Implementing Accountability and Supports Under *ESEA* Flexibility

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Contents

List of Exhibits

Executive Summary

This report explores the early implementation of state-differentiated recognition, accountability and support systems under the U.S. Department of Education's *Elementary and Secondary Education Act (ESEA)* flexibility initiative, announced in September 2011. The findings are based on telephone interviews conducted with a sample of state, district and school-level officials in late 2013 and early 2014, and a review of relevant policy documents that were available on state and local education agency websites during this same time period. Participants in the state and district sample included officials from 12 state education agencies with approved *ESEA* flexibility requests and 22 districts located within these 12 states. The school-level sample drew from the state and district sample and participants included principals of 25 Title I schools located within a subset of 12 districts and six states. Although the state, district and school samples were diverse, the states, districts and schools were not randomly selected and are not representative of the larger population of 35 states whose *ESEA* flexibility requests had been approved at the time of this study and the districts and schools within these states. Thus, the findings presented in this report are not generalizable.

States that receive *ESEA* flexibility are required to implement a state-based accountability system for all local education agencies (LEAs) in the state and for all Title I schools in these LEAs. These systems must provide differentiated recognition, accountability and support to schools based on their performance—and change in performance over time—with respect to academic achievement and graduation rates of all students and subgroups of students. State systems must identify and support at least three types of Title I schools: priority schools, focus schools and reward schools.[1] States also are directed to provide incentives and support to encourage continuous improvement in other Title I schools that are not making progress in improving student achievement and narrowing achievement gaps (U.S. Department of Education, 2012a; U.S. Department of Education, 2012b). These categories of Title I schools are identified as follows:

- **Priority school:** A Title I school identified as among the lowest performing schools in the state and, at the high school level, with a graduation rate less than 60 percent over a number of years. A priority school may also be a Tier I or Tier II school under the School Improvement Grant (SIG) program that is using SIG funds to implement a school intervention model. The total number of priority schools in a state must be at least 5 percent of the Title I schools in the state.

- **Focus school:** A Title I school that is contributing to the achievement gap in the state and, at the high school level, a Title I- school that has the largest within-school gaps in graduation rates. A Title I high school with a graduation rateless than 60 percent over a number of years must be identified as a focus school if it is not identified as a priority school. The total number of focus schools in a state must equal at least 10 percent of the Title I schools in the state.

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[1] A state also may include non-Title I-participating schools in its differentiated recognition, accountability and support systems; however, "Title I, Part A funds may be used only in Title I-participating schools. Although the Department will consider request for a waiver of *ESEA* section 1113(a)(3)-(4) and (c)(1) that would allow an LEA to use Title I, Part A, funds in Title I-eligible schools that are included within the definition of priority schools (*i.e.*, Title I-eligible high schools that have had a graduation rate below 60 percent over a number of years), the Department does not intend to expand the scope of that waiver to include other Title I-eligible, but not participating, schools. (Added January 5, 2012)" (U.S. Department of Education, 2012b, p. 41).

- **Other Title I schools:** Other low-performing Title I schools, besides identified priority and focus schools, that are not making progress against established targets in improving student achievement and narrowing achievement gaps.

- **Reward school:** A Title I school identified as among the highest performing Title I schools in the state with respect to the absolute performance on statewide assessments or graduation rates of all students and all subgroups of students, or a high-progress school that is among the top 10 percent of Title I schools in the state with respect to progress on statewide assessments and, at the high school level, graduation rate.

The purpose of this study was to explore state and district processes, successes and challenges, as well as school-level experiences associated with the early implementation of the accountability provisions of *ESEA* flexibility. The analysis of interviews and document data yielded the following findings.

State Rationales for Accountability Under *ESEA* Flexibility. State officials in all 12 states described *ESEA* flexibility as an opportunity to address perceived deficiencies of the *No Child Left Behind (NCLB) Act*. At the same time, for most states in the study, accountability under *ESEA* flexibility built on or continued states' existing policy reform efforts.

Features of Accountability Under *ESEA* Flexibility. Five of the 12 states in the study used a combined subgroup as part of their accountability system under *ESEA* flexibility. Although some early critics of *ESEA* flexibility expressed concern that combined subgroups could mask the performance of some subgroups (Education Trust, 2012), the majority of state and district interviewees did not share these concerns.

Although states are required to specifically identify priority, focus and reward schools, they are also required to ensure LEAs provide differentiated supports and interventions for other Title I schools that are not identified in one of these categories and who fail to meet achievement and graduation rate targets for subgroups of students. Eight of the 12 states also used a third improvement category, beyond priority and focus schools, for other low-performing schools that are not making progress in student achievement or narrowing student achievement gaps. The officials from these states reported developing a specific category for this group of other Title I schools to monitor and support schools that might not otherwise meet the criteria for priority and focus school designations.

Communication and Understanding of Accountability Under *ESEA* Flexibility. The interviewed state and district officials described efforts to disseminate information and build local-level understanding of state accountability and support systems. Officials from two states and seven districts reported challenges related to these communication efforts, including effectively translating the complexities of the system. Among the Title I school principals interviewed for the study, perceptions of state and district communication efforts and understanding of state accountability and support systems were mixed. Principals in four of the six states from which the school sample was drawn did not raise concerns about the information they had received from their states and districts and consistently reported that they had a good understanding of their state accountability systems. Nearly all of the interviewed principals in the other two states indicated an overall lack of understanding of their state's accountability system and expressed concern with the communications they had received from their state about the system.

Perceptions of State Accountability Designations. The majority of district respondents did not voice concerns about their state's accountability designations and the measures that were being used to identify low-performing schools. However, officials from eight of the 22 districts pointed to perceived deficiencies related to ways in which states were measuring achievement gaps, how those metrics failed to capture the academic progress of English learner (EL) students, whether the reformulated student achievement measures were targeting the right schools or whether the changes to the system would improve student outcomes.

The interviewed school principals consistently reported an appreciation for the intentions behind their state's accountability system under *ESEA* flexibility. They perceived these systems as aiming to provide school performance targets that are clear and realistic and acknowledge intermediate progress. At the same time, the respondent principals varied in their perceptions of whether the criteria underlying their state's system were valid or accurate measures of school performance. The interviewed principals in three of the six states perceived their state's school designation criteria as more valid measures of school performance than the criteria that were used in the previous system. Respondent principals in the other three states expressed concerns about the criteria their states were using for determining school designation status under *ESEA* flexibility.

Interventions and Improvement Strategies for Low-Performing Districts and Schools. The interviewed state and district officials reported that low-performing districts and schools were typically allowed to select their own interventions, but that their states had established guidance to help inform these decisions. The most frequently reported intervention strategies among the interviewed principals of priority, focus and other low-performing Title I schools included creating a culture of targeted data use, aligning instruction with standards, extending the learning time in core content areas, providing teachers with professional development and promoting a more positive school climate.

Supports and Challenges for School Improvement Strategies. The state officials who were interviewed for this study described providing support to low-performing schools through the use of regional technical assistance organizations, external support providers and early warning systems. Ten of the 13 priority and focus school principals who were interviewed described receiving more frequent or more intensive support from their districts under *ESEA* flexibility than in previous years, particularly around data use and interpretation and mathematics and reading instruction. Despite these supports, principals from 20 of the 25 schools in the sample described a variety of factors that challenged their improvement efforts, including limited resources; staff turnover; low staff morale; and testing requirements for ELs who are subject to the testing requirements for all students as well as to any state- and district-mandated tests for the EL subgroup.

State and District Capacity to Support School Implementation of *ESEA* Flexibility Provisions. Among the 12 state respondents in the study, eight described at least a modest burden associated with implementing the differentiated recognition, accountability, and support systems under *ESEA* flexibility, and another three respondents described a substantial effort but did not describe the level of effort as a burden. State officials reported implementing strategies to build capacity to implement the accountability and support provisions, which included cross-agency collaborations, developing staff expertise, partnerships with districts, structural changes within the SEA and consolidating multiple funding streams. Among the interviewed district officials, about half indicated that implementing the new state accountability systems under *ESEA* flexibility had required effort but had not been burdensome. At the same time, officials from seven of the 22 districts in the sample reported insufficient staff and expertise to provide the level of support they believed was needed to improve low-performing schools in their districts.

