

HJR

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ALASKA STATE LEGISLATURE



REPRESENTATIVE BOB MILLER

House Joint Resolution 39:

A Resolution urging the Governor to direct the Department of Education and Early Development (DEED) to prepare and submit a request for flexibility under the federal Elementary and Secondary Education Act of 1965 (ESEA) to obtain a waiver of select requirements of the No Child Left Behind Act of 2001 and to direct the commissioner of education and early development to provide a comprehensive improvement plan that will guarantee that students in the state will be adequately prepared for academic and vocational success.

Sponsor Statement

The federal No Child Left Behind Act (NCLB) is largely inadequate and often results in unnecessary difficulties for Alaskan educators because it does not account for the geographic conditions, cultural considerations or economic challenges unique to Alaska. Last year, the federal government offered states a process to opt-out of the NCLB requirements if a state developed its own standards and system to ensure school accountability. This resolution urges the governor to take back control of our schools by developing Alaska-appropriate standards and accountability measures in order to opt out of NCLB.

Developing our own standards and accountability measures to get a waiver from NCLB will provide Alaska educators the tools they need to improve education performance without reducing the state's ability to secure federal funding. It will also allow Alaska to determine **local solutions** based on student needs unique to rural areas. So far, 10 states have applied and been granted waivers and an additional 28 states have filed intent to submit a request for the second round.

Recently, the U.S. Secretary of Education stated that more than four out of five schools will fail to meet the NCLB mandated benchmark standards by 2014.

We understand that the commissioner is already taking steps to potentially develop core standards that could meet the requirements to earn a waiver from NCLB.

I urge you to join me in supporting House Joint Resolution 39

STATUS OF STATE REQUESTS

States approved for ESEA Flexibility	States that submitted requests on Feb. 28 th		States intending to submit on Sept. 6th
Colorado	Arkansas	Nevada	Hawaii
Florida	Arizona	New York	Maine
Georgia	Connecticut	North Carolina	New Hampshire
Indiana	District of Columbia	Ohio	North Dakota
Kentucky	Delaware	Oregon	Puerto Rico
Massachusetts	Idaho	Rhode Island	
Minnesota	Illinois	South Carolina	
New Jersey	Iowa	South Dakota	
New Mexico	Kansas	Utah	
Oklahoma	Louisiana	Vermont	
Tennessee	Maryland	Virginia	
	Michigan	Washington	
	Mississippi	Wisconsin	
	Missouri		
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**Mc
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Hill** **Education**

Education Brief
The Common Core State Standards Initiative

February 2011



Executive Summary:

The Top 10 Things to Know about The Common Core Standards Initiative

1. What is the Common Core Standards Initiative?

The Common Core Standards Initiative is a collaborative effort led by the National Governor's Association and the Council of Chief School Officers with partners and leaders across education and business, aimed to establish a shared set of clear educational standards for English language arts and mathematics that states can voluntarily adopt. The intention of the CCSS is to have a rigorous set of standards that specifically identify the learning outcomes needed to help schools prepare students to be college and career ready.

2. Which states are adopting the Common Core?

As of January, 2011, 40 states, and the District of Columbia have formally or informally committed to adopting the Common Core State Standards for English-language arts and mathematics for grades K-12 and are in the process of aligning state assessments, curriculum, and classroom practices to integrate the new standards. Alaska, Texas, and Virginia have indicated that they do not plan to adopt the standards.

3. How will states assess the Common Core?

Two consortia have been awarded competitive grant funds for the development of tests to assess the Common Core Standards. SMARTER Balanced Assessment Consortium (SBAC) was awarded a four-year \$176 million Race to the Top assessment grant by the U.S. Department of Education to develop a student assessment system aligned to a Common Core of academic standards. Partnership for the Assessment of Readiness for College and Careers (PARCC or Partnership) PARCC RttT Assessment Consortium was awarded \$170 of the \$330 million. Assessments are expected for 2014 and are expected to include results from performance-based tasks through testing and traditional end-of-year assessments. Both plan to include end of year assessments offered online.

4. How will states implement and fund the Common Core?

This will be a hot area to watch as districts do not yet know how they will fully manage the implementation of the Common Core and the budget required to introduce new assessments and new curricula. We do know that states will be working within a three-year timeline as assessments are anticipated to be ready for 2014.

5. What will Common Core Implementation plans need to address?

There is currently no governance in place yet so the specifics of implementation are still unfolding as states sign on. It is expected that Common Core implementation plans will need to address the following items:

- Developing research-based practices using Common Core
- Developing teacher training and PD
- Researching and Aligning instructional material
- Investigating formative and summative assessments to be used before or instead of rollout of common assessments.

6. What role will the U.S. DOE play?

Although the U.S. DOE supports the Common Core Initiative, they have had no role in the development of the Common Core State Standards. Their involvement moving forward will depend heavily on future elections and overall changes to the role of the Federal Government in education. If the Fed continues to be a driving force in setting the education agenda with a reauthorization of the Elementary and Secondary Education Act then they could play a big role in linking competitive grant funding to the adoption and successful implementation of the Common Core Standards and new requirements for College and Career ready students.

7. What's happening with The Common Core Standards in Reading/ELA?

1. The following are the areas that have surfaced as leading considerations/factors with the Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, Technical Subjects:

- Increased Rigor/Text Complexity: An emphasis on supporting students in being able to work with increasingly more complex texts.
- Nonfiction & Informational Text: While this includes a heavy focus on nonfiction, in particular information texts; and on

- **Writing:** Increased emphasis on writing, in particular across the curriculum.
- **Content area responsibility for literacy:** An acknowledgement that literacy development is a shared responsibility across the content domains.
- **Vocabulary:** A focus on general academic vocabulary and domain-specific vocabulary.
- **Independent reading:** While the emphasis of the CCSS is upon reading, writing, speaking and listening; the intention is that a concentrated effort be placed upon developing content-area literacy in science, social studies and technical subjects.

2. Common Core Curriculum Mapping Project in English/Language Arts has created curriculum maps to translate the CCS for K-12.

3. Based on the Fordham Institute Study of Common Core Standards (State of the State Standards – and the Common Core in 2010) the Common Core Standards are more rigorous than a majority of state’s standards (37 states).

8. What are key points to remember about the Common Core for English Language Arts/Literacy?

- Standards support a balance of literacy and informational texts
- Standards emphasize text complexity, canonical texts, and text evidence in K-12
- Language standards include vocabulary, with an emphasis on academic vocabulary
- History/social studies, science and media/technology are integrated
- Emphasis on multiple texts and critical/evaluative reading

9. What’s happening with the Common Core in Mathematics?

1. The following are the areas that have surfaced as leading considerations/factors with the Common Core and Mathematics.

- **Shifting from mile-wide, inch-deep curriculum:** Deepen understanding of the most critical key topics at each grade level.
- **Coherent progression:** Further enhance mastery of these key grade level topics through coherent progressions across grade levels.
- **Conceptual understanding and procedural fluency:** Strike a balance between building conceptual understanding while increasing procedural fluency.
- **Foster reasoning and sense-making in mathematics:** Encourage the critical-thinking and problem-solving skills students need to be successful 21st century thinkers.

2. Common Core Curriculum Mapping Project in English/Language Arts has created curriculum maps to translate the CCS for K-12.

3. Based on the Fordham Institute Study of Common Core Standards (State of the State Standards – and the Common Core in 2010) the Common Core Standards are more rigorous than a majority of state’s standards (37 states).

10. What are key points to remember about the Common Core for Mathematics?

- Focus and coherence: standards focus on key topics at each grade level and coherent progressions across grade levels
- Balance of concepts and skills: Standards require both conceptual understanding and procedural fluency
- Mathematical practices: Standards foster reasoning and sense-making in mathematics
- College and career readiness: Standards are ambitious but achievable

Important Note: What the Common Core Standards do NOT define:

- How teachers should teach
- All that can or should be taught
- The nature of advanced work beyond the common core
- Interventions needed for students well below grade level
- Full range of support for English Language Learners
- Full range of support for students with special needs

ESEA Flexibility Request



Revised February 10, 2012

U.S. Department of Education
Washington, DC 20202

OMB Number: 1810-0708

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0708. The time required to complete this information collection is estimated to average 336 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537.

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Insert page numbers prior to submitting the request, and place the table of contents in front of the SEA’s flexibility request.

