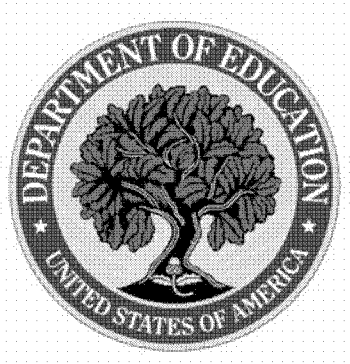


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# ESEA Flexibility Request

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Washington, DC 20202

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Paperwork Burden Statement

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

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

<b>LABEL</b>	<b>LIST OF APPENDICES</b>
A	Rank Ordered School List with Scoring Detail
B	BEP Performance Measures
C	Priority and Focus School Implementation Timeline
D	RIDE Commitments to LEAs serving Priority and Focus Schools
E	AMO Supporting Materials
F	Dr. Ramirez Letter of February 1, 2012
G	Rhode Island LEP/ELL Advisory Council Feedback on ESEA Request
H	Educator Evaluation Guidance Document



## Waivers

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

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

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

Optional Flexibilities:

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

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

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

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

## Assurances

By submitting this application, the SEA assures that:

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



arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs, or it will do so no later than the deadline required under the State Fiscal Stabilization Fund. (Principle 3)

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

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

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

## Consultation

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

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

Rhode Island Education Commissioner Deborah A. Gist has a strong, ongoing commitment to engage stakeholders in the development and implementation of policies and initiatives. In keeping with that commitment, the Rhode Island Department of Education (RIDE) conducted extensive outreach throughout the development and refinement of this ESEA flexibility request. During the “Input Phase” of our outreach when our draft was under development, we solicited comments on perceived limitations of the No Child Left Behind Act, as well as suggestions for our request for flexibility, at a series of targeted events and through a designated e-mail address. We then posted our draft flexibility request to the RIDE website and began the “Feedback Phase,” in which we solicited specific comments and feedback from targeted stakeholders and the public, again via meetings, webinars, and the designated email address. [For a complete list of the outreach events that RIDE conducted during this process, refer to “Table 1: Stakeholder Outreach around Rhode Island’s ESEA Flexibility Request” at the end of this section.]

In total, RIDE hosted three community forums, made presentations at fifteen stakeholder-specific meetings, and hosted four webinars to share information about our flexibility request and to solicit input and feedback. In addition, RIDE consulted with our Committee of Practitioners to gather its feedback on our request. Weekly e-mails to the Commissioner’s contact lists, as well as posts to the Commissioner’s social-media pages, directed stakeholders – teachers, administrators, parents, students, government officials, community and advocacy organizations, business leaders, and others – to the RIDE website to learn more about our developing proposal and to provide input and feedback. [See Attachment 3 for evidence from RIDE’s outreach efforts.] Those weekly e-mails and web posts also informed Rhode Islanders of the many opportunities to learn more at public forums and stakeholder-specific meetings and webinars. The RIDE staff leading this outreach effort directly contacted targeted stakeholder groups to invite them to review the draft request and to schedule a time to meet and discuss their feedback.

RIDE is committed to ensuring that classroom teachers are informed, involved, and meaningfully engaged in the policy and implementation decisions that affect their work. Teachers and union leaders have been deeply engaged in the development and

implementation of the Rhode Island Model Educator Evaluation System and in our transition to the Common Core State Standards, as discussed in Principles 1 and 3 herein. To ensure that teachers were similarly engaged in the development of this flexibility request, RIDE actively solicited teacher comments during both the Input Phase and Feedback Phase of our outreach. RIDE worked with our two state teachers' unions to ensure that information regarding ESEA flexibility and the opportunity to provide feedback reached teachers, and RIDE and the two unions co-hosted a webinar for local union leaders and other teachers. In addition, local union leaders and individual teachers, including special education teachers and teachers of English Learners (ELs), attended the three public forums and "all-educators webinar" that we held. RIDE also presented information about ESEA flexibility to the Commissioner's Distinguished Educators Cabinet to solicit input from our state's award-winning educators.

