



Comments to Michigan's Every Student Succeeds Act (ESSA) Revised Submitted Plan dated Aug. 17, 2017

These comments pertain to the Michigan [Revised Submitted ESSA Plan](http://www.michigan.gov/documents/mde/Mich-ESSA-Revised-Plan-2017-08-17_598370_7.pdf) available at http://www.michigan.gov/documents/mde/Mich-ESSA-Revised-Plan-2017-08-17_598370_7.pdf.

MDE claims that this version is responsive to the [Interim feedback letter](#) and [Peer review notes for Title I and Title III](#) of the plan provided by the U.S. Dept. of Education.

The Aug. 17, 2017 version notes that: "The Michigan Department of Education (MDE) has worked to develop a single unified system that meets both state and federal requirements. We note at this time that we are submitting a system for identifying comprehensive, targeted, and additional targeted support schools that is compliant with federal statute without going beyond. We intend to continue working with stakeholders, as well as with our legislature and governor, to refine these identification approaches and may submit amendments in the future based on those conversations."

MDE notes that it intends to request a waiver in order to implement its preferred option for the inclusion of recently arrived English learners in the accountability system (page 18) and to use the proficiency rates for Science and Social Studies as part of the Academic Achievement indicator (page 30).

Subgroups: Minimum Number of Students (pages 18-19)

The revised plan states: "Michigan's minimum n-size of 30 meets widely accepted and studied statistical practices for ensuring reliability. The minimum n-size is the same for all student subgroups in each indicator, and is based upon investigation of research and scholarly papers that indicated the number thirty was large enough to yield statistically reliable results. The compromise between the competing goals of more disaggregated reporting and greater statistical reliability is to maintain the minimum number of students at 30. MDE is not alone in choosing an N-size of 30. It appears that many other state's accountability systems have come to the same conclusion. The minimum n-size of 30 ensures subgroups remain an integral piece of a school's identification and annual meaningful differentiation within the accountability system."

Michigan continues to defend its choice of an N-size of 30 students for accountability without providing any supporting data. In fact, MDE conveniently removed the data on the percentage of schools that would meet the n-size of 30 that appeared in its initial ESSA draft, which stated:

“In 2015-16, using an n-size of 30, 87.6% of schools would have 30 or more students from the All Students subgroup, 0.8% of schools for American Indian or Alaska Native, 6.2% of schools for Asian, 26.7% of schools for Black or African American, 13.3% of schools for Hispanic or Latino, 0.0% of schools for Native Hawaiian or Pacific Islander, 4.1% of schools for Two or More Races, 74.6% of schools for White, 77.6% of schools for Economically Disadvantaged, 11.7% of schools for English Learners and 36.4% of schools for Students with Disabilities.” (page 29)

If we are to assume that 36.4% of Michigan schools meet or exceed the N-size of 30 (based upon 2015-2016 school year data) then we extrapolate that 63.6% of schools will NOT be held accountable for the achievement of the students with disabilities subgroup. In other words, Michigan proposes to hold a mere one-third of its schools accountable for the performance of students with disabilities. This means that two-thirds of MI schools will not be subject to the new ESSA requirement to identify schools with “consistently underperforming” subgroups for Targeted Support and Improvement.

MDE maintains that it “conducted an analysis of student and student subgroup inclusion at various n-sizes” as part of its work to determine N-size. Yet this analysis has never been shared with the public.

The federal regulations on Accountability and State Plans required states to provide information regarding the number and percentage of all students and students in each subgroup for whose results schools would not be held accountable. Unfortunately, those regulations were withdrawn by Congress in March 2017 using the Congressional Review Act which left parents and other public education advocates to “fend for themselves” regarding critical information on N-size impact. Unlike MDE, some states, such as Ohio, engaged in thoughtful, transparent activities on this topic (see Topic Discussion Guide at <http://education.ohio.gov/getattachment/Topics/Every-Student-Succeeds-Act-ESSA/Nsize-Topic-Discussion-Guide.pdf.aspx>).

