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Identifying the Nation's Lowest Performing Schools: Shifts Following the Passage of the Every Student Succeeds Act (ESSA)

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Identifying the Nation's Lowest Performing Schools: Shifts Following the Passage of the Every Student Succeeds Act (ESSA)

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Kerstin Carlson Le Floch
Steven Hurlburt
Drew Atchison
Katie Hyland
American Institutes for Research

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For more than two decades, federal law has required states to identify schools failing to provide students with a high-quality education and has led to substantial debate about how best to do so. Appropriately identifying the lowest performing schools matters because it allows state and local education agencies to target limited resources for school improvement to where they are needed most. The Every Student Succeeds Act (ESSA) of 2015 sought to address perceived problems with school accountability systems under prior federal law. ESSA provided states with increased flexibility in how they design their *annual evaluation of school performance*. It also introduced new requirements for states' subsequent *identification of schools for the most intensive support*, now designated as those needing Comprehensive Support and Improvement (CSI), in part to allow states to focus on a smaller set of the lowest performing schools. This report examines if ESSA played out as policymakers expected or if there were any other, perhaps less expected, consequences for the number, types, and composition of schools that states identified. The report examines this issue by comparing schools identified for the most intensive supports just before and just after ESSA's implementation.

KEY FINDINGS

- ***Consistent with ESSA's intent to better focus improvement efforts on the lowest performing schools, a smaller set of schools was identified for support in the year immediately following the law's implementation (2018–19) compared to just before (2016–17).*** This reduction was driven by the seven states that, before ESSA, were still operating under the previous No Child Left Behind (NCLB) law's accountability rules. Most other states had "waivers" from those federal rules, granting some of the same flexibilities they would have under ESSA.
- ***Changes in the types of schools identified for the most intensive supports—specifically, more alternative, small, and charter schools—may have resulted from ESSA's intent to broaden the range of schools eligible for CSI identification.*** This shift aligns with federal guidance under ESSA that states apply the same performance evaluation methodology to all schools, except for rare circumstances.
- ***Expanding accountability measures beyond student test scores under ESSA did not seem to decrease the identification of schools with the lowest achievement.*** While ESSA sought to expand state accountability for more than student achievement on standardized reading and math assessments to include measures such as student achievement growth and school quality indicators, the schools identified under ESSA were still among those with the lowest average achievement scores. Still, under ESSA, many of the lowest achieving schools were not identified as CSI.
- ***However, ESSA may have reduced the focus on schools with high concentrations of historically underserved students***. While most schools identified for support under ESSA had high concentrations of low-income students and students of color, the share of these schools was lower compared to just prior to ESSA. This shift may be related to ESSA providing states with greater flexibility to use new performance measures less correlated with poverty, such as student achievement growth.

Chronically low-performing schools are a persistent concern for policymakers, especially as these schools often enroll students of color, students in low-income households, or others who have been historically underserved by their education systems. Since 1965, the federal Elementary and Secondary Education Act (ESEA), particularly its Title I program, has provided funds to all states to increase educational opportunities and achievement for historically underserved students in the schools that serve them. In recent decades, the primary way the law has

sought to improve low-performing schools is by requiring states to have accountability systems designed to identify schools in need of improvement and to direct resources to them.

Over the past 20 years, three successive federal policy contexts have set the framework for how states hold schools accountable for their performance:

1. The **No Child Left Behind Act (NCLB)**, the 2001 reauthorization of ESEA, which, for a decade, outlined a common federal approach to school accountability across all states.
2. **Waivers** to the accountability requirements of NCLB while states were waiting for Congress to amend and reauthorize ESEA. Beginning in 2011 states could apply to the U.S. Department of Education (ED) for exemptions from specific rules in exchange for adopting policies aligned with revised federal guidelines. During the years just prior to the reauthorization, only seven states continued to follow NCLB rules while the remaining states operated under the waiver guidelines.[1]
3. **ESSA**, the 2015 reauthorization of ESEA that, starting in school year 2018–19, once again required all state accountability systems to align with federal guidelines, albeit with states having greater flexibility in how to implement them compared with NCLB.

All three policy contexts share certain key features. Each one requires (or required) the annual evaluation of school performance based on a set of prescribed indicators that states choose how to measure. These indicators have always included some way of gauging student achievement in reading and math and, for high schools, graduation rates. Each policy also requires (or required) states to evaluate the performance of each school overall—averaging across all of its students—and separately for specific groups of students within the school. Then, based on the annual evaluations, each policy requires states to identify a subset of schools that need improvement and are to receive additional supports.

Despite this common framework, the specific policies for annual evaluation of schools under NCLB, the waivers, and ESSA have important differences. Under NCLB, states had to set adequate yearly progress (AYP) targets for each school, intended to ensure that all students reached grade-level proficiency in reading and math by 2014. States' annual evaluation of performance operated as a pass/fail system: If a school missed a single AYP target overall or for any required group of students, then the entire school was considered to fail AYP. Under the waivers, and later ESSA, annual evaluations[2] were no longer required to be pass/fail. Instead, states could differentiate levels of school performance (for example, letter grades A through F). ESSA also required states to evaluate school performance taking more than student achievement into account but provided some flexibility in the specific measures that states may select and how they factor into determining overall school performance. Finally, ESSA no longer required that a school's annual evaluation determination be based on both the performance of specific groups (for example, Hispanic students or students with disabilities) and all students (Exhibit 1). For state-specific information on selected accountability features and measures of school quality under ESSA, see Appendix Exhibits A.2 and A.3, respectively.

The three policy contexts also differ in how states are to use annual evaluations to identify schools for the most intensive support. Under NCLB, states were required to identify schools that persistently failed to make AYP. Title I schools[3] that failed AYP for at least four years were designated as schools in *corrective action* or *restructuring* and were identified for intensive supports.[4] There was no cap on the number or share of schools identified, so improvement resources might have had to be spread across a large number of schools if many did not meet their AYP targets over time.[5] In contrast, states with waivers were required to identify at least the lowest performing 5 percent of Title I schools for intensive supports, designating them as *priority* schools. Under ESSA, states also reserve intensive supports for at least the lowest performing 5 percent of Title I schools, designating them as CSI.[6] Through their use of the 5 percent minimum threshold, and in contrast to NCLB, both the waiver and ESSA policies sought to

ensure a focus on the very lowest performing schools. At the same time, the waivers and ESSA added a requirement for states to automatically identify high schools with a low graduation rate, regardless of achievement or Title I status, potentially increasing the number of schools identified.

Exhibit 1. Key features of school accountability under three federal policy contexts

Federal Law	No Child Left Behind Act	Waivers	Every Student Succeeds Act
Time Period for Report	2016–17		2018–19
Step 1: Annual Evaluation of School Performance			
Long-term goals	States are required to have the same goal (100% proficiency) and timeline (by 2014).	States choose from three options, one of which allows them to set their own "ambitious but achievable" goals and timelines subject to ED approval.[7]	States set their own "ambitious but achievable" goals and timelines subject to ED approval.
School ratings	States are required to give schools one of two ratings (pass/fail): made AYP or did not make AYP.	States are required to differentiate varied levels of school performance.[8]	States are required to differentiate varied levels of school performance.[9]
Indicators of school performance	Student *proficiency* in reading and math is required.	Student *proficiency* in reading and math is required.	A state-selected measure of student *achievement* in reading and math is required, which should include proficiency but also may include other measures (for example, student academic growth).[10]
	A test participation indicator is required (at least 95% of students must take reading and math tests).	A separate test participation indicator is not required.[11]	A separate test participation indicator is not required.[12]
	A state-selected other "academic" indicator is required (for example, student attendance).	Other indicators are permitted but not required.	A state-selected "school quality or student success" indicator is required (for example, chronic absenteeism or school climate).[13]
	High school graduation rate is required.	High school graduation rate is required.	High school graduation rate is required.
	Student growth in proficiency is not a required indicator.[14]	A state-selected indicator of change in performance is required (for example, student growth).	A state-selected indicator of "academic progress" is required for elementary and middle schools (for example, student growth).[15]
	ELP for English learners is not a required indicator.[16]	ELP for English learners is not a required indicator.	ELP progress for English learners is required.
Use of indicators to rate performance	States are required to rate a school as "did not make AYP" if it did not meet one or more required indicators.	States choose how indicators are combined to rate school performance.	States choose how indicators are combined to rate school performance.

Federal Law	No Child Left Behind Act	Waivers	Every Student Succeeds Act
Time Period for Report	**2016–17**		**2018–19**
Inclusion of specific groups of students in school ratings	States are required to assess AYP for federally specified student groups in each school.[17] If any one group "did not make AYP," the state must rate the school as "did not make AYP."	States are required to include student groups in the evaluation of school performance, but groups and method of inclusion is up to states.	States are required to include student groups in the evaluation of school performance, but groups and method of inclusion is up to states.
Minimum number of students needed for "standard" accountability rules[18]	States choose a minimum number of students in a school or in a group of students for standard accountability rules to apply.	States choose a minimum number of students in a school or group of students to be included in standard accountability rules.	Similar to prior policies. However, federal regulations (later rescinded) encouraged this number to be no greater than 30 students.
Rules for schools in special circumstances	States choose how to evaluate performance for small schools, those without tested grades, or those in other unique circumstances.	States choose how to evaluate performance for small schools, those without tested grades, or those in other unique circumstances.	States choose how to evaluate performance for small schools, those without tested grades, or those in other unique circumstances. However, federal guidance (later rescinded) encouraged states to use the same accountability rules for all schools.[19]
Step 2: Identification of Schools for Most Intensive Support			
Accountability ratings for lowest performing schools	States are required to identify Title I schools that miss AYP targets for four years as in **corrective action** and for five years as in **restructuring.**[20]	States are required to identify at least the lowest performing 5% of Title I schools as **priority** schools. *All Title I* high schools with graduation rates below **60%** must be identified as **priority** schools or **focus** schools.[21]	States are required to identify at least the lowest performing 5% of Title I schools, and *all public* high schools with graduation rates below **67%**, for **CSI**.[22,23]
Role of student "subgroups" in identification	Schools that missed AYP for the same student group for four years were identified for the most intensive support.	Priority school identification is not based on the performance of specific student groups.	CSI identification is not based on the performance of specific student groups, with the exception of the required English learner progress measure.
Identifying non-Title I schools	States choose whether to identify non-Title I schools for the most intensive support.	States choose whether to identify non-Title I schools for the most intensive support.	States choose whether to identify non-Title I schools for the most intensive support, except they are required to identify non-Title I public high schools with graduation rates below 67%.

