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Every Student Succeeds Act: Frequently Asked Questions

Q: What is ESSA?

In December, 2015, a new federal education law, the *Elementary and Secondary Education Act*, also known as the *Every Student Succeeds Act* (ESSA, P.L. No. 114-95), or ESSA, was signed into law replacing the No Child Left Behind Act. The new law is intended to create a long-term, stable federal policy that gives states additional flexibility in setting education policy and encourages innovation in the pursuit of helping all children succeed academically. ESSA transfers much of the decision making on education policy from the federal Department of Education to the states while also holding states accountable for achieving measurable results.

Q: Why should health advocates care about education policy?

Unlike previous federal education law, ESSA includes physical education (PE) and health as part of a ‘well-rounded curriculum’ and allows these subjects to access to significant federal funding from which they had previously been excluded. Inclusion of health and physical education in ESSA is not a mandate, however, and including PE in the state plans and report cards and accessing funds to support implementation of PE programs will be extremely competitive. Health advocates will need to engage in the education planning process to leverage the opportunities available within ESSA.

Q: What is a “state plan”?

To receive federal funds (*under Title I, Part A*), states must submit what is referred to as a ‘state plan’ to show that the state has adopted rigorous academic content and standards, assessments and a description on the statewide accountability system. Districts must also submit a plan to the state to show how they will monitor students’ progress in meeting the state standards including through the development and implementation of a well-rounded program of instruction.

Q: What is a statewide accountability system?

Each state must create an accountability system to assess student performance on priorities outlined by the state’s educational agency (SEA). The accountability system will minimally include four indicators, including one indicator that measures school climate or student success. States can select PE as the indicator of school climate or student success. The accountability system will help inform the state of the local educational agencies (LEAs) that will need additional support.

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Q: What is a state report card?

States and districts must prepare and make available to the public annual report cards that meet certain federal requirements and may also include information that the State or district “believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State’s or district’s public elementary schools and secondary schools.” States and districts could, at their discretion, include reporting on physical education.

Q: When does ESSA go into effect and when are state plans due?

Full implementation of ESSA will begin in SY 2018-2019. The US Department of Education is continuing to provide guidance on the state plans. The current timeline notes that state plans will be due in the spring of 2017 with some states granted an extension waiver to submit plans in the fall of 2017.

Q: What are we trying to do?

We are advocating for every state to include PE in state education plans and state and local report cards.

States are currently in the process of making changes to their state plans which include accountability measures and indicators on state and local report cards. One of the requirements is a measure of student success, which can include a health-related measure like PE.

Q: Why should state leaders view PE as a critical priority?

Very simply, active kids learn better. PE supports the whole child, including their physical, mental and emotional health. PE has been shown to help students to better academically, driving improvements in cognitive skills, behaviors and test scores. Regular physical activity is associated with a healthier, longer life and with lower risk of heart disease, high blood pressure, diabetes, obesity, and some cancers. In addition, physically fit children have higher scholastic achievement, better classroom behavior, greater ability to focus, and less absenteeism than their unfit counterparts.

Q: How can we advocate for PE under ESSA?

States are required to create their education plan with “meaningful consultation” with, at a minimum, a state’s governing entities (Governor, state legislature, state boards of education),

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LEAs, education professionals, *and parents*. Accordingly, advocates and community members can:

- Get involved with state efforts, and support the relevant workgroups, become a part of the planning committee and/or recommend others who will be strong advocates for physical education as committee members.
- Promote indicators and accountability measures identified by Voices for Healthy Kids for inclusion by the state in accountability systems and/or on state report cards.
- Provide guidance and ideas to the state about potential interventions for schools identified for improvement, including physical education and activity.
- Draft comments and organize advocates to submit comments on state plans when they are made public and on any other state policy, regulation or guidance for which public comments are sought.

Q: What areas of PE should advocates prioritize in state plans?

Advocates are encouraged to promote physical education in all aspects of state accountability system including as a measure of school quality or student success and in state and local report cards. Voices for Healthy Kids is specifically working to have states include the following in their state ESSA plans and report cards:

- Percentage of elementary schools offering 150 minutes of PE per week
- Percentage of middle schools offering 225 minutes of PE per week
- Percentage of schools requiring physical education for high school graduation

Additional areas of focus may include:

- Percentage of students granted waivers, substitutions or exemptions from physical education
- Percentage of schools or students that participate in standardized, criterion-referenced fitness assessment for student growth and improvement, such as the President's Physical Fitness Test, Fitnessgram, or other comparable program
- Percentage of PE curriculum that are aligned with state standards