



USE OF THE “EQUITY INDICATOR” IN STATE ESSA ACCOUNTABILITY SYSTEMS

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I am disappointed to hear about the feedback that several states have received from the United States Department of Education (USED) regarding the proposed additional indicator of school quality and student success for grades 3-8. The “equity indicator” has been used in Wyoming and Utah for several years and there is substantial evidence of its sound technical properties and important consequential benefits. Additionally, a very similar approach has been used in Florida with similarly positive results. The purpose of this memo is to make the case that the “equity indicator” is consistent with both the letter and spirit of ESSA and it is essential to allow states the promised flexibility to design an accountability system that best support the state’s theory of improvement.

The Rationale for Equity

The “equity” indicator is designed to evaluate progress toward closing growth gaps and, ultimately, achievement gaps. However, there is ample evidence that the measurement of achievement gaps is fraught with interpretative challenges and potential unintended negative consequences¹. The equity indicator is focused on incentivizing actions for improving the performance of students most at risk to fall behind academically. There is ample research documenting that many low-achieving students also exhibit low growth, which is an academic death sentence. Therefore, incentivizing schools to improve the academic growth of low achieving students is an important strategy for improving the outcomes of these students most at risk for school failure.

Equity groups can be defined based on one or more demographic factors (e.g. ethnic group, economically disadvantaged status, students with disabilities). It is also possible to combine multiple groups in a single subgroup. By so doing, schools that otherwise would have too few

¹ See for example: Domaleski, C.S. & Perie, M. (2012). Promoting Equity in State Education Accountability Systems. The National Center for the Improvement of Educational Assessment. <https://www.nciea.org/sites/default/files/publications/Promoting%20Equity%20CSDMP110712.pdf>

students in any one group to produce a determination will be included in equity outcomes. Additionally, the larger group size will produce more stable results. However, defining focal groups for equity should be based on performance as opposed to demographic factors. For example, the group is defined as students who fail to meet proficiency on state tests. This approach ensures that schools focus on improving outcomes for all students who are low performing. Most states define low performance in one of two ways: in reference to a known **criterion** such as students scoring in the lowest performance level on the state standards-based assessment or **normatively** such as the lowest 25% of students in the school. As in most cases, there are advantages and disadvantages to each.

Defining the focal group as the **lowest 25% of students**—based on last year’s score—means that essentially all schools will be included in this indicator. That is a very important consideration for accountability fairness. It also recognizes that even if a school is doing fairly well overall, there are likely students who would benefit from additional attention/interventions to perform comparably to their peers. Conversely, it allows poorer performing schools to focus first (not exclusively) on those students most at risk for school failure and not diluting their efforts by trying to focus everywhere at once. Additionally, defining the focal group in this manner avoids the temptation for schools to focus most intently on the “bubble kids,”—those students who are on the cusp of proficiency—sometimes at the expense of the students who are further from achieving proficiency. Finally, group membership is agnostic to the specific assessment being used and will be effective across assessment transitions.

ESSA Interpretation

USED’s main concern appears to be focused on whether or not the indicator applies to all students in the school. The “equity” indicator applies to all students since ALL students are eligible to be in the equity focal group. It is worth looking at the actual text of the law regarding the additional indicator (pasted below) to shed light on this issue.

(B) INDICATORS.—

(v)(I) For all public schools in the State, not less than one indicator of school quality or success that—

(aa) allows for meaningful differentiation in school performance;

(bb) is valid, reliable, comparable, and statewide (with the same indicator or indicators used for each grade span, as such term is determined by the State); and

(cc) may include one or more of the measures described in subclause (II).

(II) For purposes of subclause (I), the State may include measures of—

- (III) *student engagement;*
- (IV) ***educator engagement;***
- (V) ***student access to and completion of advanced coursework;***
- (VI) *postsecondary readiness;*
- (VII) ***school climate and safety; and***
- (VIII) *any other indicator the State chooses that meets the requirements of this clause” (Every Student Succeeds Act, 2015).*

I am assuming that a state would be permitted to use one of the example indicators named specifically in the law. These examples, demonstrate the same exclusion of students that you indicate are problematic. It is not clear that can USED possibly reject an indicator that was used as an example in the law. I highlighted three indicators in bold—educator engagement, school climate, and student access to advanced coursework—to illustrate a point. First, none of these indicators can logically be applied at the student level. The unit of analysis for educator engagement is clearly the educator and school climate is clearly the school. There is no logical way that either of these indicators can be disaggregated by student group (especially since climate surveys are best conducted anonymously), which appears to be a key consideration for USED in rejecting several states’ use of the equity indicator. Access to advanced coursework in many ways is similar to the equity indicator because not all students pursue advanced courses even though all students theoretically are able to pursue such coursework. The numbers of students taking advanced courses can be disaggregated by student group assuming the minimum-n is large enough. Similarly, the lowest performing student group also can be disaggregated assuming the minimum-n is satisfied.

Conclusion

The equity indicator proposed for use in several states’ ESSA accountability systems meets the requirements of the law, but most importantly it is designed to fulfil the original intent of the Elementary and Secondary Education Act by focusing efforts and resources on those students most at risk of school failure. The indicator is agnostic to race, ethnicity, disability, or poverty, but is designed to improve the outcomes of any student struggling to meet state standards. From a logical point of view, it does not make sense that USED could approve such indicators as educator engagement or school climate and not approve the equity indicator. It appears you would allow states to modify this indicator to give minimal points to the upper 75% allowing for the same school outcomes. However, this approach would create confusion and mask the intent of the indicator. We hope you will reconsider you original interpretation of the law and the intent, and support the inclusion of this indicator to help address the needs of the most vulnerable.



Additional Note to States: A Potential Fix

If USED rejects my argument above, I thought of one potential fix. Instead of evaluating the growth of the lowest 25% of students against a rubric as we do in most states, we can incorporate an additional dimension where we continue to use the same rubric, but also provide “points” for schools based on the comparison of the growth of the lowest quartile students to the other 75% of the students (as a reference group). We can do this in such a way as to minimize the impact of the comparison (and the potential negative effects) while continuing to focus on the indicator as we have originally.