Teachers who participated in events and submitted written comments emphasized that they appreciated the inclusion of growth measures into our proposed accountability system. As one award-winning educator said during our meeting with the Distinguished Educators Cabinet, "The ideal accountability system would be a hybrid of using a growth model and proficiency measures, so that we can recognize growth but also be honest about how a child, school, and district are performing in terms of proficiency for the age and grade level." We heard similar feedback from various types of educators and administrators, which affirmed our position that the inclusion of growth measures is essential and was long-awaited by many in the education field. Another affirming piece of feedback from several teachers was regarding the importance of including additional years in our calculation of high school graduation rates. Multiple teachers of special education students discussed the accountability benefits this would offer to schools and LEAs that successfully graduate special education students who stay in school longer than four or even five years. Our decision to include six years in our calculation of graduation rates supports this position, which was also shared by many other stakeholders.

RIDE conducted significant targeted outreach to school and LEA-level administrators, classroom teachers, and union representatives. Both superintendents and principals emphasized that we should eliminate the requirement that schools identified as persistently low-achieving had to remove the school principal, regardless of that individual's track record at the school. Our "Flex Plan" option is responsive to this feedback and does not call for the automatic removal of principal or staff, but rather requires the school to take significant action – one option being the removal of the principal – based on the specific needs and gaps identified through a newly developed diagnostic screen. In general, administrators praised the Flex Plan option for its use of the Basic Education Program capacities and the balance of rigor and manageability among its options. Superintendents were adamant that the diagnostic screen should be made available to all schools so that they may identify their greatest needs and strategies to address them. RIDE has since made the decision to extend the use of the diagnostic screen to any school that wishes to use it, not only to identified focus and priority schools.

Finally, superintendents suggested that we include assessment participation rates into the accountability structure so as to capture the extent to which a school has been successful at emphasizing the importance of the assessment to students and educators. We have responded to this excellent suggestion by making 95% participation in the state assessment a threshold determinant for school classification. Regardless of how a school performs in our composite measurement system, a school that fails to meet the participation target will be designated as a “Warning” school subject to state intervention.

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

As discussed above in response to question one, RIDE provided information to, and solicited comments from, a variety of stakeholders regarding our ESEA flexibility request. [For a complete list of the outreach events that RIDE conducted during this process, refer to “Table 1: Stakeholder Outreach around Rhode Island’s ESEA Flexibility Request” on page 14.] Families, community organizations, advocacy organizations for students with special needs and students who are English Learners and business leaders were all included on each of the broad communications that RIDE issued regarding ESEA flexibility. In addition, we targeted topical outreach to these stakeholders, inviting them to provide comments online and also to attend public forums and stakeholder-specific meetings and webinars.

We offered a targeted webinar for business leaders and several targeted meetings for student advocates, families, and community leaders to offer input and feedback on our flexibility request. RIDE proactively sought the engagement and feedback of these groups during the Input and Feedback Phases to ensure that a diversity of perspectives would inform our thinking around crafting a new accountability structure for Rhode Island schools. In total, approximately 200 educators and community members participated in the presentations and feedback sessions that RIDE offered, and we received approximately 35 written comments on our request through our designated e-mail address. [See Attachment 2 for a summary of comments received.]

On the whole, parents, community organizations, and student advocacy groups praised the role that the decreased n size and the role that consolidated subgroups would play in shining a brighter light on achievement gaps in more schools across the state, as well as equalizing the number of targets that must be met by urban and suburban schools. Another overarching theme from the feedback of community partners was their appreciation of our plan for districts to administer targeted interventions to students, and within struggling schools generally, based on data. The idea of using a diagnostic screen to identify needs and gaps within a school, and then choose interventions based

on those needs, was extremely well-received by community members and educators alike.

During both the input and feedback phases of our public outreach efforts, RIDE staff met with representatives from the 21<sup>st</sup> Century Community Learning Center sites (21<sup>st</sup> CCLC) and the Rhode Island Afterschool Plus Alliance. These groups strongly advocated for RIDE to reconsider our original decision to seek flexibility around the use of the 21<sup>st</sup> CCLC funding. Through these meetings, RIDE staff better understood and ultimately agreed that the current investment strategies for 21<sup>st</sup> CCLC are yielding rich results across Rhode Island and have a long track record of success. Further, RIDE staff and community organizations all agree that the 21<sup>st</sup> CCLC funding can be managed and weighted by the SEA in a manner that will ensure a focus on students and schools in greatest need and the applicants with the strongest program design. Consequently – and directly due to outreach efforts -- RIDE is not seeking the 21<sup>st</sup> CCLC waiver in our final application.