Introduction

This study's purpose was to explore the early implementation of state-differentiated recognition, accountability and support systems under *ESEA* flexibility. The *Elementary and Secondary Education* Act of 1965 (*ESEA*) is the nation's key policy driver for elementary and secondary education, shaping federal, state and district efforts to promote effective school systems and improve educational outcomes, particularly for students in high-poverty schools. The most recent reauthorization of *ESEA* (the *No Child Left Behind Act* of 2001, or *NCLB*) called for landmark changes. Among its many provisions, *NCLB* required states to adopt challenging academic content standards and aligned assessments, created a system of accountability for districts and schools, introduced new teacher quality requirements, and outlined specific consequences for not meeting annual performance objectives.

As time passed after the implementation of *NCLB* and Congress did not reauthorize *ESEA* as expected, policymakers expressed concerns that some of the law's provisions might not align with evolving policy and practice. In the absence of a reauthorized *ESEA*, the Obama administration announced a temporary measure known as *ESEA* flexibility, designed to give states flexibility to advance innovative education reform efforts by leveraging the Secretary of Education's authority to grant states and districts waivers from certain provisions of *NCLB*.

Specifically, *ESEA* flexibility offers states flexibility with regard to how states set annual measurable objectives (AMOs), whether or not they continue to calculate adequate yearly progress (AYP), designate low-performing schools and districts, implement interventions, use section 1003(a) funds[2], determine transferability of *ESEA* funds and implement improvement plans for highly qualified teachers. States that were interested in receiving such flexibility submitted a request to the Department detailing the ways the state's reform plan would (1) ensure college- and career-ready expectations for all students; (2) implement state-developed differentiated recognition, accountability and support systems; (3) support effective instruction and leadership; and (4) reduce duplication and unnecessary burden. The Department offered five submission windows for state *ESEA* flexibility requests, with deadlines in November 2011, February 2012, September 2012, February 2013 and April 2014. As of June 2015, the Department had received flexibility requests from 46 states, the District of Columbia, Puerto Rico and the Bureau of Indian Education. Among these 46 states, the Department had approved the requests for 43 states, the District of Columbia, and Puerto Rico.[3] The sample of districts and schools in this study's analyses were drawn from the group of states approved for *ESEA* flexibility in the first two windows (referred to in this report as Window 1 and Window 2).

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[2] States must use these funds to support Focus and Priority schools and if approved via an additional waiver, may use them to support interventions and support in other Title I schools.

[3] The flexibility requests of three states (Iowa, Nebraska, and Wyoming) and the Bureau of Indian Education were in review status as of June 2015. Also, although Washington's flexibility request had earlier been approved, the state's flexibility was not extended through 2014–15.

Study Sample

The primary data sources for this study were *ESEA* flexibility policy documents and telephone interviews with key officials in selected state educational agencies, local education agencies (LEAs), and schools. The study team reviewed state *ESEA* flexibility requests and other policy-related materials on state and district websites. The team also conducted semi-structured interviews with state and district officials who held primary responsibility for accountability and support systems under *ESEA* flexibility, and principals of Title I schools that had received priority, focus or reward designations or were otherwise designated as a low-performing school for the 2012–13 school year. The interview participants included officials representing 12 states, 22 (of 24 selected) districts, and 25 (of 36 selected) schools.

The study team purposefully selected the 12-state sample to include state variation in (1) time of *ESEA* flexibility approval—either Window 1 or Window 2 states, (2) region and size, (3) receipt of Race to the Top grants, (4) approach to annual measurable objectives and (5) use of combined subgroups. The selected states included Colorado, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New Mexico, New York, Oklahoma, Tennessee and Washington.

The study team selected the district and school samples from the 12-state sample to reflect variation in (1) the number of reward, focus, priority and other low-performing schools Title I schools; (2) size and urbanicity; and (3) demographic diversity. For the district sample, the district's intent to apply as a Race to the Top applicant also was considered and treated as a rough proxy for capacity to implement accountability system reforms. The school sample was also purposefully selected to reflect variation in *ESEA* flexibility accountability designation, school size, district size, student demographics, urbanicity and geographic location. The final district and school samples included 22 district participants and 25 school participants, respectively. Within the school sample, seven of the schools were designated priority schools, six were designated focus schools, six were designated reward schools and six were other low-performing Title I schools for the 2012–13 school year.

Study Questions

As previously noted, this study's purpose was to explore the early implementation of *ESEA* flexibility from the state, district and school-level perspectives. The study's primary questions focus on the experiences, including the challenges and successes, of officials at these three levels and asked the following questions:

1. **Approaches to accountability and supports under *ESEA* flexibility.** What prior experiences and rationales guided state approaches to accountability and support under *ESEA* flexibility, including states' selection of AMOs?

2. **Features of accountability under *ESEA* flexibility.** What are the primary components of state accountability and support systems under *ESEA* flexibility?

3. **Communication of state accountability and supports under *ESEA* flexibility and school-level understanding of state systems.** What modes of communication did states and districts use to inform and build local-level understanding of state systems under *ESEA* flexibility? To what extent were these communication efforts perceived as effective?

4. **Perceptions of the state accountability designations under *ESEA* flexibility.** How did local-level officials perceive state accountability systems under *ESEA* flexibility, including the criteria being used to identify low-performing schools?

5. **Interventions and improvement strategies for low-performing schools and districts.** What approaches are states taking to identify and intervene in low-performing districts? What improvement strategies did principals report implementing?

6. **Supports and challenges for school improvement strategies.** What structures or mechanisms were states and districts using to support low-performing schools, and how did principals perceive these supports?

7. **State and district capacity to support the implementation of *ESEA* flexibility provisions.** How did states and districts perceive their capacity to implement *ESEA* flexibility provisions, and what factors did states and districts report as challenging and supporting their implementation efforts?

Data Collection and Analysis

This report's findings are based on telephone interviews with state, district and school officials, as well as on a review of state and district websites and relevant policy documents that were available online. The telephone interviews and document reviews were conducted in late 2013 and early 2014. The interviews were conducted using semi-structured protocols to balance questions that were sufficiently uniform to yield comparable data across states and districts but varied enough to allow for documentation and exploration of the unique circumstances within each state, district and school. Therefore, the structure of the interviews and the specific questions asked of the officials varied across respondents.

The analytic process included multiple steps designed to promote timely, reliable and rigorous analyses. The interviews were recorded, transcribed and reviewed for accuracy. The study team then compiled data from interviews and document reviews in a Web-based platform, or data repository, which divided interview topics into sets of open- and closed-ended questions. The team developed decision rules and evidence thresholds that the analysts applied to identify themes and determine how to classify states, districts and schools into theme categories. The coding and key findings were independently reviewed by analysts to promote inter-coder agreement on state, district and school classifications.

This report most often identifies states by name when describing specific policies and practices because state policy is a matter of public record and there is no reason to mask a state's identity. However, when describing a comment that reflects the personal opinion or perspective of a state official—particularly if there is any possibility that this could be construed in a negative light—this report omits the state name. In all cases, district and school names have been omitted.

Study Limitations

Readers should note some limits to the interpretation and generalizability of the study. First, as noted previously, the interviews were semi-structured, allowing some variability in the questions asked across respondents. As a result, there might be an undercount of states, districts or schools on some topics because the interviewer did not ask a state, district or school official about a particular topic. Second, state and district data were limited to individuals or groups of individuals appointed by state and district leaders to participate in interviews and so reflect these individuals' knowledge and perspective; similarly, school-level data were collected from the principals who were leading the school at the time of data collection and reflect solely their knowledge and perspective of the topics about which they were asked. Third, the study included only a subset of states with approved *ESEA* flexibility requests. The Department approved 35 states' *ESEA* flexibility requests in Window 1 and Window 2, and this study includes information collected from principals at 25 schools and officials in 22 (of 24 selected) districts within 12 of these 35 Window 1 and Window 2 states. Moreover, the states, districts and schools, although diverse, were not randomly sampled and are not representative. For these reasons, the data collected and the reported findings are not generalizable to all states, districts and schools.

Readers should also note that in reporting findings related to states, we have masked the identity of the states except when describing a policy that is already in the public domain.

