadvantaged students. It will be up to the Secretary to determine when this pilot authority becomes available to states, but it is unlikely to become available before the 2017-18 school year.

- **Requirements.** Districts must submit an application to the Department to enter into a local flexibility demonstration agreement that meets the following requirements:
  - A “significant portion” of state, local and federal funds have to distributed based on the number of students in the school and the weights assigned to those students.
  - The district must allocate substantially more funding to ELLs, students from economically disadvantaged families and other disadvantaged students.
  - Districts must ensure that each high-poverty school receives more money per low-income student than it did before entering the pilot, and at least as much money per ELL as before the pilot.
  - All school-level expenditures, including actual personnel and non-personnel expenditures, must be included in the formula.
  
- **Role of the Secretary.**
  - Each year, participating districts must demonstrate that no high-poverty school received less per-pupil funding per low-income student or ELL, when compared with the previous year.
  - The Secretary may terminate an agreement if the district fails to demonstrate compliance with program requirements.
  - The Secretary must work with IES to conduct an evaluation of the pilot.
  - In 2019-20, the Secretary can expand the flexibility to an unlimited number of districts as long as a majority of the pilot districts have been successful.

### **Pay for Success**

- ESSA authorizes Pay for Success for dropout prevention (Title I, Part D) and community-based health and safety services (Title IV, Part A, Sec. 4108). Districts can use these funds for “a performance-based grant, contract, or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector.”

### **Recommendations for States**

- **Encourage districts to apply for the pilot.** Weighted student funding is the first, important step toward portability (i.e., funding that follows students across districts). By helping districts use weighted funding effectively, states can pave the way for full state portability in the future, as well as encourage more equitable student funding.



## **XI. College and Career Readiness (AP/IB) (Sections 1004 , 4104 and others)**

ESSA provides states and districts with several opportunities to promote college and career readiness initiatives. However, none of the major funding provisions are mandatory.

- Definition. The law incorporates courses in career and technical education into the definition of a “well-rounded education.”
- Accountability. School rating systems must include at least one indicator of “school quality or student success.” The law lists possible options for the indicator, including access to and completion of advanced coursework and postsecondary readiness.
  - Reporting: The law requires states to report on the number and percentage of students earning postsecondary credit through Advanced Placement (AP), International Baccalaureate (IB) and dual enrollment. It also encourages states to report to parents and the public the number and percentage of students attaining career and technical proficiencies.
- Direct Student Services. In states that elect to reserve up to 3 percent of their Title I allocations for Direct Student Services, districts may elect to use these funds to support enrollment and participation in career and technical education courses leading to industry certifications and AP and IB courses.
  - See Appendix A for estimated examples of set aside amounts.
- Student Support and Academic Enrichment Grants. Under this new block grant, states may reserve approximately 4 percent of their allotted funds to support districts in providing programs and activities, including increasing student engagement and achievement in AP/IB. In addition, districts may elect to use grant funds to support access to a well-rounded education, including efforts to raise student achievement through accelerated learning programs such as AP/IB.
  - See Appendix A for approximate grant amounts.

### **Recommendations for States**

- **Incorporate measures of college and career readiness into state accountability systems.** As states prepare to revise their accountability systems, they should consider incorporating student success in AP, IB, dual enrollment, and industry-recognized certifications as factors in school performance systems, as well as reporting requirements to the general public.
- **Use this time as a planning period.** Determine state priorities that support the needs of students and the workforce that will employ them. Looking forward, states may want to encourage districts to use Student Support and Academic Enrichment Grant funds to promote state college and career readiness initiatives. Districts will have to submit to states their plans for using their allotment of the block grant, which could create an opportunity to encourage or limit the use of funds to purposes that would provide real, work-based learning opportunities to students and to allow students to earn industry-recognized certifications in states’ in-demand fields. States may also consider using the Direct Student Services set aside to support enrollment

and participation in career and technical education courses leading to industry certifications and AP and IB courses.

**Additional Resources**

- [ExcelinEd: College and Career Readiness Policy Toolkit](#)

## **XII. K-3 Reading (Sections [2222-2226](#), [2244](#), [4104-4506](#))**

ESSA includes two targeted grant programs, as well as an additional block grant and new funding flexibility, which could help support the implementation of K-3 reading programs in a number of states.

