

**The Federal Elementary and Secondary Education Act (ESEA)**  
(Adopted 2006; amended 2009, 2010, 2012, 2015, 2016, 2017, 2018)

WHEREAS, on January 8, 2002, the No Child Left Behind (NCLB) Act of 2001 was signed into law as the most recent reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA), and applies to all public schools and school systems; and

WHEREAS, the Maryland Association of Boards of Education (MABE) supported the goals of NCLB of raising student achievement; all students attaining proficiency; closing the achievement gaps; and ensuring that each child has highly qualified teachers; and

WHEREAS, NCLB mandated that each state define what constitutes adequate yearly progress (AYP) in increasing student achievement in reading and mathematics toward the goal of all students reaching proficient levels on uniform state assessments by 2014, and imposed significant punitive sanctions for failure to do so; and

WHEREAS, NCLB's accountability, testing, and reporting requirements imposed significant costs on state and local education agencies and federal funding has not been sufficient to meet the costs of implementing the law; and

WHEREAS, ESEA was scheduled for reauthorization in 2007 and in the absence of that action the U.S. Department of Education created a competitive Race to the Top grant program and ESEA flexibility waivers to provide conditional relief from NCLB accountability measures and funding restrictions; and

WHEREAS, Maryland was awarded a \$250 million competitive Race to the Top grant in 2011 based on the State's adoption of the Common Core Standards and assurances that education policies and reforms would be adopted in four areas: (1) Adopting rigorous college and career ready standards and high quality assessments; (2) Establishing data systems and using data to inform for improvement; (3) Increasing teacher effectiveness and equitable distribution of effective teachers; and (4) Turning around the lowest performing schools; and

WHEREAS, Maryland's initial ESEA flexibility waiver application was approved in 2012 to provide flexibility in the areas of state-level reservation of funds for school improvement, allocation of funds within districts, the definition of annual measurable objectives (AMOs), adequate yearly progress (AYP) determinations, school-wide poverty thresholds, and school and school system improvement criteria; and

WHEREAS, in December 2015 Congress reauthorized the Elementary and Secondary Education Act (ESEA) as the Every Student Succeeds Act (ESSA); and ESSA eliminates many of the reporting requirements, mandates and sanctions contained in NCLB and transfers the policy-making and enforcement authority formerly exercised by the U.S. Department of Education to the States; and

WHEREAS, ESSA includes provisions to restrict and prohibit the exercise of federal authority to mandate, direct, control, coerce, or exercise any direction or supervision over state and local policies and implementation of standards or assessments; and

WHEREAS, ESSA requires a statewide accountability system that is based on the challenging state academic standards for reading/language arts and math to improve student academic achievement and school success; and that new state accountability systems be developed in conjunction with local boards of education which must develop local ESSA plans through broad stakeholder input; and

WHEREAS, in 2016 MABE formed an Ad Hoc Committee on ESSA to provide a forum for discussing and informing MABE's participation on the MSDE stakeholder group and MABE's advocacy in Annapolis and at the federal level; and

WHEREAS, in 2017 legislation was enacted to require that the State's ESSA consolidated state plan complies with parameters for academic and school quality indicators; comprehensive support and improvement plans; and targeted support and improvement plans; and prohibits the State Board from imposing specified interventions; and

WHEREAS, in January 2018 Maryland's ESSA plan was approved by the U.S. Department of Education;

NOW, THEREFORE, BE IT RESOLVED, that MABE pledges to work collaboratively to develop and implement Maryland's state accountability system, including the development of local ESSA plans, in a manner that provides flexibility to local boards to adopt policies and invest available resources to support the academic achievement of all students, and provides resources for targeted support and improvement programs for consistently underperforming schools; and

BE IT FURTHER RESOLVED, that MABE will oppose state and federal guidance, policies, regulations or laws proposed to establish reporting requirements, performance standards, assessments, sanctions or other conditions which do not adequately respect the governance role of local boards of education.