

8-17-2016

## Rural Education and the Every Student Succeeds Act

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### Recommended Citation

Brenner, D. (2016). Rural Education and the Every Student Succeeds Act. *The Rural Educator*, 37(2). DOI: <https://doi.org/10.35608/ruraled.v37i2.271>

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# Rural Educator Policy Brief:

## Rural Education and the Every Student Succeeds Act

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### Policy and Rural Education

About half of districts, one-third of schools and one in five students in the US are rural (Johnson, Showalter, Klein, & Lester, 2014). In spite of this, educators believe that federal policies often do not take into account the unique needs of rural schools. When surveyed, rural superintendents expressed concerns about the impact of federal policies and U.S. Department of Education regulations on rural districts and schools (Johnson, Mitchell, and Rotherham, 2015). As one respondent put it, “None of the people making decisions about rural education spend time in rural America to better understand the problem” (p. 16).

Federal funding, policies, and regulations are all concerns of rural educators. Rural LEAs generally do not benefit from federal funding sources on par with their more urban and suburban counterparts. For example, the federal Title I program provides resources to districts to address inequity and educational quality for low-income students in the US. Title I funding is distributed based on both the overall number of low-income students and concentrations of poverty within a district. Title I formulas tend to favor urban districts with larger numbers of low-income students (Ayers, 2011). Other formula-based grants have been criticized for inequitable distribution to larger districts (Ayers, 2011). Particularly in recent years, federal funding has been focused on competitive grant programs rather than formulas. In general, small, rural schools have not consistently been able to capitalize on competitive grant opportunities. Urban and suburban schools may have more resources for writing successful applications and may be able to show a bigger impact on greater numbers of students (Klein & Sparks, 2016)

No Child Left Behind, the name for the nation’s suite of K-12 education laws in effect from 2001 to 2016, has been particularly criticized for its impact on rural LEAs (e.g., Eppley, 2009; Jimerson, 2005; Reeves, 2003). Accountability provisions requiring schools to demonstrate adequate yearly progress were disproportionately difficult for small rural schools where a single student’s performance can have a

strong impact on aggregate or subgroup scores. The mandate to provide highly qualified teachers for every child in every subject was particularly challenging for rural LEAs that struggle to recruit and retain a stable teaching force or depend on teachers who must teach multiple subjects. Likewise, school improvement models mandated in NCLB did not always translate well into rural communities (Powell, Higgins, Aram, & Freed, 2009). In these and other ways, NCLB did not recognize the unique needs of rural LEAs.

A number of advocates have worked to increase awareness of rural education issues in Congress and at the U.S. Department of Education. The Rural School and Community Trust provides reports on the status of rural education with an eye toward national policy issues. The National Rural Education Advocacy Coalition represents The National Rural Education Association; AASA, The School Superintendents Association, and several state rural education associations in order to represent rural education issues at the federal level. These and other groups have worked to make sure that lawmakers and Department of Education officials are aware of the concerns of rural LEAs.

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### The Every Student Succeeds Act

On December 10, 2015 President Obama signed the *Every Student Succeeds Act*, Public Law 114-95, which will take effect in the fall of 2016 and which replaces NCLB. There are many similarities between

NCLB and ESSA. For example, ESSA continues to require annual testing and reporting on the achievement of sub-groups of students that was first required under NCLB. However, ESSA is different from NCLB in significant ways. Several online resources summarize the similarities and differences between the bills more thoroughly than can be addressed in this column (see [www.ascd.org](http://www.ascd.org), for example). ESSA has been widely praised for allowing states to take more control for education. For example, AASA-The School Superintendents Organization praised ESSA as “a significant improvement over current law” stating, “[ESSA] takes the pendulum of federal overreach and prescription—rampant in current law—and returns autonomy and flexibility to the state/local level” (2015, p. 1). Autonomy and flexibility are expressed in a couple of ways. ESSA ends the accountability provisions of adequate yearly progress and gives states more flexibility for identifying the most low-performing districts and determining the best ways to support those districts based on local contexts and needs. Federal language defining highly qualified teachers is removed from the bill, letting states set criteria for teacher qualifications. Many separate funding programs authorized in NCLB were rolled into block grants to be distributed to states, which will have authority to allocate those resources based on state priorities.

ESSA attempts to address rural education in multiple ways. In fact, the word “rural” is included in the ESSA legislation 54 times. While much remains to be determined about the translation of ESSA into practice, as written, ESSA explicitly addresses the special needs of rural schools in grant programs and other requirements. [This](#) first column on federal policy and rural education summarizes the ways that ESSA addresses rural education. [It](#) is not intended as critical policy analysis of the impact of particular provisions of ESSA on rural schools, work which is also needed and which will be the subject of future columns.