Findings

Approaches to Accountability and Supports Under *ESEA* Flexibility

ESEA flexibility provides states with autonomy to design state accountability systems that align with their individual state context, priorities and reform histories using three guiding principles: (1) establish college- and career-ready expectations for all students; (2) develop differentiated recognition, accountability and support systems; and (3) support effective instruction and leadership. States, districts and schools are required to expect improvement in student outcomes but may determine their own goals, interim targets and plans for achieving those goals rather than measuring against a uniform objective of 100 percent proficiency by 2014. Indeed, the state officials interviewed in all 12 states in the sample described *ESEA* flexibility as an opportunity to address perceived deficiencies of *NCLB*, and a review of state *ESEA* flexibility requests along with the interview data demonstrate that states often had an underlying theory of action that guided the development of their systems of support for low-performing schools. These underlying theories of action implied a set of assumptions about the reasons schools were low performing and leveraged points to build school capacity and foster improvement. Furthermore, all of the interviewed state officials reported that their states had already started down a path of refining their approach to school and district accountability when they applied for *ESEA* flexibility to address perceived problems with the law's requirements.

Among the perceived problems with *NCLB* requirements reported by state officials, nine officials reported that too many schools were being identified for improvement. Officials from nine states reported that, each year, as more and more schools were identified for improvement, the designations became less meaningful. For example, officials from four states expressed concern about the lack of differentiation among low-performing schools designations, making it difficult to provide targeted supports. In addition, officials from three states indicated that the over-identification of schools led to a compliance-driven culture and strained state capacity to support school improvement. In contrast, the officials reported that, under *ESEA* flexibility, their states were able to designate a smaller number of schools for school improvement and to target their supports accordingly. In the words of one official:

> *We're really able to focus more on the schools in our state who are really underperforming instead of identifying almost every school in our state as "does not meet AYP [adequate yearly progress]." And that's been a huge focus for us because we're able to concentrate our work specifically in those buildings, schools, and districts that are significantly underperforming. So we now have 170 buildings to focus on instead of almost 2,000 buildings, and that's significant.*

State officials reported that *NCLB* pilot initiatives were influential in the design of their state accountability systems under *ESEA* flexibility. Through *NCLB* pilot initiatives dating back to 2005, eight of 12 states in the study sample had modified their measures of proficiency or designations of low-performing schools. Massachusetts, Minnesota, New York and Oklahoma received flexibility to develop a performance index with multiple measures to determine adequate yearly progress. Colorado, Minnesota, Missouri and Tennessee were approved to measure proficiency using student achievement growth as part of the *NCLB* growth model pilot. Maryland and New York had flexibility to develop differentiated accountability systems in which additional levels of intervention allowed for more nuanced targeting of intervention and support.

These officials reported that their participation in these pilot initiatives was one of the factors that influenced the design of their state accountability systems under *ESEA* flexibility. For example, a New York state official explained:

> *We have had a performance index for English/language arts and mathematics in New York State since the inception of NCLB. … So this was something that was kind of baked into the New York state system. And then when we moved to our ESEA waiver, we took the concept of the performance index, but we made several changes to it under the waiver.*

Exhibit 1 summarizes state participation in federal and state policy initiatives prior to *ESEA* flexibility.

Exhibit 1.   Federal and State Policy Activities Prior to *ESEA* Flexibility Among the 12 States in the Study Sample

State	*NCLB* Performance Index Pilot (2007)	*NCLB* Growth Model Pilot	*NCLB* Differentiated Accountability Pilot	Race to the Top Awardee	Recent State Policy Introducing or Reforming Accountability System Other Than *NCLB*	Year State Introduced Policy Through Legislation
Colorado		2008		Round III	X	2009
Kentucky				Round III	X	2009
Maryland			2008	Round II		
Massachusetts	X			Round II	X	2010
Minnesota	X	2008			X	2012
Missouri		2007			X	2011
New Jersey				Round III		
New Mexico					X	2011
New York	X		2009	Round II	X	2009
Oklahoma	X				X	2011
Tennessee		2005		Round I	X	2010
Washington					X	2010

Source: U.S. Department of Education website, state department of education websites and interview data from state officials.

Features of Accountability Under *ESEA* Flexibility

State educational agencies developed differentiated recognition, accountability and support systems under *ESEA* flexibility. State systems under *ESEA* flexibility were required to set AMOs and to identify priority, focus and reward schools. *ESEA* flexibility also includes the flexibility for states to create and use other accountability designations to identify schools beyond reward, priority and focus schools that met certain criteria. Priority schools are Title I schools that are among the lowest performing schools in the state, focus schools are Title I schools with the greatest achievement gaps or in which subgroups are furthest behind, and reward schools are highest performing and high-progress schools. Under the provisions of *ESEA* flexibility, states are required to ensure that priority, focus, and any other Title I schools that are not making progress or narrowing achievement gaps receive interventions and supports.

Identifying other low-performing Title I schools

Although states are required only to identify priority, focus and reward schools under *ESEA* flexibility, eight states in the study sample established a specific accountability designation category for other Title I schools to facilitate their efforts to provide such accountability and support provisions. *ESEA* flexibility guidance requires states to describe how state systems will provide incentives and support improvement in other Title I schools that are not making progress or narrowing achievement gaps and not designated as priority or focus schools. To satisfy this component of *ESEA* flexibility, officials from eight of the 12 interviewed states (Colorado, Maryland, Massachusetts, Minnesota, New Mexico, New York, Oklahoma and Washington) developed a specific category of low-performing schools to monitor and support other Title I schools (and in some cases non-Title I schools) that might not otherwise meet the criteria for priority and focus designations; interviews with state officials highlighted state priorities to support all schools in need of assistance. In the words of a state official from Washington:

> There's that part in the ESEA flexibility request that talks about serving other low-performing Title I schools, and … we're using the word emerging [to describe other low-performing schools] because they're certainly headed in the right direction. … With some support, we hope that they grow and don't end up on the focus list.

See Exhibit A1 for the definitions these eight states with specific accountability designations for other low-performing schools used to identify and categorize such schools.

At the district level, local officials used their own classifications of other Title I low-performing schools to monitor and support schools that were not identified as focus and priority schools but that were still demonstrating insufficient progress toward improving student achievement or narrowing achievement gaps. Among the eight districts in the four states that did not specifically have a designation category for other low-performing Title I schools, three districts used their own system to identify other low-performing Title I schools. For example, officials in one district were concerned that not all schools that needed targeted support were being identified for improvement under the focus and priority designations.

Setting AMOs

Among the three *ESEA* flexibility options for setting new AMOs, eight of the 12 states in the sample chose to devise their own goals for measuring student achievement. With respect to developing AMOs under *ESEA* flexibility, states were given the opportunity to replace the goal of 100 percent proficiency by 2014, which was set for all states under *NCLB*. States had flexibility to select among three options to set new ambitious, yet achievable, annual targets for school improvement at the state, district and school levels. States could choose option A (to halve the percentage of students—all students and all subgroups—not proficient in six years, using proficiency rates in reading and mathematics), option B (to achieve 100 percent proficiency by 2020, using average statewide proficiency rates in reading and mathematics), or option C (to devise their own ambitious yet achievable goals, using an educationally sound method, for measuring student achievement that are similarly ambitious to the AMOs that would result from using option A or B).

Eight of the 12 states in the sample (Colorado, Kentucky, Massachusetts, Missouri, New Mexico, New York, Oklahoma and Tennessee) selected option C, to develop their own methods for setting AMOs. The officials from these eight states described a variety of reasons for choosing option C. Missouri, New York and New Mexico officials favored option C because they wanted to align the AMOs with components of their state system for assessing performance. Colorado, Kentucky, New Mexico and Oklahoma officials said that they wanted to be able to include additional measures beyond reading and mathematics AMOs. For more information on these states' approaches under option C, see http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html where the most up-to-date flexibility requests for each state and related documents are accessible. The remaining four states in the sample (Maryland, Minnesota, New Jersey and Washington) chose option A, to halve the percentage of students not proficient in six years. The interviewed officials from these four states indicated that they perceived this approach as more simple and practical than options B and C. None of the states in the sample selected option B, 100 percent proficiency by 2020. Several state officials reported that they did not favor this option because they believed it would continue a policy that was not working. In the words of one New Jersey official:

> *Option B would have been almost the simplest thing to do … but it felt like kicking the can. It didn't help us in inspiring all schools to address their weaknesses because it just literally extended the time frame for a system that we already felt wasn't working well.*

Using combined subgroups

Five of the 12 states in the study sample used a combined subgroup as part of their accountability system under *ESEA* flexibility. One of the central components of accountability under *NCLB* was disaggregating data by individual subgroups. *ESEA* flexibility provided guidance that required states to continue using these individual subgroups but allowed state educational agencies to create combined subgroups that would consolidate into a single group a set of *NCLB* subgroups[4]—for example, racial and ethnic groups, economically disadvantaged students and/or students with disabilities—when identifying low-performing schools. As presented in Exhibit 2, five of the 12 states in the study sample (Kentucky, Massachusetts, Missouri, New Mexico and Oklahoma) chose to use a combined subgroup as part of their accountability system under *ESEA* flexibility.