Note: AYP is adequate yearly progress; CSI is Comprehensive Support and Improvement; ED is U.S. Department of Education; ELP is English language proficiency.

This report examines state identification of schools for the most intensive support to see how changes in federal laws and regulations played out nationally and at the state level. It looks at two time points: 2016–17 and 2018–19. In 2016–17, there were two distinct policy contexts, with most states operating under waivers but seven states still operating under NCLB.[24] In 2018–19, all states were expected to be following ESSA regulations for the first

time. Of particular interest is whether the number and characteristics of identified schools—including their average student achievement and demographics—differed when comparing the set of schools identified under ESSA to the set of schools identified just before ESSA.

Box 1. Overview of the study design

What questions did the study address?

- Did states identify a smaller number of schools for the most intensive support under ESSA compared to prior policies, as intended by policymakers?
- Were there differences in the types of schools identified under ESSA compared to prior policies, and what did those differences look like?
- Given new flexibility for states to define school performance more broadly, were the very lowest achieving schools—based on state standardized tests—less likely to be identified under ESSA?
- Under ESSA, did states identify schools with high concentrations of historically underserved students—specifically those who were low-income and students of color—for the most intensive support, and how did that compare to prior to ESSA?

What data were collected?

- Data were obtained for all schools in 49 states,[25] the District of Columbia, and Puerto Rico for two years: 2016-17 and 2018-19. Given the study aims to compare the number and characteristics of schools identified for the most intensive support under ESSA with those under prior policies, these two years offer the most straightforward comparison. The 2016-17 school year was the last year in which states consistently reported accountability designations prior to ESSA, and 2018-19 was the first year in which all states were expected to report accountability designations under ESSA. Because states were in the process of fully transitioning to ESSA's accountability rules during 2017-18, school accountability designations were not consistently reported. Consequently, this school year was excluded from analysis.
- ***School identification.*** Information about whether a school was identified for the most intensive support was obtained from ED*Facts*, a centralized data collection through which state education agencies submit preK through grade 12 data for each school to ED. For 2016-17, for schools in waiver states, the data included an indicator of whether a school was identified as priority[26] based on school performance data collected in 2015-16; for schools in nonwaiver states, the data included an indicator of whether a school was in corrective action or restructuring based on school performance data collected in 2015-16. For 2018-19, the data included an indicator of whether a school was identified as CSI based on school performance data collected in 2017-18.
- ***Academic performance and graduation.*** Data on the percentage of students proficient in English language arts (ELA) and mathematics, and the percentage of students who graduated within four years from each school were obtained from the ED*Facts* initiative.

- ***School characteristics and student demographics.*** Information was obtained from the Common Core of Data, ED's comprehensive database of all public elementary and secondary schools nationwide, on their characteristics, including school level (for example., elementary, middle, or high), urbanicity (such as urban, suburban, or rural), school type (for example, traditional, alternative, special education, or vocational), and charter status. Data also included student demographics, including the percentage of students eligible for free or reduced-price lunch and the percentage of students who are Black or Hispanic.
- To provide historical context, school identification data were obtained from the ED*Facts* initiative for 2004–05 through 2015–16. Policy documents, including federal laws, regulations, and guidance documents; profiles of each state's proposed ESSA accountability system developed by the American Institutes for Research® in 2020; and peer review panel notes on state ESSA plans, were reviewed to provide context and develop hypotheses about what policy shifts might help explain observed changes in the number and characteristics of schools identified for the most intensive support.

How were data analyzed?

- ***Descriptive analyses.*** The study tabulated the number and percentage of schools identified for the most intensive support in 2016–17 and 2018–19, and the characteristics of those schools. The study examined changes, overall and separately, for states that did and did not have waivers before ESSA. Because NCLB, waivers, and ESSA provided states flexibility on whether to identify non-Title I schools for the most intensive supports, the study's analyses include all public schools that states identified for those supports and all public schools as a denominator for calculating percentages.
- ***Policy document review.*** The study team reviewed policy documents and systematically extracted information related to key components of federal and state accountability policies.
- See Appendix B for more information on how the data were analyzed.

CONSISTENT WITH ESSA'S INTENT TO FOCUS ON THE VERY LOWEST PERFORMING SCHOOLS, FEWER SCHOOLS WERE IDENTIFIED FOR SUPPORT NATIONALLY, DRIVEN BY STATES WITHOUT WAIVERS

Over the span of NCLB's implementation, there was a growing consensus among education administrators and policymakers that the law's approach to accountability resulted in states identifying too many schools for the most intensive support.[27,28,29] NCLB required each state to establish a trajectory of rising interim goals for the percentage of students at or above the proficient level, culminating in all students reaching proficiency by 2014. Over time, as these interim goals moved closer to the law's ultimate goal of 100 percent proficiency, meeting annual targets became increasingly challenging. In turn, more schools were identified for corrective action and restructuring, putting a strain on state resources to support these schools. In response, policy debates turned to finding a way to focus on the lowest performing schools, settling on those in the bottom 5 percent.[30] This focus, adopted initially through the NCLB waivers, was thought to enable states to better direct resources to attend to the urgent needs of the most struggling schools.[31]

When ESSA went into effect, policymakers had reason to expect that some states would see a decline in the number of schools identified for the most intensive supports. Because ESSA continued the waivers' focus on the bottom 5 percent of Title I schools, the number of schools identified for the most intensive supports in waiver states would likely remain relatively unchanged. However, among nonwaiver states, change was expected.

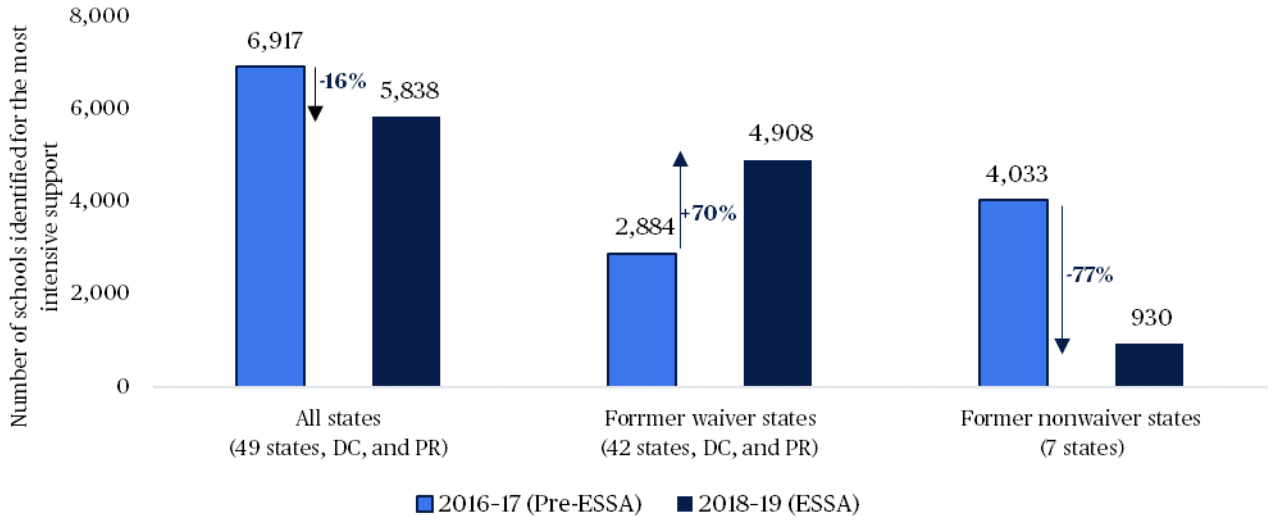
Absent the policy shift, the total number of schools that nonwaiver states identified for intensive support—those in corrective action or restructuring—would likely have continued to climb. By directing the attention of nonwaiver states to those in the bottom 5 percent of performance, substantially fewer but more challenged schools were anticipated to be the target for the most intensive support.