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For each attachment included in the *ESEA Flexibility Request*, label the attachment with the corresponding number from the list of attachments below and indicate the page number where the attachment is located. If an attachment is not applicable to the SEA’s request, indicate “N/A” instead of a page number. Reference relevant attachments in the narrative portions of the request.

LABEL	LIST OF ATTACHMENTS	PAGE
1	Notice to LEAs	
2	Comments on request received from LEAs (if applicable)	
3	Notice and information provided to the public regarding the request	
4	Evidence that the State has formally adopted college- and career-ready content standards consistent with the State’s standards adoption process	
5	Memorandum of understanding or letter from a State network of institutions of higher education (IHEs) certifying that meeting the State’s standards corresponds to being college- and career-ready without the need for remedial coursework at the postsecondary level (if applicable)	
6	State’s Race to the Top Assessment Memorandum of Understanding (MOU) (if applicable)	
7	Evidence that the SEA has submitted high-quality assessments and academic achievement standards to the Department for peer review, or a timeline of when the SEA will submit the assessments and academic achievement standards to the Department for peer review (if applicable)	
8	A copy of the average statewide proficiency based on assessments administered in the 2010–2011 school year in reading/language arts and mathematics for the “all students” group and all subgroups (if applicable)	
9	Table 2: Reward, Priority, and Focus Schools	
10	A copy of the guidelines that the SEA has developed and adopted for local teacher and principal evaluation and support systems (if applicable)	
11	Evidence that the SEA has adopted all of the guidelines for local teacher and principal evaluation and support systems	

WAIVERS

By submitting this flexibility request, the SEA requests flexibility through waivers of the ten ESEA requirements listed below and their associated regulatory, administrative, and reporting requirements by checking each of the boxes below. The provisions below represent the general areas of flexibility requested; a chart appended to the document titled *ESEA Flexibility Frequently Asked Questions* enumerates each specific provision of which the SEA requests a waiver, which the SEA incorporates into its request by reference.

- 1. The requirements in ESEA section 1111(b)(2)(E)-(H) that prescribe how an SEA must establish annual measurable objectives (AMOs) for determining adequate yearly progress (AYP) to ensure that all students meet or exceed the State’s proficient level of academic achievement on the State’s assessments in reading/language arts and mathematics no later than the end of the 2013–2014 school year. The SEA requests this waiver to develop new ambitious but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals that are used to guide support and improvement efforts for the State, LEAs, schools, and student subgroups.
- 2. The requirements in ESEA section 1116(b) for an LEA to identify for improvement, corrective action, or restructuring, as appropriate, a Title I school that fails, for two consecutive years or more, to make AYP, and for a school so identified and its LEA to take certain improvement actions. The SEA requests this waiver so that an LEA and its Title I schools need not comply with these requirements.
- 3. The requirements in ESEA section 1116(c) for an SEA to identify for improvement or corrective action, as appropriate, an LEA that, for two consecutive years or more, fails to make AYP, and for an LEA so identified and its SEA to take certain improvement actions. The SEA requests this waiver so that it need not comply with these requirements with respect to its LEAs.
- 4. The requirements in ESEA sections 6213(b) and 6224(e) that limit participation in, and use of funds under the Small, Rural School Achievement (SRSA) and Rural and Low-Income School (RLIS) programs based on whether an LEA has made AYP and is complying with the requirements in ESEA section 1116. The SEA requests this waiver so that an LEA that receives SRSA or RLIS funds may use those funds for any authorized purpose regardless of whether the LEA makes AYP.
- 5. The requirement in ESEA section 1114(a)(1) that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program. The SEA requests this waiver so that an LEA may implement interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and designed to enhance the entire educational program in a school in any of its priority and focus schools that meet the definitions of “priority schools” and “focus schools,” respectively, set forth in the document titled *ESEA Flexibility*, as appropriate, even if those schools do not have a poverty percentage of 40 percent or more.
- 6. The requirement in ESEA section 1003(a) for an SEA to distribute funds reserved under that

section only to LEAs with schools identified for improvement, corrective action, or restructuring. The SEA requests this waiver so that it may allocate section 1003(a) funds to its LEAs in order to serve any of the State’s priority and focus schools that meet the definitions of “priority schools” and “focus schools,” respectively, set forth in the document titled *ESEA Flexibility*.

- 7. The provision in ESEA section 1117(c)(2)(A) that authorizes an SEA to reserve Title I, Part A funds to reward a Title I school that (1) significantly closed the achievement gap between subgroups in the school; or (2) has exceeded AYP for two or more consecutive years. The SEA requests this waiver so that it may use funds reserved under ESEA section 1117(c)(2)(A) for any of the State’s reward schools that meet the definition of “reward schools” set forth in the document titled *ESEA Flexibility*.
- 8. The requirements in ESEA section 2141(a), (b), and (c) for an LEA and SEA to comply with certain requirements for improvement plans regarding highly qualified teachers. The SEA requests this waiver to allow the SEA and its LEAs to focus on developing and implementing more meaningful evaluation and support systems.
- 9. The limitations in ESEA section 6123 that limit the amount of funds an SEA or LEA may transfer from certain ESEA programs to other ESEA programs. The SEA requests this waiver so that it and its LEAs may transfer up to 100 percent of the funds it receives under the authorized programs among those programs and into Title I, Part A.
- 10. The requirements in ESEA section 1003(g)(4) and the definition of a Tier I school in Section I.A.3 of the School Improvement Grants (SIG) final requirements. The SEA requests this waiver so that it may award SIG funds to an LEA to implement one of the four SIG models in any of the State’s priority schools that meet the definition of “priority schools” set forth in the document titled *ESEA Flexibility*.

Optional Flexibilities:

If an SEA chooses to request waivers of any of the following requirements, it should check the corresponding box(es) below:

- 11. The requirements in ESEA sections 4201(b)(1)(A) and 4204(b)(2)(A) that restrict the activities provided by a community learning center under the Twenty-First Century Community Learning Centers (21st CCLC) program to activities provided only during non-school hours or periods when school is not in session (*i.e.*, before and after school or during summer recess). The SEA requests this waiver so that 21st CCLC funds may be used to support expanded learning time during the school day in addition to activities during non-school hours or periods when school is not in session.
- 12. The requirements in ESEA sections 1116(a)(1)(A)-(B) and 1116(c)(1)(A) that require LEAs and SEAs to make determinations of adequate yearly progress (AYP) for schools and LEAs, respectively. The SEA requests this waiver because continuing to determine whether an LEA and its schools make AYP is inconsistent with the SEA’s State-developed differentiated recognition, accountability, and support system included in its ESEA flexibility request. The

SEA and its LEAs must report on their report cards performance against the AMOs for all subgroups identified in ESEA section 1111(b)(2)(C)(v), and use performance against the AMOs to support continuous improvement in Title I schools that are not reward schools, priority schools, or focus schools.

13. The requirements in ESEA section 1113(a)(3)-(4) and (c)(1) that require an LEA to serve eligible schools under Title I in rank order of poverty and to allocate Title I, Part A funds based on that rank ordering. The SEA requests this waiver in order to permit its LEAs to serve a Title I-eligible high school with a graduation rate below 60 percent that the SEA has identified as a priority school even if that school does not rank sufficiently high to be served.