Exhibit 2.   Composition of Combined Subgroups in Five States With Subgroups

State	Students Included in Combined Subgroup
Kentucky	Historically disadvantaged race/ethnic students (African American, Hispanic, Native American), students with disabilities, economically disadvantaged, English learners
Massachusetts	Students with disabilities, current and former English learners, and economically disadvantaged students
Missouri	Black and Hispanic students, low-income students, students with disabilities, and/or English learners
New Mexico	Students achieving below the 25th percentile in reading and mathematics
Oklahoma	Students achieving below the 25th percentile in reading and mathematics

Source: State department of education websites, state *ESEA* flexibility approved requests and interviews with state officials.

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[4] We use the term *NCLB subgroups* to distinguish the subgroups that were specified in the 2001 reauthorization of *ESEA*.

Although the Department's *ESEA* flexibility guidance requires states that use a combined subgroup to continue to include the performance of all *ESEA* subgroups in its accountability system, specifically in reporting AMOs, and to demonstrate that the composition of the subgroup is educationally sound, one potential concern with this approach is that higher performing groups of students could mask the underperformance of other groups of students. This concern was highlighted by peer reviewers of the state's *ESEA* flexibility requests and through an analysis of the accountability provisions implemented by the first 11 states that were approved to implement *ESEA* flexibility (Education Trust, 2012). Among the five states in this study's sample that were using combined subgroups, officials from four did not express concern that this approach would draw attention away from individual subgroups. In addition, officials from eight of the 12 districts in this study's sample that were located in the five states using combined subgroups did not express concern about this approach. However, officials in four of the 12 districts did express some concerns that the needs of some students might be masked. As one official commented:

> *I'm happy for the increased accountability. But sometimes when you lump a lot of groups together, it's easy to—particularly for educators who are not well trained and have issues with disadvantaged and English learners—it's easy to get lost in the fog of all that.*

Recognizing reward schools

State officials from all 12 states in the sample reported providing opportunities for financial rewards for reward schools, and these officials reported identifying reward schools for reasons that included recognition for improvement and achievement gap closure. Among the 12 states in the sample, officials from six states (Colorado, Kentucky, Maryland, Massachusetts, New York and Washington) reported that the *ESEA* flexibility request prompted them to make revisions to existing formulas or criteria in order to identify reward schools, such as including achievement gap closure as a factor and/or expanding reward school designations to include improving or high-progress schools. Three state respondents (Massachusetts, New Mexico and Tennessee) stressed the importance of recognizing low-performing schools that have demonstrated growth. As the official from New Mexico noted, a result of designating reward schools was to establish examples of successful school turnaround across the state "to spread around the positive results" by connecting practitioners from low-performing schools with leaders and staff who have made progress in school turnaround.

Officials from all states in the sample reported providing opportunities for monetary awards to identified reward schools, but the forms of financial rewards and conditions for payment varied by state. Officials from six states (Colorado, Kentucky, Maryland, Minnesota, New Jersey and New Mexico) reported a policy of direct monetary bonuses to schools. Additionally, in three of those states (Kentucky, Minnesota and New Mexico) and in five others (Massachusetts, New York, Oklahoma, Tennessee and Washington), reward schools were eligible to compete for grants to disseminate information on best practices or to participate in compensated partnerships with other schools. In addition to the variance in rewards across the states, most states structured financial rewards to be contingent on available funding, and officials in six states reported funding shortfalls that limited rewards.

Apart from monetary awards, state officials described other forms of recognition for reward schools. Officials from all 12 states described public recognition for reward schools, including public praise in press releases, state publications, and on the state educational agency website; public praise at state events and conferences or through school visits from state officials; certificates, awards, or letters of recognition presented to the school or staff; and permission for the school to use reward status or official state logos for promotion of the school. State officials in four states (Maryland, New Mexico, New York and Oklahoma) also described exemptions from regulatory requirements or greater autonomy to reward schools (see Exhibit A2 for a table presenting the nonfinancial rewards offered to reward schools by the 12 states in the sample).

Among the six reward schools in the sample, one school principal reported receiving formal, but nonmonetary, recognition from the state; none of the reward school principals reported receiving monetary rewards or compensation. In general, the principals of the reward schools in the sample reported that their reward status was not accompanied by any special recognition, such as bonuses or other incentives, from their respective states. One of the interviewed principals indicated that he was not made aware of his school's reward status until being contacted for this study. The principals of the other five reward schools reported being aware of their school's reward designation, but only one of these five principals reported receiving any formal recognition from the state. This recognition came in the form of a plaque noting the school's reward status. Another principal stated that she assumed the school's reward status was published in the newspaper, but she had not been notified if it was. Another principal explained that the school's status was noted in Title I quarterly reviews and annual reports but had not been publicized in any other ways. Overall, it appeared that reward school principals, while pleased with the designation, did not perceive the accountability systems under which they had received reward status as particularly focused on emphasizing the improvements or successes of reward schools. As one principal remarked, "It seems like … we're punitive when people are not doing well. … It would be nice to be able to recognize teachers and be able to recognize some really amazing hard work."

Communication and Understanding of Accountability Under *ESEA* Flexibility

The development and implementation of meaningful accountability systems may be contingent on school leaders and stakeholders having a strong understanding of the system. Thus, states' and districts' abilities to communicate effectively with school leaders about the accountability systems may be critical to fostering the understanding and motivation at the school level that can mobilize successful and sustained turnaround of low-performing schools (O'Day, 2002).

State officials reported multiple modes of communication with local education leaders to disseminate information and build understanding of their new accountability systems. All of the state interview respondents indicated that their states' communications with local education leaders and other education stakeholders often were provided in face-to-face settings such as working groups or training sessions on specific topics. Officials from 11 of the 12 states reported that they held periodic committees, advisory councils or commissions to provide *ESEA* flexibility updates and new information on an ongoing basis. For example, Washington's state official reported that the state educational agency had established an Educational Opportunity Gap Oversight and Accountability Committee that brought representatives from 22 organizations together to discuss implementation challenges with the new system and the role of the state in assisting low-performing schools. This state official reported that this group was "a very, very robust and deliberate structure" for disseminating state and federal accountability information. Officials from six states reported using written communications, such as practice guides, newsletters, press releases and resource documents, to communicate information on the new accountability system.

District officials generally reported that they relied on existing structures rather than new structures for disseminating information to and obtaining feedback from stakeholders on *ESEA* flexibility. Officials in 15 out of 16 districts who reported having feedback structures stated that they used existing systems, such as parent advisory groups or school-site planning meetings, to explain aspects of the new accountability system and to gather any feedback on implementation to date. One district official reported having two separate Title I meetings each year and formally incorporating discussion of the new accountability system in those meetings.

Officials from two states and seven district officials described challenges related to translating the state accountability and support system to schools and the community to support local-level understanding of the system. Most of the interviewed state officials did not mention challenges related to communicating information about the state system of accountability and supports under *ESEA* flexibility; however, officials from two states specifically described such challenges. For example, one of these state officials indicated that the state sent "[district leaders] information all the time and we say, 'Share this with your schools.' And they never do. So we have had to start thinking about how we can get information down specifically to school leaders because the district doesn't always send it along."