However, changes in other aspects of ESSA accountability had the potential to *increase* the number of schools identified for the most intensive support. For example, after NCLB was enacted, researchers called attention to high schools with high dropout rates, or so-called "dropout factories."[32] Reflecting these concerns, the waivers required states to identify *all Title I* high schools with graduation rates below *60 percent* for intensive supports (as priority schools). ESSA went a step further, requiring states to identify *all public* high schools with low graduation rates as CSI and changing the threshold defining a "low" graduation rate to *67 percent*. Both changes had the potential to increase the number of high schools identified, counteracting efforts to allow states to focus on a smaller number of low-performing schools overall.[33,34]

State implementation of these various policy changes could shift the overall number or even the set of schools identified for the most intensive support. Taking advantage of the flexibilities provided under ESSA, many states incorporated new measures (such as chronic absenteeism, suspension rates, postsecondary enrollment, and school climate) into their accountability systems, gave indicators different weights in the formulas, decided to include low-performing non-Title I schools when identifying schools for the most intensive support, or otherwise changed the methods they use to assess school performance annually.[35]

- ***Under ESSA, states identified fewer schools for the most intensive support nationwide, with expected decreases in former waiver states more than offsetting increases in former waiver states.*** The number of identified schools in states that were still operating under NCLB accountability rules before ESSA declined from 4,033 to 930, a 77 percent reduction (Exhibit 2). Among these nonwaiver states, California—the largest state in this group—accounted for the greatest decrease, going from 3,270 identified schools in 2016-17 (the last year in which states consistently reported accountability designations prior to ESSA) to 781 schools in 2018-19 (the first year in which all states were expected to report accountability designations under ESSA).[36] Conversely, the number of identified schools in states that had received NCLB waivers prior to ESSA increased from 2,884 in 2016-17 to 4,908 in 2018-19, a 70 percent increase.[37] For state-by-state information on changes in the number of schools identified for the most intensive support, see Appendix Exhibit C.1.

Exhibit 2. Change in the number of schools identified for the most intensive support, overall and in waiver and nonwaiver states, 2016–17 (pre-ESSA) to 2018–19 (ESSA)

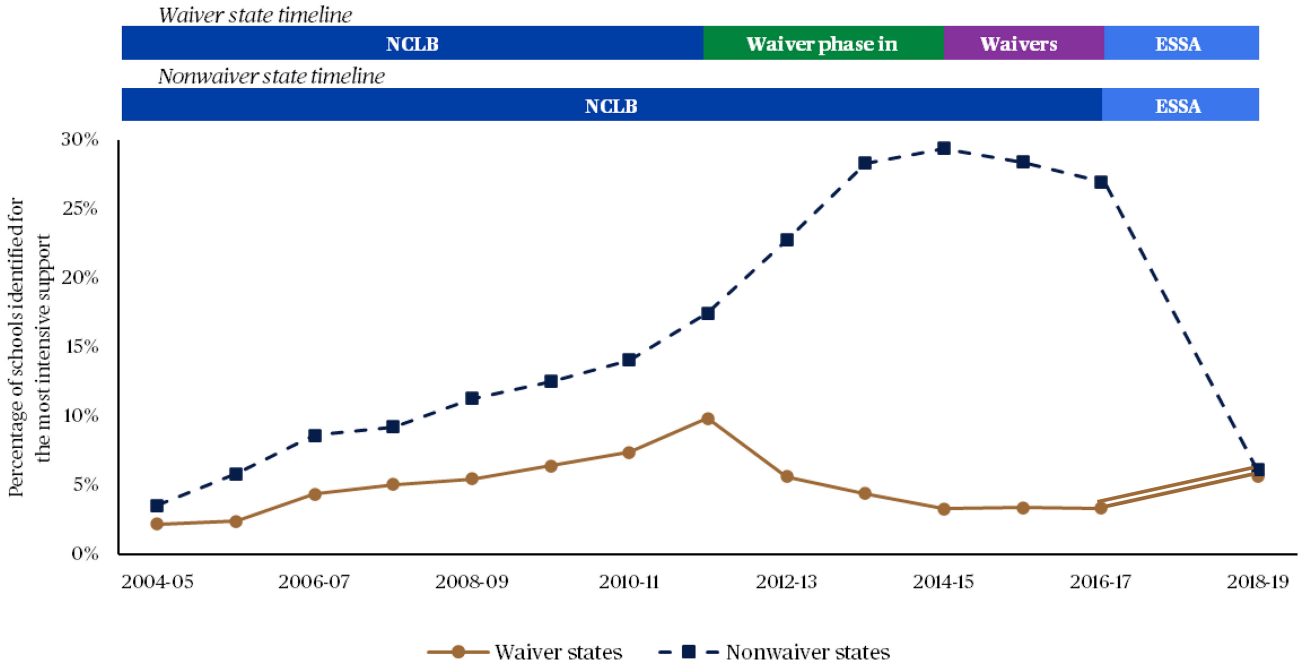


Note: DC is District of Columbia; ESSA is Every Student Succeeds Act; PR is Puerto Rico. The exhibit includes 49 states, the District of Columbia, and Puerto Rico. See Appendix Exhibit C.1 for state-by-state results.
Source: U.S. Department of Education, ED*Facts*, Data Group (DG) 34, "Improvement status," 2016–17, and DG 866, "Comprehensive Support and Improvement (CSI) identification," 2018–19; U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), "Public Elementary/Secondary School Universe Survey," 2016–17 and 2018–19.

- ***What had been a large disparity in identification rates between waiver and nonwaiver states was reduced under ESSA, with both sets of states identifying approximately 6 percent of all schools as CSI.*** The percentage of all public schools that were identified for the most intensive support in nonwaiver states dropped from 27 percent in 2016–17 to 6 percent in 2018–19, whereas the percentage in waiver states increased from 3 percent before to 6 percent after ESSA was enacted (Exhibit 3). Overall, states identified approximately 8 percent of their Title I schools, exceeding the law's requirement to identify at least the lowest 5 percent of these schools (see Appendix Exhibit C.2). States that previously did not have waivers identified a much smaller share of Title I schools under ESSA (from 44 percent to 9 percent) while waiver states identified a larger share (from 5 percent to 8 percent).

  The convergence of CSI identification rates at 6 percent of all schools is striking given the different trends in states with and without waivers prior to ESSA (Exhibit 3). Nonwaiver states had steadily increased their percentage of schools identified for the most intensive support from approximately 4 percent in 2004–05 to almost 30 percent in 2014–15, due to the increasingly ambitious performance targets necessary under NCLB.[38] In contrast, states that received waivers, no longer subject to the NCLB performance targets, transitioned to the identification of a smaller set of schools beginning in 2012–13 when the waivers first went into effect. From 2014–15 to 2016–17 (just prior to ESSA), waiver states identified approximately 3 percent of schools for the most intensive support.

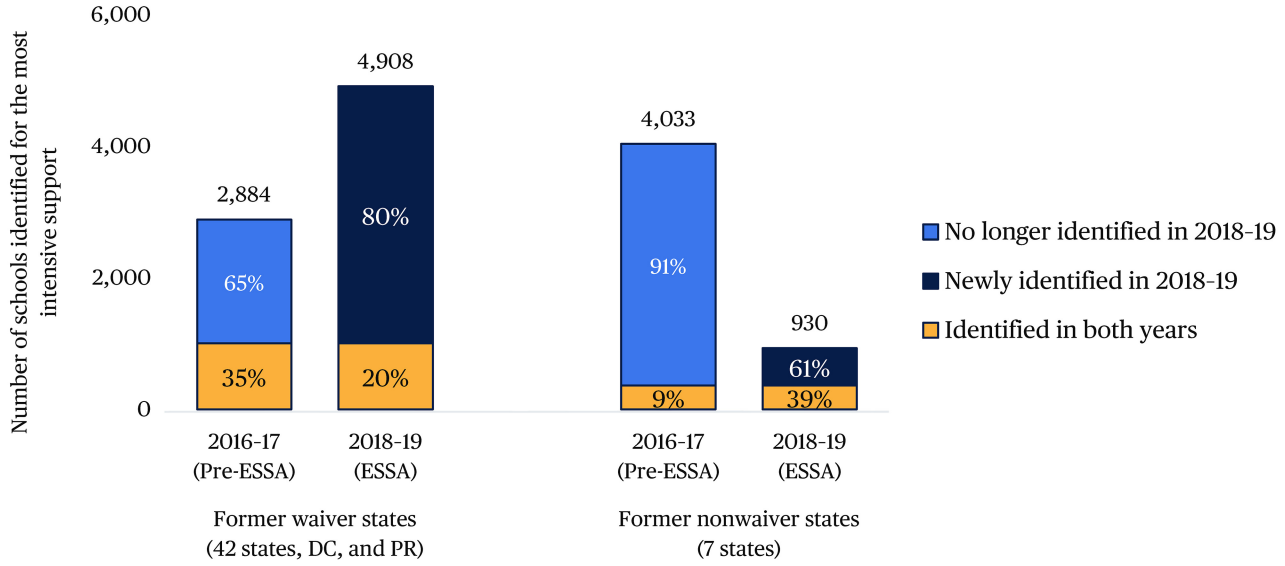
Exhibit 3. Change in the percentage of all schools identified for the most intensive support, by policy context, 2004–05 to 2018–19



Note: ESSA is Every Student Succeeds Act; NCLB is the No Child Left Behind Act of 2001. Because 2017–18 served as a transition period before the full implementation of ESSA's accountability requirements, the number and percentage of identified schools for 2017–18 are not included in this exhibit. The exhibit includes 49 states, the District of Columbia, and Puerto Rico. See Appendix Exhibit C.3 for more details.
Source: ED*Facts*, "Improvement status," 2004–05 through 2016–17, and "CSI identification," 2018–19; CCD, 2004–05 to 2018–19.