ASSURANCES

By submitting this application, the SEA assures that:

- 1. It requests waivers of the above-referenced requirements based on its agreement to meet Principles 1 through 4 of the flexibility, as described throughout the remainder of this request.
- 2. It will adopt English language proficiency (ELP) standards that correspond to the State's college- and career-ready standards, consistent with the requirement in ESEA section 3113(b)(2), and that reflect the academic language skills necessary to access and meet the new college- and career-ready standards, no later than the 2013–2014 school year. (Principle 1)
- 3. It will develop and administer no later than the 2014–2015 school year alternate assessments based on grade-level academic achievement standards or alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities that are consistent with 34 C.F.R. § 200.6(a)(2) and are aligned with the State's college- and career-ready standards. (Principle 1)
- 4. It will develop and administer ELP assessments aligned with the State's ELP standards, consistent with the requirements in ESEA sections 1111(b)(7), 3113(b)(2), and 3122(a)(3)(A)(ii). (Principle 1)
- 5. It will report annually to the public on college-going and college credit-accumulation rates for all students and subgroups of students in each LEA and each public high school in the State. (Principle 1)
- 6. If the SEA includes student achievement on assessments in addition to reading/language arts and mathematics in its differentiated recognition, accountability, and support system and uses achievement on those assessments to identify priority and focus schools, it has technical documentation, which can be made available to the Department upon request, demonstrating that the assessments are administered statewide; include all students, including by providing appropriate accommodations for English Learners and students with disabilities, as well as alternate assessments based on grade-level academic achievement standards or alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities, consistent with 34 C.F.R. § 200.6(a)(2); and are valid and reliable for use in the SEA's differentiated recognition, accountability, and support system. (Principle 2)
- 7. It will report to the public its lists of reward schools, priority schools, and focus schools at the time the SEA is approved to implement the flexibility, and annually thereafter, it will publicly recognize its reward schools as well as make public its lists of priority and focus schools if it chooses to update those lists. (Principle 2)
- 8. Prior to submitting this request, it provided student growth data on their current students and the students they taught in the previous year to, at a minimum, all teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs, or it will do so no later than the deadline required under the State Fiscal Stabilization Fund. (Principle 3)

- 9. It will evaluate and, based on that evaluation, revise its own administrative requirements to reduce duplication and unnecessary burden on LEAs and schools. (Principle 4)
- 10. It has consulted with its Committee of Practitioners regarding the information set forth in its request.
- 11. Prior to submitting this request, it provided all LEAs with notice and a reasonable opportunity to comment on the request and has attached a copy of that notice (Attachment 1) as well as copies of any comments it received from LEAs (Attachment 2).
- 12. Prior to submitting this request, it provided notice and information regarding the request to the public in the manner in which the State customarily provides such notice and information to the public (*e.g.*, by publishing a notice in the newspaper; by posting information on its website) and has attached a copy of, or link to, that notice (Attachment 3).
- 13. It will provide to the Department, in a timely manner, all required reports, data, and evidence regarding its progress in implementing the plans contained throughout this request.
- 14. It will report annually on its State report card, and will ensure that its LEAs annually report on their local report cards, for the “all students” group and for each subgroup described in ESEA section 1111(b)(2)(C)(v)(II): information on student achievement at each proficiency level; data comparing actual achievement levels to the State’s annual measurable objectives; the percentage of students not tested; performance on the other academic indicator for elementary and middle schools; and graduation rates for high schools. It will also annually report, and will ensure that its LEAs annually report, all other information and data required by ESEA section 1111(h)(1)(C) and 1111(h)(2)(B), respectively.

If the SEA selects Option A in section 3.A of its request, indicating that it has not yet developed and adopted all the guidelines for teacher and principal evaluation and support systems, it must also assure that:

- 15. It will submit to the Department for peer review and approval a copy of the guidelines that it will adopt by the end of the 2011–2012 school year. (Principle 3)

CONSULTATION

An SEA must meaningfully engage and solicit input from diverse stakeholders and communities in the development of its request. To demonstrate that an SEA has done so, the SEA must provide an assurance that it has consulted with the State’s Committee of Practitioners regarding the information set forth in the request and provide the following:

1. A description of how the SEA meaningfully engaged and solicited input on its request from teachers and their representatives.

Click here to enter text.

2. A description of how the SEA meaningfully engaged and solicited input on its request from other diverse communities, such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes.

Click here to enter text.

EVALUATION

The Department encourages an SEA that receives approval to implement the flexibility to collaborate with the Department to evaluate at least one program, practice, or strategy the SEA or its LEAs implement under principle 1, 2, or 3. Upon receipt of approval of the flexibility, an interested SEA will need to nominate for evaluation a program, practice, or strategy the SEA or its LEAs will implement under principles 1, 2, or 3. The Department will work with the SEA to determine the feasibility and design of the evaluation and, if it is determined to be feasible and appropriate, will fund and conduct the evaluation in partnership with the SEA, ensuring that the implementation of the chosen program, practice, or strategy is consistent with the evaluation design.

Check here if you are interested in collaborating with the Department in this evaluation, if your request for the flexibility is approved.

OVERVIEW OF SEA’S REQUEST FOR THE ESEA FLEXIBILITY

Provide an overview (about 500 words) of the SEA’s request for the flexibility that:

1. explains the SEA’s comprehensive approach to implement the waivers and principles and describes the SEA’s strategy to ensure this approach is coherent within and across the principles; and
2. describes how the implementation of the waivers and principles will enhance the SEA’s and its LEAs’ ability to increase the quality of instruction for students and improve student achievement.

Click here to enter text..

PRINCIPLE 1: COLLEGE- AND CAREER-READY EXPECTATIONS FOR ALL STUDENTS

1.A ADOPT COLLEGE- AND CAREER-READY STANDARDS

Select the option that pertains to the SEA and provide evidence corresponding to the option selected.

Option A

- The State has adopted college- and career-ready standards in at least reading/language arts and mathematics that are common to a significant number of States, consistent with part (1) of the definition of college- and career-ready standards.
- i. Attach evidence that the State has adopted the standards, consistent with the State's standards adoption process. (Attachment 4)

Option B

- The State has adopted college- and career-ready standards in at least reading/language arts and mathematics that have been approved and certified by a State network of institutions of higher education (IHEs), consistent with part (2) of the definition of college- and career-ready standards.
- i. Attach evidence that the State has adopted the standards, consistent with the State's standards adoption process. (Attachment 4)
- ii. Attach a copy of the memorandum of understanding or letter from a State network of IHEs certifying that students who meet these standards will not need remedial coursework at the postsecondary level. (Attachment 5)

1.B TRANSITION TO COLLEGE- AND CAREER-READY STANDARDS

Provide the SEA's plan to transition to and implement no later than the 2013–2014 school year college- and career-ready standards statewide in at least reading/language arts and mathematics for all students and schools and include an explanation of how this transition plan is likely to lead to all students, including English Learners, students with disabilities, and low-achieving students, gaining access to and learning content aligned with such standards. The Department encourages an SEA to include in its plan activities related to each of the italicized questions in the corresponding section of the document titled *ESEA Flexibility Review Guidance*, or to explain why one or more of those activities is not necessary to its plan.

Insert plan and explanation here.

1.C DEVELOP AND ADMINISTER ANNUAL, STATEWIDE, ALIGNED, HIGH-QUALITY ASSESSMENTS THAT MEASURE STUDENT GROWTH

Select the option that pertains to the SEA and provide evidence corresponding to the option selected.

<p>Option A</p> <p><input type="checkbox"/> The SEA is participating in one of the two State consortia that received a grant under the Race to the Top Assessment competition.</p> <p>i. Attach the State’s Memorandum of Understanding (MOU) under that competition. (Attachment 6)</p>	<p>Option B</p> <p><input type="checkbox"/> The SEA is not participating in either one of the two State consortia that received a grant under the Race to the Top Assessment competition, and has not yet developed or administered statewide aligned, high-quality assessments that measure student growth in reading/language arts and in mathematics in at least grades 3-8 and at least once in high school in all LEAs.</p> <p>i. Provide the SEA’s plan to develop and administer annually, beginning no later than the 2014–2015 school year, statewide aligned, high-quality assessments that measure student growth in reading/language arts and in mathematics in at least grades 3-8 and at least once in high school in all LEAs, as well as set academic achievement standards for those assessments.</p>	<p>Option C</p> <p><input type="checkbox"/> The SEA has developed and begun annually administering statewide aligned, high-quality assessments that measure student growth in reading/language arts and in mathematics in at least grades 3-8 and at least once in high school in all LEAs.</p> <p>i. Attach evidence that the SEA has submitted these assessments and academic achievement standards to the Department for peer review or attach a timeline of when the SEA will submit the assessments and academic achievement standards to the Department for peer review. (Attachment 7)</p>
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For Option B, insert plan here

PRINCIPLE 2: STATE-DEVELOPED DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT

2.A DEVELOP AND IMPLEMENT A STATE-BASED SYSTEM OF DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT

2.A.i Provide a description of the SEA’s differentiated recognition, accountability, and support system that includes all the components listed in Principle 2, the SEA’s plan for implementation of the differentiated recognition, accountability, and support system no later than the 2012–2013 school year, and an explanation of how the SEA’s differentiated recognition, accountability, and support system is designed to improve student achievement and school performance, close achievement gaps, and increase the quality of instruction for students.

