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State Superintendent of Schools

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TO: Members of the State Board of Education

FROM: Lillian M. Lowery, Ed.D. *L. Lowery*

DATE: January 27, 2015

SUBJECT: ESEA Flexibility Renewal Request

PURPOSE:

The purpose of this agenda item is to provide an update on Maryland's request for an extension to the Elementary and Secondary Education Act (ESEA) Flexibility Waiver to the United States Department of Education (USED).

BACKGROUND:

In September 2011, USED offered each State educational agency (SEA) the opportunity to request flexibility on behalf of itself and its local education agencies (LEAs) and schools, to help them move forward with state and local reforms designed to improve student learning and increase the quality of instruction for students. The opportunity provided educators and state and local leaders with flexibility regarding specific requirements of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, in exchange for rigorous and comprehensive state-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. Maryland's ESEA Flexibility Request, dated February 28, 2012, was approved by USED on June 29, 2012, and was effective through the end of the 2013-14 school year.

On November 14, 2013, USED offered additional guidance to streamline the renewal process and allow states to apply for a one year extension of ESEA. Maryland applied for this extension in March 2014 and was granted approval in July 2014. This extension is good through the 2014-2015 school year.

CURRENT STATUS:

In November 2014, USED released guidance for States to apply for a three year extension of their ESEA Flexibility plan. This application is due March 31, 2015 and the waiver would last through the 2017-18 school year unless Congress reauthorizes ESEA/NCLB.

MSDE has an established ESEA Renewal stakeholder committee, co-chaired by Dr. Jack Smith and Penelope Thornton Talley, which has been meeting to guide this work (started meeting in October 2013 for the first Extension of 2014-2015). This group is developing a renewal plan which will be presented to the State Board of Education for approval on March 24, 2015. Drafts of the proposal will be presented at the January and February Board Meetings. The draft will be posted, shared with the General Assembly, and shared with various stakeholder groups.

The committee includes two Local Superintendents, representatives from MSEA and the BTU, the Governor's office, representative of Maryland Association of Secondary School Principals, member of a local board of education, and MSDE representatives.

MSDE also has an Accountability Workgroup, chaired by Chandra Haislet, which has been meeting regarding Principle 2 to address the current accountability system. This work will be included in the ESEA Renewal Submission.

An SEA seeking renewal of ESEA flexibility is required to submit an updated plan with any requested amendments that reaffirms its commitment to the core principles of ESEA flexibility.

- Principle 1: College and Career Ready Standards and Assessments- update its currently approved ESEA flexibility request to describe how it will continue to ensure all students graduate from high school ready for college and a career, through implementation of college- and career-ready standards and high-quality aligned assessments (general, alternate, and English language proficiency), including how the SEA will continue to support all students, including English Learners, students with disabilities, low-achieving students, and economically disadvantaged students, and teachers of those students.
- Principle 2: State-Developed Systems of Differentiated Recognition, Accountability, and Support- describe its process for continuous improvement of its systems and processes supporting implementation of its system of differentiated recognition, accountability, and support. In describing its process for continuous improvement, an SEA should consider how it will use systematic strategies to analyze data and revise approaches to address implementation challenges in order to ensure that it and its LEAs are meeting the needs of all students.
- Principle 3: Teacher and Principal Evaluation- commit to implementing teacher and principal evaluation and support systems that use multiple measures of performance, including student growth as a significant factor. These systems must include other factors in addition to student growth, such as measures of professional practice (e.g., observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys). These systems must be used to guide professional development for teachers, as well as identify excellent teachers.

ACTION:

For information only.

