

# The Washington State Board of Education

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<b>Title:</b>	ESEA Flexibility Update	
<b>As Related To:</b>	<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 type="checkbox"/> Goal Three: Policy leadership to increase Washington's student enrollment and success in secondary and postsecondary education	<input 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 checked="" type="checkbox"/> Other - Accountability
<b>Relevant To Board Roles:</b>	<input checked="" type="checkbox"/> Policy Leadership <input type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
<b>Policy Considerations / Key Questions:</b>	<p>The flexibility proposal builds upon the Achievement Index as the backbone of the accountability system. A collaborative effort among SBE, OSPI, the Joint Select Committee on Education Accountability, and stakeholders will be needed to update the Achievement Index to include all subgroups and incorporate student growth data, which will be newly-available in the fall of 2012. This represents an important shift from our current system of multiple methodologies for assessing school performance to a single, unified system used to identify highest performing schools for recognition, and lowest performing schools for improvement.</p> <p>SBE is asked to consider adopting a resolution supporting the ESEA flexibility application.</p>	
<b>Possible Board Action:</b>	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Approve	<input checked="" type="checkbox"/> Adopt <input type="checkbox"/> Other
<b>Materials Included in Packet:</b>	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
<b>Synopsis:</b>	<p>Last September, the U.S. Department of Education (USED) announced guidelines for state educational agencies to apply for flexibility waivers that would allow relief from existing sanctions under the No Child Left Behind (NCLB) accountability system.</p> <p>USED has established four principles that must be met.            Principle 1—College- and Career-Ready Expectations for All Students            Principle 2—State-Developed Differentiated Recognition, Accountability, and Support            Principle 3—Supporting Effective Instruction and Leadership            Principle 4—Reducing Duplication and Unnecessary Burden</p> <p>SBE has partnered with the Office of Superintendent of Public Instruction (OSPI) in the development of an application for flexibility. SBE reviewed the draft application at its regular January, 2012 meeting. On February 15, 2012, Superintendent Dorn and SBE Chair Vincent sent a letter to every member of the Washington State Legislature notifying them of the decision to apply for the flexibility (Appendix A).</p>	



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## **ESEA FLEXIBILITY UPDATE**

### **BACKGROUND**

Last September, the U.S. Department of Education (USED) announced guidelines for state educational agencies to apply for flexibility waivers that would allow relief from existing sanctions under the No Child Left Behind (NCLB) accountability system.

USED has established four principles that must be met:

- Principle 1—College- and Career-Ready Expectations for All Students
- Principle 2—State-Developed Differentiated Recognition, Accountability, and Support
- Principle 3—Supporting Effective Instruction and Leadership
- Principle 4—Reducing Duplication and Unnecessary Burden

SBE has partnered with the Office of Superintendent of Public Instruction (OSPI) in the development of an application for flexibility. SBE reviewed the draft application at its regular January, 2012 meeting. On February 15, 2012, Superintendent Dorn and SBE Chair Vincent sent a letter to every member of the Washington State Legislature notifying them of the decision to apply for the flexibility (Appendix A).

### **POLICY CONSIDERATION**

The major “lift” for Washington is contained in Principle 2—State-Developed Differentiated Recognition, Accountability, and Support—which essentially is the construction of a new state accountability system. This is an opportunity for SBE and OSPI to partner to build upon the Achievement Index and create a state accountability system as envisioned in E2SSB 6696.

The ESEA flexibility application represents an opportunity to build a coherent, meaningful state accountability system. This proposal represents a meaningful step forward to fulfilling the SBE charge in S2SSB 6696 to create 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.” E2SSB 6696 specifically identifies Phase II of the accountability system using the Achievement 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.”

A collaborative effort among SBE, OSPI, the Joint Select Committee on Education Accountability, and stakeholders will be established to update the Achievement Index to include all subgroups and incorporate student growth data, which will be newly-available in the fall of 2012.

SBE is asked to consider adopting a resolution supporting the ESEA flexibility application.

## OVERVIEW OF THE PRINCIPLES

### **Principle 1: College- and Career-Ready Expectations for All Students**

Principle 1 is met primarily through Washington’s adoption of the Common Core State Standards (CCSS) and the state plan to implement CCSS. Additionally, Washington State’s role as a lead state with SMARTER Balanced Assessment Consortium (SBAC) satisfies the requirement to administer high-quality assessments to all students by 2014–15.