- ***Different schools were identified under ESSA than had been identified under NCLB or the waivers.*** In 2018–19, 80 percent of CSI schools in former waiver states and 61 percent in former nonwaiver states were newly identified (Exhibit 4).[39] A relatively small percentage of schools were identified both just before and again soon after ESSA was implemented. This pattern of different schools being identified just before and just after ESSA was seen in waiver and nonwaiver states. Among the schools that were no longer identified, a very small percentage closed[40] or significantly improved outcomes (see Appendix Exhibit C.5), suggesting that policy changes were a key factor. It was beyond the scope of this report to examine how individual schools changed from 2016–17 to 2018–19; however, future reports will examine how CSI identification under ESSA relates to school improvement.

Exhibit 4. Percentage of schools that were newly identified and no longer identified for the most intensive support after ESSA implementation, by waiver status, 2016–17 (pre-ESSA) to 2018–19 (ESSA)



Note: DC is District of Columbia; ESSA is Every Student Succeeds Act; PR is Puerto Rico. Newly identified schools refer to any CSI school in a waiver state that was not identified as a priority school in 2016-17 or any CSI school in a nonwaiver state that was not identified for corrective action or restructuring in 2016-17. (Schools in this category may have been identified for the most intensive support in the years preceding 2016-17.) The exhibit includes 49 states, the District of Columbia, and Puerto Rico. See Exhibit C.1 for state-by-state results.
Source: ED*Facts*, "Improvement status," 2016-17, and "CSI identification," 2018-19.

CHANGES IN TYPES OF SCHOOLS IDENTIFIED FOR THE MOST INTENSIVE SUPPORT MAY HAVE BEEN INFLUENCED BY ESSA REQUIREMENTS TO INCLUDE MORE SCHOOLS IN STATE ACCOUNTABILITY SYSTEMS

Although ESSA introduced new flexibility in the design of states' accountability systems, it also tightened guidelines that limited state discretion in other ways that might affect the types of schools identified for support. Under NCLB, the waivers, and even ESSA, states have been allowed to establish "special" accountability rules for certain categories of schools—for example, alternative schools that address the needs of students that typically cannot be met in regular schools and very small schools. However, these rules sometimes precluded such schools from being identified for intensive support. In seeking to be more inclusive, ESSA guidance discouraged the use of special accountability rules. ESSA also began requiring states to identify all public high schools with low graduation rates as CSI, rather than just Title I high schools, which could broaden the pool of potential schools identified. And following the passage of ESSA, ED encouraged states to lower the minimum number of students needed for a school to be included in standard accountability calculations of annual performance (the minimum "*n*-size"). Under NCLB and the waivers, states had flexibility to set the minimum *n*-size as they saw fit, making it more likely that very small schools would be evaluated using special rather than standard accountability rules and therefore less likely that they would be identified for intensive support. Under ESSA, states were required to provide additional justification if their accountability plan proposed an *n*-size greater than 30 students.

Together, these policy changes had the potential to alter the types of schools identified for support, perhaps in ways that were not fully anticipated by policymakers.

- ***The number of alternative schools, high schools, small schools, and charter schools identified for the most intensive support increased substantially under ESSA, compared with other types of schools.*** Although the overall number of identified schools decreased by 16 percent across all states under ESSA, the number of identified alternative schools increased greatly (340 percent), as did the number of identified high schools (75 percent), small schools with fewer than 200 students (142 percent), and charter schools (102 percent; see Appendix Exhibit C.6). In contrast, fewer regular (nonalternative) schools, elementary schools, middle schools, and large schools were identified for CSI. More specifically, while high schools experienced a large increase in identification, elementary schools declined by 49 percent and middle schools by 24 percent. Other types of schools (such as vocational schools) saw little change in the number identified for CSI.
  - ***ESSA's new requirements for identifying high schools with low graduation rates likely influenced the increase in the percentage of high schools identified for the most intensive support.*** As noted earlier, ESSA introduced two changes to the identification of high schools for the most intensive support. First, ESSA raised performance expectations for high school graduation rates, changing the threshold for identification from 60 percent to 67 percent. Second, the new law expanded the pool of high schools subject to this expectation, extending it beyond Title I high schools to encompass all public high schools.

    Collectively, these changes could explain about one third (577) of the high schools newly identified for improvement between 2016–17 and 2018–19. Consistent with expectations, ESSA's stricter graduation-rate threshold appeared to increase the number of high schools identified for support, albeit slightly. Under ESSA, about 8 percent (or 130) of the newly identified CSI high schools had a graduation rate between 60 and 67 percent, and thus may have been identified due to the new requirement (see Appendix Exhibit C.4). Similarly, expanding the set of high schools to which this requirement applied appears to be related to the increased number of schools identified for improvement. Among the 1,711 newly identified CSI high schools, 483 were non-Title I and had a graduation rate below 67 percent, and thus may have been identified because of ESSA's requirement to include all public high schools with low graduation rates in accountability systems.[41]

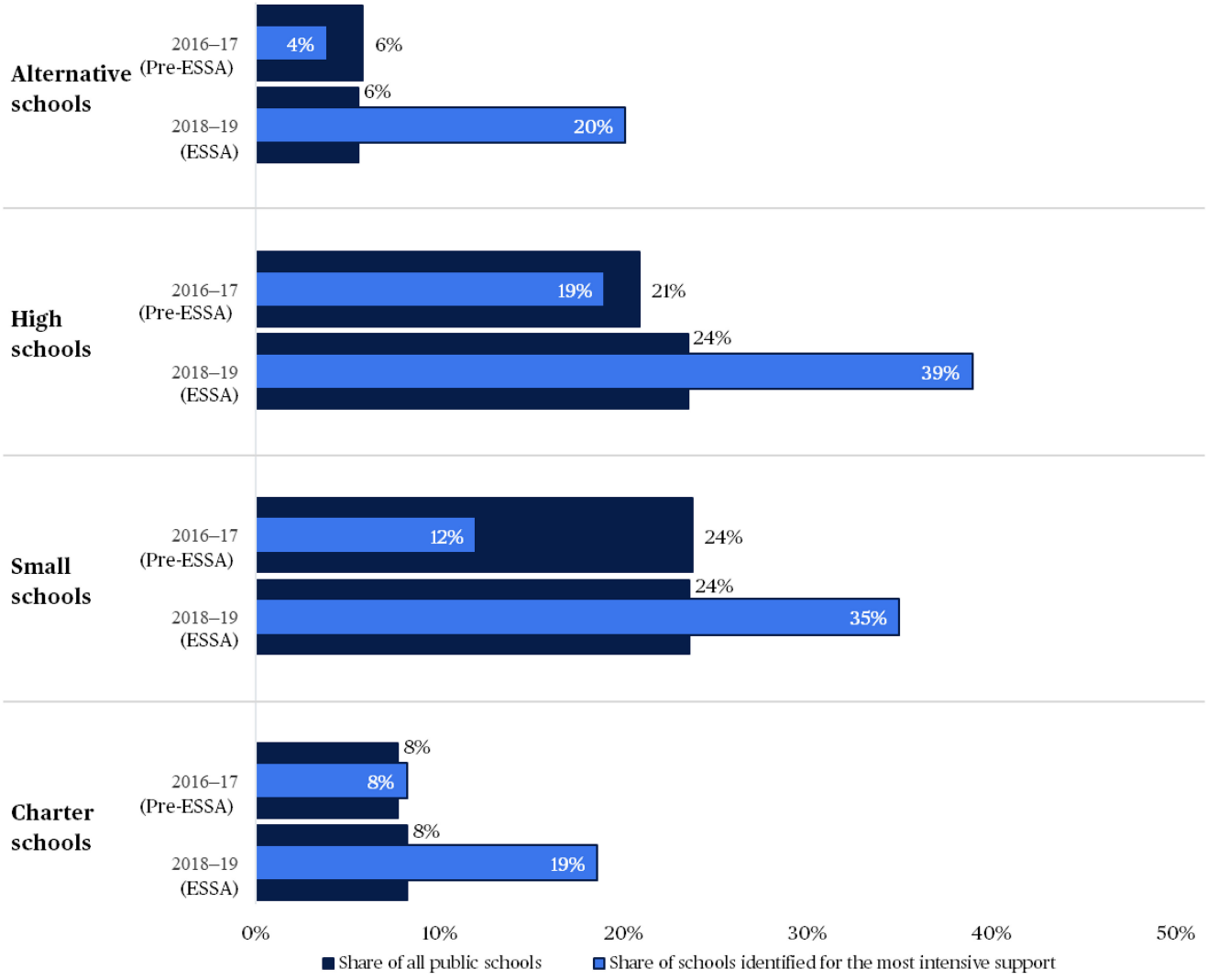
    In addition to federal policy shifts, state-level decisions on how to use ESSA flexibilities also may have played a role in the identification of CSI high schools. For example, under ESSA, Minnesota expanded its criteria for identifying low-graduation-rate high schools to include not just high schools with low overall graduation rates but also high schools in which specific student groups had low graduation rates.
  - Other changes in federal and state policies may help further explain the shifts in the types of schools identified as CSI under ESSA. The statutory language in both NCLB and ESSA is similar: Under both laws, states are required to include all public schools in a statewide accountability system. However, there is evidence that certain types of schools may have been excluded from federal accountability determinations prior to ESSA.[42] Under ESSA, federal guidance signaled an expectation that states apply the same performance evaluation methodology to all schools, except for rare circumstances. Specifically, feedback from ED on initial ESSA accountability plans encouraged states to revise the ways in which alternative schools were to be included in standard accountability practices. In nine of the 14 states with the largest increases in identified alternative schools, reviewers of the states' initial accountability plans pointed to shortcomings in the ways in

which states proposed to evaluate the performance of alternative schools, thus prompting states to create approaches that included more of the schools in their standard evaluation plans.[43]

Moreover, in response to ESSA guidance, the minimum *n* size required for a school to be included under standard accountability rules decreased from a median of 30 under NCLB to 20 under ESSA.[44] This enabled more schools with low enrollment to be included under standard accountability rules. Because there is substantial overlap among alternative schools, high schools, small schools, and charter schools, policy shifts related to alternative and small schools also may influence changes in the numbers of high schools and charter schools identified as CSI (see Appendix Exhibit C.9).[45] For example, most newly identified charter schools (73 percent) were either small schools, alternative schools, or high schools, and more than half of newly identified high schools were small.

