

The Washington State Board of Education

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Title:	Federal and State Accountability: Current Issues	
As Related To:	<input type="checkbox"/> Goal One: Advocacy for an effective, accountable governance structure for public education <input checked="" type="checkbox"/> Goal Two: Policy leadership for closing the academic achievement gap <input checked="" type="checkbox"/> Goal Three: Policy leadership to increase Washington's student enrollment and success in secondary and postsecondary education	<input checked="" type="checkbox"/> Goal Four: Effective strategies to make Washington's students nationally and internationally competitive in math and science <input type="checkbox"/> Goal Five: Advocacy for policies to develop the most highly effective K-12 teacher and leader workforce in the nation <input type="checkbox"/> Other
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Policy Considerations / Key Questions:	<p>SBE has a strategic oversight role and provides thought leadership on critical education issues. SBE has provided critical leadership and horsepower to build some elements of our state accountability system, but there is still work to be done.</p> <p>Recommended next steps:</p> <ul style="list-style-type: none"> • Explore ways to include the English Language Learner data in the Index. • Propose ways to use the Index to identify schools in need of improvement and support. • Continue oversight of the Required Action process and begin to develop research-based state intervention models for required action. <p>Continue to develop case studies and publicize evidence-based turnaround models</p>	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>This memo provides a brief overview of the federal accountability system (No Child Left Behind and Adequate Yearly Progress). A summary of the accountability system created in E2SSB 6696 outlines two phases for implementing "an excellent and equitable education for all students' an aligned federal/state accountability system; and the tools necessary for schools and districts to be held accountable." Phase One has been completed but most of the work in Phase Two is yet to come. Federal funds for voluntary School Improvement Grants and Required Action Districts are likely to be eliminated.</p>	

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Federal and State Accountability: Current Issues

BACKGROUND

Increasingly, education leaders from around the nation as well as the US Department of Education are expressing frustration with the federal accountability system as more and more schools are labeled 'failing'. States are working to build more effective state accountability systems in order to better determine school performance and build systems of increasing levels of support for struggling schools and districts. Efforts to build a more effective accountability system in Washington State have yielded some results but are as yet incomplete. The Achievement Index ('the Index') was created as a potential replacement for the federal accountability system, but so far it has only been implemented as a recognition tool for high performing schools. The nation is at a crossroads with school accountability; many states are seeking waivers from the federal accountability system while others, including Washington, are choosing to wait for Congress to reauthorize No Child Left Behind and address widely-agreed upon problems with that system. Washington could develop a robust state accountability system, but it will take resources and political will to move in that direction.

SBE has an opportunity to continue to exercise its strategic oversight role and provide thought leadership to more fully develop an effective statewide accountability system. More and more schools are labeled 'failing' under the No Child Left Behind Act. Federal funds for school improvement (voluntary and required action support for the lowest performing schools) appear to be in jeopardy. While much has been done to develop a state accountability system, the work is not yet done. This memo outlines some issues regarding federal and state accountability and suggests next steps for SBE.

No Child Left Behind

The Elementary and Secondary Education Act was reauthorized in 2001 and dubbed No Child Left Behind (NCLB). States were required to identify content area standards, establish high-stakes statewide assessment systems, disaggregate data by student racial, ethnic, low-income, English Language Learner status, and Special Education groups, and set overall student proficiency goals (known as 'uniform bars') for each grade in reading and math. The proficiency goals stair-step upwards toward 2014 when 100 percent of students must be proficient.

Attempts by Congress to reauthorize NCLB began four years ago and heated up in the spring of 2010, but so far Congress has not acted. The Obama administration put forth a set of priorities for NCLB changes, many of which then appeared in Race to the Top criteria. In March 2011, Secretary of Education Arnie Duncan told Congress that failure to address problems with NCLB would result in more than 82 percent of schools in the nation being labeled as 'failing' in the fall of 2011 (actual data pending). In August 2011, Secretary Duncan issued a press release that signaled that the Department of Education would begin to offer waivers to states from increasingly high student proficiency goals as required under NCLB.