- Literacy Education for All, Results for the Nation. Under this competitive grant program, which ESSA authorizes at \$160 million for fiscal year 2017, increasing to \$180 million in fiscal year 2020, the Secretary will award grants to states to:
  - Develop revise, or update State Comprehensive Literacy Plans covering birth – through grade 12; and
  - Provide targeted subgrants to early childhood education programs and districts and their public or private partners to implement evidence-based programs that ensure high-quality comprehensive literacy instruction for students most in need (at least 15 percent of a state’s award). The subgrants are for districts that serve “high needs” schools that either have the highest percentage of children reading or writing below grade level based on the state assessment, or serve a significant percentage of schools that are implementing comprehensive support and improvement activities and targeted support and improvement activities.
  
- Family Engagement in Education Programs. The Secretary will award competitive grants to statewide organizations to establish Family Engagement Centers that provide parent education and family engagement programs or comprehensive training and technical assistance to states and state-identified districts and schools.
  - ESSA authorizes \$10 million per year for this program for fiscal years 2017-2020.
  - Centers must target services to low-income students and parents (65 percent or more must serve districts, schools and community-based organizations that serve high concentrations of disadvantaged students, and 30 percent or more must go toward expanding technical assistance for evidence-based parent education programs).
  - For each year after the first fiscal year, the organization must support programs with non-federal contributions, which may be in cash or in-kind.
  
- Student Support and Academic Enrichment Grants. Under the new block grant, states may use their reserved funds to support districts in providing a well-rounded education to every student. In addition, districts may elect to use grant funds to support access to a well-rounded education, which could include activities that promote literacy.
  
- Funding flexibility. The bill likely makes it easier to use Title I to fund a statewide K-3 reading policy, including the interventions for struggling students.
  - ESSA has increased flexibility around the supplement not supplant requirement. Previously, in targeted assistance programs, Title I could not be used for interventions if they were considered “required” under state law. Now, a district must simply show that each school received all of the state and local funds it would otherwise have received.
  - The new law also allows for an expanded definition of schoolwide programs to include schools where less than 40 percent of students are from low income families provided that the state grants a waiver “taking into account how a schoolwide program will best serve the needs of the students.”

- Comprehensive Center. The Secretary must establish a comprehensive center for students at risk of not attaining full literacy skills due to a disability, which is authorized for at least \$1.4 million annually from 2017-2020. The center:
  - May provide technical assistance which may be carried out directly or through grants or contracts to States and LEAs;
  - Shall identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability;
  - Must identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students.
  - Should provide families of such students with information to assist with such students; and
  - Identify or develop evidence-based professional development for educators.

### **Recommendations for States**

- **Take advantage of new Title I funding flexibility.** States should plan to take advantage of new Title I funding flexibility to more effectively implement state K-3 reading initiatives. States should look for opportunities to use Title I funds to support and strengthen statewide K-3 reading policies, including the interventions for struggling students.
- **Encourage districts to emphasize literacy.** As states consider how they should direct the new Student Support and Academic Enrichment Grants, they should work with districts to emphasize literacy as the most critical component of providing a well-rounded education to every student.
- **States interested in applying for the Literacy Education for All grant should consider the following recommendations:**
  - Use funds to carry out best practices in reading aligned to enacted K-3 reading policy.
  - Ensure evidence-based programs are being utilized in high-needs schools to increase student reading achievement.
  - Use the 5 percent state set aside to work with colleges and universities to strengthen courses and licensure; develop and deliver reading training to ensure all teachers have the knowledge and skill to teach all students to read, including students with severe reading difficulties.
  - Develop and implement innovative approaches to literacy through emphasizing the importance of the school library, providing additional early literacy services, and/or programs providing high-quality books on a regular basis.

### **Additional Resources**

- [ExcelinEd: K-3 Reading Policy Toolkit](#)
- [ExcelinEd: K-3 Reading MOOC](#)

### **XIII. Pre-K (Sections 2223 and 9212)**

ESSA creates subgrants for high quality language and literacy initiatives focused on birth through entry into kindergarten. ESSA also revamps the existing Preschool Development Grants program (PDG), which is aimed at supporting states as they develop and coordinate their early childhood programs. PDG was previously authorized under the American Recovery and Reinvestment Act and the 2014 Appropriations Act.

