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ACCOUNTABILITY SUMMARY FOR APPROVED WAIVERS

Connecticut
Delaware
Louisiana
Maryland
New York
North Carolina
Ohio
Rhode Island

September 2012

**REVIEW OF ROUND TWO OF STATE APPLICATIONS FOR ESEA WAIVERS:
IMPROVEMENTS AND CONCERNS
(CT, DE, LA, MD, NY, NC, RI, OH)**

In June 2012, we posted our [reviews of the first eleven approved state applications for ESEA waivers](#). As explained in the new “Accountability Watch” section of our website, these reviews are based on the [ten core principles](#) that we find fundamental to a strong state accountability system.

We have also completed our review of an additional eight state applications approved by the U.S. Department of Education (CT, DE, LA, MD, NY, NC, RI, and OH). As explained further below, these applications show some areas of improved alignment with our ten core principles of accountability. However, the applications also raise a number of the same concerns that plagued the first round of approved applications as well as some new concerns that could weaken state accountability systems and have serious implications for the future academic progress of our students.

Improvements

We are excited to see that a number of states have proposed improvements to their accountability systems. Informed by states’ experiences under the No Child Left Behind Act (“NCLB”) and the first round of waiver applications and approvals, these changes appear likely to advance education reform and increase student outcomes.

A number of the states have established student performance goals that are impressively clear and bold. These proposed goals – or sets of goals – would incentivize schools to achieve three different objectives: (1) help all students reach proficiency as soon as possible; (2) prepare an increasing number of students for college; and (3) focus on growth by the lowest performing students. We’re hopeful that such multipronged goals will ensure that students across the performance spectrum receive the attention they need to maximize their academic potential.

Several second round states have also devoted significant time and thought toward the transition to new standards and assessments. These states have detailed plans for how they will help schools, teachers, students, and parents adjust to the increased academic demands of college- and career-ready standards and new assessments based on those standards. For example, a couple states have already begun working hard to align their current assessments with the Common Core Standards to help ease the transition between the two tests. Another state has carefully considered how the introduction of new assessments will affect its performance goals as well as its future decisions about interventions and consequences.

Repeat Accountability Concerns

Unfortunately, our review of the eight approved second round waivers also revealed some critical weaknesses. A number of these weaknesses are the very same concerns that plagued the first round of waiver applications.

Once again, a number of states plan to limit consequences for failing to make adequate progress toward student success to a certain small percentage of schools (usually the lowest performing 15%). Many of these same states plan to impose consequences on those failing schools only once every three years, rather than every year. According to this timeline, states would assign schools to priority or focus status just once before the end of the waiver period in 2013-14. We’re concerned that such an approach will reduce the pressure on schools to improve student performance each year. We also worry about those students left to languish in failing schools for three years before those schools receive state interventions.

Thus, a related repeat concern is the substantial retreat from school choice. Most of the eight approved states have elected to waive NCLB’s choice requirements without providing any new alternatives for parents whose children are stuck in low performing schools.

New Accountability Concerns

Our second round waiver review also raised the following new concerns with regard to our ten accountability principles:

a) Indexes

A number of states will base accountability determinations on new indexes or on revised versions of existing indexes.

We agree that indexes are an effective mechanism for incorporating multiple measures into accountability determinations. However, indexes also raise several serious concerns.

First, indexes determine the impact of each measure on a state's accountability decisions and, as a result, dictate the priorities of key players in the state's accountability system. For example, if graduation rates receive significant weight in a state's index, districts, schools, and teachers are likely to devote substantial attention to improving high school completion rates. Therefore, we want to be sure that states are thinking carefully about the relative values they place on each measure. Based on our review of state indexes, we're not confident that all states have devoted the data-driven research and thoughtfulness required to create an effective index.

Second, indexes raise a number of transparency concerns. Incorporating multiple measures of student performance, such as achievement, growth, college- and career-readiness, and gap closure, is valuable. On the other hand, too many moving pieces can also conceal key weaknesses and confuse stakeholders. How does a "score" of 125 compare to those of other schools? Does "Meeting Expectations" on the state's index mean the school is meeting *all* state expectations with respect to *all* measures and *all* subgroups? We're worried that states don't yet have the reporting mechanisms in place to address adequately these transparency issues.

b) New subgroup concerns

Most states have done a more effective job of justifying their use of "super subgroups" (i.e., the 25% lowest performing students in a school). However, we believe the second round of approved waivers raises some new concerns about subgroup accountability. Several states will base key components of their accountability system on the performance of all students instead of on the performance of the traditional subgroups. For example, one state's index has three components. Two of those components are based on the performance of the all students group. Thus, it appears that a school could score well on the index despite having some very low-performing subgroups. Notably, all states will report on the performance of traditional subgroups, which provides an important backstop. We're just worried that placing the emphasis back on the performance of all students will allow states to take their eyes off the crucial goal of ensuring that our neediest subgroups receive the attention they need to reach proficiency and beyond.

Furthermore, several states will award extra points to schools for the above-proficient performance of students. While we applaud rewarding states for pushing students toward higher and higher performance, we're concerned that such an arrangement could allow schools to compensate for the below-proficient performance of other students.

c) Planning for new assessments

In the first batch of approved second round applications, all eight mention the upcoming transition to the PARCC or SBAC assessments. However, most states have failed to detail their plans for leading a transition that is thoughtful and helps districts and schools to continue to advance student learning.

For example, one application acknowledges that the state may have to change its current assessment to ease the transition to new assessments but plans to make that decision at some point in the future. And, most notably, one fall-testing states plans to allow 18 months to elapse between the fall 2013 administration of its current assessment and the spring 2015 administration of the new assessment.

We know from experience that transitions to new assessments are bound to be bumpy. But, we also know that the more work a state does on the front end, the smoother the transition will be. As 2014-15 approaches, we hope we can provide recommendations that will help states upgrade their transition plans.

d) Missed opportunities to streamline accountability systems

For years, many states have operated two accountability systems – one state and one federal – which are often duplicative and confusing for stakeholders. We believe the Department’s waiver process provides an important opportunity for states to streamline their accountability systems. Unfortunately, a number of states have let this opportunity pass them by.

For example, one state has established new performance goals and a new index, yet the state will not use these new components to make accountability determinations. Rather, the state will assign schools to priority/focus status using the state’s School Improvement Grant (“SIG”) criteria. In another case, a state has created so many new components (new performance goals, an index with three new subcomponents, and a school grading system) that it will likely be very difficult for stakeholders to decipher how districts, schools, and subgroups are actually performing.

Students, parents, teachers, administrators, and schools benefit when schools are held accountable to a single system of consistent values and goals that are easily understood by parents and other decision makers. We’re disappointed that many states haven’t taken this opportunity to create such a system.