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Arkansas' Plan for Accountability and Achievement: Analyzing the ESEA Waiver Request

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Misty Newcomb and Greg Michel

this brief

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Summary Points

- In October 2011, President Obama announced a plan to allow states to request flexibility from the requirements of NCLB “in trade” for strong, state-developed plans to improve student performance
- Arkansas submitted an application that outlined both requests for flexibility from NCLB and the state’s plan to increase student performance, hold educators accountable, and provide support for those that most need it
- If granted, the requests for flexibility would likely be received favorably by district leaders, but do not appear to provide the aggressive interventions necessary for priority schools, and provide limited focus on higher-performing students

In October 2011, President Obama developed rules for states to individually develop requests for waivers to the accountability requirements of No Child Left Behind. This week, the Arkansas Department of Education (ADE) submitted the plan for the state of Arkansas’ request for waivers.

Background

Amid pressure on schools to reach increasing accountability requirements, and after years of the U.S. Congress missing deadlines to reauthorize and amend the infamous No Child Left Behind law, President Obama provided states an opportunity to request waivers from key aspects of No Child Left Behind. The president proposed more flexibility that would enable states to meet higher requirements by submitting a comprehensive, high-quality plan describing how the each state would improve student performance and support teachers and schools. This process allowed states to request waivers or flexibility from certain tenets of No Child Left Behind. In return for these waivers, states were required to identify how they would create strong accountability systems in their state and address three principles:

- **College- and Career-Ready Expectations for all Students**
- **State-Developed Differentiated Recognition, Accountability, and Support**
- **Supporting Effective Instruction and Leadership**

There were two deadlines by which states could submit their plans. Of the eleven states that submitted waivers in the first waiver cycle, ten were initially granted their requests. Arkansas joined 26 other states in the second round of waiver requests. The plans were submitted on February 28, 2012.

Waivers Requested

The ADE requested waivers from 10 requirements of ESEA. If approved, the waivers requested by Arkansas’ leaders will result in lowered proficiency requirements, which many believe are currently unrealistic. The waivers requested will also allow more flexibility for state education leaders in the identification and support of low-performing schools. Finally the waiver requests will provide more flexibility for state and school leaders in how federal education dollars are spent. In the table on page 2, we outline the bottom line on the waivers requested by Arkansas.



Principles

The OEP has summarized the goals submitted by the Arkansas Department of Education (ADE) for each of these principles.

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

The waiver application is predicated on the requirement that states either adopt the Common Core state standards or develop their own in conjunction with institutions of higher education. However, it is generally understood that in order to develop these waivers in a timely manner, states will have to adopt the Common Core standards. As had already been planned, the Arkansas Department of Education signed off on adoption of these standards. The waiver

request outlines in detail how this transition will occur. What appears to be most important to practitioners is when the assessment that accompanies these standards will actually be implemented. The PARCC assessment will be “field-tested” in the state in the 2012-13 school year. The state expects full implementation of the new assessment in 2014-15.

Principle 2: State Developed Differentiated Recognition, Accountability, and Support

As was expected, Arkansas requested waivers from the requirement of No Child Left Behind that 100% of students be proficient in Math and Literacy by 2014. Their request for this waiver had to be accompanied by an alternate plan for holding low-performing schools accountable and for rewarding high-performing schools.

The state will classify schools as either Achieving or Needs Improvement based on two groups of students in each school meeting annual measurable objectives in

On the Record

“We’ve said, if you’re willing to set higher, more honest standards than the ones that were set by No Child Left Behind, then we’re going to give you flexibility to meet those standards”

-President Barack Obama

“At the heart of this process is that school system administrators are getting an opportunity to simplify their lives by jettisoning NCLB’s system, and that parents should trust them to do the right thing for kids...It sounds an awful lot like what was in place pre-NCLB, which we know didn’t work for students...”

Raul Gonzalez,

National Council of La-Raza

Bottom Line on Arkansas' Waiver Requests

- The ADE requests a waiver from proficiency requirements listed in NCLB in lieu of a promise to develop ambitious but achievable goals or annual measurable objectives (AMO) (discussed elsewhere in this brief)
- The ADE requests a waiver from the requirement to identify schools for improvement, corrective action, or restructuring if a school fails for 2 consecutive years to make Adequate Yearly Progress
- The ADE requests the removal of the requirement that rural and low-income schools meet
- AYP in order to participate in and use funds under the Small, Rural School Achievement (SRSA) and Rural and Low-Income School (RLIS) programs
- The ADE requests the removal of the requirement that schools must have a poverty percentage of 40% before the ADE can implement interventions for low-performing students
- The ADE requests more flexibility in definitions of school requirements for 1003(a) and 1003(g) funds and allow state to determine priority schools
- The ADE requests the removal of current limitation of Title I, Part A funds which state funds can only be used to reward schools that either significantly close the achievement gap or exceed AYP for two or more years and instead allow funds to be used for any reward schools
- The ADE requests flexibility from the compliance requirements for highly qualified teachers and instead allow the state to implement “more meaningful” evaluation and support systems
- The ADE requests more flexibility in how federal funds are spent

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performance, growth, and graduation rates: the general population (labeled All Students) and Targeted Achievement Gap Groups (TAGG) within each school. The following populations are labeled as TAGG:

economically disadvantaged students, limited English proficient students, and students with disabilities. Using student performance data from 2011, schools will be required to cut in half the proficiency gap and graduation rate gap between each of the subgroups in the TAGG group and students that are not TAGG students within six years.

The state's waiver plan additionally has plans to provide support for schools that fail to meet the annual, measurable objectives, as well as plans to reward schools that consistently place their students on a track to proficiency as measured by student growth.

The plan for support for "priority schools" includes placing school support teams inside of chronically low-performing schools. Schools will work with support teams and school improvement specialists to develop a comprehensive needs assessment and priority intervention plan.

Only providers that meet evidence-based practices will be approved to serve as

support inside of these schools. Focus schools, or the lowest-performing schools in the state, will receive even more aggressive interventions and support from an external provider.

The plan for rewarding schools that keep their students on a track of proficiency includes allowing these schools to serve as model schools that will collaborate and share best practices with other schools.

Principle 3: Supporting Effective Instruction and Leadership

The final principle of the state's flexibility request was probably the easiest to develop as the state legislature recently passed legislation that would require teacher evaluations to occur in all districts based on the Charlotte Danielson Framework for Teaching. In 2013, the School Leadership Coordinating Council-which was created in 2009-will recommend an evaluation system for legislators. Additionally, this same committee will begin working on a superintendent evaluation system.

Conclusion

When the NCLB waivers were first announced in October 2011, the OEP published in a brief our hopes that Arkansas' education leaders would use this as an opportunity to develop a more meaningful

and ambitious system of education and accountability. More recently, we published a report outlining our students' performance on the NAEP--which, if anything, highlighted the need for more ambitious action to be taken by our policymakers. While this plan has some very strong pieces, namely the implementation of a teacher evaluation system that will be used across the state, there is a concern that more aggressive action could have been taken in other parts of the request.

There are some concerns that the action to address the chronically low-performing schools and priority schools seems very similar to the plans that are currently in place in these schools--that have not thus far proven to be especially effective.

Furthermore, there appears to be no incentive to increase the performance of students that are already proficient. In fact, by tying accountability targets primarily to the gap between high-performing and low-performing students, there is actually a disincentive for schools to increase the performance of students that already meet proficiency status.

The request will now have to undergo an approval process. According to Education Commissioner Kimbrell, it may be several months before approval is confirmed.