While many details have not emerged, the Secretary has indicated that he will consider NCLB waiver requests from states on the basis that states have their own accountability system that includes: the capacity to include student achievement data in evaluation of teachers, student growth measures, a system for turning around chronically low-performing schools, and adopting career- and college- ready standards. Final criteria are expected in September. Meanwhile, multiple states (including Georgia, Kentucky, Massachusetts, Minnesota, Wisconsin, and Virginia) are seeking waivers, most often from the increasing percentages of students expected to be proficient. It is widely expected that Secretary Duncan's authority to issue such waivers will be met with legal challenge.

The Council of Chief State School Officers (CCSSO) has produced a draft "Roadmap for Next-Generation Accountability Systems"¹ as a resource for states as they develop state accountability systems designed to ensure that all students are career- and college- ready, differentiate the performance of schools and districts in reliable and meaningful ways to enable states to provide support and interventions, and encourage innovation and continuous improvement. This roadmap advocates using student growth models in addition to the 'status' model that Washington currently employs², and performing deep diagnostic reviews of schools to provide meaningful and specific interventions. This is contrasted with the system that is currently used, Adequate Yearly Progress (see Appendix A).

Adequate Yearly Progress (AYP)

AYP success is based on test scores from reading and math. Other indicators of success are extended graduation rates (high schools only) and undexcused absences (middle and elementary schools). Students are disaggregated into subgroups (All, American Indian, Asian/Pacific Islander, Black, Hispanic, White, Limited English, Special Education, and Low Income). Each school has 37 areas ('cells') in which they must succeed in order to make AYP. A failure to make AYP in any of the 37 cells results in the school overall not making AYP.

By 2014, all students are expected to be proficient in reading and math. The state has established a set of federally required goals known as the 'uniform bar' that form a stair-step up to 100 percent in 2014. Schools can make AYP by demonstrating that all student subgroups have met the state uniform bar proficiency goals (see Appendix B) for math, reading, and extended graduation rates, or that the percentage of students in each cell not making AYP has declined by at least 10 percent. More schools fail to make AYP annually due to the required increases in the percent of students proficient in reading and math. In the spring of 2011, 64.5 percent of Washington schools have 'failed' to make AYP. Next year, the uniform bar for both elementary and middle school math each jumps 20 percentage points, so it is anticipated that there will be a significant increase in the schools not making AYP.

¹ <http://www.ccsso.org/documents/Roadmap.pdf>

² Many states are developing assessment systems that look not just at a school performance over time ('status') but also at the degree to which students are making adequate growth. The best known model is the Colorado Growth Model.

Washington schools not making AYP by year

	Number of Schools that Made AYP	Number of Schools that Did not Make AYP	Percent of Schools that Did Not Make AYP
2006	1735	338	16.3%
2007	1384	742	34.9%
2008	855	1268	59.7%
2009	894	1235	58%
2010	977	1147	54%
2011	763	1388	64.5%

Why is AYP a problem?

First, when a majority of schools are labeled ‘failing’ it becomes increasingly difficult to distinguish a school that has overall good performance with a few challenge areas from a school that is overall low performing. Second, the increasing levels of sanctions are costly for schools and draw much-needed funding away from schools. OSPI estimated that in the 2009-10 school year, due to failing to meet AYP and being in a step of improvement (see Appendix C for details about ‘steps’ of improvement and sanctions), schools spent \$1.7 million on supplemental tutoring and \$10.7 million on public school choice. These amounts are expected to increase dramatically as more schools do not make AYP. By 2014, 100 percent of students in every subgroup must be proficient in reading and math – a noble goal but an increasingly unlikely goal to attain, based on trend data. Arnie Duncan has referred to the AYP system as a “slow motion train wreck.”

State Accountability Efforts

The SBE has expressed an ongoing commitment to accountability systems, notably in 2009 (see Appendix D, SBE Accountability Resolution), through the creation and refinement of the Achievement Index, and in support of E2SSB 6696 (see Appendix E) including Required Action.