Insert description, plan, and explanation here.

2.A.ii Select the option that pertains to the SEA and provide the corresponding information, if any.

<p>Option A</p> <p><input type="checkbox"/> The SEA includes student achievement only on reading/language arts and mathematics assessments in its differentiated recognition, accountability, and support system and to identify reward, priority, and focus schools.</p>	<p>Option B</p> <p><input type="checkbox"/> If the SEA includes student achievement on assessments in addition to reading/language arts and mathematics in its differentiated recognition, accountability, and support system or to identify reward, priority, and focus schools, it must:</p> <ul style="list-style-type: none"> a. provide the percentage of students in the “all students” group that performed at the proficient level on the State’s most recent administration of each assessment for all grades assessed; and b. include an explanation of how the included assessments will be weighted in a manner that will result in holding schools accountable for ensuring all students achieve college- and career-ready standards.
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Insert text for Option B here.

2.B SET AMBITIOUS BUT ACHIEVABLE ANNUAL MEASURABLE OBJECTIVES

Select the method the SEA will use to set new ambitious but achievable annual measurable objectives (AMOs) in at least reading/language arts and mathematics for the State and all LEAs, schools, and subgroups that provide meaningful goals and are used to guide support and improvement efforts. If the SEA sets AMOs that differ by LEA, school, or subgroup, the AMOs for LEAs, schools, or subgroups that are further behind must require greater rates of annual progress.

<p>Option A</p> <p><input type="checkbox"/> Set AMOs in annual equal increments toward a goal of reducing by half the percentage of students in the “all students” group and in each subgroup who are not proficient within six years. The SEA must use current proficiency rates based on assessments administered in the 2010–2011 school year as the starting point for setting its AMOs.</p> <p>i. Provide the new AMOs and an explanation of the method used to set these AMOs.</p>	<p>Option B</p> <p><input type="checkbox"/> Set AMOs that increase in annual equal increments and result in 100 percent of students achieving proficiency no later than the end of the 2019–2020 school year. The SEA must use the average statewide proficiency based on assessments administered in the 2010–2011 school year as the starting point for setting its AMOs.</p> <p>i. Provide the new AMOs and an explanation of the method used to set these AMOs.</p>	<p>Option C</p> <p><input type="checkbox"/> Use another method that is educationally sound and results in ambitious but achievable AMOs for all LEAs, schools, and subgroups.</p> <p>i. Provide the new AMOs and an explanation of the method used to set these AMOs.</p> <p>ii. Provide an educationally sound rationale for the pattern of academic progress reflected in the new AMOs in the text box below.</p> <p>iii. Provide a link to the State’s report card or attach a copy of the average statewide proficiency based on assessments administered in the 2010–2011 school year in reading/language arts and mathematics for the “all students” group and all subgroups. (Attachment 8)</p>
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Insert text for Option C here.

2.C REWARD SCHOOLS

2.C.i Describe the SEA’s methodology for identifying highest-performing and high-progress schools as reward schools . If the SEA’s methodology is not based on the definition of reward schools in *ESEA Flexibility* (but instead, e.g. based on school grades or ratings that take into account a number of factors), the SEA should also demonstrate that the list provided in Table 2 is consistent with the definition, per the Department’s “Demonstrating that an SEA’s Lists of Schools meet ESEA Flexibility Definitions” guidance.

Insert methodology here.

2.C.ii Provide the SEA’s list of reward schools in Table 2.

2.C.iii Describe how the SEA will publicly recognize and, if possible, reward highest-performing and high-progress schools.

Insert description here.

2.D PRIORITY SCHOOLS

2.D.i Describe the SEA’s methodology for identifying a number of lowest-performing schools equal to at least five percent of the State’s Title I schools as priority schools. If the SEA’s methodology is not based on the definition of priority schools in *ESEA Flexibility* (but instead, e.g. based on school grades or ratings that take into account a number of factors), the SEA should also demonstrate that the list provided in Table 2 is consistent with the definition, per the Department’s “Demonstrating that an SEA’s Lists of Schools meet ESEA Flexibility Definitions” guidance.

Insert methodology here.

2.D.ii Provide the SEA’s list of priority schools in Table 2.

2.D.iii Describe the meaningful interventions aligned with the turnaround principles that an LEA with priority schools will implement.

Insert description here.

2.D.iv Provide the timeline the SEA will use to ensure that its LEAs that have one or more priority schools implement meaningful interventions aligned with the turnaround principles in each priority school no later than the 2014–2015 school year and provide a justification for the SEA’s choice of timeline.

Insert timeline and justification here.

- 2.D.v Provide the criteria the SEA will use to determine when a school that is making significant progress in improving student achievement exits priority status and a justification for the criteria selected.

Insert criteria and justification here.

2.E FOCUS SCHOOLS

- 2.E.i Describe the SEA’s methodology for identifying a number of low-performing schools equal to at least 10 percent of the State’s Title I schools as “focus schools.” If the SEA’s methodology is not based on the definition of focus schools in *ESEA Flexibility* (but instead, e.g. based on school grades or ratings that take into account a number of factors), the SEA should also demonstrate that the list provided in Table 2 is consistent with the definition, per the Department’s “Demonstrating that an SEA’s Lists of Schools meet ESEA Flexibility Definitions” guidance.

Insert methodology here.

- 2.E.ii Provide the SEA’s list of focus schools in Table 2.

- 2.E.iii Describe the process and timeline the SEA will use to ensure that its LEAs that have one or more focus schools will identify the specific needs of the SEA’s focus schools and their students and provide examples of and justifications for the interventions focus schools will be required to implement to improve the performance of students who are the furthest behind.

Insert description here.

- 2.E.iv Provide the criteria the SEA will use to determine when a school that is making significant progress in improving student achievement and narrowing achievement gaps exits focus status and a justification for the criteria selected.

Insert criteria and justification here.

TABLE 2: REWARD, PRIORITY, AND FOCUS SCHOOLS

Provide the SEA’s list of reward, priority, and focus schools using the Table 2 template. Use the key to indicate the criteria used to identify a school as a reward, priority, or focus school.

TABLE 2: REWARD, PRIORITY, AND FOCUS SCHOOLS

LEA Name	School Name	School NCES ID #	REWARD SCHOOL	PRIORITY SCHOOL	FOCUS SCHOOL
<i>Ex. Washington</i>	<i>Oak HS</i>	<i>111111100001</i>		<i>C</i>	
	<i>Maple ES</i>	<i>111111100002</i>			<i>H</i>
<i>Adams</i>	<i>Willow MS</i>	<i>222222200001</i>	<i>A</i>		
	<i>Cedar HS</i>	<i>222222200002</i>			<i>F</i>
	<i>Elm HS</i>	<i>222222200003</i>			<i>G</i>
TOTAL # of Schools:					

Total # of Title I schools in the State: _____

Total # of Title I-participating high schools in the State with graduation rates less than 60%: _____

Key

Reward School Criteria:

- A. Highest-performing school
- B. High-progress school

Priority School Criteria:

- C. Among the lowest five percent of Title I schools in the State based on the proficiency and lack of progress of the “all students” group
- D-1. Title I-participating high school with graduation rate less than 60% over a number of years
- D-2. Title I-eligible high school with graduation rate less than 60% over a number of years
- E. Tier I or Tier II SIG school implementing a school intervention model

Focus School Criteria:

- F. Has the largest within-school gaps between the highest-achieving subgroup(s) and the lowest-achieving subgroup(s) or, at the high school level, has the largest within-school gaps in the graduation rate
- G. Has a subgroup or subgroups with low achievement or, at the high school level, a low graduation rate
- H. A Title I-participating high school with graduation rate less than 60% over a number of years that is not identified as a priority school

2.F PROVIDE INCENTIVES AND SUPPORTS FOR OTHER TITLE I SCHOOLS

- 2.F Describe how the SEA's differentiated recognition, accountability, and support system will provide incentives and supports to ensure continuous improvement in other Title I schools that, based on the SEA's new AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gaps, and an explanation of how these incentives and supports are likely to improve student achievement and school performance, close achievement gaps, and increase the quality of instruction for students.

Insert description and explanation here.