- Subgrants to Support Birth - Kindergarten Entry. Authorized for at least 23.9 million for 2017-2019 and 27 million in 2020, these subgrants enable eligible entities to support high quality early language and literacy initiatives. Grantees must address:
  - How funds will be used to enhance high quality early language and literacy initiatives;
  - What professional development will be provided to support staff;
  - How these early language and literacy activities will be coordinated with comprehensive literacy instruction at the K-12 levels; and
  - How their efforts will be evaluated. Priority will go to entities that use funds to implement evidence-based activities.
  
- Preschool Development Grants. ESSA authorizes this competitive grant at \$250 million annually from 2017 through 2020 and moves the program from the Education Department to the U.S. Department of Health and Human Services (HHS). Existing PDG recipients will continue to receive funds under the terms of their existing grants. States may use PDG funds for the following purposes:
  - Conducting a periodic statewide needs assessment of the availability of quality programs in the state;
  - Developing a strategic plan that recommends collaboration and quality improvement activities among existing programs in the state;
  - Maximizing parental choice and knowledge about the state's system of existing programs and providers;
  - Sharing best practices among early education program providers in the state to increase collaboration and efficiency of services; and
  - Improving the overall quality of early childhood programs in the state.
  
- Renewal. Grants are initially for one year but may be renewed for a maximum of three years. In the first year of a renewal grant, states may subgrant no more than 60 percent of funds to early childhood programs to increase access to high-quality early education programs with that percent increasing to 75 percent in years two and three. States receiving a renewal grant must provide matching funds of not less than 30 percent.
  
- Limitations on the federal role. The bill limits the authority of HHS and the Education Department, including restrictions on defining or prescribing: early learning standards or assessments, class size, staff qualifications, curriculum, or scope of programs.

**Recommendations for States**

- **Evaluate the existing preschool opportunities in the state and identify strengths and weaknesses, as well as areas where more information is needed on quality and availability.**  
PDGs can provide an important opportunity to streamline and improve states' preschool options and ensure all students are entering kindergarten with the foundation they need to read on grade level by the end of the third grade.

**Additional Resources**

- [ExcelinEd: K-3 Reading Policy Toolkit](#)
- [ExcelinEd: K-3 Reading MOOC](#)

## Appendix

### A. Projected Future Every Student Succeed Act (ESSA) Title I Funding to States (based on FY2016 Estimates)

*NOTE: State allocations for fiscal years 2015 and 2016 programs are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes from these preliminary estimates.*

	Title I				Student Support and Academic Enrichment Grant (Block Grant)	
	Title I 2016 Estimate - State Total	Title I School Improvement Set-Aside (7% of Total) [Rounded up to \$100,000]	Title I Direct Student Services Optional Set-Aside (3% of Total) [Rounded up to \$100,000]	Title I Direct Student Services Optional Set-Aside - State Administrative Funds (1% of 3% of Total) [Rounded up to \$10,000]	If \$400M (Combined appropriations of previous programs) [Rounded up to \$100,000]	If \$1.6B (If fully funded at authorization level) [Rounded up to \$100,000]
Alabama	235,958,965	16,600,000	7,100,000	80,000	6,200,000	24,500,000
Alaska	40,031,698	2,900,000	1,300,000	20,000	1,100,000	4,200,000
Arizona	344,397,270	24,200,000	10,400,000	110,000	9,000,000	35,800,000
Arkansas	162,657,167	11,400,000	4,900,000	50,000	4,300,000	16,900,000
California	1,815,799,632	127,200,000	54,500,000	550,000	47,200,000	188,600,000
Colorado	159,322,007	11,200,000	4,800,000	50,000	4,200,000	16,600,000
Connecticut	123,428,295	8,700,000	3,800,000	40,000	3,300,000	12,900,000
Delaware	47,611,381	3,400,000	1,500,000	20,000	1,300,000	5,000,000
District of Columbia	45,859,559	3,300,000	1,400,000	20,000	1,200,000	4,800,000
Florida	843,038,080	59,100,000	25,300,000	260,000	21,900,000	87,600,000