E2SSB 6696, signed into law in June 2010, established a statewide accountability framework to provide “an excellent and equitable education for all students; an aligned federal/state accountability system; and the tools necessary for schools and districts to be accountable.”

Two overall phases for this new accountability system were established.

Phase One:

- Recognition of schools for raising student achievement and closing achievement gaps using the Index.
- SBE collaboration with achievement gap oversight and accountability committee.
- Targeting of lowest 5 percent of persistently lowest achieving schools for voluntary and required action.

Phase Two:

- Identification of schools in need of improvement using the Index.
- Implementation of state and locally developed intervention models for required action beginning in 2013.

- Federal approval of use of the Index or continued use of federal requirements to identify PLAs.

The work in Phase One has been accomplished:

- The Index is used for recognizing schools for raising achievement and closing gaps.
- SBE has collaborated with the achievement gap oversight and accountability committee.
- The schools in the lowest 5 percent of the state have been identified and a system of voluntary improvement and required action has been built to turnaround these low performing schools. However, this system of improvement (both voluntarily and required) is entirely reliant upon federal funding and as of August 2011, future federal funding for these turnaround efforts now appears unlikely.

The work in Phase Two has not yet been accomplished.

POLICY CONSIDERATION

SBE has a strategic oversight role and provides thought leadership on critical education issues. SBE has provided critical leadership and horsepower to build some elements of our state accountability system, but there is still work to be done.

Recommended next steps:

- Explore ways to include English Language Learner data in the Index.
- Propose ways to use the Index to identify schools in need of improvement and support.
- Continue oversight of the Required Action process and begin to explore research-based state intervention models for required action.

EXPECTED ACTION

None; for discussion only.

SOURCES:

Alyson Klein, "Washington State: Applying for Waivers Might 'Validate' NCLB." Education Week: Politics K-12, August 15, 2011.

Sam Dillon, "State Challenges Seen as Whittling Away at Education Law", The New York Times, August 15, 2011.

US Department of Education press release: Obama Administration Proceeds with Reform of No Child Left Behind Following Congressional Inaction; August 8, 2011.

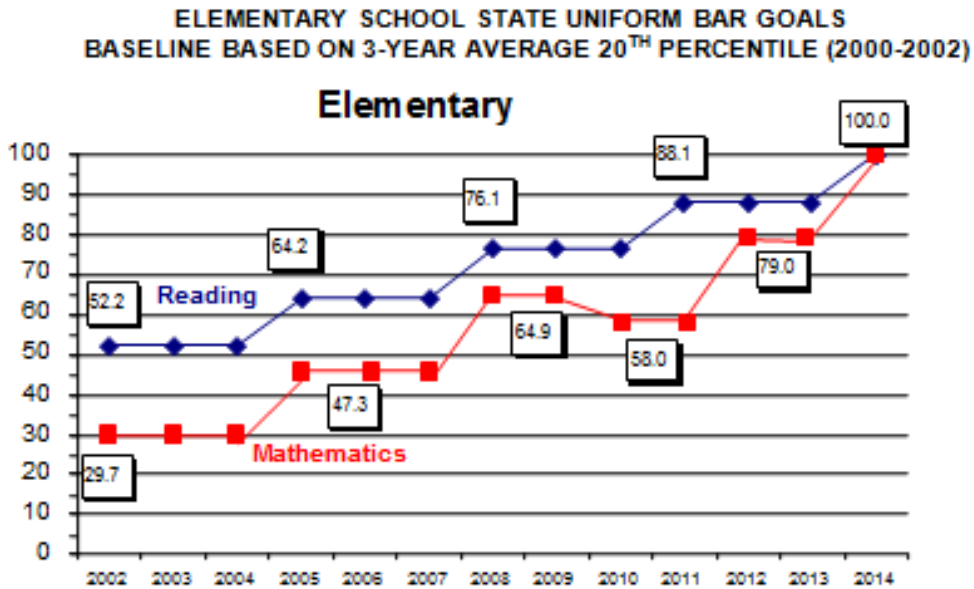
Office of Superintendent of Public Instruction: Adequate Yearly Progress Frequently Asked Questions: <http://www.k12.wa.us/ESEA/AYP/FAQ.aspx>

