



## The Every Student Succeeds Act: What it Is, What it Means, and What's Next

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### **What is ESSA?**

The Elementary and Secondary Education Act (ESEA) was originally passed by Congress in 1965, under President Lyndon Johnson. Part of LBJ's War on Poverty, it is the piece of federal legislation that authorizes the bulk of federal support for K-12 education programs, and was originally intended as extra support for our nation's students who are most vulnerable.

Since that time, ESEA has been re-authorized by Congress many times, each time under a new title. The breadth and content of the bill has changed and evolved with different administrations, although Title I—support for academically vulnerable students—is still the biggest component of the legislation. Before December 2015, the most recent version of ESEA was titled the No Child Left Behind Act (NCLB), which Congress passed in 2001.

In December 2015, after years of failed negotiations, Congress finally passed a new version of the ESEA, now titled the Every Student Succeeds Act (ESSA). (It's accurate to use ESEA and ESSA interchangeably.)

The passage of ESSA is an historic victory for music education advocates, because it includes for the first time a *specific* and *separate* mention of *music* as an important component of a well-rounded education. The new bill will also make it easier to use federal funds to support music programs at the local level, including for the most vulnerable students with Title I funding.

### **How Does This New Bill Support Music Education?**

ESSA contains both new and revised language that is very supportive of music education. Here are some of the most important provisions for music education in the bill:

- **Well-Rounded Education:** ESSA is very clear that students should have a “well-rounded education” that includes a broad curriculum, including music. This is a radical change from NCLB, which focused on academic success only as defined by performance in reading and math.
- **Enumeration of Music as a Well-Rounded Subject:** ESSA includes a section that lists specific subjects considered to be important components of a well-rounded education, including music. This language makes it clear that music should be a part of every child's education, no matter their personal circumstance.
- **Requirements for Well-Rounded Education:** ESSA doesn't just mention well-rounded education as a good idea; this language makes it clear that Congress expects schools to act on those words. Schools are expected to assess their ability to provide a well-rounded education (e.g. provide exposure to the list of subjects enumerated in the well-rounded education definition, including music). On top of that, schools can use federal dollars to address any deficiencies they find in their ability to give students experiences with those subject areas.



- **Flexibility of Title I funds to support a well-rounded education.** Title I programs are those that support academically vulnerable students. ESSA specifically allows Title I funds to be used to supplement state and local support for a well-rounded education, including music. This means that more low-resource schools will improve their ability to use their supplemental funding for music- and arts-rich curricula.
- **More Professional Development for Music Educators:** ESSA also states that funds may support professional development for music educators as part of supporting a well-rounded education, and clarifies that this money can come from three of the major areas of the bill—including Title I (vulnerable students), Title II (teacher preparation and development), or Title IV (wraparound and supplemental school programs).
- **Flexible Accountability:** ESSA language is very clear that states must now include multiple progress measures in assessing school performance. These can include music education-friendly measures like student engagement, parental engagement and school culture/climate. These measures can be very important in helping schools get a sense of how their school community is faring, and what kind of outside supports their students may not be getting that could help them be more successful.
- **Protection from “Pull Outs”:** While it does not forbid pull-outs, the new ESSA does include language that discourages removing students from the classroom, including music and arts, for remedial instruction. This encourages more classroom time for music, with fewer interruptions (including test preparation).

### ***What Does This Mean for My Classroom? More FAQs***

- *When Does ESSA Take Effect?*  
The new law will take effect on August 1, 2016. Most of the requirements states have to meet to keep their NCLB waivers are officially on hold until the transition date. For more information on state waivers under NCLB, click on the U.S. Department of Education’s [ESEA Flexibility page, here](#).
- *What Does This All Have to Do With Common Core?*  
Common Core requirements were a component of most state applications for NCLB waivers under a process instituted by the U.S. Department of Education. In order to receive a waiver from the most strident of the NCLB accountability requirements (such as school improvement for any school failing to make adequate yearly progress or AYP), each state had to provide evidence that it had adopted a set of rigorous College and Career Ready standards in the tested subject areas of mathematics and reading. The Common Core standards were the easiest way to meet this one criteria for a state waiver. The new ESSA, while encouraging rigorous and challenging state academic standards on which the state’s accountability system is built, does not require Common Core and in fact forbids the U.S. Department of Education from requiring any set of standards for any state. Many states may continue to utilize Common Core standards in mathematics and



reading; however, ESSA is explicit that no direct links between Common Core and federal education law will exist going forward.