- ***After ESSA, alternative schools, high schools, small schools, and charter schools represented a disproportionately large share of the schools identified for CSI.*** For example, small schools accounted for 35 percent of CSI schools, compared with 24 percent of all public schools and just 12 percent of schools identified for the most intensive support prior to ESSA (Exhibit 5). Similarly, alternative schools accounted for 20 percent of CSI schools, compared with 6 percent of all public schools and 4 percent of schools identified for the most intensive support prior to ESSA.

Exhibit 5. Percentage of schools identified for the most intensive support that were alternative schools, high schools, small schools, and charter schools, in comparison to the proportion of all public schools, 2016–17 (pre-ESSA) and 2018–19 (ESSA)



Note: ESSA is Every Student Succeeds Act. Small schools are defined as schools that serve 200 students or fewer. The exhibit includes 49 states, the District of Columbia, and Puerto Rico. See Appendix Exhibits C.6, C.7, and C.8 for more details.
Source: ED*Facts*, "Improvement status," 2016-17, and "CSI identification," 2018-19; CCD, 2016-17 and 2018-19.

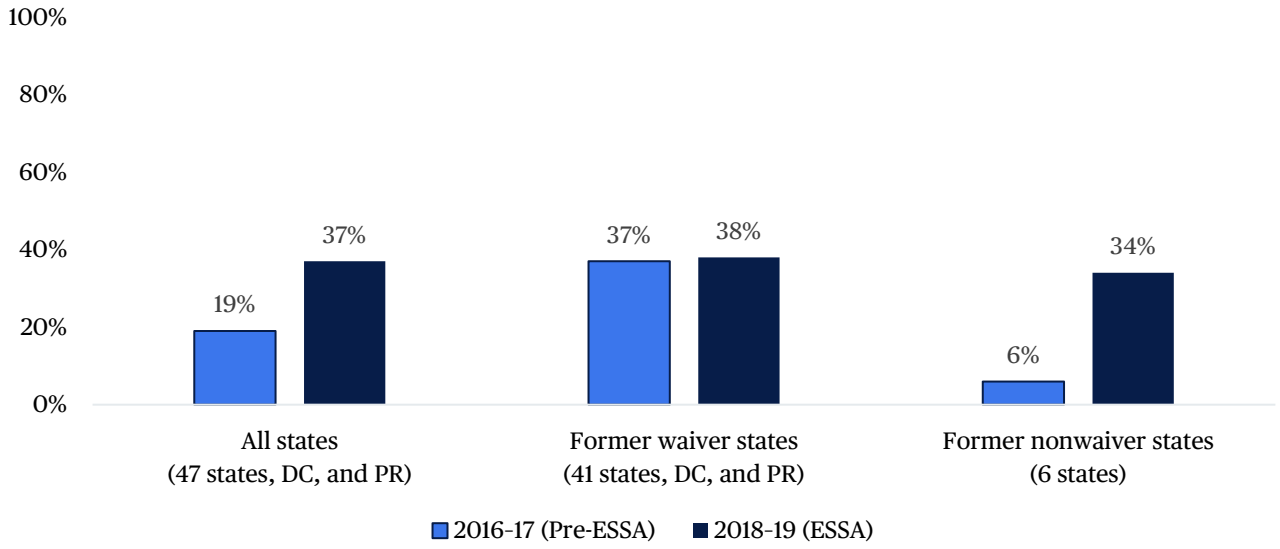
EXPANDING ACCOUNTABILITY MEASURES BEYOND STUDENT TEST SCORES UNDER ESSA DID NOT SEEM TO DECREASE IDENTIFICATION OF SCHOOLS WITH THE LOWEST ACHIEVEMENT

The changes introduced by the waivers and ESSA raise questions about whether the lowest performing schools that states identified also were the lowest *achieving* in terms of ELA and mathematics proficiency. This is important given that both prior and current law mandate ELA and mathematics testing–signaling the importance of achievement testing as a means for assessing key student outcomes. However, ESSA also sought to expand the focus of accountability from student achievement in math and reading to school performance more broadly.

Policymakers and educators might be concerned if incorporating additional indicators into state accountability systems makes it *less* likely that schools with the lowest achievement are identified and targeted for intensive improvement supports. This issue could arise if states chose to combine and weight measures for newly required indicators of school quality and student success or English language proficiency progress in ways that lead to them disproportionately influencing identification of CSI schools. At the same time, ESSA also directed state attention to the very lowest performing 5 percent of schools—a shift intended to curb the rising number of schools identified, including those that may not be the very lowest achieving, as the criteria for meeting AYP became more stringent.[46,47] The combined effects of these two ESSA policy shifts could not have been fully predicted at the time of the law's enactment.

- ***Across waiver states, ESSA did not appear to change the percentage of identified schools that were among the lowest achieving.*** The percentage of all identified schools that were in the bottom 5 percent for ELA and mathematics proficiency in these states, taken as a whole, was similar in 2016–17 (37 percent) and 2018–19 (38 percent) (Exhibit 6).[48] Looked at a different way, the percentage of the bottom 5 percent lowest achieving schools that were identified for the most intensive supports pre- and post-ESSA was similar in states that formerly had waivers (see Appendix Exhibit C.12).[49] However, there was considerable variation in the extent and direction of change among individual waiver states. While the share of identified schools that were in the bottom 5 percent of achievement among all public schools increased by an average of 7 percentage points in 29 states, the District of Columbia, and Puerto Rico, 12 states reduced their share. These decreases ranged from 2 percentage points in Tennessee to 39 percentage points in Alaska (see Appendix Exhibit C.10).[50] Variation in the measures of school performance chosen by each state under ESSA may have influenced these state-level differences.[51]
- ***In contrast, the introduction of ESSA was associated with a sharp rise in the percentage of identified schools that were among the lowest achieving schools in states that did not previously have waivers.*** Among these states, by 2016–17, only 6 percent of schools identified for the most intensive support were in the bottom 5 percent of all public schools for ELA and mathematics proficiency under NCLB rules (Exhibit 6). However, after ESSA, both the number and percentage of identified schools in the bottom 5 percent of achievement increased. Specifically, the percentage rose to 34 percent, and the number of such schools went from 217 to 291, even as the total number of identified schools declined from 4,033 to 930 (see Appendix Exhibit C.10). In other words, as these states reduced the number of schools identified for the most intensive support as intended by ESSA, they began focusing more on the lowest achieving schools.[52] This result appears to have been driven by nonwaiver states shifting their focus to the lowest performing 5 percent of schools. Even so, broadening the definition of school performance may have worked counter to focusing on the lowest achieving schools and, had states exclusively used achievement measures to identify CSI schools, the focus on low-achieving schools may have been even greater. However, it is beyond the scope of this report to examine these issues.
- ***The substantial change among nonwaiver states resulted in a greater focus on the lowest achieving schools overall under ESSA.*** Nationwide, the percentage of identified schools in the bottom 5 percent of all public schools for ELA and mathematics proficiency increased from 19 percent in 2016–17 to 37 percent in 2018–19 (Exhibit 6). As noted, despite the increase, policymakers may have expected a more pronounced focus on the lowest achieving schools given that ESSA requires states to identify the very lowest performing schools.

Exhibit 6. Percentage of schools identified for the most intensive support that were in the bottom 5 percent for English language arts and mathematics proficiency, by waiver status, 2016–17 (pre-ESSA) and 2018–19 (ESSA)



Note: ESSA is Every Student Succeeds Act. The percentage of identified schools in the bottom 5 percent was determined for each state based on the combined school-level averages for English language arts (ELA) and mathematics proficiency. These averages were derived from each state and academic year by averaging school-level proficiency rates across both subjects for all public schools with 10 or more valid scores in both subject areas.
For waiver states, this exhibit includes 2,760 of the 2,884 schools identified for the most intensive support in 2016–17 and 4,401 of the 4,908 identified schools in 2018–19. For nonwaiver states, this exhibit includes 3,789 of the 4,033 identified schools in 2016–17 and 849 of the 930 identified schools in 2018–19. (Schools reporting fewer than 10 valid scores in either ELA or mathematics, or missing proficiency data for either year were excluded from the exhibit.) See Appendix Exhibit C.10 for state-by-state results.
Source: ED*Facts,* "Improvement status," 2016–17; "CSI identification," 2018–19; DG 583, "Academic achievement in mathematics," 2016–17 and 2018–19; DG 584, "Academic achievement in reading/language arts," 2016–17 and 2018–19.