Council of Chief State School Officers Roadmap for Next-Generation State Accountability Systems, June 17, 2011: <http://www.ccsso.org/documents/Roadmap.pdf>

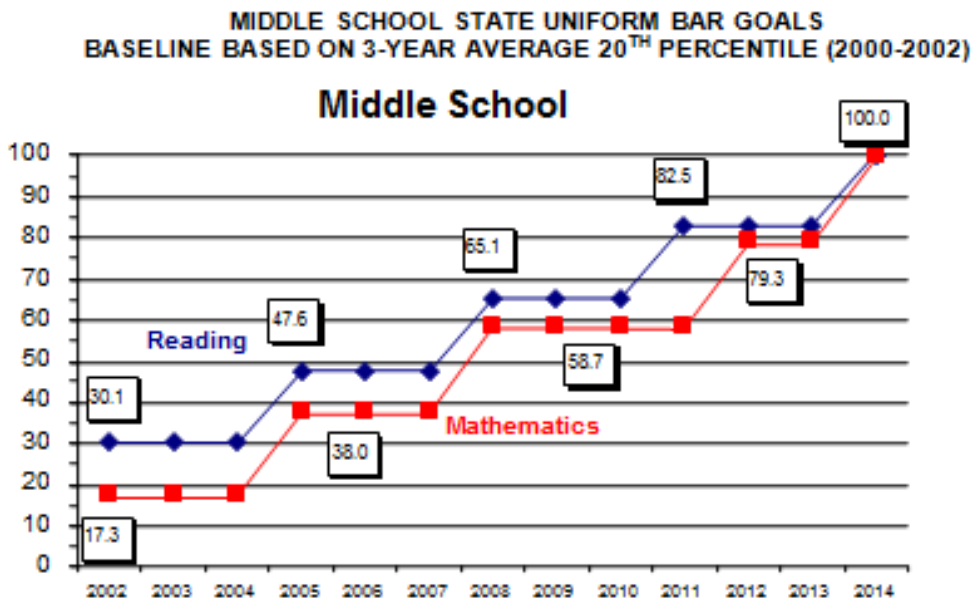
Appendix A: Excerpt from CCSSO Roadmap for Next-Generation Accountability Systems

Current Accountability Systems	Next-Generation Accountability Systems
➤ Focus on student "proficiency" as the goal, without clear or consistent meaning across states	✓ Focus on a minimum, specific goal of career and college readiness upon high school graduation
➤ Tie all judgments to whether students <i>meet</i> proficiency without regard to the improvement made in moving towards or surpassing proficiency	✓ Encourage continuous, significant student growth toward college- and career-readiness, and beyond
➤ Emphasize, usually to the exclusion of other elements, measuring and reporting student achievement results	✓ Understand that what is measured and reported must be tightly linked to requisite actions, supports, and interventions (as well as broader capacity-building reforms) to best improve student achievement
➤ Give schools and districts "pass" or "fail" labels without clear context to make the labels meaningful for public reporting or improvement purposes	✓ Annual determinations coupled with diagnostic reviews provide clear and meaningful information to drive school and district performance
➤ Do not purposefully link each component of the system so one informs the other (e.g. goals to measures to determinations to supports, etc.)	✓ Purposefully integrate each element of the system so that one informs the other, creating greater effectiveness and resource efficiency
➤ Tend to incentivize action at the margins of "pass"/"fail" determinations	✓ Provide incentives for growth and achievement at all levels of performance – from the schools and districts furthest behind to those who are currently meeting goals
➤ Are conceived separately from other education reforms	✓ Connect with and are balanced across other reforms, including emerging teacher and leader evaluation systems and capacity-building efforts
➤ Primarily focus on the state to school relationship without regard to state capacity issues and the proper role of the district	✓ Recognize the tight locus of control between districts and their schools and seek to build capacity within districts for supporting their schools and holding them accountable for the same
➤ Have not given enough attention to effectively turning around the lowest-performing schools	✓ Give particular and meaningful focus to the lowest-performing schools and districts
➤ Are disjointed from the practice and considerations of teaching and learning	✓ Place the student at the center of the system by promoting high-quality instruction and reinforcing the importance of sound teaching and learning practices
➤ Ignore the system's motivational effects	✓ Recognize that motivation is a strong component of success and contributes to strong and positive school cultures