Among the 22 districts in the sample, officials in seven states suggested that the new systems were too complex and expressed frustration related to trying to translate the new system to teachers, parents, and students. One district official stated, "As an administrator, to be able to simplify the understanding of the language and the accountability system is quite challenging." Another district official shared a specific example of the struggle the district has with helping principals understand the metrics necessary to develop an actionable plan:

> *I had school leaders asking me this morning, "So I got 2.9 points for school growth. How do I figure out what my target is for school growth so that I can actually have some measurable goals that I can deliver to my teachers as to where we want to go with school growth?" There's no comparison on measuring yourself as to basically how to improve, if that makes sense.*

In addition, three of the interviewed district officials reported feeling that the responsibility for communicating the new system to educators and the public was not their own but rather the state's responsibility. One district official explained:

> *[District staff] don't feel that it is their job, and they don't feel equipped to do it anyhow because they don't completely understand it themselves. … And in trying to sell the system, we don't feel that's our responsibility, and the state doesn't feel like it's our responsibility either, quite frankly.*

Another district official reported that the district had chosen to explain only the parts of the accountability system that were relevant to the district, rather than the system overall. The official stated:

> *When I'm thinking back three years, I did not see and I don't think our district saw our role to explain this accountability system. We thought it was the state's role. So that does not mean we don't go public with the results or explain those results. And we have like little press conferences. But this particular accountability system is pretty hard to understand—more complicated and convoluted than AYP.*

At the school level, all of the interviewed principals in four of the six states in the school sample consistently reported that they had a good understanding of their state accountability systems. These principals attributed their understanding to state and district communication efforts. The principals in one state consistently praised the communication they had received from the state and their districts about the system and the implications of their accountability designation. Two of these principals commended the direct lines of communication they had with state staff and the efforts state staff had made to make themselves available to answer questions by phone, webinar or onsite. One of these principals reported the following when asked about whether the state's communications about the accountability system under *ESEA* flexibility had fostered school-level understanding of the system:

> *I'm understanding it [the school accountability rules] more, and we really use the data with that lens of looking at proficiency, growth, and achievement gap. We talk about it with our parents, teachers, and my boss, and other folks at the district level talk to us about it. It provides a shared language.*

As another example, the three interviewed principals in a different state praised the meetings their districts had held with them to explain the school accountability criteria and the calculations on which the school designations were based. One of these school principals explained:

> *We have a data person who works with us and an accountability person who comes out and makes sure we understand [our designation] … we in turn ask questions … then, they in turn make sure we have an understanding so we can relay understanding, so we can relay information in a way that is understood by our staff.*

In two other states, seven of the 11 interviewed principals described an overall lack of understanding of their state's accountability system and expressed concerns about the communications they had received about the system. Indeed, these principals expressed frustration about the communication not received about their state's differentiated recognition, accountability, and support system. As mentioned, a principal from one of the states reported receiving no information or notification of his school's reward designation, stating that he had not been made aware of his designation until contacted for this study. Although all other principals from these two states were aware of their school's designation, they consistently reported that their states had provided insufficient information and resources to support their full understanding of the system. According to one principal, the state had disseminated a handbook with guidelines for how the school accountability designations would be calculated but did not provide any accompanying trainings or workshops to further support school-level understanding or correct interpretation of the guidelines. In addition, the principal reported that the state "kept changing that guide, over and over. … I would look at it one way, they would change the criteria, and I would have to look at it another way."

Perceptions of the State Accountability Designations Under *ESEA* Flexibility

As noted previously, under *ESEA* flexibility, states are required to identify priority, focus and reward schools. States also are required to identify and provide support to other Title I schools that are not demonstrating progress, but are not identified as priority or focus schools. These other Title I schools include schools in which subgroups of students miss AMOs or graduation rate targets or both over a number of years. States have the option to develop a specific school accountability designation for these schools. While *ESEA* flexibility includes these provisions, states with approved flexibility requests have been provided autonomy to design state accountability systems that align with their own circumstances, priorities and reform histories within the parameters of the flexibility principles. One intention of this flexibility is to provide states with the opportunity to develop meaningful systems that stimulate local change in education policy and practice, ultimately resulting in improved student outcomes (U.S. Department of Education, n.d.). However, the extent to which state accountability systems under *ESEA* flexibility can enable and motivate improvement is likely dependent on key stakeholders, including school-level personnel perceiving the accountability designations as accurate and meaningful (O'Day, 2002).

In three of the six states in the sample, all 10 of the interviewed school principals perceived the criteria that their states were using to identify low-performing schools under *ESEA* flexibility to be more valid measures of school performance than the criteria that were used in the previous accountability system. In these three states, none of the interviewed principals voiced major concerns about their state's accountability system under *ESEA* flexibility. These principals generally described the accountability measures as more comprehensive and fairer than the measures used to assess school performance under previous state systems. In particular, they emphasized their appreciation for measures that included proficiency, growth and achievement gaps rather than a single proficiency measure. As one principal stated, "Looking at growth for students who are not performing is a good thing and can help motivate staff and help staff celebrate success. Just looking at proficiency can be demoralizing." Even schools that had received a priority designation viewed the designation as less punitive than the designations they had received under the former state system. One priority school principal stated:

The priority school environment allowed us to demonstrate a growth factor. That was a big part of why we were able to move designations, because we met our growth goals. Obviously, we're totally aware that we have to continue to meet those goals and that the bar raises, but what it's done for us is that it's not made the standards so high that it feels impossible.

Eight of the 15 interviewed school principals in the other three states expressed concerns about the criteria their states were using to make school designation determinations. Despite reporting that they had a good understanding of their state's differentiated accountability system, four principals in one state expressed reservations about the way in which the state ranked schools in comparison with each other based on student achievement growth.

In another state, all six interviewed principals voiced support for the state accountability system's focus on student achievement growth rather than just proficiency rates, but these principals perceived the system as punitive in implementation. These principals expressed a desire for the system to focus more strongly on the successes schools were achieving. In one state, two of the five interviewed principals raised concerns about the metrics that were being used to identify schools, including concerns about the accuracy of the data and whether the metrics were valid measures of performance. According to one principal, the school had received a designation report that included findings that resulted in staff feeling "confused or discouraged by the ratings."

The majority of district respondents did not voice concerns about their state's accountability designations and the measures that were being used to identify low-performing schools. However, officials from eight of the 22 districts pointed to perceived deficiencies. The officials from these eight districts raised concerns about the ways in which states were measuring achievement growth (three districts), ways in which the metrics continued to fail to capture the academic progress of EL students (three districts), whether the reformulated student achievement measures were targeting the right schools (two districts), as well as a general critique that the measures were "less informative" (two districts). (Districts may fall into more than one category.)

Some state officials remarked on the benefits of *ESEA* flexibility with respect to aligning dual systems of state and federal accountability. At the same time, other officials described continuing challenges related to aligning their accountability systems. One of the problems with *NCLB* that states sought to address under *ESEA* flexibility was the existence of a dual system of federal and state accountability. For example, officials in 10 of 12 sampled states reported having had a statewide accountability system with school or district designations that were different from those associated with *NCLB* accountability. The officials from four of these states specifically stated that aligning their state accountability system with the federal system was a prominent reason for applying for flexibility.[5] One Colorado official stated:

We really wanted to create a single accountability system. We felt like our state system was in a second year of implementation and it was mature enough to carry the load for both state and federal. And so we pursued the waivers.

One official reported that the state system and federal system had been growing farther apart in their determination of which schools were low performing, which was becoming increasingly problematic and confusing for districts and schools.

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[5] Study interviewers did not probe specifically on this point. Thus, it is possible that more states share this perspective but did not volunteer the information.

At the same time, in implementing the *ESEA* flexibility accountability provisions, some officials reported continued challenges in aligning their state and federal accountability systems. Officials from eight other states reported that they struggled to reconcile the designation of low-performing schools under the state accountability designations with the *ESEA* flexibility requirements for either priority or focus schools. These officials reported that the criteria for identifying priority or focus schools were problematic because the schools identified by the guidelines set in *ESEA* flexibility were often different from the schools identified as low performing using the state-devised index or grading system.

Interventions and Improvement Strategies for Low-Performing Schools and Districts

The interviewed state and district officials reported that low-performing districts and schools typically were allowed to select their own interventions, but that their states had established guidance to help inform these decisions. Among the 12 states in this study, the organizations involved most often in determining interventions in priority schools were the district (eight states), school (six states) or regional organization (three states). In seven states, the decision was shared across multiple organizational levels.

> ### Box 1: Turnaround Principles
>
> Strong leadership
> Effective teachers
> Redesigned schedules for additional time
> Rigorous and aligned instructional program
> Use of data for continuous improvement
> Safe and healthy students
> Family and community engagement

The states in the study sample often developed an array of interventions from which districts and schools could choose to support improvement; these interventions were typically based on turnaround principles established by the Department as part of *ESEA* flexibility guidelines (see Box 1) (U.S. Department of Education, 2012a, p. 2).[6] One state in the sample, for example, presented a "menu of interventions and supports" in its *ESEA* flexibility request from which districts and schools could select, including extended learning time, training for instructional leaders, the adoption of early college programs for high schools, and other instructional and behavioral interventions and supports. In six states, state education agencies were involved in district and school selection of interventions, either by reviewing plans or by working collaboratively with each district or school to identify appropriate interventions. These states required districts or schools to conduct needs assessments to guide the selection of their interventions. According to one state official:

> *The state provides the parameters for which interventions are acceptable. The district in consultation with the school selects the actual intervention. The rationale is that the district is closer to the school … and then the state doesn't have the resources to select interventions for all schools.*

Respondents in 15 of the 22 districts representing eight states in the study sample provided information on their level of autonomy in selecting school improvement interventions. Officials from nine of these 15 districts indicated that they have a great deal of latitude. Officials noted, however, that in some cases, intervention plans required state approval. When asked about the district role in identifying interventions, one district respondent explained:

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[6] Although these interventions were typically found to be consistent with turnaround principles, *ESEA* flexibility policy requires only priority schools to implement interventions that are aligned with turnaround principles.