- *Is There a Federal Requirement for Measuring Student Progress?*

Yes and No.

The “Yes” part to the answer is that states still have to create accountability systems that track student progress in the tested subject areas of reading, mathematics, and to a lesser extent science, in order to get Federal dollars authorized under ESSA. In addition, states have a lot more flexibility and ownership over what their state accountability systems look like—and they are expected to include multiple progress measures that were not part of the accountability systems that developed under NCLB. This is very good news for “non-tested” subject areas, including music education!

The “No” part to the answer is that ESSA does not require states to build measures of student progress that are connected to teacher evaluation systems. This WAS a requirement which many states had to meet in order to receive a waiver from NCLB accountability provisions. ESSA does not continue this as a requirement, although states may continue to utilize federal funds, specifically Title IIA funds, to build and maintain high quality teacher evaluation systems which can include measures of student progress. Again, this becomes a “may” and not a “MUST” under ESSA.

- *Is Music Now a Required Subject?*

No. States have a great deal of flexibility in how they create a system of well-rounded education. ESSA does not require any subjects to be studied, it simply expects states to make a reasonable effort to give students exposure to a wider range of subjects, and it gives states flexibility for how to measure student progress in different areas.

- *So—What’s Going to Happen to My Music Program?*

YOU can help answer that question. And that’s GREAT news! Essentially, the door is now wide open—more than any time in the history of this legislation—for discussions at the state and local level as to how federal dollars can be used to provide a broader and richer curriculum for students. This is why state and local advocacy will continue to be critical to help students get more access to music education. We are truly now all in this together, and the future for music education looks bright!



## ***Key ESSA Terms***

As you continue to read jargon- and acronym-happy updates, you may find the following key terminology definitions useful:

- The **Elementary and Secondary Education Act (ESEA)** is the same bill as “No Child Left Behind” and the “Every Student Succeeds Act.” Originally signed into law by President Lyndon B. Johnson in 1965, ESEA is the federal government’s most extensive statute addressing primary and secondary education. The intent of the legislation is to provide supplemental funds and programs to serve low-income students and enable State and Local Educational Agencies (LEAs, or school districts) to improve the quality of elementary and secondary education. Every several years, Congress must reauthorize ESEA to meet changing needs in education.
- **No Child Left Behind (NCLB)** is the last reauthorized iteration of ESEA. Receiving bipartisan support, NCLB was signed into law in 2002 by President George W. Bush. NCLB highly focused on exposing achievement gaps in traditionally underserved and vulnerable student populations through use of greater accountability measures. The law officially expired in 2007 and stop-gap solutions were made until a new ESEA is passed.
- The **Every Student Succeeds Act (ESSA)** is the title of the latest ESEA reauthorization by Congress, expected to be signed into law. After months of bill drafts and negotiations in Congress, ESSA is the result of a bipartisan compromise that was approved by conference committee in November 2015. The agreement substantially shrinks the federal education footprint and returns accountability to the states. Most recently, the bill passed the U.S. House of Representatives on December 2nd by a vote of 359 – 64. The Senate is expected to vote on the bill on Monday, December 7, 2015.
- The **“Well-Rounded Education”** provision (previously known as “Core Academic Subjects”) is a section (Sec. 8002) within ESSA that lists courses, activities, and programming in subjects deemed critical when providing students a broad and enriched educational experience. The provision includes “music” and “arts,” which articulates the importance of music as a part of every child’s education. This provides an unprecedented step forward for music education, as “Well-Rounded” is mentioned in a variety of other significant provisions throughout the bill.