➤ Do not exemplify what we now know about best educational practices	✓ Are dynamic – promoting continual innovation and improvement based on evaluation of the accountability system and emerging technologies
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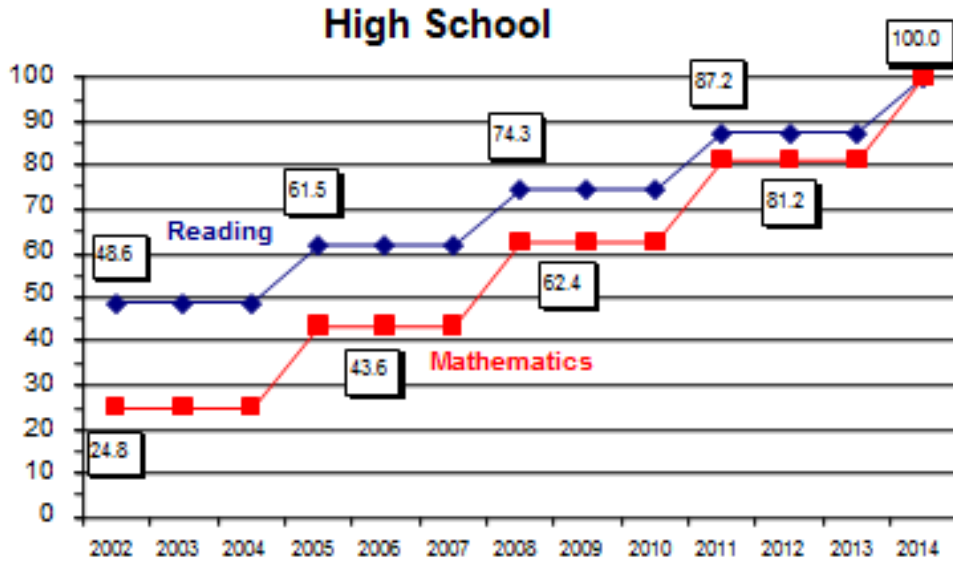


NOTE: The state uniform bar has changed for 2010–13 based upon new cut scores on the mathematics assessments.

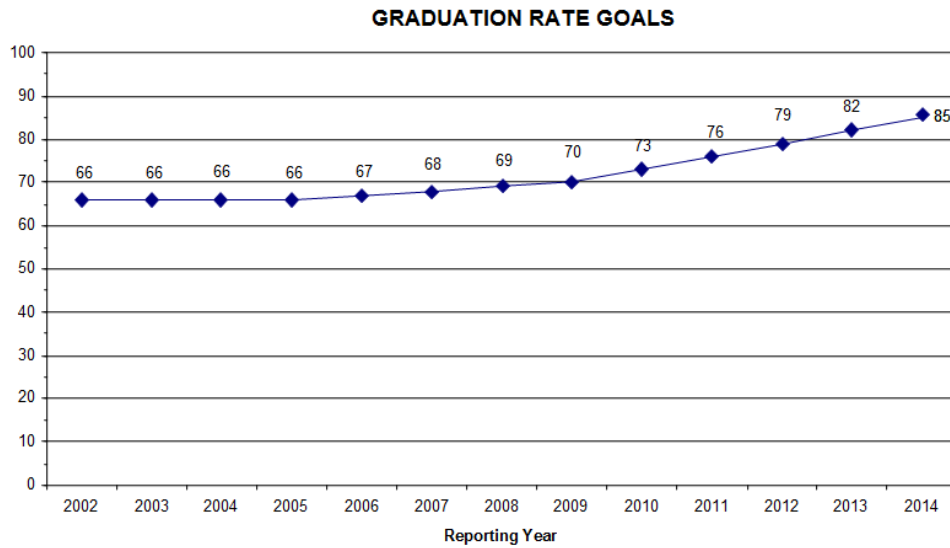


NOTE: The state uniform bar has changed for 2010–13 based upon new cut scores on the mathematics assessments.