We received consistent feedback from educators, families, community groups, advocacy organizations – particularly advocates of special needs and EL students – emphasizing the need for additional student supports and interventions for at-risk students, especially those who have special needs or are English Learners. During the Feedback Phase, many teachers and administrators who read our draft request articulated the need for more of an emphasis on increased supports and interventions for special needs students and EL students. As a result of this feedback, our waiver application now includes more narrative on the many student supports established under State law, including a comprehensive Response to Intervention initiative, special supports to teachers of EL students and students on IEP's, and an enhanced monitoring and information system specific to supports for students acquiring English. We also received feedback from our state-level EL Advisory Committee suggesting that we establish disaggregated graduation rates for ELs, as well as for students with IEP's. We have incorporated this suggestion into our accountability and reporting system. Many advocates of special needs students also articulated support for our decision to include additional years into our calculation of graduation rates for accountability purposes.

Advocates for EL students requested that RIDE consider waiving first-year EL students from the requirement to take the state assessment in mathematics. It is their contention that some students may be in schools for less than a week and still have to participate in the state mathematics assessment. This is a particular concern due to Rhode Island's fall testing program. These same advocates also suggested including English proficiency measures as part of the school diagnostic screen, which we found to be a helpful addition to the screen to give a deeper picture about the needs of a school that is struggling, especially in those schools with relatively low incidence populations who have previously escaped scrutiny under our current system. Multiple community organizations recommended that chronic absenteeism data be included, and we acted on that suggestion by adding this additional piece of evidence to the screen, as we know that chronic absenteeism has a detrimental effect on student and school performance.

The most controversial element of our waiver application has been the creation of a consolidated sub-group that combines English Learner students and students with disabilities. There has been general acknowledgement and support for RIDE's commitment to expand accountability for low incidence populations, especially in regard to identifying achievement gaps. However, the EL and SPED advocacy communities expressed early and strong reservations based on: (1) a perception of insensitivity and lack of differentiation for these two very different sub-populations; (2) a mistaken belief that the proposed Rhode Island system would not recognize critical differences in performance between these two groups within one school or system; and (3) a misunderstanding of how supports and interventions would be derived, thereby raising the inference that RIDE planned on a "one size fits all" approaches to improving student performance. These concerns are well-expressed in the February 1, 2012 letter from ELL Advisory Committee member Dr. J. Andrés Ramírez (Appendix F).

Prior to receiving this letter, RIDE had invited all members of the RI ELL Advisory Committee to a meeting to discuss RIDE's proposal to create a consolidated sub-group consisting of both EL and SPED students. The meeting with the ELL Advisory Committee was held on Monday, February 13, 2012. The Deputy Commissioner explained that RIDE was well aware of the perceptions that might arise from using this combination of program-dependent students. However, it was also explained that the benefits far outweighed the risk in that too many of our schools were not being held accountable for the performance of their English Learners. Even with a reduction in the "n" size to 20, only 54 of 300 schools would be held accountable for their EL students. By combining EL student performance with SPED student performance, that number jumped to 227! When it was explained that AMO sub-group accountability would remain in place, and that interventions would be based only on fully disaggregated results, our rationale became clear. The RI LEP/ELL Advisory Council, including Dr. Ramirez, provided its official position to RIDE on February 16, 2012.

While it is troubling that these two very different populations of students will be grouped together, the end result shows promise. If things play out the way RIDE is projecting, a substantial number of schools that were previously not help accountable for the achievement of their ELLs will come under closer scrutiny according to state and federal guidelines. We were also assured, and it appears in the documents, that while ELLs and students with IEPs will be grouped together for initial accountability, the data will be disaggregated before it is used for other purposes. (Appendix F).

It should also be noted that RIDE officials also met with the RI State Special Education Advisory Board, who did not raise objections to the proposed consolidated sub-group once there was an understanding that intervention and support decisions would be made only on the basis of disaggregated data.