### **Principle 2: Proposed State Accountability System**

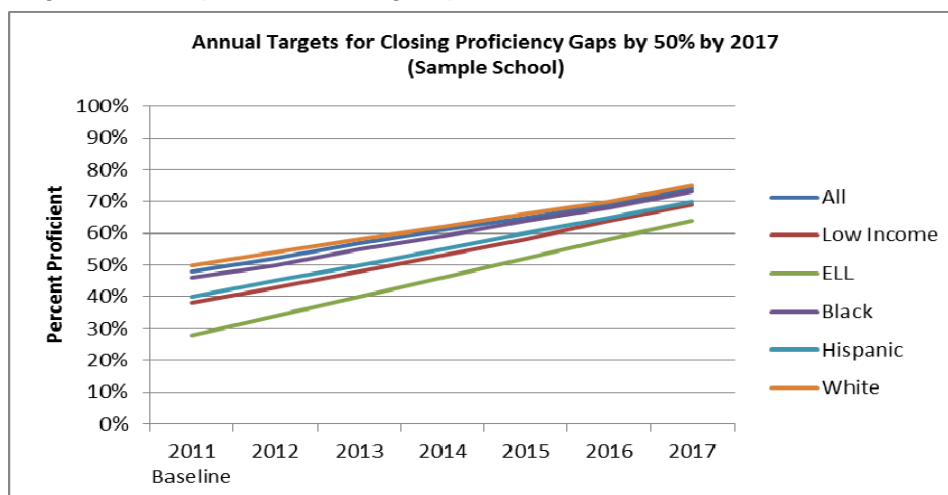
The major “lift” for Washington – and the major opportunity for SBE – is contained in Principle 2. As directed in E2SSB 6696, the proposed accountability system will build upon the current Washington Achievement Index as the basis for developing the system. The USED waiver guidelines require four components of an accountability system: establishing annual measurable objectives (AMOs); recognizing and rewarding schools for high achievement and closing educational opportunity gaps; identifying and developing improvement plans for “priority” schools with low achievement levels in reading and math; and identifying and developing improvement plans for “focus” schools with low performance and/or large achievement gaps among subgroups.

#### Annual Measurable Objectives (AMOs)

USED offered three choices: 1) Move the current 2014 deadline for 100 percent proficiency in reading and math to 2020; 2) Set annual equal increments toward the goal of reducing by half, the percent of students who are not proficient in all AYP sub categories by fall 2017 (within six years); or 3) Establish another AMO that is educationally sound and results in ambitious and achievable AMOs.

Washington is proposing option 2: to close the “proficiency gap” for each subgroup by 50 percent by 2017. These AMOs will be set for each school, district, and the state. For example, if 50 percent of a subgroup met standard in 2011 (the baseline year), the target for 2017 will be 75 percent of that subgroup meeting standard. This is illustrated in Figure 1. An advantage to this approach is that while expectations for subgroup performance increase each year, each school starts where they perform in 2011 rather than being held to the current “uniform bar” standard which is generally far above current performance. At the same time, the subgroups that currently perform lowest will need to accelerate the fastest in order to close gaps.

Figure 1: Sample school subgroup AMOs



The proposal is to set AMOs for each student subgroup (“all students”, American Indian/Alaskan Native, Asian, Black, Hispanic, White, Low Income, Students with Disabilities, English Language Learners, as well as two additional categories not required by USED: Pacific Islander and Multiracial.) The proposal will also contain a reduction of the current minimum “n size” from 30 to 20. This means that more schools will have visible subgroups, thus increasing accountability overall.

### Washington Achievement Index

The proposal builds upon the Achievement Index as the backbone of the accountability system. A collaborative effort among SBE, OSPI, the Joint Select Committee on Education Accountability, and stakeholders will be needed to update the Achievement Index to include all subgroups and incorporate student growth. This represents an important shift from our current system of multiple methodologies for assessing school performance to a single, unified system used to identify highest performing schools for recognition, and lowest performing schools for improvement.

### Reward Schools

Building on the current Washington Achievement Awards, Washington will identify the:

- Highest Performing Schools: schools with high performance and high graduation rates without significant achievement gaps among subgroups; schools that have met AYP (and in future years, AMOs) for three consecutive years in all subgroups.
- High-Progress Schools: schools making the most progress in improving performance for all students or in increasing graduation rates, without significant achievement gaps among subgroups.