**HIGH SCHOOL STATE UNIFORM BAR GOALS
BASELINE BASED ON 3-YEAR AVERAGE 20TH PERCENTILE (2000-2002)**



NOTE: The state uniform bar may change based upon new cut scores on the high school mathematics assessment.



Appendix C: Adequate Yearly Progress “Steps”

For schools that receive Title I funds, a series of sanctions are applied depending upon the step.

Step One: a school enters Step One when it has not made AYP for two consecutive years.

These schools must:

- Notify families of their school improvement status.
- Notify families that they have an opportunity to transfer their students to another school in the district that is not in improvement ('Public School Choice'). Districts must pay for transportation using Title I funds.
- Schools must also revise their school improvement plan within three months.

Step Two: a school enters Step Two when it has not made AYP for three consecutive years.

These schools must:

- Continue to take the actions in Step One (notifying parents, Public School Choice, revising school improvement plans).
- Provide Supplemental Educational Services to low-income low-achieving students. These providers must be selected from an OSP1 approved list. Schools must devote Title I funds to cover supplemental educational services.

Step Three: a school enters Step Three when it has not made AYP for four consecutive years.

This step is considered 'corrective action'. These schools must:

- Continue to take the actions in Steps One and Two (notifying parents, Public School Choice, revising school improvement plans, Supplemental Educational Services).
- At least one of the following:
 - Replace certain staff.
 - Implement new curriculum and provide professional development.
 - Appoint an outside expert to advise on the school improvement plan.
 - Restructure the internal organization of the school.
 - Select outside experts to advise the school on implementing a school improvement plan.
 - Extend the school year or school day.

Step Four: a school enters Step Four when it has not made AYP for five consecutive years.

These schools must:

- Continue to take the actions in Steps One and Two (notifying parents, Public School Choice, revising school improvement plans, Supplemental Educational Services) and
- Plan for restructuring. Families and teachers are invited to participate in the development of this plan. It must be implemented at the beginning of the following school year.

Step Five: a school enters Step Five when it has not made AYP for five consecutive years.

These schools must do one of the following:

- Implement a restructuring plan, to include replacing all or most school staff, contract with an outside entity to operate the school, if the state agrees to undergo a state takeover, or undertake any other major restructuring of school.

Appendix D: 2009 SBE Accountability Resolution

Final Accountability Resolution Approved by the State Board of Education January 15, 2009

WHEREAS, the State Board of Education believes that all students deserve an excellent and equitable education and that there is an urgent need to strengthen a system of continuous improvement in student achievement for all schools and districts; and

WHEREAS, the Legislature charged the State Board of Education to develop criteria to identify schools and districts that are successful, in need of assistance, and those where students persistently fail, as well as to identify a range of intervention strategies and performance incentive systems; and

WHEREAS, the State Board of Education affirms the call for stronger accountability must be reciprocal between the state and local school district and accompanied by comprehensive funding reform for basic education that demonstrates “taxpayer money at work” in improving student achievement; and

WHEREAS, the State Board of Education will work with its education partners to create a unified system of federal and state accountability to improve student achievement; and

WHEREAS, the State Board of Education recognizes the need for a proactive, collaborative accountability system with support from the local school board, parents, students, staff in the schools and districts, regional educational service districts, business partners, and state officials to improve student achievement; and

WHEREAS, the State Board of Education believes that schools and districts should be recognized for best practices and exemplary work in improving student achievement; and

WHEREAS, the State Board of Education recognizes the critical role of local school boards in addressing student achievement in developing a new state accountability system as well as the need to create a new collaborative mechanism to require certain school district actions if student achievement does not improve;