**Table 1: Stakeholder Outreach Around Rhode Island’s ESEA Flexibility Request**

<b>EVENT NAME</b>	<b>EVENT DATE</b>
<b>Input Phase (<i>prior to draft</i>)</b>	
Board of Regents Briefing	October 6, 2011
Distinguished Educators Cabinet Meeting	November 30, 2011
South County “How’s School?” Parent and Community Forum	December 1, 2011
RI Association of School Principals, RI Middle Level Educators, and RI ASCD Meeting	December 2, 2011
English Language Learners Directors Meeting	December 8, 2011
RI Association of School Committees Meeting	December 10, 2011
Public Forum	December 12, 2011
Race to the Top Meeting with Superintendents, Board Chairs, Union Presidents, and Charter School Representatives	December 13, 2011
RI Association of School Principals Executive Board Meeting	December 14, 2011
Community Forum for Parents, Students, Community Organizations, Special Education advocates, and English Language Learners advocates	January 9, 2012
Webinar for Local Union Leaders and Teachers Co-hosted by RIDE, RI Federation of Teachers, and National Education Association RI	January 9, 2012
Webinar for Principals Co-hosted by RIDE and RI Association of School Principals	January 10, 2012
Webinar for Business Leaders	January 13, 2012
<b>Feedback Phase (<i>after draft released</i>)</b>	
RI Association of School Superintendents Meeting	January 19, 2012
Webinar for All Educators	January 30, 2012
Meeting with Urban LEAs	January 31, 2012
Public Forum	February 1, 2012
Board of Regents Briefing	February 2, 2012
Rhode Island Special Education Advisory Committee Meeting	February 6, 2012
Advocacy Groups Meeting	February 7, 2012
Committee of Practitioners Meeting	February 9, 2012
Civic and Community Leaders Briefing	February 10, 2012
English Language Learners Advisory Board Meeting	February 13, 2012
RI Association of School Principals Executive Board	February 15, 2012

## Evaluation

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

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

## Overview of SEA's Request for ESEA Flexibility

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

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

Under the leadership and vision of Education Commissioner Deborah A. Gist, in 2009 the Rhode Island Department of Elementary and Secondary Education (RIDE) developed a comprehensive and coherent strategic plan, *Transforming Education in Rhode Island (RIDE Strategic Plan)*, which formed the foundation for our successful Race to the Top application and which guides us as we work toward increasing the quality of instruction and improving student achievement in our state.

Our strategic plan is based on the following theory of action:

- all students will achieve at high levels when we have an effective teacher in every classroom and an effective leader in every school; and
- Our teachers and school leaders will be most effective when they receive consistent and effective support and work within a system of policies and resources that is based on student needs.

Rhode Island has taken major steps toward this vision of success by implementing college- and career-ready expectations for all students, including adopting world-class standards and training to date more than 3,000 Rhode Island teachers regarding implementation of these standards. This commitment to providing direct support to teachers and administrators to ensure universal access to rigorous, standards-based instruction forms the backbone of our drive to improve student achievement. We are also fully engaged in supporting effective instruction and leadership, primarily through



the implementation across the entire state of educator evaluations based on multiple measures, including measures of student growth and achievement. At present we are seeking no additional flexibility regarding these two initiatives.

The third element of our efforts to increase the quality of instruction and to improve student achievement, which we describe in our strategic plan as “accelerating all schools toward greatness,” is the area in which we are requesting flexibility under the provisions of ESEA. We at the Rhode Island Department of Education (“RIDE”) have known for some time that our current NCLB accountability system allows too many of our schools to escape accountability for low-incidence populations, including English Learners and many of our racial and ethnic sub-populations. It is therefore not surprising that Rhode Island suffers from significant achievement gaps among student sub-populations. We began our work on this waiver application with an unflinching commitment to create a system of expectations, measurement, and accountability that would reveal these gaps wherever they exist and to use data about individual sub-group performance to drive meaningful and differentiated supports and interventions.

We have been bold in our efforts. RIDE has lowered the “n” size from 45 to 20, which we feel is the smallest number from which we can draw reasonable inferences about common needs within the cohort. We have derived consolidated subgroups that best serve to maximize accountability for our lowest incidence populations. For example, we did significant outreach to our English Learner and SPED advocacy communities to win their support for a consolidated subgroup of ELs and students with IEPs. We were able to win their support by demonstrating that combining the two subgroups raised the number of schools held accountable for their English Learners from 54 to 227. Coupled with RIDE’s commitment to using only disaggregated data to drive differentiated supports and interventions, it is this relentless pursuit of the truth that has won broad support within our state for this ambitious plan for expanded accountability.