UNDER ESSA POLICIES, SCHOOLS WITH HIGH CONCENTRATIONS OF LOW-INCOME STUDENTS AND STUDENTS OF COLOR WERE LESS LIKELY TO BE IDENTIFIED FOR INTENSIVE SUPPORT

In crafting ESSA's accountability provisions, Congress sought to balance two policy objectives: first, to uphold the long-standing federal priority to support achievement among historically disadvantaged student groups;[53] and, second, to mitigate the risk of accountability designations unfairly stigmatizing students and the schools that serve them.[54] One important question is how policy changes potentially relevant to these two objectives may have affected the demographic makeup of schools that ended up identified for the most intensive support under ESSA.

One issue that received particular attention in debates over unfair stigmatization was whether the identification of schools should be based in part on the performance of particular groups of students, such as groups formed by students' race, ethnicity, or disability status.[55] Some stakeholders argued that NCLB's emphasis on the achievement of specific groups of students had the potential to misidentify schools as needing improvement despite acceptable performance overall. In contrast, other stakeholders argued that the law should explicitly include accountability provisions to identify and address the needs of traditionally underserved students, in

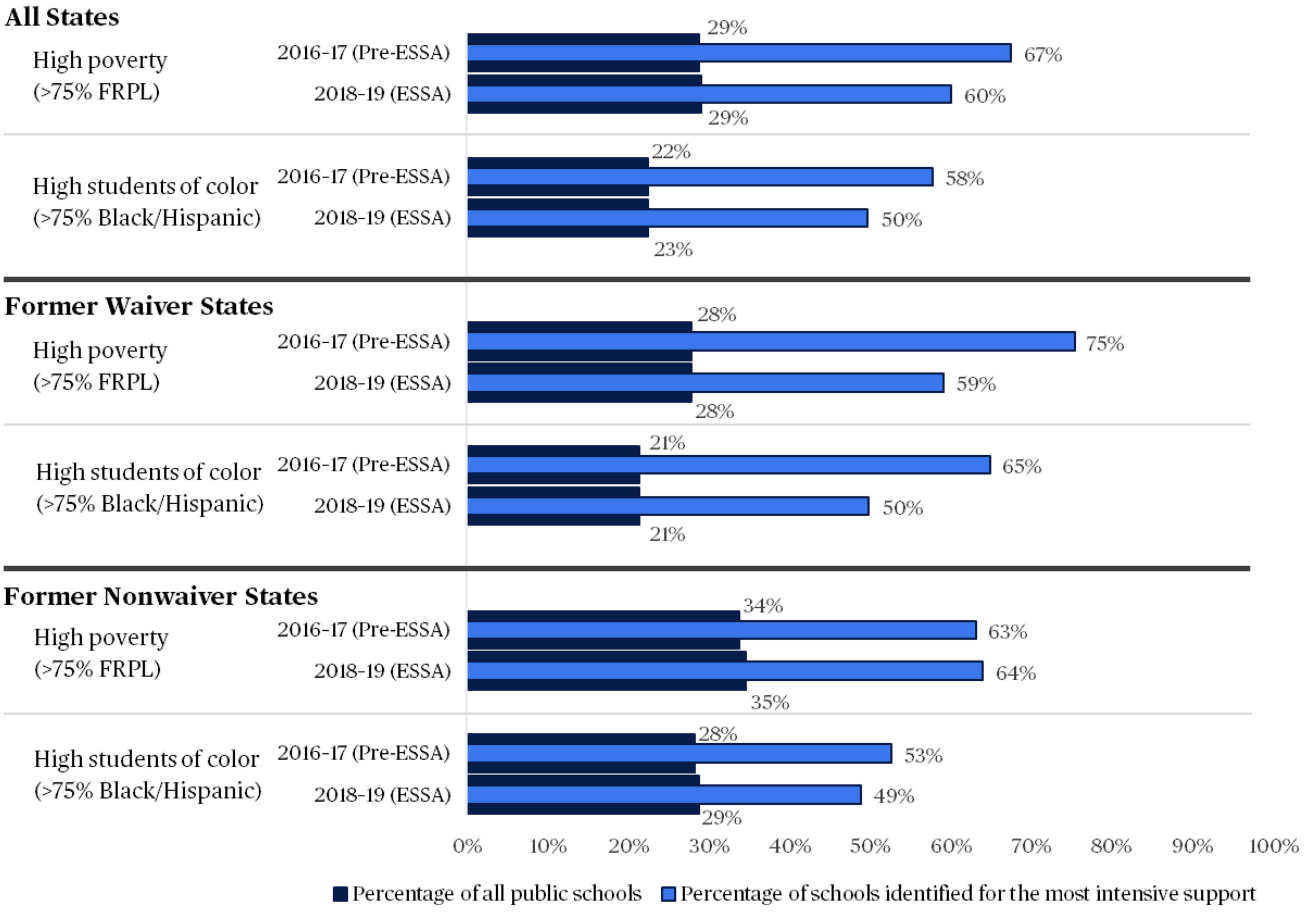
particular students living in poverty and students of color. Ultimately, both the NCLB waivers and ESSA removed the performance of specific groups of students as an explicit criterion for identifying schools for the most intensive support.[56]

Another feature of accountability policy potentially affecting whether the schools identified include large numbers of historically underserved students pertains to the measures that states use for the annual evaluation of school performance. A notable example is the use of student growth measures in those evaluations, which was newly allowed under the waivers and required under ESSA for evaluating elementary and middle schools.[57] Proponents of ESSA's emphasis on evaluating academic growth argue that these measures more accurately reflect a school's contribution to student achievement, particularly among schools that enroll large numbers of underserved students. This change could reduce how many schools with the highest concentrations of underserved students are identified as low performing.

- ***Most identified schools have high concentrations of students from low-income families, although the share of high-poverty schools identified by states declined under ESSA.*** While representing 29 percent of all public schools, high-poverty schools (in which at least 75 percent of students received free or reduced-price lunch)[58] made up 60 percent of CSI schools in 2018–19, down from 67 percent of schools identified in 2016–17 (Exhibit 7; also see Appendix Exhibit C.16). This decline was most notable among states that previously had waivers, in which the share of identified schools that were high poverty decreased from 75 percent to 59 percent. In contrast, the share stayed roughly the same in nonwaiver states (63 percent and 64 percent). Both sets of states had similar proportions of high-poverty schools overall before and after ESSA, so it is unlikely that demographic shifts influenced the decline in how many schools were identified for intensive support in waiver states.
- ***Most identified schools also have high concentrations of students of color, but the share of these schools similarly declined under ESSA.*** Across all states in 2018–19, schools with high concentrations of students of color (enrollment of at least 75 percent Black or Hispanic students) made up 23 percent of all public schools but 50 percent of CSI schools (Exhibit 7; also see Appendix Exhibit C.16). Compared with prior accountability systems, however, this reflects an 8-percentage-point decrease in the share of identified schools. As with schools with high concentrations of students from low-income families, this decline was more pronounced among waiver states, where the share of CSI schools with high concentrations of students of color decreased by 15 percentage points (50 percent in 2018–19 compared with 65 percent in 2016–17). Among nonwaiver states, the percentage of identified schools with high concentrations of students of color decreased from 53 percent to 49 percent.

  This pattern of change could be related to features of ESSA's accountability policies that may have opposing influences on the share of identified schools with high concentrations of low-income students or students of color. On the one hand, a greater focus on the lowest performing schools might be expected to increase their share, given the typical concentration of low-income students and students of color in these schools.[59,60] On the other hand, ESSA's flexibility to introduce new performance measures less correlated with poverty, such as student achievement growth, might be expected to reduce their share. Nonwaiver states were newly subject to both of these policy influences, which may account for the difference in the rates of change between the two sets of states.

Exhibit 7. Percentage of all public Schools and percentage of schools identified for the most intensive support, by concentration of low-income students and students of color, overall and by waiver status, 2016–17 (pre-ESSA) and 2018–19 (ESSA)



Note: ESSA is Every Student Succeeds Act; FRPL is free or reduced-price lunch. High-poverty schools are defined as those where more than 75 percent of students are eligible for free or reduced-price lunch (NCES, 2023). Schools with high concentrations of students of color are defined as those where more than 75 percent of students are Black or Hispanic (NCES, 2024). See Exhibits C.13 through C.16 for additional detail. The exhibit includes 36 states and Puerto Rico for the analysis of schools with high concentrations of low-income students,[61] and 49 states, the District of Columbia, and Puerto Rico for the analysis of schools with high concentrations of Black or Hispanic students.
Source: ED*Facts,* "Improvement status," 2016–17, and "CSI identification," 2018–19; CCD, 2016–17 and 2018–19.

LOOKING AHEAD

This report's analyses of schools identified for the most intensive support suggest that certain ESSA policy objectives are being met. However, policy changes that ESSA introduced, along with state-level implementation decisions, may have resulted in outcomes that were unforeseen and, in some instances, unintended. As policymakers and practitioners approach upcoming cycles of new CSI identification and continue to implement ESSA requirements, this report raises some considerations for the path forward.