ESEA Renewal

Maryland State Board of Education

January 27, 2015

Jack Smith

Chief Academic Officer

Penelope Thornton Talley

Chief Performance Officer

Principles of ESEA Flexibility

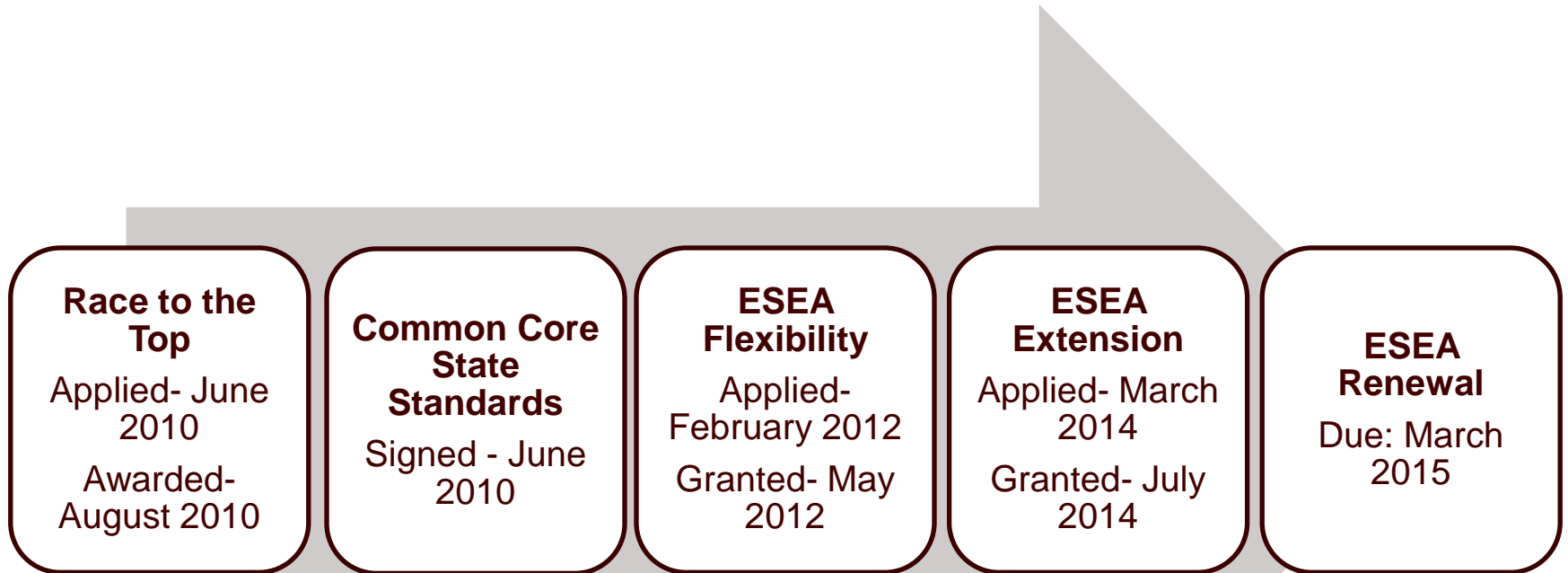
Transitioning to college- and career-ready standards and assessments (Principle 1)

Developing systems of differentiated recognition, accountability, and support (Principle 2)

Evaluating teacher and principal effectiveness and support improvement (Principle 3)

Reducing duplication and unnecessary burden (Principle 4)

Maryland's Continued Commitment



ESEA Renewal

- A commitment to continue all work done under ESEA Flexibility
- A review of what we will do in the next 3 years
 - SY 2015-2016, 2016-2017, 2017-2018
- This is not a look back, but a look forward

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

- Each SEA must update its currently approved ESEA flexibility request to describe how it will continue to ensure all students graduate from high school ready for college and a career, through implementation of college- and career-ready standards and high-quality aligned assessments (general, alternate, and English language proficiency), including how the SEA will continue to support all students, including English Learners, students with disabilities, low-achieving students, and economically disadvantaged students, and teachers of those students.

Principle 1

- College and Career-Ready Expectations for all students
 - Maryland College and Career-Ready Standards
 - Partnership for the Assessment of Readiness for College and Careers (PARCC)
 - Continued support for all subgroups

Principle 1

- State Data Profile Provided by USDE
- Principle I Revision Process
 - Division of Curriculum, Assessment & Accountability
 - Division of Special Education/Early Intervention Services
 - Executive Team

Principle 2: State-Developed Systems of Differentiated Recognition, Accountability, and Support

- Each SEA must describe its process for continuous improvement of its systems and processes supporting implementation of its system of differentiated recognition, accountability, and support. In describing its process for continuous improvement, an SEA should consider how it will use systematic strategies to analyze data and revise approaches to address implementation challenges in order to ensure that it and its LEAs are meeting the needs of all students.