> *The district does have a lot of leeway … which is really good. However, district plans, especially with schools that are priority improvement or turnaround, have to be reviewed by a state panel made up of members from [the state educational agency] and others from around the state trained to review plans.*

The intervention strategies most frequently described by principals included creating a culture of targeted data use, aligning instruction with standards, extending the learning time in core content areas, providing teachers with professional development and promoting a more positive school climate. The data collected from principal interviews did not allow for an assessment of the intensity with which their reported school improvement strategies were being implemented. Rather, the interviews focused on the strategies that the priority, focus and other designated low-performing Title I schools had selected and their rationale for doing so.

The interviewed principals consistently described strategies that were informed by their data analyses and identified areas of weakness—specifically, improving student performance on reading and mathematics and closing achievement gaps between subgroups of students. Principals described varied strategies for addressing these needs, including extended learning time in these core subject areas, more frequent data collection and analysis to monitor gaps in achievement and progress among subgroups of students, and more closely aligned instruction with the standards and assessments. One elementary principal explained:

> *We said, "We know the standards, we know what the state will be testing on, so let's start there." Let's use the math[ematics] program to teach to the standards, but put the standards first. We developed mini-quizzes based on the standard the program was supposed to be teaching for a particular week. … The teachers would use the results of these quizzes to determine whether to move on or reteach the standard students were learning. We did this in the tested grades for math[ematics], grades 3–5. And we saw an 11 percent gain in proficiency.*

Principals also described providing professional development supports to enhance teachers' instructional practices and to foster collaboration among teachers around data use and instruction. For example, the principals of two schools reported providing training to teachers to increase their understanding of the specific needs of certain subgroups of students. One of these principals explained, "This is a new strategy. Instead of looking at the class as a whole, we really look at each student and what [he or she] needs." As another example, the principal of one school described a new districtwide co-teaching model that connected general education teachers with teachers with specialized EL expertise. According to this principal, this co-teaching model was intended to result in more aligned instruction and improved outcomes for EL students.

Nearly all of the interviewed principals of priority, focus and other designated low-performing Title I schools indicated that building a positive school culture was a central component of their school improvement efforts. These principals described various ways in which they were trying to transform their school's culture and climate. Some of the strategies they reported implementing included empowering teachers to rebuild their confidence and to meet high expectations for practice, implementing formal mentoring and advising programs for students, and launching more informal efforts to bring teachers, students, and the broader community together in positive, school-pride-building activities.

Principals of reward schools described ongoing efforts to foster continuous improvement, including a culture of data use and instilling high expectations for all students. Five of the six interviewed principals of reward schools described examining data on a continuous basis to promote and sustain improvement gains and student achievement successes. These principals described using data not only to monitor student progress and provide early interventions to students but also to improve and target their schools' use of available resources. As the principal of one elementary school explained, "It's just a new way of looking at data, and [making] a conscious decision about ways to spend resource money in places where we needed help."

The six interviewed reward school principals also emphasized that setting and maintaining high expectations for students was central to their improvement efforts. These principals described having high academic and behavioral expectations for students and promoting a culture in which students take ownership, pride, and responsibility for their work in and outside of the classroom. One principal described pushing students "to grow and to do all they can do, both academically and from a responsibility standpoint."

Nearly all states involved in this study (10 of 12) no longer require districts to provide students with supplemental education services (SES) or to offer school choice as previously required under *NCLB*. The Department allowed states and districts to choose, under *ESEA* flexibility, whether they would provide SES or public school choice to students attending Title I schools identified for improvement. Among the 12 states in the sample, one state continued to require districts to offer SES and school choice but reduced the percentage of Title I funds to be set aside for these programs from 20 percent to 15 percent. In another state, priority schools must use at least 5 percent of their Title I funds to offer school choice but are not required to offer SES. Officials in the states that allow districts to choose whether to offer these parental-choice options cited a desire to provide districts and schools with flexibility over the 20 percent set aside of their Title I funds. All of the interviewed state and district officials unanimously supported the flexibility to choose whether to offer SES and school choice.

Supports and Challenges for Implementing School Improvement Strategies

ESEA flexibility sought to offer school improvement reform opportunities for states and schools by "enabl[ing] states and districts to better advance their work by developing locally tailored solutions to address their most pressing education challenges" (U.S. Department of Education, n.d., p. 2). States with approval for *ESEA* flexibility develop plans for implementing systems of differentiated recognition, accountability and support based on student achievement in at least reading/English language arts and mathematics, graduation rates, and school performance and progress over time, including the performance and progress of all subgroups. Specifically,

> States participating in *ESEA* Flexibility have prioritized their most underperforming schools so that they receive additional assistance. … Compared to *NCLB*'s mandates for school turnaround, state flexibility plans better target strategies on the lowest-performing schools and require aggressive action to change a school's course when necessary. (U.S. Department of Education, n.d., p. 2)

Officials from the 12 states in this study described requiring or offering support to low-performing schools through structures and mechanisms that included external support providers (12 states), early warning systems (10 states), and regional organizations (three states). All 12 states in the study sample permitted low-performing schools or districts to contract with an external organization or a technical assistance provider, but only Massachusetts and Oklahoma mandated such collaboration. Oklahoma requires priority schools to partner with local organizations for support in a number of areas, including developing family and community engagement strategies. In Massachusetts, districts with priority schools are required to identify a Priority Partner from the state's approved list. Respondents from each of the other 10 states in the sample mentioned that their states had contracts with external organizations or technical assistance providers but that it was up to districts and/or schools how and whether to use these services.

Three states (Massachusetts, Minnesota and Washington) established state-level processes for recruiting, screening, and qualifying vendors to assist schools and districts in selecting high-quality external organizations as partners. Officials in three other states (Colorado, New York and Oklahoma) reported that they provided guidance to districts and schools to help them choose providers or required that any partner vendors demonstrate a track record of success.

Officials in 10 states were in various stages of developing and implementing early warning systems. The interviews with these officials indicated that, despite some variance across states, early warning systems had many elements in common. For example, all of these state officials described data management systems that collected multiple early warning metrics on students as they progress through the K–12 system, including measures of student attendance, class grades, assessment results, demographic information, and behavior, such as the number of suspensions. State officials reported that their systems allow users at the district, school and often classroom level to generate lists of students who exhibit certain risk factors, and officials in two states (Massachusetts and Tennessee) reported that their systems allow for uploads of additional local data, such as notes from guidance counselors, to account for other risk factors that are not captured through the pre-established metrics in the system.

The officials from three states reported requiring low-performing schools to take advantage of the services provided by regional organizations that are staffed by school improvement or turnaround experts recruited by the state. These experts support schools in implementing interventions, providing professional development to leadership and staff, analyzing data, building school leader capacity, and implementing college- and career-ready standards. An official in one of these states said that these centers were integral to their plans for school improvement but described challenges finding qualified staff for the centers. Officials in the other two states that offered support through regional school improvement organizations reported that focus or priority schools were not required to seek support from these organizations but that their services were available to schools.

District leaders in 13 of 21 districts (in nine states) affirmed that they had received support from state education agency staff for low-performing schools. District leaders offered mixed reports on the quality of the assistance they were receiving from the state. Different states used different names for similar roles, but district leaders in five districts said that the state provided "performance managers," "school success coaches," "school support professionals," or "turnaround coaches." These personnel met with district and/or school leaders on a regular basis and helped them to identify and implement the appropriate interventions, provided professional development, or assisted in other ways.