### Priority Schools

The state will annually identify priority schools; the total number must be at least equal to 5 percent of the total number of Title I schools in 2010–11. Washington State has 913 Title I participating schools, so the state must identify at least 46 schools as priority schools (5 percent of 913). Per USED, a priority school must be at least one of the following:

1. Among the lowest five percent of Title I schools in the state based on both achievement and lack of progress of all students group over three years.
2. A Title I-participating or Title I-eligible high school with a graduation rate less than 60 percent over three years.
3. A currently-served Tier I or Tier II SIG school.

Districts with priority schools must ensure the school implements meaningful interventions aligned with turnaround principles<sup>1</sup>. OSPI will require districts to set aside up to 20 percent of district Title I funds to support the Priority schools’ improvement efforts.

### Focus Schools

The state must annually identify a number equal to at least 10 percent of the total number of Title I schools in the state as focus schools; in Washington, this equates to at least 92 schools (10percent of 913) each year. Focus schools are Title I schools with the lowest sub-group achievement and/or biggest gaps among sub-groups. Title I high school subgroups with graduation rates less than 60 percent may also be identified as focus schools.

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<sup>1</sup> “Turnaround Principles” refers to a list of principles provided by USED that must be addressed in the formulation of a school improvement plan: performance of the principal and teaching staff, operational flexibility, embedded professional development, increased learning time, ensuring a research-based instructional program, data-based decision making, ensuring a safe environment, and ongoing mechanisms for family and community engagement.

Districts with focus schools ensure the school implements meaningful interventions aligned with the unique needs of the school and its students. OSPI will require districts with focus schools to set aside up to 20 percent of district Title I funds to support the school's improvement efforts.

**Principle 3: Supporting Effective Instruction and Leadership**

This principle is met through the teacher/principal evaluation components of E2SSB 6696, passed by the Legislature in 2010 and now implemented through the work of the Teacher Principal Evaluation Project (TPEP). If pending state legislation regarding educator evaluation becomes law, it will also be included in the proposal.

**Principle 4: Reducing Duplication and Unnecessary Burden**

This principle is met through ongoing work done by OSPI to reduce the reporting requirements of districts.

**EXPECTED ACTION**

SBE will consider adopting a resolution to affirm support for the ESEA flexibility request.



# SUPERINTENDENT OF PUBLIC INSTRUCTION

*Randy I. Dorn*

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## STATE BOARD OF EDUCATION

*Jeff Vincent, Chair*

Old Capitol Building • PO Box 47206 • Olympia, WA 98504 • [www.sbe.wa.gov](http://www.sbe.wa.gov)

February 15, 2012

Dear Members of the Legislature:

With this letter, we are informing you of our intent to submit an application to the U.S. Department of Education for a waiver from the requirements of the Elementary and Secondary Education Act (ESEA also known as No Child Left Behind).

We are confident that Washington can develop a sound statewide accountability system that will improve upon the current federal requirements, in addition to relieving districts of some of the regulatory requirements and financial inflexibility associated with not making Adequate Yearly Progress.

The decision to pursue a waiver comes after months of careful consideration and review. Our offices have collaborated on several draft applications that have received extensive public feedback. The January meeting of the State Board of Education held a public hearing dedicated to the application process, and OSPI staff presented at a December 2, 2011 work session in the House Education Committee. Through these public hearings, and multiple and ongoing conversations with your fellow legislators, we have made every effort to be inclusive in the development of the application.

We will submit our application in the next week, and we anticipate an application status update from the Department of Education by April 2012.

As you may know, 10 out of 11 states were granted waivers through round one of the application process. Representatives from the U.S. Department of Education have made it clear that they will work closely with states to ensure that those seeking a waiver have ample opportunity to meet the requirements. The process of revising the application may extend our work into the summer.

Our ultimate goal in this application is to continue pursuing valuable education reforms and regulatory flexibility for our schools, without committing to policies that are not in the best interests of Washington State's public school system.

A draft of Washington's application is currently posted on the OSPI website for public comment. A final draft will be available by March 1.

Sincerely,

A handwritten signature in black ink that reads "Randy Dorn".

Randy I. Dorn  
State Superintendent  
of Public Instruction

A handwritten signature in black ink that reads "Jeff Vincent".

Jeff Vincent  
Chair  
Washington State Board of Education