As described in further detail under Principle 2 of this request, we hope to build upon our current state system of differentiated recognition, accountability, and support in order to develop a system that:

- focuses on closing achievement gaps;
- identifies specific shortcomings and achievements at each school, rather than classifying schools as either making progress or in need of improvement;
- enables us to provide each school with the specific support or intervention needed to improve student achievement, rather than restricting us to a rigid set of intervention options; and,
- provides schools and districts with the ability to select bold and empirically proven interventions that respond to their context and their needs.

Rhode Island is proposing a classification and accountability system that evaluates schools on a wide array of measures so as to produce a detailed and multi-dimensional picture of school performance. Our accountability system consists of three distinct stages. In Stage 1, schools are assigned AMO’s by disaggregated sub-population in accordance with “Option A” of the waiver application. Schools and districts are held accountable for reaching these discrete targets, Failure to meet AMO’s in consecutive

years leads to state interventions. Stage 2 uses a multitude of measures derived from our state assessment system to measure the overall performance of the school. Through the use of lower “n” sizes and consolidated sub-groups, Rhode Island is able to hold 98% of its schools accountable for sub-group performance! This level of inclusion means that virtually all schools in Rhode Island are fully included in an accountability system that measures the performance of all students. The broad measures for which schools are held accountable include percent proficient for the school as a whole and for all student groups, percent proficient with distinction, growth over time, closing of achievement gaps, and graduation rates. This detailed information will allow us more accurately to determine which of our schools are in greatest need of support (Priority and Focus Schools) as well as which are our beacons of success (Reward Schools).

Once schools’ overall performance is measured, our system moves to State 3, which we refer to as the “diagnostic” stage. At this point, data is again disaggregated so that both we and the school can take a closer look at how individual students are actually performing within those schools whose overall performance earned them low scores in Stage 2. In other words, we set and measure AMO’s at the disaggregated level. We then use consolidated sub-groups to help us measure overall school performance in an inclusive and equitable manner. Finally, once we are ready to engage in diagnosis and treatment, we return to granular data unconstrained by limits of “n” size. This level of detail, along with the vast amount of data accessible in our RIDE Data Warehouse, will inform a much more nuanced and diagnostic approach to working with districts to accelerate their schools toward greatness. Time after time, we have found that it is a school’s inability to execute high-quality instruction with fidelity and consistency that prevents meaningful, sustained improvements.

RIDE has had a history of intervention in low-achieving schools, based on provisions in the No Child Left Behind Act and on state law. Our experience to date has been that interventions lead to an improved school climate and to short-term gains in student achievement, which schools have often been unable to sustain over time. We therefore propose under Principle 2 of this request an intervention system that establishes for each identified school a multi-year intervention plan that schools will implement in three stages:

1. diagnosis and planning (6 months);
2. implementation of the plan and progress monitoring (up to 3 years); and
3. transition to monitoring of outcome data or modification of the intervention, possibly leading to reconstitution, restart, or closure.

Our goal is to ensure that these intervention plans are responsive to the specific needs of each identified school and that they lead to improvements in instruction and achievement that schools can sustain over time. The system we propose will link intervention plans directly to the goals of our strategic plan, as well as to the many systemic supports developed through our Race to the Top grant. RIDE will work with districts and schools to design, implement, and monitor plans that ensure educator excellence in each school and that provide teachers and leaders with the support they need to improve instruction and to advance student achievement – be it training,

curriculum resources, data systems, technology, assistance regarding specific student populations, targeted aid as appropriate, or guidance on achieving efficiencies.

The waivers Rhode Island seeks are relatively minor, but of critical importance. Adding the concept of multiple measures to our system of school accountability will provide educators and decision makers with significantly more accurate pictures of school performance. Heretofore overlooked performance of low-incidence populations will be highlighted. We will have more detailed information about student growth and schools' ability to close achievement gaps among groups of students. We will have clearer pictures of how schools are improving over time and will be able to more accurately measure gains of students who are approaching, but have not yet achieved proficiency on our state assessments. Most importantly, our use of sophisticated diagnostic tools will provide better information regarding what individual schools need to focus on in the short term to improve teaching and learning. We are confident that our request is responsive to the needs of our schools, supportive of our teachers and school leaders, and in the best interest of the students of Rhode Island.