THEREFORE, BE IT RESOLVED that the State Board of Education will develop an accountability index to identify schools and districts based on student achievement using criteria that are fair, consistent, transparent, and easily understood for the purposes of providing feedback to schools and districts to self-assess their progress as well as to identify schools with exemplary performance and those with poor performance; and

BE IT FURTHER RESOLVED that the State Board of Education will work with its education partners to build the capacity of districts to help their schools improve student achievement. Programs will be tailored to the magnitude of need. As part of this system of assistance, the Board will ensure that all efforts are administered

as part of one unified system of state assistance including the Innovation Zone – a new effort to help districts dramatically improve achievement levels; and

BE IT FURTHER RESOLVED that after a time set by the State Board of Education where there is no significant improvement based on an Accountability Index and other measures as defined by the Board, the district will be placed on Academic Watch and the State Board of Education will:

- Direct the Office of Superintendent of Public Instruction to conduct an academic performance audit using a peer review team
- Request the local school board, in collaboration with the Office of Superintendent of Public Instruction, to develop an Academic Watch Plan based on the review findings, which would include an annual progress report to the local community
- Review, approve, or send back for modification to the local board, the Academic Watch plan, which once approved becomes a binding performance contract between the state and district
- Ensure that the local school board will remain responsible for implementation
- Request the Office of Superintendent of Public Instruction to monitor implementation of the plan and provide updates to the State Board of Education, which may require additional actions be taken until performance improvement is realized
- Declare that a district is no longer on Academic Watch when the Office of Superintendent of Public Instruction reports to the Board that the district's school or schools are no longer in Priority status; and

BE IT FURTHER RESOLVED that the Board believes this accountability framework needs to be a part of the revisions made to the basic education funding system and that the Legislature will need to provide the State Board of Education, the Office of Superintendent of Public Instruction, and the local school boards, with the appropriate legal authority and resources to implement the new system; and

BE IT FURTHER RESOLVED that the State Board of Education will continue to refine the details of the accountability system by working with its education, parent, business and community partners over the next year.

**PART I
ACCOUNTABILITY FRAMEWORK**

NEW SECTION. **Sec. 101.** The legislature finds that it is the state's responsibility to create a coherent and effective accountability framework for the continuous improvement for all schools and districts. This system must provide an excellent and equitable education for all students; an aligned federal/state accountability system; and the tools necessary for schools and districts to be accountable. These tools include the necessary accounting and data reporting systems, assessment systems to monitor student achievement, and a system of general support, targeted assistance, and if necessary, intervention. The office of the superintendent of public instruction is responsible for developing and implementing the accountability tools to build district capacity and working within federal and state guidelines. The legislature assigned the state board of education responsibility and oversight for creating an accountability framework. This framework provides a unified system of support for challenged schools that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions. Such a system will identify schools and their districts for recognition as well as for additional state support. For a specific group of challenged schools, defined as persistently lowest-achieving schools, and their districts, it is necessary to provide a required action process that creates a partnership between the state and local district to target funds and assistance to turn around the identified lowest-achieving schools.

Phase I of this accountability system will recognize schools that have done an exemplary job of raising student achievement and closing the achievement gaps using the state board of education's accountability index. The state board of education shall have ongoing collaboration with the achievement gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and the recognition provided to the school districts for closing the achievement gaps. Phase I will also target the lowest five percent of persistently lowest-achieving schools defined under federal guidelines to provide federal funds and federal intervention models through a voluntary option in 2010, and for those who do not volunteer and have not improved student achievement, a required action process beginning in 2011.

Phase II of this accountability system will work toward implementing the state board of education's accountability index for identification of schools in need of improvement, including those that are not Title I schools, and the use of state and local intervention models and state funds through a required action process beginning in 2013, in addition to the federal program. Federal approval of the state board of education's accountability index must be obtained or else the federal guidelines for persistently lowest-achieving schools will continue to be used. The expectation from implementation of this accountability system is the improvement of student achievement for all students to prepare them for postsecondary education, work, and global citizenship in the twenty-first century.