Two district officials lauded the support their districts had received from the state personnel. One official specifically noted that the state-assigned performance manager excelled at out-of-the-box thinking and brought a fresh perspective on issues their schools were facing. Another official praised the state's use of performance managers to verify that plans were implemented with fidelity, explaining:

> *If you're a district of priority improvement schools, [the state] assigns a performance manager to meet with you, at least monthly, to make sure that the plan is actually being implemented. … You do get quite a bit of support from the state, and there is a lot tighter accountability for those schools and the districts that are in those categories.*

Some district leaders indicated room for improvement, however, with respect to certain elements of their states' support systems. One district official expressed frustrations and disappointment with the school quality auditors who visited district schools on behalf of the state. This official perceived that the support was inadequate and ill-timed and that the audits served more as a distraction than a benefit. Leaders in another district mentioned that their schools were in need of state staff assistance but that none was provided. In addition, with respect to external providers, officials in six districts cited experiences with state-approved consultants whom they felt were too far removed from a classroom to provide them with high-quality professional development and meaningful assistance around implementation of their state's college- and career-ready standards or the use of data to inform instruction.

At the school level, all 13 of the priority and focus school principals described receiving some type of state support for their improvement strategies. Most of these principals reported receiving state support that was related to their improvement strategies, including funding, professional development for teachers, or direct support from teams of state staff or intermediary groups funded by the state. For example, the principal of a focus school reported receiving an additional $300,000 from the state to support the school's improvement efforts as a result of its focus designation. The principal of a priority school in this same state described the support he had received from the state's educational recovery team as central to the school's improvement efforts and a drastic change in the type of support the school had received from the state in the past. This principal stated, "Last year was super. I could not have asked for more. I saw [the state] absolutely as a partner in school reform and an advocate for the students in the building."

The interviewed priority and focus school principals in three states also reported receiving support from state-designated school improvement specialists and intermediary groups the state had designated to support low-performing schools. These officials indicated that the support was useful, specific to the needs of their schools, and either more frequent or more targeted than support offered prior to *ESEA* flexibility. One priority school principal stated:

> *They [state staff] would come physically to our building, and if they couldn't make it [in person], they would do a webinar broadcast and say, "This is the scoop." … So those were very helpful for us, because it did keep that communication stream open. It gave that other venue of information that was like, OK, this is straight from the horse's mouth, sort of thing. … I thought it was kind of nice, since you are on the priority list, your needs were prioritized, so [your needs] got moved to the top of the list.*

Ten of the 13 interviewed priority and focus school principals reported receiving more frequent or more intensive support from their districts under *ESEA* flexibility than in previous years—specifically with regard to data use. Ten of the 13 interviewed principals specifically reported that they had received support from their district in reviewing and interpreting data and that the support the district had provided was useful, relevant and available to them as needed. As the principal of one priority school remarked, "Hardly a week goes by that some sort of data analysis training doesn't take place." Similarly, other school principals reported that their districts regularly monitored their data and described their district staff as "on call" to answer questions, provide data reports and support the school in interpreting data reports. In addition to data analysis support, principals of priority and focus schools across states in the study sample reported that their districts had provided them with site-based reading and mathematics specialists or coaches. Principals also highlighted the support of district-based instructional specialists who were visiting their schools regularly to lead professional learning community meetings, attend school leadership team meetings, and assist the school in implementing the activities and strategies in the school improvement plan.

Principals from 20 of the 25 schools in the sample described a variety of factors that challenged their improvement efforts, including low staff morale (10 principals), limited resources (nine principals), staff turnover (three principals), and testing requirement burdens for EL students (two principals). Among the nine principals citing limited resources as a challenge, three were priority school principals, five were reward school principals, and one was a focus school principal. The priority and focus school principals described challenges related to allocating limited resources to address the multiple needs of the school or the prospect of losing SIG funding, which supported many of their improvement efforts. The five reward school principals all cited funding as a challenge. These principals indicated that because of their reward school status, their schools typically were not targeted to the same extent as priority and focus schools to receive additional funds or other resources from the state or district.

Burden Associated With *ESEA* Flexibility and State and District Capacity to Support the Implementation of *ESEA* Flexibility Provisions

The full set of activities involved with *ESEA* flexibility—developing the policies, soliciting feedback, revising requests, putting policies in place, and providing technical support—involved a great deal of effort on the part of education officials from all levels. In addition, the scope and extent to which state accountability systems were changed through *ESEA* flexibility provisions placed significant demands on state and district capacity to identify high- and low-performing schools successfully and to provide effective support to struggling schools. The study team asked respondents to gauge the extent of burden they experienced in transitioning to the new accountability systems as well as their capacity to effectively implement their systems.

The interviewed state and district officials reported that *ESEA* flexibility implementation required substantial effort; most state officials in the sample described at least a modest level of burden, but the majority of district officials reported that the level of effort was not burdensome. Among the 12 state respondents, eight described at least a modest burden associated with *ESEA* flexibility implementation, and another three respondents described a substantial effort but not necessarily a burden. Among the eight state officials who reported at least a modest burden, one state administrator explained:

> *There seems to be a misunderstanding at the [U.S.] Department [of Education] about the amount of time that it takes for us to pull together the information that's requested. … In order to change completely our accountability system, we had to rewrite every single program and communicate with the districts at the same time. … So then, when we would get a call from the Department saying, "Well, could you just show us the impact if you were to change this percentage?" That seems to them like a very minor request, but for us it was not, in the midst of everything else that we were trying to do.*

Another state-level interviewee described "a significant amount of workload" associated with responding to inquiries about *ESEA* flexibility from stakeholders.

Officials in three other states noted that although implementing the *ESEA* flexibility provisions for differentiated accountability and support systems entailed a substantial effort, they did not perceive the level of effort as burdensome. For example, one official explained:

> *Any time you make a change, there is the obligation to make sure that our districts are informed and our internal staff are informed. So obviously that took a little bit of time in getting everyone to a common understanding of what was required under the ESEA Flexibility waiver. I wouldn't necessarily consider that burdensome because it was an improvement to the entire system.*

At the district level, officials in 19 of the 22 districts in the sample provided data on level of implementation burden associated with the accountability systems under *ESEA* flexibility. Among these 19, seven described implementation to be burdensome, but officials from 12 districts reported effort but no burden associated with implementation. One district official reported that "any change in approach takes learning in general" but that it has not been particularly burdensome. This sentiment was common among the other 12 respondents who reported effort but no burden associated with implementation.

State officials described implementing strategies to build capacity to implement the accountability and support provisions under *ESEA* flexibility. The interviewed state officials described a variety of state-level efforts to enhance the state's capacity, including cross-agency collaborations, developing staff expertise, and partnerships with districts (seven states); structural changes within the state educational agency to enhance the state's capacity (eight states); and efforts to better align and coordinate oversight of federal initiatives and/or multiple funding streams (five states). For example, the officials who described cross-agency collaborations explained that the shared efforts and responsibilities across agency staff and direct links to support low-performing schools bolstered their capacity to facilitate districts and schools in their improvement efforts. Among the officials who reported structural changes and efforts to coordinate federal initiatives and funding streams, these respondents primarily described shifting roles and responsibilities within the state educational agency to create staff and units that would have joint responsibility for accountability and supports.

A majority of district officials (15 of 22) reported that they have sufficient staff and expertise to support continuous improvement in all priority, focus and other designated low-performing Title I schools. Many district officials reported developing and using both internal and external expertise to improve school turnaround efforts. For example, one district official reported that focusing on meeting *ESEA* flexibility requirements encouraged the district to tap "into expertise from local colleges, universities, as well as national consultants." Several district officials reported strategies for enhancing their capacity. Three district officials reported that they were in the process of hiring additional staff members to support low-performing schools. Another three reported that they would like to hire more administrative staff but were unable to do so because of funding constraints. Four districts reported that they planned to work with external providers to support their low-performing schools.

Despite efforts to build capacity, nearly all of the state officials and half of the district officials described challenges or concerns related to their existing capacity to support improvement in low-performing schools. Although state officials reported that the smaller caseloads of schools helped them better meet these schools' needs, officials from five states expressed concern that the state still had too few staff to provide the level of individualized supports to schools that is necessary to promote sustainable school turnaround. Officials from two states also expressed concern about the state's capacity to support schools that exit the priority and focus designations to the extent that is needed to sustain those schools' improvement in the long term.

The majority of district officials (15 of 22) reported that they presently had sufficient staff and expertise to support school improvement in identified schools; however, officials from seven districts reported factors constraining their capacity, including insufficient funds (four districts), a lack of expertise in intervening in low-performing schools (two districts), and the complex demands of school improvement (one district). Officials from an additional four districts expressed concern about their ability to sustain their capacity to support schools at scale after their SIG and/or Race to the Top grants expire.