### **The REAP Program and the ESSA Definition of Rural**

Rural education is most explicitly addressed in the Rural Education Achievement Program. The Rural Education Achievement Program (REAP) was originally established in NCLB and is continued under ESSA. The REAP program recognizes that rural schools face unique challenges and that formula grants based on population size may not provide sufficient resources for rural schools. REAP legislation authorizes two programs: SRSA and RLIS.

- **SRSA: The Small Rural School Achievement** program provides allocations to rural schools that serve small populations (fewer than 600 students or fewer than 10 persons per square mile). Small rural schools must apply directly to the US Department of Education for these grants, which typically range from \$20,000 to \$60,000.
- **RLIS: The Rural and Low-Income Schools** program provides formula grants to states, which in turn make subgrants to rural LEAs. LEAs eligible for RLIS funding serve at least 20% of children with incomes below the poverty line

Whichever of the two sources of funding they receive, LEAs may use their allocation relatively flexibly to complement other federal funding to support teaching and learning. In addition, a third component of REAP legislation called the Alternative Uses of Funds Authority allows districts that apply to consolidate funds received through other federal sources to increase their impact.

ESSA continues the REAP program, with some notable changes. Previously, districts eligible for SRSA funding were automatically enrolled in that program and were not eligible for RLIS money, even if they qualified based on the number of low-income students. With ESSA, districts eligible for both programs can choose to apply for RLIS funds. Another change expands allowable uses of REAP allocations. The biggest change in the legislation is in the determination of eligibility for REAP funding. For the purposes of awarding grants through the REAP program, ESSA adopts the Urban-Centric Locale Codes established by the National Center for Education Statistics (NCES) in 2007. The previous designation of rural, known as “Metro-Centric,” was based on census codes no longer in use. For the purposes of reporting on educational outcomes, NCES moved to “Urban-Centric” locale codes in 2007. Urban-centric local codes are based on an address’s proximity to an urbanized area (defined as a densely settled core with densely settled surrounding areas). School and district locale codes are determined by the percentage of addresses for students that attend the school and are understood to be more precise than the previous determinations (Koziol and colleagues, 2015). Districts eligible for REAP funding must have locale codes 32, 33, 41, 42, or 43 (defined below). Approximately 6,000 districts are eligible for REAP funding. Because of this change in determining eligibility, some new LEAs will be eligible for REAP funding under ESSA, while others will lose eligibility.

NCES Census Codes Corresponding to Districts Eligible for Funding under the Rural Education Achievement Program (REAP):

- **32 - Town, Distant:** Territory inside an urban cluster that is more than 10 miles and less than or equal to 35 miles from an urbanized area.
- **33 - Town, Remote:** Territory inside an urban cluster that is more than 35 miles from an urbanized area.
- **41 - Rural, Fringe:** Census-defined rural territory that is less than or equal to 5 miles from an urbanized area, as well as rural territory that is less than or equal to 2.5 miles from an urban cluster.
- **42 - Rural, Distant:** Census-defined rural territory that is more than 5 miles but less than or equal to 25 miles from an urbanized area, as well as rural territory that is more than 2.5 miles but less than or equal to 10 miles from an urban cluster.
- **43 - Rural, Remote:** Census-defined rural territory that is more than 25 miles from an urbanized area and is also more than 10 miles from an urban cluster.

The adoption of urban-centric locale codes under REAP has an impact beyond the program. Other grant programs in ESSA that have rural priorities use these same locale codes to determine whether schools are eligible for funding priorities related to geography, and other legislation that refers to rural will consider these codes as a definition of rural. Defining rural is complicated. Definitions of rural will vary depending on context and goals (Koziol, 2015). The U.S. government has had as many as fifteen different definitions of what counts as rural (Washington Post, 2013). ESSA provides an updated definition of rural for federal K-12 education policy and creates a relative education-related definition of rural.

### **Grant Programs Targeted to Rural LEAs**

In addition to REAP, ESSA authorizes a number of competitive grant programs that have a rural priority. The most notable of these is the Education Innovation and Research program. This program will provide grants to LEAs, alone or in collaboration with a non-profit organization, other rural LEAs, or an educational service agency, to engage in practices to support student achievement. The program is intended to fund projects that include rigorous evaluation with the intent of identifying effective practices. The authorizing language that created the Education Innovation and Research program explicitly states that 25% of the funds

should be awarded to LEAs with locale codes 32, 33, 41, 42, or 43. The Education Innovation and Research program replaces the similar Investing in Innovation (i3) competitive grant program, which was initially launched with stimulus funding through the America Reinvestment and Recovery Act of 2009, and which also had a rural priority. Through the i3 program, rural LEAs have been able to develop, implement and evaluate a wide variety of innovative practices to address educational needs unique to rural areas (Klein & Sparks, 2016). A future column will discuss the i3 and Education Innovation and Research programs and their attempt to build a knowledge base about effective rural education practices.