## Principle 1: College- and Career-Ready Expectations

### 1.A Adopt College- and Career-Ready Standards

#### Option A

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

#### Option B

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

## 1.B *Transition to College and Career Ready Standards*

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

### **The Common Core and the Rhode Island Theory of Action**

#### **Overview**

The central goal of our strategic plan, *Transforming Education in Rhode Island*, is to ensure that all Rhode Island students are ready for success in college, careers, and life. Our theory of action is based on the premise that our teachers and school leaders will be most effective when they receive consistent and effective support and work within a system of policies and resources that is based on student needs. The commitment we made in our strategic plan to “establish world-class standards and assessments” is a critical priority in providing this support to our educators. *Transforming Education in Rhode Island* demonstrates our commitment not only to adopting the Common Core State Standards, but also to designing and implementing “appropriate professional development to ensure that teachers and teacher leaders” understand the Common Core and use it to inform instruction, assessment, and curriculum. We have learned through experience that the fidelity of execution at the classroom level is the critical lever needed to actually improve instruction and to raise student achievement. Full implementation of a guaranteed and viable curriculum aligned with a comprehensive assessment system that is available to every student must be the jointly held goal of the state and each of its Local Education Agencies. Finally, an effective instructional system requires a systematic problem-solving approach that provides student-centered, data-driven supports and interventions to identify and address gaps in student performance against the measurable expectations of the guaranteed and viable curriculum.

#### **Background**

Rhode Island was one of the first states to adopt the Common Core. We are a member of the Common Core Standards Initiative, a project directed by the Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA) and supported by a coalition of 48 states, two territories, and the District of Columbia. The Common Core State Standards Initiative has developed content standards in English language arts and mathematics for grades K-12 that are envisioned as a first step toward national education reform.

Our past practice in Rhode Island clearly demonstrates our solid commitment to common content standards, through our participation in multi-state consortia, including:

*New England Common Assessment Program (NECAP):* Rhode Island is a founding member of NECAP. NECAP is the only operational multi-state consortium that developed internationally benchmarked common content standards and an operational common assessment in the multiple grades required by NCLB. The states involved in NECAP are committed to continuing their work together with the Common Core.

*World-Class Instructional Design and Assessment (WIDA) Consortium:* Rhode Island is also a member of WIDA, a 22-state consortium dedicated to the design and implementation of high standards, valid and reliable assessments, and equitable educational opportunities for English Learners. As an early member of this consortium, Rhode Island was one of the first states to adopt the WIDA English-language proficiency standards for all grades and core-content areas.

We have further demonstrated our long-standing commitment to common standards through our active role in participating in and providing feedback during the development of the Common Core State Standards (CCSS). We are pleased that the Common Core reflects similar expectations of rigor and close alignment with our current state content standards, and we are pleased that the Common Core and our current state standards show the same commitment to college- and career-readiness.

### **Adopting the Common Core**

Before presenting the Common Core to the R.I. Board of Regents for Elementary and Secondary Education (Board of Regents) for approval, the R.I. Department of Education (RIDE) established a Common Core Engagement Committee, made up of representatives from the Governor's Office, the Office of Higher Education, the Department of Labor and Training, and RIDE, to review the standards and to provide feedback in order to ensure the seamless adoption of and transition to the Common Core State Standards. In addition, throughout the drafting process, we at RIDE used our state content specialists to engage our district-level and higher-education content leadership committees, including teachers and principals, in reviewing and providing feedback on the Common Core.

Upon the release of the CCSS, RIDE began a process of examining the standards to ensure that these standards maintain the high expectations that we have set for our students through our current standards, the GLEs (Grade-Level Expectations) and GSEs (Grade-Span Expectations). Education Commissioner Deborah A. Gist presented this information to the Board of Regents on June 17 and June 24, 2010. RIDE also described its detailed implementation plan to ensure that all schools are fully implementing a curriculum that is aligned with the Common Core standards prior to the first assessment based on the Common Core standards, during the 2014-15 school year.