Conclusion

By extending flexibility on certain provisions of *ESEA*, as amended, the Department aims to attenuate many of the provisions that were perceived as hindering reform and to encourage innovative efforts to identify and support low-performing schools. States with approved *ESEA* flexibility requests are granted flexibility with regard to annual measurable objectives, AYP determinations, identification of and supports and interventions for low-performing schools and districts, the use of section 1003(a) funds, the transferability of *ESEA* funds, and improvement plans for highly qualified teachers. In order to be approved to implement *ESEA* flexibility, these states must adhere to specific principles: (1) ensure college- and career-ready expectations for all students; (2) implement state-developed differentiated recognition, accountability, and support; (3) support effective instruction and leadership; and (4) reduce duplication and unnecessary burden.

The purpose of this study was to explore the early implementation of state systems of differentiated support and accountability under *ESEA* flexibility. The study sample included 25 schools in 22 districts located within 12 of the 35 states that were granted flexibility in Window 1 and Window 2. The key findings from the study follow.

For most states in this study, their accountability systems under *ESEA* flexibility build on prior state policies and reform efforts. At the same time, state officials indicated that the flexibility provisions allowed them to address perceived deficiencies of *NCLB*. For example, state officials reported developing new state accountability systems under *ESEA* flexibility that built off of the *NCLB* growth model pilot, differentiated accountability, Race to the Top, and state-specific reforms. Although states perceived *ESEA* flexibility as an opportunity to continue these types of reform efforts already in place, state officials also indicated that flexibility enabled them to address challenges they had encountered with *NCLB*, such as the over-identification of low-performing schools and the over-reliance on proficiency in reading and mathematics as school performance metrics. Likewise, principals appreciated accountability systems that took into account performance on measures other than proficiency in reading and mathematics, with increased focus on student academic growth and reduction of achievement gaps among subgroups.

Many states that sought to reconcile their "dual" state and federal systems of accountability through *ESEA* flexibility described continued challenges in this regard. Although some state officials reported that one of their goals in applying for *ESEA* flexibility had been to reconcile their state accountability system and the federal accountability system, this goal was only partially realized in these states. Thus, *ESEA* flexibility helped better align state and federal systems of accountability, but some officials reported that it had not eliminated a "dual" system of accountability.

Interviews with principals revealed differences across states in school principals' understanding of state accountability systems. Principals in four of the six states from which the school sample was selected reported that their states and districts had done a good job of explaining the state system of accountability and support under *ESEA* flexibility. They reported that the communication efforts of their states had provided them with a clear understanding of the system, including the implications of their school designations. In comparison, the principals in two other states described the opposite: that their states had provided them with insufficient information to support their full understanding of the system and the process by which their schools were designated. Notably, these principals also expressed concern about the validity of the criteria their state was using to make school accountability designations.

Targeted support is another critical component of *ESEA* flexibility, and district leaders in 13 of 21 districts (in nine states) affirmed that they had received support from the state educational agency. However, district leaders offered mixed impressions of the assistance they were receiving from the state. Officials from four districts reported increased state support to develop and implement interventions for low-performing schools. For example, one district administrator lauded the support his district had received, mentioning that the assigned performance manager excelled at out-of-the-box thinking and brought a fresh perspective on issues their schools were facing. In contrast, a leader of a district in a different state expressed frustration with the school quality auditors assigned by the state, who were described as a distraction rather than a benefit.

All of the priority and focus school principals in the sample described receiving state support for their improvement strategies as a result of their designation status. State officials reported that the smaller numbers of schools identified as low performing allowed them to provide better support and conduct more substantive progress monitoring. Moreover, 10 of the 13 interviewed priority and focus school principals reported receiving more frequent or more intensive support from their districts under *ESEA* flexibility than in previous years—specifically with regard to data use. Indeed, district officials reported that smaller caseloads allowed school improvement specialists and academic coaches to visit schools more often for progress monitoring and professional development.

Officials from seven districts reported insufficient staff and expertise to provide the level of support they believed was needed to improve low-performing schools in their districts. As reported by officials in these seven districts, the factors that constrained capacity included insufficient funds (four districts), a lack of expertise in intervening in low-performing schools (two districts), and the complex demands of school improvement (one district).

Among the six reward schools in the sample, only one school principal reported receiving formal recognition from the state associated with the school's reward status. None of the reward school principals reported receiving incentives in the form of monetary rewards or compensation as a result of their reward school designation.

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Appendix Exhibits

Exhibit A1.   School-Level Characteristics of Participating and Non-Participating Schools in the Study Sample

School-Level Characteristics	Participating Schools	Non-Participating Schools
Average enrollment	550	565
Average percentage of students receiving free or reduced-price lunch	74%	76%
Average percentage of minority students	72%	79%
Average percentage of special education students	14%	19%
Sample size	*N* = 25	*N* = 11

Source: 2011–12 *EDFacts*, Data Group (DG) 39: Membership, DG 74: Children with disabilities (IDEA) school age, DG 565: Free or reduced-price lunch.

Exhibit A2. Non-Financial Rewards Offered to Reward Schools

State	Types of Public Recognition	Regulatory Flexibility	
		Autonomy Over Funds	**Exemptions From Regulations**
Colorado	Certificate as Title I Distinguished School Press release Media event		
Kentucky	Permission to schools to use recognition status on materials		
Maryland	Press release Display on state website and other promotions Certificate of recognition from state and district Distinguished schools receive plaque Recognition of superlative schools from governor and state board of education, and visit from dignitaries		Exempt from completing most parts of annual school improvement plan
Massachusetts	State-level event Certificates given to staff		
Minnesota	Recognition in annual press conference with governor and education commissioner Certificates given to staff		
Missouri	Letter of congratulations Award from state board of education		
New Jersey	Schools identified as New Jersey Schools of Excellence Plaques for school and district Statewide press releases Visit from governor and/or commissioner of education Selected schools or students asked to present at Effective Practices Conference		
New Mexico	Press release Showcase on website/online clearinghouse Letter of recognition from governor and education secretary		Exempt from completing most parts of annual school improvement plan
New York	Press release Showcase on website Eligible for Commissioner's Schools Dissemination Grant		Specifics under discussion
Oklahoma	Honor at state board of education meeting Press release Representation on advisory groups Inclusion in state superintendent's listening tour	Increased autonomy over federal funds	
Tennessee	Various forms of public recognition		
Washington	State visit and award ceremony at school State dissemination of materials lauding school		

Source: State department of education websites, state *ESEA* flexibility approved requests, and interviews with state officials.

Exhibit A3.   Identification of Other Low-Performing Schools

State	School Category	Definition
Colorado	Turnaround and Priority Improvement	Schools identified as low performing using the state's school and district performance frameworks that have not also been identified as priority or focus schools
Maryland	Approaching Target	Title I schools that do not meet the criteria for priority or focus schools under *ESEA* flexibility but that do not/did not meet AMOs in one or more categories
Massachusetts	Level 3 (not focus)	Schools with low aggregate performance that are among the lowest 20 percent relative to other schools in their grade span statewide and that are not already identified as priority or focus schools
Minnesota	Continuous Improvement	The bottom 25 percent of Title I schools that have not already been identified as priority or focus schools
New Mexico	Strategic	Title I schools with the largest achievement gaps in the state and with an overall school grade of "C" or lower, as measured by the state A–F grading system
New York	Local Assistance	Any school that is not a priority or focus school that (a) has large gaps in student achievement among subgroups of students, (b) has failed to make AYP for three consecutive years with same subgroup on same measure, or (c) is located in a non-focus district but is among the lowest in the state for the performance of one or more subgroups and for which the school is not showing progress
Oklahoma	Targeted Intervention	For 2012–13, any schools in the bottom 25 percent of the state (based on student achievement) that have not previously been identified as priority or focus schools
Washington	Emerging	Title I–participating schools identified from the priority list (next 5 percent up from the bottom of the list) and the focus list (next 10 percent up from the bottom) that are not already identified as priority or focus schools

Source: State department of education websites, state *ESEA* flexibility approved requests and interviews with state officials.

Note: Among the 12-state sample, four states (Kentucky, Missouri, New Jersey and Tennessee) did not have a specific school accountability designation for identified low-performing schools that did not meet the criteria for designation as a priority or focus school.

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