2.G BUILD SEA, LEA, AND SCHOOL CAPACITY TO IMPROVE STUDENT LEARNING

- 2.G Describe the SEA's process for building SEA, LEA, and school capacity to improve student learning in all schools and, in particular, in low-performing schools and schools with the largest achievement gaps, including through:
- i. timely and comprehensive monitoring of, and technical assistance for, LEA implementation of interventions in priority and focus schools;
 - ii. ensuring sufficient support for implementation of interventions in priority schools, focus schools, and other Title I schools identified under the SEA's differentiated recognition, accountability, and support system (including through leveraging funds the LEA was previously required to reserve under ESEA section 1116(b)(10), SIG funds, and other Federal funds, as permitted, along with State and local resources); and
 - iii. holding LEAs accountable for improving school and student performance, particularly for turning around their priority schools.

Explain how this process is likely to succeed in improving SEA, LEA, and school capacity.

Insert description and explanation here.

PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP

3.A DEVELOP AND ADOPT GUIDELINES FOR LOCAL TEACHER AND PRINCIPAL EVALUATION AND SUPPORT SYSTEMS

Select the option that pertains to the SEA and provide the corresponding description and evidence, as appropriate, for the option selected.

Option A	Option B
<p><input type="checkbox"/> If the SEA has not already developed and adopted all of the guidelines consistent with Principle 3, provide:</p> <ul style="list-style-type: none"> i. the SEA’s plan to develop and adopt guidelines for local teacher and principal evaluation and support systems by the end of the 2011–2012 school year; ii. a description of the process the SEA will use to involve teachers and principals in the development of these guidelines; and iii. an assurance that the SEA will submit to the Department a copy of the guidelines that it will adopt by the end of the 2011–2012 school year (see Assurance 14). 	<p><input type="checkbox"/> If the SEA has developed and adopted all of the guidelines consistent with Principle 3, provide:</p> <ul style="list-style-type: none"> i. a copy of the guidelines the SEA has adopted (Attachment 10) and an explanation of how these guidelines are likely to lead to the development of evaluation and support systems that improve student achievement and the quality of instruction for students; ii. evidence of the adoption of the guidelines (Attachment 11); and iii. a description of the process the SEA used to involve teachers and principals in the development of these guidelines.

Insert text here.

3.B ENSURE LEAs IMPLEMENT TEACHER AND PRINCIPAL EVALUATION AND SUPPORT SYSTEMS

3.B Provide the SEA’s process for ensuring that each LEA develops, adopts, pilots, and implements, with the involvement of teachers and principals, including mechanisms to review, revise, and improve, high-quality teacher and principal evaluation and support systems consistent with the SEA’s adopted guidelines.

Insert process here.

SAMPLE FORMAT FOR PLAN

Below is one example of a format an SEA may use to provide a plan to meet a particular principle in the *ESEA Flexibility*.

Key Milestone or Activity	Detailed Timeline	Party or Parties Responsible	Evidence (Attachment)	Resources (e.g., staff time, additional funding)	Significant Obstacles

ESEA Flexibility



September 23, 2011

FLEXIBILITY TO IMPROVE STUDENT ACADEMIC ACHIEVEMENT AND INCREASE THE QUALITY OF INSTRUCTION

In order to move forward with State and local reforms designed to improve academic achievement and increase the quality of instruction for all students in a manner that was not originally contemplated by the No Child Left Behind Act of 2001 (NCLB), a State educational agency (SEA) may request flexibility, on its own behalf and on behalf of its LEAs, through waivers of ten provisions of the Elementary and Secondary Education Act of 1965 (ESEA) and their associated regulatory, administrative, and reporting requirements. In order to receive this flexibility, an SEA must meet the principles described in the next section. Terms that are defined in the Definitions section of this document are in bold type the first time they appear.

1. Flexibility Regarding the 2013–2014 Timeline for Determining Adequate Yearly Progress (AYP): An SEA would no longer need to follow the procedures in ESEA section 1111(b)(2)(E) through (H) for setting annual measurable objectives (AMOs) to use in determining AYP. Instead, an SEA would have flexibility to develop new ambitious but achievable AMOs in reading/language arts and mathematics in order to provide meaningful goals that will be used to guide support and improvement efforts for the State, local educational agencies (LEAs), schools, and student subgroups.
2. Flexibility in Implementation of School Improvement Requirements: An LEA would no longer be required to comply with the requirements in ESEA section 1116(b) to identify for improvement, corrective action, or restructuring, as appropriate, its Title I schools that fail, for two consecutive years or more, to make AYP, and neither the LEA nor its schools would be required to take currently required improvement actions; however, an SEA may still require or permit an LEA to take such actions. An LEA would also be exempt from all administrative and reporting requirements related to school improvement under current law.
3. Flexibility in Implementation of LEA Improvement Requirements: An SEA would no longer be required to comply with the requirements in ESEA section 1116(c) to identify for improvement or corrective action, as appropriate, an LEA that, for two consecutive years or more, fails to make AYP, and neither the LEA nor the SEA would be required to take currently required improvement actions. An LEA would also be exempt from all associated administrative and reporting requirements related to LEA improvement under current law.
4. Flexibility for Rural LEAs: An LEA that receives Small, Rural School Achievement Program funds or Rural and Low-Income School Program funds would have flexibility under ESEA sections 6213(b) and 6224(e) to use those funds for any authorized purpose regardless of the LEA's AYP status.
5. Flexibility for Schoolwide Programs: An LEA would have flexibility to operate a schoolwide program in a Title I school that does not meet the 40 percent poverty threshold in ESEA section 1114(a)(1) if the SEA has identified the school as a **priority school** or a **focus school**, and the LEA is implementing interventions consistent with the **turnaround principles** or interventions that are based on the needs of the students in the school and designed to enhance the entire educational program in the school, as appropriate.

6. Flexibility to Support School Improvement: An SEA would have flexibility to allocate ESEA section 1003(a) funds to an LEA in order to serve any priority or focus school, if the SEA determines such schools are most in need of additional support.
7. Flexibility for Reward Schools: An SEA would have flexibility to use funds reserved under ESEA section 1117(c)(2)(A) to provide financial rewards to any **reward school**, if the SEA determines such schools are most appropriate for financial rewards.
8. Flexibility Regarding Highly Qualified Teacher (HQT) Improvement Plans: An LEA that does not meet its HQT targets would no longer have to develop an improvement plan under ESEA section 2141 and would have flexibility in how it uses its Title I and Title II funds. An SEA would be exempt from the requirements regarding its role in the implementation of these plans, including the requirement that it enter into agreements with LEAs on the uses of funds and the requirement that it provide technical assistance to LEAs on their plan. This flexibility would allow SEAs and LEAs to focus on developing and implementing more meaningful evaluation and support systems. An SEA would not be exempt from the requirement of ESEA section 1111(b)(8)(C) that it ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers; however, once more meaningful evaluation and support systems are in place in accordance with principle 3 (described below), an SEA may use the results of such systems to meet that requirement.
9. Flexibility to Transfer Certain Funds: An SEA and its LEAs would have flexibility to transfer up to 100 percent of the funds received under the authorized programs designated in ESEA section 6123 among those programs and into Title I, Part A. Moreover, to minimize burden at the State and local levels, the SEA would not be required to notify the Department and its participating LEAs would not be required to notify the SEA prior to transferring funds.
10. Flexibility to Use School Improvement Grant (SIG) Funds to Support Priority Schools: An SEA would have flexibility to award SIG funds available under ESEA section 1003(g) to an LEA to implement one of the four SIG models in any priority school.

OPTIONAL FLEXIBILITY

In addition to its request for waivers of each of the requirements above, an SEA may wish to request flexibility through a waiver related to the following:

Flexibility in the Use of Twenty-First Century Community Learning Centers (21st CCLC) Program Funds: An SEA would have flexibility under ESEA sections 4201(b)(1)(A) and 4204(b)(2)(A) to permit community learning centers that receive funds under the 21st CCLC program to use those funds to support expanded learning time during the school day in addition to activities during non-school hours or periods when school is not in session (*i.e.*, before and after school or during summer recess).

PRINCIPLES FOR IMPROVING STUDENT ACADEMIC ACHIEVEMENT AND INCREASING THE QUALITY OF INSTRUCTION

To receive flexibility through the waivers outlined above, an SEA must submit a request that addresses each of the following four principles, consistent with the definitions and timelines described later in this document, to increase the quality of instruction for students and improve student academic achievement in the State and its LEAs. In the SEA's request, the SEA must describe how it will ensure that LEAs will fully implement these principles, consistent with the SEA's authority under State law and the SEA's request.