On July 1, 2010, the Board of Regents voted unanimously to “Adopt the *Common Core State Standards, as presented.*”

For evidence of this adoption, view the minutes from [Board of Regents July 1, 2010 meeting](#).

In order to establish a consistent set of standards for birth through grade twelve, Rhode Island will be aligning the Rhode Island Early Learning Standards with the Common Core, and we will be developing standards for children ages birth through 3. This work is scheduled to begin later this year, with the Board of Regents scheduled to vote next year (2013) on adoption of the early-learning standards. As a winner of a Race to the Top Early Learning Challenge grant, Rhode Island will develop high-quality professional development and assessments to support instruction in early learning.

### ***Timeline for transition to the Common Core***

The transition to curriculum and instruction that is fully aligned with the Common Core State Standards will occur over several years, with the expectation of full implementation by the 2013-14 school year.

Beginning July 2010, when Rhode Island adopted the Common Core, Rhode Island initiated the awareness phase of its transition to the CCSS. In this phase, RIDE began outreach on the standards and began developing and sharing resources to build statewide awareness of the adoption of the standards and what that means for stakeholders. As we approached the current (2011-12) school year, RIDE initiated the transition phase of its plan. Throughout the next (2012-13) school year, Local Education Agencies (LEAs) will be transitioning to instruction aligned with the CCSS. Our RTTT “Study of the Standards” initiative has greatly facilitated this initiative. During this transition phase (up to the fall of 2013, one year prior to the first state assessments based on the Common Core), RIDE will provide professional development, assessment and instructional management systems, professional development and resources to districts in order to support educators across the state in their transition to the Common Core.

The strategy for transition to the Common Core includes:

- training (professional development) for educators (teachers and school leaders);
- development of instructional materials and curriculum;
- provision of student supports; and
- a detailed [timeline](#) to support LEA planning.

## Comparing the Common Core with Current Standards

### **Overview**

Our existing standards in Rhode Island (Grade Level Expectations and Grade Span Expectations, or GLEs and GSEs) for mathematics, reading, and written/oral communication are comparable in scope, sequencing, and rigor to Common Core. The Common Core includes rigorous expectations, robust content, and relevant, real-world skills. By adopting these standards, Rhode Island is positioned to work with other states on collaborative curriculum and assessment initiatives, such as the PARCC (Partnership for Assessment of Readiness for College and Careers), which will replace the current state assessment (NECAP) in 2014-15 for reading and mathematics, and the new alternate assessment for students with severe disabilities, which will replace the Rhode Island Alternate Assessment.

After Rhode Island adopted the Common Core, RIDE further studied the alignment between the two sets of standards – the current standards (GLEs and GSEs) and the Common Core. RIDE quickly learned that structural differences between the two sets of standards would make a crosswalk document complex and not likely to be useful. Our analysts determined that there was not a direct standard-to-standard link between the GLEs/GSEs and the Common Core. Rather, component elements of the GLEs/GSEs mapped fairly precisely to component elements of the Common Core standards. RIDE accordingly developed resources that identified the structure and focus of the Common Core, and RIDE identified the major shifts from the GLEs and GSEs to the Common Core. These resources underscore our belief that educators must study the standards and develop a guaranteed and viable curriculum aligned with the Common Core. We understand that full transition to instruction and assessment aligned with the Common Core is a process that can be managed only by well-informed and fully supported teachers and administrators. To that end, RIDE has developed and distributed comparative overviews of our current state standards in ELA and Math and the Common Core.

### ***Adapting current assessments to the Common Core***

Upon adoption of the Common Core, the four NECAP states conducted a comparison of the GLEs/GSEs and the CCSS. This comparison included analysis by the National Center for the Improvement of Educational Assessment and the content specialists from the NECAP states, in collaboration with the NECAP assessment contractor, of the two sets of standards. The collective goal of the NECAP states was to create a transition strategy that would be fair to educators and students and that would maintain the quality of the information that the tests provide. The assessment specialists and content specialists from the NECAP states, as well as the NECAP assessment contractors and the NECAP Technical Advisory Committee, reviewed the resulting plan for transitioning from NECAP to CCSS.