- **Should more of the very lowest achieving schools be identified as CSI so they receive extra attention and resources?** Relative to NCLB, a higher percentage of identified schools under ESSA are among the lowest *achieving*, as measured by academic proficiency rates. However, those lowest *achieving* account for only about one third of CSI schools in each state. Nationwide, less than half of the lowest achieving 5 percent of schools in each state are identified as CSI. Because ESSA requires states to identify schools that are lowest *performing* on a wide set of several indicators, and not just proficiency in ELA and mathematics, schools with very low average achievement might not be identified if they are not significantly underperforming in other ways. Policymakers may want to consider if changes to accountability systems are needed to make sure schools with the lowest achievement are receiving the resources needed to improve academics. A future report will examine which measures are associated with identification of CSI schools and will address questions about the role of achievement test results in CSI designations.
- **Does the design of accountability systems under ESSA have implications for equity objectives?** Although state accountability systems continue to identify schools with high concentrations of students of color and students living in poverty, the share of these schools identified for the most intensive support has decreased under ESSA. This decline may reflect the flexibility under ESSA to introduce new performance measures less correlated with poverty, such as student achievement growth. These new measures may more accurately characterize the performance of high-poverty schools that have demonstrated their capacity to improve student outcomes, thus making it possible to redirect resources to schools in greater need. This approach also may lessen negative stereotypes about the types of students attending identified schools, which may help to address teacher recruitment challenges in these places. However, policymakers may want to be mindful of approaches that could miss identifying certain schools that enroll traditionally disadvantaged students, given ESSA's goal of directing intensive supports to students who would most benefit from high-quality instruction.
- **Did ESSA create a potentially unintentional focus on alternative schools?** Several aspects of ESSA policy were likely factors in the shift in types of schools identified for the most intensive support. Among the most noteworthy changes was the increase in alternative schools identified as CSI. On one hand, it is important to ensure that these schools are held accountable to the students and communities they serve. However, the increased share of small, alternative schools among CSI schools may have implications for the distribution of school improvement resources within each state. In addition, there may be instances when states' standard performance measures do not appropriately reflect if certain schools are serving students well. For example, low graduation rates might be expected for students with particular disabilities who need longer than four or five years to complete high school. Policymakers may want to consider if additional flexibilities are warranted.

ENDNOTES

[1] The seven states that did not receive waivers to the accountability requirements of the No Child Left Behind Act (NCLB) were California and six less populated states: Iowa, Montana, Nebraska North Dakota, Vermont, and Wyoming. Among the nonwaiver states, two (California and Iowa) applied for a waiver but were rejected, and four (Nebraska, North Dakota, Vermont, and Wyoming) withdrew their requests largely because they realized an agreement with the U.S. Department of Education (ED) was unlikely. Montana opted not to apply for a waiver due to the perceived financial burden associated with fulfilling its requirements. For these states, the goal requiring 100 percent of students reading and doing math at grade level remained in place. See section A.2 in Appendix A for further discussion on the waivers to NCLB accountability requirements.

[2] Under the Every Student Succeeds Act (ESSA), this is referred to as "annual meaningful differentiation."

[3] Under Title I, Part A, of the Elementary and Secondary Education Act, schools that meet a federally established threshold of students receiving free or reduced-price lunch receive supplementary federal funds to improve student outcomes. Prior to NCLB, federal accountability provisions only applied to Title I-participating schools, but under NCLB, states were required to annually evaluate the performance of Title I and non-Title I schools.

[4] NCLB specified several accountability designations based on two, three, four, or five years of missing adequate yearly progress (AYP) targets: identification for improvement (year 1 and year 2), corrective action, and restructuring. The analyses in this report focus on schools in corrective action and restructuring as those with the most intensive support and hence most analogous to priority and Comprehensive Support and Improvement (CSI) schools, but these designations are not entirely parallel.

[5] While this report focuses on schools identified for corrective action or restructuring, under NCLB there were other strategies meant to focus attention on the most persistently low-achieving schools, in particular the School Improvement Grant (SIG) program. This discretionary grant program authorized ED to distribute appropriated funds to interested states based on their Title I share. States then competitively awarded SIGs to districts with eligible low-performing schools. SIG began as a relatively small program, with Congress funding it for the first time in 2007 at $125 million. However, SIG became a centerpiece program in 2009 when the American Recovery and Reinvestment Act (ARRA) infused $3 billion to supplement Congress's regular appropriations for SIG, which totaled approximately $3.1 billion between 2009 and 2014 (see Hurlburt et al., 2011).

[6] Under NCLB, schools identified for corrective action were required to select from a menu of required interventions, which included, for example, replacing teachers relevant to the school's failure to meet annual targets or implementing a new curriculum. NCLB also included a menu of interventions for schools in restructuring status, which included changing the governance structure, replacing the principal, or an "other" restructuring action. Under the waivers and ESSA, federal policies moved away from lists of required actions, instead allowing states and districts to determine activities that would support improvement in schools identified as priority or CSI.

[7] States were required to set targets that (a) reduced by half the percentage of students who were not proficient within six years, (b) set annual equal increments toward the goal of having 100 percent of students reach "proficiency" by 2020, or (c) were ambitious but achievable and approved by ED.

[8] Under the waivers, states were required to establish a system of "differentiated recognition," to annually assess the overall performance of each school in comparison to other schools. States often measured and described school performance through an index. An index combines multiple indicators of school performance in a way that provides a single number (or in some cases, a letter grade) that summarizes how a school is doing.

[9] Under ESSA, states must establish a system of "annual meaningful differentiation" to assess the overall performance and quality of each school in comparison to other schools. Most states use an index to generate annual summative ratings for all schools—for example, A–F letter grades. However, summative ratings are not required; some states

provide a "dashboard" with multiple pieces of information about school performance and no single rating. See Appendix Exhibit A.2 for state-by-state information on the types of rating schemes employed.

[10] In the context of school accountability, academic proficiency (a required indicator under NCLB) is expressed in terms of the percentage of students who achieve a defined level of knowledge and skills—for example, the skills to be a proficient third-grade reader. States set a cut score for students to pass, indicating that they are proficient in specific academic subjects. Academic achievement (required under ESSA) may include the percentage of students who are proficient as well as alternative measures of how well students perform. Under ESSA, student achievement measures can include academic growth, average performance levels, and scale scores.

[11] Under the waivers, according to ED guidance, "SEA [state education agencies] and LEAs [local education agencies] would continue to report participation rate separately… and a subgroup would not be able to make its AMOs [Annual Measurable Objectives] unless it has at least a 95 percent participation rate." (See https://www2.ed.gov/policy/eseaflex/esea-flexibility-faqs.doc.)

[12] ESSA statute and regulations require that states "factor in" test participation rates below 95 percent. The law specifies that the achievement indicator should be calculated using the greater of either 95 percent of all students or the number of students who participated in the assessment as the denominator. ED's ESSA Fact Sheet also notes, "the law requires that all students take statewide assessments and that states factor into their accountability systems participation rates below 95 percent for all students or subgroups of students… The regulations do not prescribe how states do this." (See https://www2.ed.gov/policy/elsec/leg/essa/essafactsheet170103.pdf.)

[13] Specifically, the law emphasizes various potential measures of school quality, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), and incidences of violence, such as bullying and harassment. See Appendix Exhibit A.3 for state-by-state information on measures of school quality and success under ESSA.

[14] NCLB included a provision known as "safe harbor," which allowed for a narrow consideration of student progress in AYP: A school could be considered to have made AYP if the percentage of students not proficient decreased by 10 percent from the prior year.

[15] More specifically, the law emphasizes various possible measures of academic progress, including achievement on additional state or local assessments; reductions in grade-to-grade retention rates; attendance rates; and shifts in the proportions of students completing gifted and talented, Advanced Placement, and college preparatory courses.

[16] While schools were not evaluated for English language proficiency under NCLB, districts were held accountable for it under Title III.

[17] Under NCLB, states were required to reflect the following general categories of student groups: major racial/ethnic groups, low-income students, students with disabilities, and limited-English-proficient students. The same groups are required under ESSA but with updated terminology, including economically disadvantaged students and English learners. States may expand upon these groups—for example, distinguishing among racial/ethnic groups that are prominent in their respective student populations.

[18] Standard accountability is intended to distinguish between state-developed accountability systems for compliance with ESSA and systems established by states to provide more nuanced information about alternative schools, for example.

[19] Policy documents released by ED provide evidence of this nuanced policy shift. For example, ED's FAQ Addendum for ESEA Flexibility provided the following guidance to waiver states: "All students in a State, regardless of the school they attend, must be taught to the same academic standards, and all schools must be included in a State's system of differentiated recognition, accountability, and support. Ideally, an SEA will hold all schools accountable for the same measures and include them in the State's system in the same way" (Question C-18b). (See

https://www2.ed.gov/policy/eseaflex/faqaddendum.doc.) In contrast, ED's ESSA accountability guidance, issued in November 2016 but rescinded in January 2017 following a change in presidential administrations, stated: "A State's statewide accountability system must include all public elementary and secondary schools, including all public charter schools" (Question A-1), and "All public schools must be included in a State's accountability system, including special categories of schools, though a State has some discretion for how alternative schools may be included" (Question A-7). (This guidance was originally obtained on the ED website but is currently found here: https://texasschoolalliance.org/wp-content/uploads/2020/01/4_USDE_eseatitleiaccountabilityfaqs_january-2017.pdf.)

[20] Under NCLB, there were multiple levels of school identification for improvement, based on the number of years that schools missed AYP targets. For example, schools that missed AYP for two years were identified for improvement and required to offer public school choice. Schools that missed AYP for four or more years were subject to the most stringent interventions.

[21] In addition to priority schools, waiver states were required to identify focus schools with low-performing subgroups. States had the option of identifying some or all of their low-graduation-rate schools as focus schools instead of priority schools.

[22] Under both the waivers and ESSA, states were required to identify schools for the most intensive support every three years, although states could opt to identify schools annually. Under NCLB, in contrast, states were expected to identify schools for corrective action and restructuring each year.

[23] In addition to CSI schools, under ESSA, states are required to identify schools with low-performing subgroups for Targeted Support and Improvement, or TSI.