1. College- and Career-Ready Expectations for All Students

Over the past few years, Governors and Chief State School Officers have developed and adopted rigorous academic content standards to prepare all students for success in college and careers in the 21st century. States are also coming together to develop the next generation of assessments aligned with these new standards, and to advance essential skills that promote critical thinking, problem solving, and the application of knowledge. To support States in continuing the work of transitioning students, teachers, and schools to a system aligned to college and career ready expectations, this flexibility would remove obstacles that hinder that work.

To receive this flexibility, an SEA must demonstrate that it has college- and career-ready expectations for all students in the State by adopting **college- and career-ready standards** in at least reading/language arts and mathematics, transitioning to and implementing such standards statewide for all students and schools, and developing and administering annual, statewide, aligned, **high-quality assessments**, and corresponding academic achievement standards, that measure **student growth** in at least grades 3-8 and at least once in high school. An SEA must also support English Learners in reaching such standards by committing to adopt English language proficiency (ELP) standards that correspond to its college- and career-ready standards and that reflect the academic language skills necessary to access and meet the new college- and career-ready standards, and committing to develop and administer aligned ELP assessments. To ensure that its college- and career-ready standards are truly aligned with postsecondary expectations, and to provide information to parents and students about the college-readiness rates of local schools, an SEA must annually report to the public on college-going and college credit-accumulation rates for all students and student subgroups in each LEA and each high school in the State.

2. State-Developed Differentiated Recognition, Accountability, and Support

Fair, flexible, and focused accountability and support systems are critical to continuously improving the academic achievement of all students, closing persistent achievement gaps, and improving equity. Based on the principles for accountability developed by the Council of Chief State School Officers, many States are already moving forward with next-generation systems that recognize student growth and school progress, align accountability determinations with support and capacity-building efforts, and provide for systemic, context-specific interventions that focus on the lowest-performing schools and schools with the largest achievement gaps. This flexibility would give SEAs and LEAs relief from the school and LEA improvement requirements of NCLB so they can implement these new systems.

To receive this flexibility, an SEA must develop and implement a system of differentiated recognition, accountability, and support for all LEAs in the State and for all Title I schools in these LEAs. Those systems must look at student achievement in at least reading/language arts and mathematics for all students and all subgroups of students identified in ESEA section 1111(b)(2)(C)(v)(II); graduation rates for all students and all subgroups; and school performance and progress over time, including the performance and progress of all subgroups. They may also look at student achievement in subjects other than reading/language arts and mathematics, and, once an SEA has adopted high-quality assessments, must take into account student growth. An SEA's system of differentiated recognition, accountability, and support must create incentives and include differentiated interventions and support to improve student achievement and graduation rates and to close achievement gaps for all subgroups, including interventions specifically focused on improving the performance of English Learners and students with disabilities. More specifically, the SEA's system must, at a minimum:

- Set new ambitious but achievable AMOs in at least reading/language arts and mathematics for the State and all LEAs, schools, and subgroups, that provide meaningful goals and are used to guide support and improvement efforts.
- Provide incentives and recognition for success on an annual basis by publicly recognizing and, if possible, rewarding Title I schools making the most progress or having the highest performance as “reward schools.”
- Effect dramatic, systemic change in the lowest-performing schools by publicly identifying “priority schools” and ensuring that each LEA with one or more of these schools implements, for three years, meaningful interventions aligned with the turnaround principles in each of these schools. The SEA must also develop criteria to determine when a school that is making significant progress in improving student achievement exits priority status.
- Work to close achievement gaps by publicly identifying Title I schools with the greatest achievement gaps, or in which subgroups are furthest behind, as “focus schools” and ensuring that each LEA implements interventions, which may include tutoring and public school choice, in each of these schools based on reviews of the specific academic needs of the school and its students. The SEA must also develop criteria to determine when a school that is making significant progress in improving student achievement and narrowing achievement gaps exits focus status.
- Provide incentives and supports to ensure continuous improvement in other Title I schools that, based on the SEA's new AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gaps.
- Build SEA, LEA, and school capacity to improve student learning in all schools and, in particular, in low-performing schools and schools with the largest achievement gaps. The SEA must provide timely and comprehensive monitoring of, and technical assistance for, LEA implementation of interventions in priority and focus schools, and must hold LEAs accountable for improving school and student performance, particularly for turning around their priority schools. The SEA and its LEAs must also ensure sufficient support for implementation of interventions in priority schools, focus schools, and other Title I schools identified under the SEA's differentiated recognition, accountability, and support system (including through leveraging funds the LEA was previously required to reserve under ESEA section 1116(b)(10), SIG funds, and other Federal funds, as permitted, along with State and local resources).

3. Supporting Effective Instruction and Leadership

In recent years, many SEAs and LEAs have begun to develop evaluation systems that go beyond NCLB's minimum HQT standards, provide more meaningful information about the effectiveness of teachers and principals, and can be used to inform professional development and improve practice. High-quality systems, informed by research that affirms that educators have significant and lasting effects on student learning, draw on multiple measures of instructional and leadership practices to evaluate and support teacher and principal effectiveness. This flexibility will give SEAs and LEAs the ability to continue this work designed to increase the quality of instruction for all students by building fair, rigorous evaluation and support systems and developing innovative strategies for using them.

To receive this flexibility, an SEA and each LEA must commit to develop, adopt, pilot, and implement, with the involvement of teachers and principals, teacher and principal evaluation and support systems that: (1) will be used for continual improvement of instruction; (2) meaningfully differentiate performance using at least three performance levels; (3) use multiple valid measures in determining performance levels, including as a significant factor data on student growth for all students (including English Learners and students with disabilities), and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); (4) evaluate teachers and principals on a regular basis; (5) provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and (6) will be used to inform personnel decisions. An SEA must develop and adopt guidelines for these systems, and LEAs must develop and implement teacher and principal evaluation and support systems that are consistent with the SEA's guidelines. To ensure high-quality implementation, all teachers, principals, and evaluators should be trained on the evaluation system and their responsibilities in the evaluation system. As part of developing and implementing these evaluation and support systems, an SEA must also provide student growth data on current students and the students taught in the previous year to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs. Once these evaluation and support systems are in place, an SEA may use data from these systems to meet the requirements of ESEA section 1111(b)(8)(C) that it ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers.

4. Reducing Duplication and Unnecessary Burden

In order to provide an environment in which schools and LEAs have the flexibility to focus on what's best for students, an SEA should remove duplicative and burdensome reporting requirements that have little or no impact on student outcomes. To receive the flexibility, an SEA must assure that it will evaluate and, based on that evaluation, revise its own administrative requirements to reduce duplication and unnecessary burden on LEAs and schools.

Nothing in these principles shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

CONSULTATION

Each SEA must engage diverse stakeholders and communities in the development of its request. By engaging relevant stakeholders at the outset of the planning and implementation process, an SEA can ensure they have input in shaping the SEA's comprehensive plan, which will help ensure successful implementation of the SEA's plan. Ideally, an SEA will solicit input from stakeholders representing diverse perspectives, experiences, and interests, including those that will be impacted by and implement the policies included in the SEA's plan, and will strengthen its request by revising it based on this input.

Each SEA must provide a description of how the SEA meaningfully engaged and solicited input on its request from teachers and their representatives. Each SEA must also provide a description of how the SEA meaningfully engaged and solicited input on its request from other diverse communities, such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes. Finally, each SEA must provide an assurance that it has consulted with the State's Committee of Practitioners regarding the information set forth in its request.

EVALUATION

Implementing this flexibility presents a valuable opportunity for SEAs, LEAs, and the Department to learn more about the effectiveness of various programs, practices, and strategies and to contribute to the evidence base of what works. The Department encourages an SEA that receives approval to implement this flexibility to collaborate with the Department to evaluate at least one program, practice, or strategy the SEA or its LEAs implement under principle 1, 2, or 3. For example, an SEA could propose to evaluate an aspect of its plan for transitioning to college- and career-ready standards; the interventions the SEA and its LEAs are implementing in priority or focus schools; or its teacher and principal evaluation and support systems. Interested SEAs will need to, upon receipt of approval of this flexibility, nominate for evaluation a program, practice, or strategy the SEA or its LEAs will implement under principle 1, 2, or 3. The Department will work with the SEA to determine the feasibility and design of the evaluation and, if it is determined to be feasible and appropriate, will fund and conduct the evaluation in partnership with the SEA, ensuring that the implementation of the chosen program, practice, or strategy is consistent with the evaluation design.