Principle 2

- Annual Measurable Objectives (AMOs) will not be determined for this renewal
- Defining new Priority, Focus and Reward Schools
- Determining Identification Methodology and Supports for Priority and Focus Schools
- Determining Identification Methodology and Recognition for Reward Schools

A State-Based System of Differentiated Recognition, Accountability, and Support

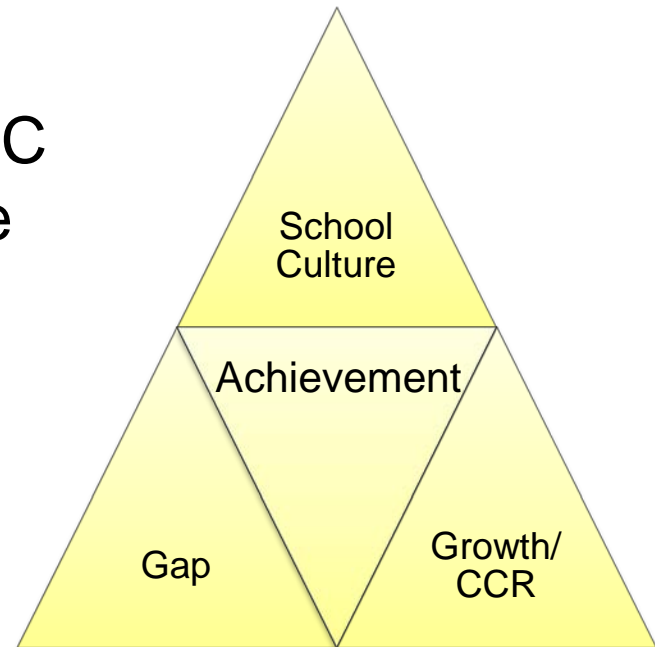
- This system must be based on student achievement, graduation rates, and school performance and progress over time, including for all students and all subgroups of students identified in ESEA section 1111(b)(2)(C)(v)(II).
- As part of the SEA's process of ensuring that schools are accountable for the performance of all subgroups of students, in its renewal request, each SEA must demonstrate that a school may not receive the highest rating in the SEA's differentiated recognition, accountability, and support system if there are significant achievement or graduation rate gaps across subgroups that are not closing in the school.

Accountability System Workgroup

- A workgroup consisting of MSDE staff and 8 LEA representatives was established to evaluate the current School Progress Index (SPI) model and to develop a new model as we move forward.
- There is consensus from workgroup members to continue to include key indicators of Growth for Elementary and Middle Schools, College and Career Readiness (CCR) for High Schools, Achievement, and Gap.
- In discussion is the addition of a new key indicator of school culture defined by the LEA and approved by MSDE.