[24] Although ESSA became law in late 2015, states were not expected to implement ESSA policies immediately because of the time required for ED to release guidance, states to develop their ESSA plans, and ED to approve the plans.

[25] The report excludes Maine due to missing information on schools identified as CSI in 2018–19.

[26] Due to missing 2016–17 data for Utah, the count of priority schools relies on 2015–16 data for that state.

[27] Le Floch and Tanenbaum (2016).

[28] *Fixing No Child Left Behind - Testing and Accountability: Hearing before the Committee on Health, Education, Labor, and Pensions* (S. hrg. 114-512) (2015).

[29] McMurrer and Yoshioka (2013).

[30] *Raising the Bar–Exploring State and Local Efforts to Improve Accountability: Hearing before the Committee on Education and the Workforce* (C. hrg. 113-17), U.S. House, 113th Cong. (2013).

[31] Balfanz and Bridgeland (2015).

[32] Balfanz and Letgers (2004).

[33] That said, prior to ESSA, 32 states, including 28 waiver states and four nonwaiver states, elected to identify non-Title I schools, with 13 of these states focusing only on non-Title I high schools with low graduation rates. Of these 32 states, 18 states identified a total of 351 non-Title I schools for the most intensive support in 2016–17.

[34] The effect of tightening the graduation rate threshold on the number of high schools identified for the most intensive support depends partly on how closely graduation rates and school performance measures are related. For example, if graduation rates are not closely tied to school performance, the rule change could substantially increase

the number of identified high schools. Conversely, if graduation rates and school performance are strongly linked, the rule change might have a minimal effect on the number of identified high schools.

[35] See English (2017).

[36] As a percentage, the decrease in California (76 percent) was typical of the decrease observed in the other nonwaiver states (from 71 percent in Montana to 91 percent in Vermont). Although the largest declines were in nonwaiver states, seven waiver states also experienced declines, ranging from 5 percent in Connecticut to 53 percent in Oklahoma.

[37] Fourteen states, including all seven nonwaiver states, had decreases ranging from 5 percent in Connecticut to 91 percent in Vermont (see Appendix Exhibit C.1). In states with increases, which included 36 out of 44 waiver states, those increases ranged from 5 percent in New Hampshire to 442 percent in Nevada. Delaware experienced no change in the number of schools identified for the most intensive support. States with large percentage increases tended to have small numbers of identified schools prior to ESSA (for example, 26 in Nevada, just under 4 percent of the state's schools). Nevada experienced a large increase in the percentage of schools identified for the most intensive support, with nearly 19 percent of schools identified as CSI, because Nevada opted to include more schools than required by ESSA statute. In the CSI category, Nevada also included schools identified as "one star" based on a separate state accountability system.

[38] Because NCLB established the goal of 100 percent student proficiency in reading and math by spring 2014, states were required to establish AMOs for attaining this goal. For example, if 45 percent of students in a given state were proficient in 2003, the state might establish objectives for a 5 percent increase each year from 2003 to 2014. If a school did not meet the 5-percentage-point target for growth in a given year, the school would need to make even larger gains in the subsequent year to meet the annual target.

[39] "Newly identified schools" refers to any CSI school in a waiver state that was not identified as a priority school in 2016–17 or any CSI school in a nonwaiver state that was not identified for corrective action or restructuring in 2016–17. Schools in this category may have been identified for the most intensive support in the years preceding 2016–17.

[40] Based on data obtained from the Common Core of Data, of the 5,552 schools identified for the most intensive support in 2016–17 that were no longer identified in 2018–19, 303 (5 percent) had closed by 2018–19.

[41] The count of newly identified CSI high schools with graduation rates between 60 and 67 percent (130) and the count of newly identified non-Title I CSI high schools with graduation rates below 67 percent (483) are not mutually exclusive. Specifically, 36 of the newly identified CSI high schools fall into both categories—being non-Title I and having graduation rates between 60 and 67 percent. The overlapping categories explain the observed difference between the sum of 483 and 130, and the overall count of 577.

[42] For example, in Florida, alternative schools were not included in the identification of priority schools under the waivers, but are considered in CSI determinations. Public state data show that alternative schools do not receive a state accountability grade (A–F), which was the basis for identification as a priority school under the waivers. However, under ESSA, these schools are included in the "federal index," making them eligible for CSI identification. The number of alternative schools identified in Florida increased from seven schools in 2016–17 to 216 schools in 2018–19. In Nevada, CSI schools are identified based on the state's performance index, but alternative and qualifying charter schools may be evaluated under the state's Alternative Performance Framework (APF). During the initial launch of the APF in 2016–17, no state accountability ratings were assigned to schools that qualified for APF. However, per Nevada's technical documentation, the state acknowledges that "ESSA requires states to rate all public schools." Consequently, the state now assigns its "star ratings" to schools that qualify for APF, provided they have sufficient data. Associated with this shift in policy, the number of alternative schools identified in Nevada increased, rising from one school in 2016–17 to 22 schools in 2018–19. Indeed, in the five years preceding ESSA implementation, Nevada never identified more than one alternative school.

[43] Accountability experts responsible for reviewing state accountability plans on behalf of ED (known as "peer reviewers") provided comments that reflected on—and sometimes prompted revisions to—the ways in which states included alternative schools in the CSI designation. For example, Florida now includes all alternative schools in accountability designations under ESSA. In the remaining five of the 14 states with the largest increases in alternative schools identified under ESSA, peer reviewers did not document concerns with the states' initial approach to the inclusion of alternative schools. In three of these five states, peer reviewers indicated that the accountability plans provided sufficient information on how alternative schools would be included. In the other two states, peer reviewers' notes did not address alternative schools. Peer review panel notes are available for all states except Idaho on ED's website (https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans).

[44] See Taylor et al. (2010) and Appendix Exhibit A.2.

[45] Since more states included alternative schools in their annual evaluation of school performance (rendering them eligible for CSI designation), the higher rates of identifying alternative schools may be unsurprising. Students in alternative schools typically have lower achievement levels than their peers in mainstream schools. Alternative schools also often serve students with interrupted schooling and those who are frequently off-track for graduation, thus making it more likely that these schools have low graduation rates. At the same time, alternative schools are often small, which means that their performance data might be more subject to larger and more random fluctuations in any given year. Whether the increased rate of identifying these schools reflects actual sustained performance challenges given the types of students served or simply year-to-year noise in performance data is of interest to disentangle but beyond the scope of this report.

[46] McClure (2005).

[47] Forte (2010).

[48] Because NCLB, the waivers, and ESSA provided states flexibility on whether to identify non-Title I schools for the most intensive support, this analysis includes all public schools, not only Title I schools. Nonetheless, confining the analysis to Title I schools produces comparable results.

[49] Examining the percentage of schools in the bottom 5 percent for ELA and mathematics proficiency that were identified for the most intensive support provides a complementary analysis to what is shown in Exhibit 6. The results, presented in Appendix Exhibit C.12, similarly suggest that the overall degree of emphasis on the lowest achieving schools did not diminish after the transition to ESSA, albeit without the pronounced difference in patterns between waiver and nonwaiver states.

[50] Expanding the threshold to the bottom 10 percent, the percentage of identified schools that were in the lowest achieving 10 percent was 59 percent in both years. See Appendix Exhibit C.11 for additional details.

[51] Based on a review of the 35 state accountability plans submitted in fall 2017, more than half of the states (21 states) reported using a straightforward measure based on student proficiency in ELA and mathematics; however, several states adopted more intricate proficiency measures. For instance, 11 states integrated proficiency indices that recognize student progress both below and above the proficiency standard, while four states proposed scale scores. Nearly all states (32 states) reported using a growth measure.

[52] ELA and mathematics proficiency were not the only measures used to identify schools, both before and after ESSA, which may explain why these percentages are not higher.

[53] Boyle and Lee (2016).

[54] Schneider (2017).

[55] Klein (2011).

[56] ESSA does include provisions to provide support for schools with specific underperforming groups of students, which are identified for TSI. But the most comprehensive supports are driven by the performance of all students in a school.

[57] NCLB primarily focused on student proficiency, although there was some consideration of student growth. ED introduced the Growth Model Pilot Project in November 2005, which initially allowed up to 10 states to incorporate growth models in school AYP determinations. The project was written into regulation in 2008, allowing any state to apply to use a growth model in their accountability systems. As of 2011, 15 states were implementing growth models under this authority. See Hoffer et al. (2011).

[58] This threshold is higher than the eligibility threshold of 40 percent for Title I schoolwide program status set under NCLB and continued under ESSA. However, employing the lower 40 percent threshold produces similar results (see Appendix Exhibit C.15).

[59] Taylor et al. (2010).

[60] Hurlburt et al. (2011).

[61] The Community Eligibility Provision (CEP) modified the federal National School Lunch Program, allowing schools in economically disadvantaged areas to offer free meals to all students, without having to collected eligibility information from individual families. This policy shift could potentially affect longitudinal comparisons of school proportions of students eligible for free and reduced-price lunch (FRPL) if there were increases in the share of schools reported as 100 percent FRPL eligible (suggesting the CEP had been used) or those with missing data (see Koedel & Parsons, 2020). Between 2016–17 and 2018–19, among the 36 states and Puerto Rico included in Exhibit 7, the percentage of schools classified as 100 percent FRPL eligible and those with nonreportable data remained consistent, at 3 percent and 9 percent, respectively. This suggests that the CEP likely does not alter the comparisons presented in Exhibit 7 (see Koedel & Parsons, 2020).

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