DEFINITIONS

1. **College- and Career-Ready Standards:** “College- and career-ready standards” are content standards for kindergarten through 12th grade that build towards college and career readiness by the time of high school graduation. A State’s college- and career-ready standards must be either (1) **standards that are common to a significant number of States**; or (2) standards that are approved by a **State network of institutions of higher education**, which must certify that students who meet the standards will not need remedial course work at the postsecondary level.
2. **Focus School:** A “focus school” is a Title I school in the State that, based on the most recent data available, is contributing to the achievement gap in the State. The total number of focus schools in a State must equal at least 10 percent of the Title I schools in the State. A focus school is—
 - a school that has the largest within-school gaps between the highest-achieving subgroup or subgroups and the lowest-achieving subgroup or subgroups or, at the high school level, has the largest within-school gaps in graduation rates; or
 - a school that has a subgroup or subgroups with low achievement or, at the high school level, low graduation rates.

An SEA must also identify as a focus school a Title I high school with a graduation rate less than 60 percent over a number of years that is not identified as a priority school.

These determinations must be based on the achievement and lack of progress over a number of years of one or more subgroups of students identified under ESEA section 1111(b)(2)(C)(v)(II) in terms of proficiency on the statewide assessments that are part of the SEA’s differentiated recognition, accountability, and support system, combined, or, at the high school level, graduation rates for one or more subgroups.

3. **High-Quality Assessment:** A “high-quality assessment” is an assessment or a system of assessments that is valid, reliable, and fair for its intended purposes; and measures student knowledge and skills against college- and career-ready standards in a way that—
 - covers the full range of those standards, including standards against which student achievement has traditionally been difficult to measure;
 - as appropriate, elicits complex student demonstrations or applications of knowledge and skills;
 - provides an accurate measure of student achievement across the full performance continuum, including for high- and low-achieving students;
 - provides an accurate measure of student growth over a full academic year or course;
 - produces student achievement data and student growth data that can be used to determine whether individual students are college and career ready or on track to being college and career ready;
 - assesses all students, including English Learners and students with disabilities;
 - provides for alternate assessments based on grade-level academic achievement standards or alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities, consistent with 34 C.F.R. § 200.6(a)(2); and

- produces data, including student achievement data and student growth data, that can be used to inform: determinations of school effectiveness for purposes of accountability under Title I; determinations of individual principal and teacher effectiveness for purposes of evaluation; determinations of principal and teacher professional development and support needs; and teaching, learning, and program improvement.
4. **Priority School:** A “priority school” is a school that, based on the most recent data available, has been identified as among the lowest-performing schools in the State. The total number of priority schools in a State must be at least five percent of the Title I schools in the State. A priority school is—
- a school among the lowest five percent of Title I schools in the State based on the achievement of the “all students” group in terms of proficiency on the statewide assessments that are part of the SEA’s differentiated recognition, accountability, and support system, combined, and has demonstrated a lack of progress on those assessments over a number of years in the “all students” group;
 - a Title I-participating or Title I-eligible high school with a graduation rate less than 60 percent over a number of years; or
 - a Tier I or Tier II school under the SIG program that is using SIG funds to implement a school intervention model.
5. **Reward School:** A “reward school” is a Title I school that, based on the most recent data available, is—
- a “**highest-performing school**,” which is a Title I school among the Title I schools in the State that have the highest absolute performance over a number of years for the “all students” group and for all subgroups, on the statewide assessments that are part of the SEA’s differentiated recognition, accountability, and support system, combined, and, at the high school level, is also among the Title I schools with the highest graduation rates. A highest-performing school must be making AYP for the “all students” group and all of its subgroups. A school may not be classified as a “highest-performing school” if there are significant achievement gaps across subgroups that are not closing in the school; or
 - a “**high-progress school**,” which is a Title I school among the ten percent of Title I schools in the State that are making the most progress in improving the performance of the “all students” group over a number of years on the statewide assessments that are part of the SEA’s differentiated recognition, accountability, and support system, and, at the high school level, is also among the Title I schools in the State that are making the most progress in increasing graduation rates. A school may not be classified as a “high-progress school” if there are significant achievement gaps across subgroups that are not closing in the school.
6. **Standards that are Common to a Significant Number of States:** “Standards that are common to a significant number of States” means standards that are substantially identical across all States in a consortium that includes a significant number of States. A State may supplement such standards with additional standards, provided that the additional standards do not exceed 15 percent of the State’s total standards for a content area.

7. **State Network of Institutions of Higher Education (IHEs):** A “State network of institutions of higher education” means a system of four-year public IHEs that, collectively, enroll at least 50 percent of the students in the State who attend the State’s four-year public IHEs.
8. **Student Growth:** “Student growth” is the change in student achievement for an individual student between two or more points in time. For the purpose of this definition, student achievement means—
- For grades and subjects in which assessments are required under ESEA section 1111(b)(3): (1) a student’s score on such assessments and may include (2) other measures of student learning, such as those described in the second bullet, provided they are rigorous and comparable across schools within an LEA.
 - For grades and subjects in which assessments are not required under ESEA section 1111(b)(3): alternative measures of student learning and performance such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across schools within an LEA.
9. **Turnaround Principles:** Meaningful interventions designed to improve the academic achievement of students in priority schools must be aligned with all of the following “turnaround principles” and selected with family and community input:
- providing strong leadership by: (1) reviewing the performance of the current principal; (2) either replacing the principal if such a change is necessary to ensure strong and effective leadership, or demonstrating to the SEA that the current principal has a track record in improving achievement and has the ability to lead the turnaround effort; and (3) providing the principal with operational flexibility in the areas of scheduling, staff, curriculum, and budget;
 - ensuring that teachers are effective and able to improve instruction by: (1) reviewing the quality of all staff and retaining only those who are determined to be effective and have the ability to be successful in the turnaround effort; (2) preventing ineffective teachers from transferring to these schools; and (3) providing job-embedded, ongoing professional development informed by the teacher evaluation and support systems and tied to teacher and student needs;
 - redesigning the school day, week, or year to include additional time for student learning and teacher collaboration;
 - strengthening the school’s instructional program based on student needs and ensuring that the instructional program is research-based, rigorous, and aligned with State academic content standards;
 - using data to inform instruction and for continuous improvement, including by providing time for collaboration on the use of data;
 - establishing a school environment that improves school safety and discipline and addressing other non-academic factors that impact student achievement, such as students’ social, emotional, and health needs; and
 - providing ongoing mechanisms for family and community engagement.

A priority school that implements one of the four SIG models is implementing an intervention that satisfies the turnaround principles. An SEA may also implement interventions aligned with the turnaround principles as part of a statewide school turnaround strategy that allows for State takeover of schools or for transferring operational control of the school to another entity such as a recovery school district or other management organization.

TIMELINES

The dates identified in the chart as deadlines (bolded in the chart) for complying with a principle are the latest by which an SEA or LEA must meet a particular principle. The dates identified as when an SEA or LEA may begin to implement a waiver represent the earliest the SEA or LEA may take advantage of the specified waiver.

The “At Submission” column describes generally the information an SEA must supply in order to receive the flexibility. See the document titled *ESEA Flexibility Request* for more detail on the specific evidence that States must submit to meet the principles. The initial waiver period will be through the 2013–2014 school year; however, an SEA that wishes to receive the flexibility must develop a plan that covers all four years identified in the chart. The “SY 2014–2015” column identifies the additional actions that an SEA must take if it receives an extension of the flexibility.