Georgia	532,646,237	37,300,000	16,000,000	160,000	13,900,000	55,400,000
Hawaii	50,343,445	3,600,000	1,600,000	20,000	1,400,000	5,300,000
Idaho	61,073,269	4,300,000	1,900,000	20,000	1,600,000	6,400,000
Illinois	716,447,478	50,200,000	21,500,000	220,000	18,600,000	74,400,000
Indiana	274,635,563	19,300,000	8,300,000	90,000	7,200,000	28,600,000
Iowa	97,905,324	6,900,000	3,000,000	30,000	2,600,000	10,200,000
Kansas	111,399,592	7,800,000	3,400,000	40,000	2,900,000	11,600,000
Kentucky	223,247,485	15,700,000	6,700,000	70,000	5,800,000	23,200,000
Louisiana	303,802,794	21,300,000	9,200,000	100,000	7,900,000	31,600,000
Maine	53,210,738	3,800,000	1,600,000	20,000	1,400,000	5,600,000
Maryland	211,966,157	14,900,000	6,400,000	70,000	5,600,000	22,100,000
Massachusetts	249,527,748	17,500,000	7,500,000	80,000	6,500,000	26,000,000
Michigan	516,414,376	36,200,000	15,500,000	160,000	13,500,000	53,700,000
Minnesota	159,642,958	11,200,000	4,800,000	50,000	4,200,000	16,600,000
Mississippi	202,072,305	14,200,000	6,100,000	70,000	5,300,000	21,000,000
Missouri	255,937,878	18,000,000	7,700,000	80,000	6,700,000	26,600,000
Montana	48,815,253	3,500,000	1,500,000	20,000	1,300,000	5,100,000
Nebraska	73,870,309	5,200,000	2,300,000	30,000	2,000,000	7,700,000
Nevada	125,996,323	8,900,000	3,800,000	40,000	3,300,000	13,100,000



New Hampshire	42,394,116	3,000,000	1,300,000	20,000	1,200,000	4,500,000
New Jersey	356,251,144	25,000,000	10,700,000	110,000	9,300,000	37,000,000
New Mexico	125,000,623	8,800,000	3,800,000	40,000	3,300,000	13,000,000
New York	1,194,905,899	83,700,000	35,900,000	360,000	31,100,000	124,100,000
North Carolina	448,461,582	31,400,000	13,500,000	140,000	11,700,000	46,600,000
North Dakota	36,076,520	2,600,000	1,100,000	20,000	1,000,000	3,800,000
Ohio	591,739,500	41,500,000	17,800,000	180,000	15,400,000	61,500,000
Oklahoma	166,986,981	11,700,000	5,100,000	60,000	4,400,000	17,400,000
Oregon	149,102,541	10,500,000	4,500,000	50,000	3,900,000	15,500,000
Pennsylvania	578,145,158	40,500,000	17,400,000	180,000	15,100,000	60,100,000
Rhode Island	53,019,290	3,800,000	1,600,000	20,000	1,400,000	5,600,000
South Carolina	243,875,859	17,100,000	7,400,000	80,000	6,400,000	25,400,000
South Dakota	46,870,397	3,300,000	1,500,000	20,000	1,300,000	4,900,000
Tennessee	305,137,875	21,400,000	9,200,000	100,000	8,000,000	31,700,000
Texas	1,412,561,645	98,900,000	42,400,000	430,000	36,700,000	146,700,000
Utah	94,510,156	6,700,000	2,900,000	30,000	2,500,000	9,900,000
Vermont	35,732,910	2,600,000	1,100,000	20,000	1,000,000	3,800,000
Virginia	261,742,449	18,400,000	7,900,000	80,000	6,800,000	27,200,000
Washington	246,472,674	17,300,000	7,400,000	80,000	6,400,000	25,600,000

Foundation for Excellence in Education

West Virginia	95,608,609	6,700,000	2,900,000	30,000	2,500,000	10,000,000
Wisconsin	224,466,010	15,800,000	6,800,000	70,000	5,900,000	23,400,000
Wyoming	35,452,433	2,500,000	1,100,000	20,000	1,000,000	3,700,000
American Samoa	11,213,378	800,000	400,000	10,000	300,000	1,200,000
Guam	16,465,668	1,200,000	500,000	10,000	500,000	1,800,000
Northern Mariana Islands	6,974,103	500,000	300,000	10,000	200,000	800,000
Puerto Rico	420,186,163	29,500,000	12,700,000	130,000	11,000,000	43,700,000
Virgin Islands	9,821,502	700,000	300,000	10,000	300,000	1,100,000
Freely Associated States	0	0	0	0	-	-
Indian set-aside	104,583,529	7,400,000	3,200,000	40,000	2,800,000	10,900,000
Other	8,984,000	700,000	300,000	10,000	300,000	1,000,000
Total	15,409,802,000	1,081,800,000	464,800,000	4,930,000	403,100,000	1,603,000,000