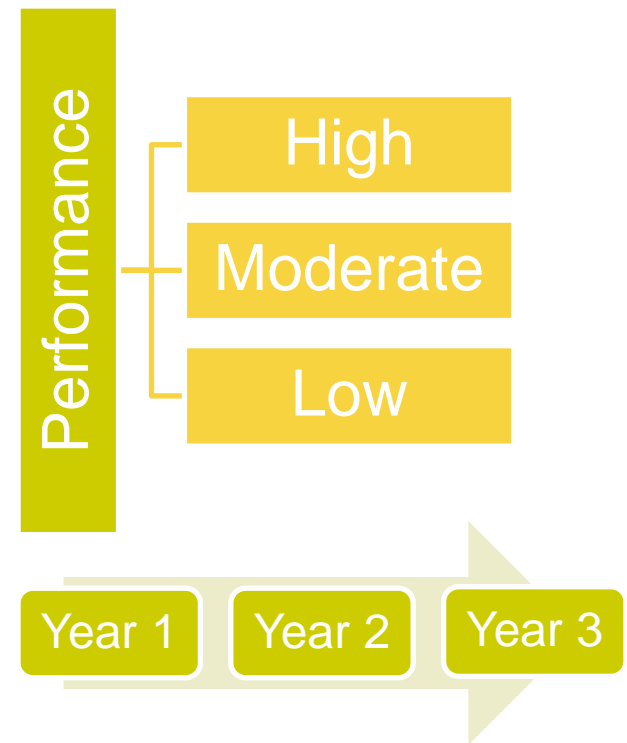
Accountability System Workgroup

- A significant challenge is the timeline for the release of PARCC assessment results which will be fall 2015.
- Annual Measurable Objectives (AMOs) and the development of key indicator weights will be determined through an amendment process in January 2016.



Accountability System Workgroup

- The workgroup is developing a framework that will categorize schools based on both Performance and Progress over time.
- A systematic continuous improvement process and ongoing stakeholder engagement will be critical aspects in order to address implementation challenges.



Principle 3: Supporting Effective Instruction and Leadership

- Each SEA approved for ESEA flexibility committed to implementing teacher and principal evaluation and support systems that use multiple measures of performance, including student growth as a significant factor. These systems must include other factors in addition to student growth, such as measures of professional practice (e.g., observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys). These systems must be used to guide professional development for teachers, as well as identify excellent teachers.

Principle 3 Assurances

Each SEA must select the appropriate option and, in doing so, assures that:

Option A	Option B	Option C
<p><input type="checkbox"/> 15.a. The SEA is on track to fully implementing Principle 3, including incorporation of student growth based on State assessments into educator ratings for teachers of tested grades and subjects and principals.</p>	<p>If an SEA that is administering new State assessments during the 2014–2015 school year is requesting one additional year to incorporate student growth based on these assessments, it will:</p> <p><input type="checkbox"/> 15.b.i. Continue to ensure that its LEAs implement teacher and principal evaluation systems using multiple measures, and that the SEA or its LEAs will calculate student growth data based on State assessments administered during the 2014–2015 school year for all teachers of tested grades and subjects and principals; and</p> <p><input type="checkbox"/> 15.b.ii. Ensure that each teacher of a tested grade and subject and all principals will receive their student growth data based on State assessments administered during the 2014–2015 school year.</p>	<p>If the SEA is requesting modifications to its teacher and principal evaluation and support system guidelines or implementation timeline other than those described in Option B, which require additional flexibility from the guidance in the document titled ESEA Flexibility as well as the documents related to the additional flexibility offered by the Assistant Secretary in a letter dated August 2, 2013, it will:</p> <p><input type="checkbox"/> 15.c. Provide a narrative response in its redlined ESEA flexibility request as described in Section II of the ESEA flexibility renewal guidance.</p>

Principle 3

An SEA that checked option C under assurance 15 must provide a narrative response to this item detailing:

- The progress made to date in ensuring that each LEA is on track to implement high-quality teacher and principal evaluation and support systems designed to support educators and improve instruction;
- The proposed change(s) and the SEA's rationale for each change; and
- The steps the SEA will take to ensure continuous improvement of evaluation and support systems that result in instructional improvement and increased student learning.

Tentative Timeline

- Consultation = Ongoing
- Committee of Practitioners = February 17, 2015
- General Assembly = February 24, 2015
- Public Posting (2 weeks) = February 24, 2015-
March 10, 2015
- Board Approval = March 24, 2015
- Submission to USDE = March 31, 2015

English Language Learner Waiver

- Florida received a waiver to give its ELL Students two years in a U.S. school before factoring their scores on annual English/language arts and mathematics tests into schools grades.
 - Will still report on performance of ELLs
 - Will still include ELL scores in growth component of State's grading system
- Federal Education Officials said “Florida’s exemption is not immediately applicable to other states with sizeable ELL populations.”

Source: Education Week (January 7, 2015). Volume 34, No.15 (pages 1 and 18).



Questions?

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