TIMELINE FOR IMPLEMENTATION OF ESEA FLEXIBILITY

Principle or waiver	Required during initial waiver period				Required if approved for extension SY 2014–2015
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	
Adopt college- and career-ready standards	Request includes evidence that the State has formally adopted college- and career-ready standards				
Implement college- and career-ready standards	Request includes plan for transitioning to and implementing college- and career-ready standards	SEA and LEAs prepare to implement college- and career-ready standards		SEA and LEAs implement college- and career-ready standards	
Develop and administer high-quality assessments aligned with college- and career-	Request includes plan for developing and administering high-quality assessments aligned with college- and career-ready	SEA develops statewide high-quality assessments aligned with college- and career-ready standards		SEA administers pilot high-quality assessments aligned with college- and	SEA administers high-quality assessments aligned with

Principle or waiver	Required during initial waiver period				Required if approved for extension
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	SY 2014–2015
ready standards	standards, and assurance that SEA will develop and administer alternate assessments consistent with 34 C.F.R. § 200.6(a)(2)			career-ready standards	college- and career-ready standards
Adopt ELP standards that correspond to college- and career-ready standards	Request includes assurance that SEA will adopt ELP standards			SEA adopts ELP standards that correspond to State’s college- and career-ready standards, consistent with the requirement in ESEA section 3113(b)(2)	
Develop and administer ELP assessments	Request includes assurance that SEA will develop and administer ELP assessments				SEA develops and administers ELP assessments aligned with the State’s ELP standards, consistent with the requirements in ESEA sections 1111(b)(7), 3113(b)(2), and 3122(a)(3)(A)(ii)

Principle or waiver	Required during initial waiver period				Required if approved for extension
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	SY 2014–2015
Annually report college-going and college credit-accumulation rates for all students and subgroups of students in each LEA and each public high school in the State	Request includes assurance that SEA will annually report to the public the required data				SEA annually reports to the public college-going and college credit-accumulation rates, as defined under State Fiscal Stabilization Fund Indicators (c)(11) and (c)(12)
Waiver to set new ambitious but achievable AMOs	Request includes proposed new AMOs and justification that they are ambitious but achievable	SEA may apply new AMOs to AYP determinations beginning with SY 2011-2012 assessment results			Continue applying new AMOs
Waiver of requirements to identify schools and LEAs for improvement status		Beginning with release of AYP determinations based on SY 2011–2012 assessments, SEA and LEAs need not identify LEAs or schools, respectively, for improvement			Continue waiver
Waiver of requirements for schools and LEAs in improvement status to take certain specified actions			Beginning in SY 2012-2013, LEAs and schools need not take required actions under ESEA section 1116(b) or (c) (per the waiver discussed in the preceding row, LEAs and schools will no longer be in improvement status)		Continue waiver

Principle or waiver	Required during initial waiver period				Required if approved for extension
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	SY 2014–2015
Develop and implement a State-based system of differentiated recognition, accountability, and support	Request includes a description of the SEA’s differentiated recognition, accountability, and support system and the SEA’s plan for implementation		SEA implements its system of differentiated recognition, accountability, and support		Continue implementing differentiated recognition, accountability, and support system
Annually identify and recognize or reward highest-performing and high-progress Title I schools	Request includes SEA’s methodology for identifying schools and list of schools based on SY 2010–2011 assessment results	SEA annually publicly identifies and recognizes or rewards highest-performing and high-progress Title I schools			Continue annually publicly identifying reward schools
Implement school interventions consistent with the turnaround principles in priority schools	Request includes SEA’s methodology for identifying schools, list of schools based on SY 2010–2011 assessment results, and a plan to implement interventions consistent with the turnaround principles in such schools over the period of the flexibility	SEA makes public its list of priority schools	LEAs implement interventions consistent with the turnaround principles in each Title I school identified as a priority school and consistent with SEA’s timeline for implementing such interventions in all of those schools over the period of the flexibility		Continue implementing interventions in priority schools
Implement interventions in focus schools	Request includes SEA’s methodology for identifying schools, list of schools based on SY 2010–2011 assessment results, SEA’s process for	SEA makes public its list of focus schools	LEAs implement interventions in each Title I school identified as a focus school		Continue implementing interventions in focus schools

Principle or waiver	Required during initial waiver period				Required if approved for extension SY 2014–2015
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	
	ensuring LEAs implement interventions based on needs, and examples of interventions				
Build capacity to improve student learning	Request includes description of the SEA’s process for building SEA, LEA, and school capacity		SEA implements its process for building SEA, LEA, and school capacity through monitoring and technical assistance; holding LEAs accountable for improving school and student performance; and ensuring sufficient support for implementation of interventions in priority schools, focus schools, and other identified schools		
Waiver of poverty threshold for priority and focus schools to operate a schoolwide program			LEAs may operate a schoolwide program in their priority schools to implement interventions consistent with the turnaround principles and in their focus schools to implement interventions that are based on the needs of the students in the school and designed to enhance the entire educational program in a school		Continue waiver
Waiver providing flexibility for rural LEAs			LEAs that receive Small, Rural School Achievement Program or Rural and Low-Income School Program funds may use those funds for any authorized purpose regardless of their AYP status		Continue waiver
Develop, adopt,	Request includes a plan to	SEA adopts	LEAs develop	LEAs pilot	LEAs fully

Principle or waiver	Required during initial waiver period				Required if approved for extension
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	SY 2014–2015
and implement teacher and principal evaluation and support systems	develop guidelines for evaluation and support systems, process for ensuring LEA implementation, and assurance that SEA has provided student growth data to teachers or will do so by the deadline required under the State Fiscal Stabilization Fund	guidelines for teacher and principal evaluation and support systems SEA provides student growth data to teachers	evaluation and support systems consistent with State guidelines	implementation of evaluation and support systems (e.g., pilot in a few schools; implement in all schools but do not publicize results) or fully implement evaluation and support systems	implement evaluation and support systems
Waiver of limits on transferability of funds and requirements to report transfers prior to transferring funds		Limits on transferability do not apply to FY 2011 and subsequent funds			Continue waiver
Waiver for flexibility to support school improvement			SEA may allocate ESEA section 1003(a) funds to any LEA in order to serve focus and priority schools identified under the State-developed differentiated recognition, accountability, and support system, if the SEA determines such schools are most in need of additional support		Continue waiver
Waiver for flexibility to reward schools			SEA may use funds reserved under ESEA section 1117(c)(2)(A) to provide financial rewards to any		Continue waiver

Principle or waiver	Required during initial waiver period				Required if approved for extension SY 2014–2015
	At submission	SY 2011–2012	SY 2012–2013	SY 2013–2014	
			reward school identified under the State-developed differentiated recognition, accountability, and support system, if the SEA determines such schools are most appropriate for financial rewards		
Waiver regarding Highly Qualified Teacher (HQT) improvement plan		LEAs that do not meet the State’s HQT targets need not develop an improvement plan or restrict their use of Title I and Title II funds; SEA need not implement HQT plans or agreements regarding the use of funds and need not provide technical assistance to LEAs in implementing their plans			Continue waiver
Waiver to use SIG funds to support priority schools		SEA may award SIG funds to an LEA to implement one of the four SIG models in a priority school, even if that school is not otherwise a Tier I or Tier II school			Continue waiver
Review and evaluate State-level administrative and reporting requirements to reduce duplication and unnecessary burden	SEA assures it will review and evaluate State-level administrative requirements and adjust appropriately in order to reduce duplication and unnecessary burden on LEAs and schools.	SEA reviews and evaluates State-level administrative and reporting requirements and adjusts appropriately in order to reduce duplication and unnecessary burden on LEAs and schools.			Continue reviewing, evaluating, and adjusting administrative and reporting requirements

I am strongly in support of rigorous instruction & high expectations for achievement by all st., and I am speaking in support of requesting & supporting DEED in seeking a waiver from select requirements of NCLB along w/a request for flexibility.

I am confident that our DEED Commissioner, in partnership w/the skillful & knowledgeable educators & residents of Alaska, can meet the requirements of obtaining a waiver - particularly b/c some districts - such as the KPBSD - have already made great strides towards implementing effective early intervention methods to address academic deficits - as well as towards developing effective measures to evaluate teacher & administrative performance - which are 2 of the requirements in obtaining a waiver.

I also see that obtaining a waiver is absolutely necessary to avoid continuing to waste valuable resources in jumping through hoops already identified as deeply flawed AND to avoid the innacurate & socially damaging labeling of public schools as all failing - despite the tremendous successes of many public schools from ALL communities, economic strata & w/a variety of needs - which is the charge given to public schools in our great nation . . .

Failing to seek a waiver will effectively chip away at the strides public educators in AK have made in ensuring success for all students and ensuring that the mixed political messages the public receives are NOT overshadowed by the ~~many~~ success many Alaskan students actually experience as a result in our schools.

Christine Ermold 3/21/12

CoMordEd.A.