The MDE also fails to provide information on the impact of an N-size of 30 on graduation rate accountability for student subgroups. An N-size of 30 would require high schools to have 30 or more students with disabilities (or any other subgroup) in the graduating class in order to be held accountable for the subgroup. The public should know how many high schools would be exempt from subgroup accountability and, therefore, not subject to consideration for Targeted Support and Improvement based on consistently underperforming subgroup(s). (As noted by peer reviewers, n-sizes can differ by indicator, but not between different subgroups of students (page 10). Therefore, MDE could lower the N-size for graduation in order to

ensure the maximum number of high schools will be held accountable for subgroup graduation rates.

In further defense of this inappropriately high N-size, MDE states that “It appears that many other state’s accountability systems have come to the same conclusion.” This statement is patently false. In fact, of the 17 states that submitted ESSA plans in the first submission window, only 2 (MI and TN) proposed using an N-size of 30 (see EdWeek Key Takeaways: State Accountability Plans Under ESSA at <http://www.edweek.org/ew/section/multimedia/key-takeaways-state-essa-plans.html>)

Should USED approve MDE’s use of a N-size of 30, it will be giving permission for Michigan to leave thousands of its most vulnerable students – those the ESEA is intended to benefit – behind.

Establishment of Long-Term Goals (page 20)

- Academic Achievement

The MDE continues to fail to provide the information requested by peer reviewers (pages 13-15). Specifically, MDE was told, “Michigan must address measurements of interim progress for each subgroup of students (e.g., incremental progress projected/predicted for each subgroup over the years).” MDE provides no measurements of interim progress for each subgroup in Appendix A (page 119).

Additionally, MDE does not properly describe how participation is calculated in proficiency rates as required by ESSA. It should be made clear that once a school falls below 95% participation, those untested students will be counted as non-proficient.

- Graduation Rate

The MDE fails to provide information requested by peer reviewers (page 18) “Michigan needs to provide measurements of interim progress toward the long-term goals for the four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rate for subgroups and all students.”

Yet MDE provides no measurements of interim progress for each subgroup in Appendix A (page 120).

It would appear that MDE is having difficulty understanding the essential information required by the Act regarding long-term goals and measurements of interim progress. It’s continued lack of adherence to the requirements in the template and in response to peer reviewers’ requests can only be construed as an intentional refusal to meet the requests of the U.S. Dept. of Education.

Additionally, while not noted by peer reviewers, we continue to contend that Michigan’s plan to “have 75% of schools and 75% of student subgroups meet the 2016-17 statewide proficiency

rates at the 75th percentile in English language arts, mathematics, science, and social studies by the end of the 2024-2025 school year” (page 21) violates ESSA’s requirement that the long-term goals and measurements of interim progress apply to all students and all student subgroups. A proposal to hold only a percentage of public schools and students to the achievement of academic and graduation goals is indefensible. Are parents to ask their child’s school “Is my child in the 75% of students expected to meet achievement and graduation goals or is my child in the 25% of students who will not be expected to meet these goals?”

It should be noted that Michigan is the only state that has proposed such an approach to its expectations for student performance. This distinction is important in so much as it flies in the face of the essential purpose of ESSA.

Indicator Weighting (page 35)

The revised plan fails to respond adequately to the peer review request (page 28) that “The State must clarify that substantial weight is assigned to the graduation rate and ELP progress indicators, and that in the aggregate, academic achievement indicators, graduation rate and ELP progress indicators receive much greater weight than the school quality or student success indicator.”

Identification of Schools for Targeted Support and Improvement (page 39)

Schools with consistently underperforming subgroup(s):

The revised plan states “Targeted schools are identified every year and are schools with at least one subgroup that is performing as poorly as all students in any of the lowest performing 5% of Title I schools statewide. They are only identified if they are not already identified as a comprehensive support or additional targeted support school. The district will help schools develop and monitor a plan for targeted support and improvement. Targeted support, in essence, serves as an “early warning” for additional targeted support.

This does not satisfy the ESSA requirement to define “consistently underperforming subgroups.” Rather, this offers the definition of “low-performing” subgroups.

School Conditions (page 49)

The revised plan fails to respond to the peer review request (page 53) “The State must discuss how their plan will be utilized to improve school conditions and reduce incidents of bullying and harassment, reduce the overuse of discipline practices remove students from the classroom, and how the use of aversive behavioral interventions that compromise student health and safety will be reduced. The State must provide description of specific supports beyond providing a list of evidence based practices.”

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