Several other grant programs also have rural priorities. Full Service Community Schools grants are intended to provide funding to LEAs to provide academic, social, and health services for students, families and community members. Statute specifies that 15% of these grants must be awarded to rural LEAs. Six other grant programs in ESSA include language that requires the Department of Education to take steps to ensure “geographic diversity” or “equitable distribution” across urban, rural, and suburban schools. These six programs are Teacher and School Leader Incentive Funds (TIF) (supporting performance-based compensation programs), American History and Civics Education, School Leader Recruitment and Support, STEM Master Teacher Corps, 21<sup>st</sup> Century Learning Centers, and Grants to Support High Quality Charter Schools.

ESSA takes additional steps to ensure that rural LEAs can compete for federal grants. For at least some grant programs, such as Full Service Community Schools, ESSA authorizes the Education Department to waive or adjust matching funds requirements for rural and other high needs LEAs. ESSA also requires the Department of Education to create a program to offer technical assistance to rural schools or consortiums of rural LEAs.

At the time of this writing, Congress was still in the process of determining appropriations. Not every program authorized in bill language will receive funds. Assuming these programs are funded, a priority for geographic diversity, matching funds waivers and the program of technical assistance may well assist rural LEAs in competing for federal resources.

### **ESSA Requires States to Consider Rural LEAs**

Several provisions of ESSA require state education agencies (SEAs) to explicitly consider the rural schools and districts they serve. In order to receive Title I allocations, states must submit plans

that document needs and set priorities for using Title I funding. In the development of their state plans, states are required to consult a wide variety of stakeholders. Representatives from a variety of LEAs must be consulted, including those in rural areas. The geographic diversity of the state must also be represented in state plans for assessing and supporting English language learners required by ESSA under Title III. In directing States to collaborate with stakeholders in the development of state plans, ESSA recognizes that rural districts are at risk of being excluded from the policy process, and reminds states of their importance.

ESSA also addresses rural in specifying the ways that states may spend funds for school improvement. Under ESSA, states are required to identify the five percent of schools with the lowest achievement, and to provide evidence-based interventions to support those schools toward improvement. In identifying low performing districts and in providing funding for school improvement activities, ESSA requires states to “ensure geographic diversity”. In addition, flexibility is afforded to small districts in implementation of School Support and Improvement Activities. While in general, failing LEAs identified by the state must enact evidence-based interventions, LEAs can forego implementation of school improvement activities for schools with fewer than 100 students and for high schools that miss graduation targets and enroll fewer than 100 students.

Some programs in ESSA will provide funds that will flow through states through state-level competitive grant programs. Section 8011 of ESSA is titled “Rural Consolidated Plan.” Under this provision, LEAs may collaborate with other LEAs and/or with education service agencies to apply for competitive state funding. This provision recognizes that fact that small, rural schools may not be successful in competing for state grant funding if they apply as individual districts, and recognizes the power of collaboration for rural LEAs. Likewise, rural LEAs may collaborate to address the quality of instruction. States will receive funding for teacher recruitment, induction, and retention programs under formulas authorized by the Supporting Effective Instruction program. According to the legislation authorizing this program, schools with locale codes 41, 42, and 43 can form consortia and combine Supporting Effective Instruction funds for collective use to best impact teacher quality. These provisions

recognize that small and rural schools may manage resources more effectively by collaborating and combining efforts.

### **Report on Rural Education**

In recognition of concerns about the federal impact on rural education, ESSA contains language requiring the Department of Education to create a report on the status of rural education. Title V of ESSA gives the Secretary of Education 18 months to create a specific report on the Status of Rural Education, including how the Department’s procedures, programs, policies, and regulations impact rural education; how rural stakeholders’ perspectives are considered in development of programs and regulations; and actions the Department plans to take to increase participation of rural stakeholders. The Department of Education is expected to present the report for public comment, and then has two years to enact a plan to improve the status of rural education based on the results. Rural education advocates, including the National Rural Education Advocacy Coalition, are working with the Department of Education on the parameters for the report, which is expected in summer of 2017. A future column will discuss the findings and recommendations outlined in the report.

### **Conclusion**

In these and other ways, rural education is becoming an increasing focus of federal education legislation. The Every Student Succeeds Act explicitly addresses rural education through the REAP program, by taking steps to ensure geographic distribution in competitive grants, by requiring states to consider rural LEAs in the development of state plans, and in many other ways. The mandated report on rural education is intended to provide data about whether these provisions are sufficient for ensuring that federal policy and funding address the needs of rural schools and students and its impact remains to be seen. The major federal legislation that governs special education, higher education, career and technical education, and education research have expired and are expected to be addressed in the near future. Future columns will address these and other policy issues relevant to rural educators and researchers.

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Devon Brenner is Professor of Teacher Education and Special Assistant to the Vice President of Research and Economic Development for Education Initiatives at Mississippi State University. She recently completed a yearlong education fellowship with the US Senate. Her work in rural education focuses on teacher education for rural communities and rural education policy. This is the first of an on-going series of rural education policy briefs for *The Rural Educator*.