ESEA FLEXIBILITY: AN OVERVIEW

September 26, 2011

INTRODUCTION

STATES LEADING REFORM

- States and districts have initiated groundbreaking reforms and innovations to increase the quality of instruction and improve academic achievement for all students.

- NCLB requirements have unintentionally become barriers to State and local implementation of forward-looking reforms.

INTRODUCTION

DEPARTMENT OFFERS FLEXIBILITY

- ESEA flexibility offers the opportunity to request flexibility on behalf of your State, your LEAs, and your schools in order to better focus on improving educational outcomes, closing achievement gaps, and increasing the quality of instruction.

- This flexibility will build on and support the significant State and local reform efforts already underway.

ESEA FLEXIBILITY

"We're going to let states, schools and teachers come up with innovative ways to give our children the skills they need to compete for the jobs of the future."

– President Obama

September 23, 2011

FLEXIBILITY TO IMPROVE STUDENT ACHIEVEMENT AND INCREASE THE QUALITY OF INSTRUCTION

1. 2013–2014 Timeline for Adequate Yearly Progress (AYP)
   - Flexibility to develop new ambitious but achievable Annual Measurable Objectives in reading/language arts and mathematics
2. Implementation of School Improvement Requirements
   - Flexibility from requirement for LEAs to identify or take improvement actions for schools identified for improvement, corrective action, or restructuring
3. Implementation of LEA Improvement Requirements
   - Flexibility from requirement for SEAs to identify or take improvement actions for LEAs identified for improvement or corrective action

FLEXIBILITY TO IMPROVE STUDENT ACHIEVEMENT AND INCREASE THE QUALITY OF INSTRUCTION

4. Rural LEAs

- Flexibility to use Rural and Low-Income School Program funds or Small, Rural School Achievement Program for any authorized purpose regardless of AYP status

5. Schoolwide Programs

- Flexibility to operate a schoolwide program in a Title I school that does not meet the 40 percent poverty threshold if the SEA has identified the school as a **priority school** or a **focus school**, and the LEA is implementing interventions consistent with the turnaround principles or interventions that are based on the needs of the students in the school and designed to enhance the entire educational program in the school

FLEXIBILITY TO IMPROVE STUDENT ACHIEVEMENT AND INCREASE THE QUALITY OF INSTRUCTION

6. Support School Improvement
   - Flexibility to allocate ESEA section 1003(a) funds to an LEA in order to serve any **focus** or **priority school**
7. Reward Schools
   - Flexibility to use funds reserved under ESEA section 1117(c)(2)(A) to provide financial rewards to any **reward school**
8. Highly Qualified Teacher (HQT) Improvement Plans
   - Flexibility from the requirements regarding HQT improvement plans

FLEXIBILITY TO IMPROVE STUDENT ACHIEVEMENT AND INCREASE THE QUALITY OF INSTRUCTION

9. Transfer of Certain Funds
   - Flexibility to transfer up to 100 percent of the funds received under the authorized programs designated in ESEA section 6123 among those programs and into Title I, Part A

10. Use of School Improvement Grant (SIG) Funds to Support Priority Schools
    - Flexibility to award SIG funds available under ESEA section 1003(g) to an LEA to implement one of the four SIG models in any priority school

OPTIONAL FLEXIBILITY

AN SEA MAY WISH TO REQUEST AN ADDITIONAL FLEXIBILITY

Use of Twenty-First Century Community Learning Centers (21st CCLC) Program Funds

- Flexibility of 21st CCLC program funds to support expanded learning time in addition to activities during non-school hours or periods when school is not in session

PRINCIPLES FOR IMPROVING STUDENT ACHIEVEMENT AND INCREASING THE QUALITY OF INSTRUCTION

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

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

3. Supporting Effective Instruction and Leadership

4. Reducing Duplication and Unnecessary Burden

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

To support States in continuing the work of transitioning students, teachers, and schools to higher standards

- Adopt college- and **career-ready (CCR) standards** in at least reading/language arts and mathematics
- Transition to and implement CCR standards
- Develop and administer Statewide, aligned, **high-quality assessments** that measure student growth
- Adopt ELP standards corresponding to the State's new CCR standards and develop aligned assessments

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

To support states' efforts to move forward with next-generation accountability systems

- Set ambitious but achievable AMOs
- **Reward schools**: Provide incentives and recognition for high-progress and highest-performing Title I schools
- **Priority schools:** Identify lowest-performing schools and implement interventions aligned with the **turnaround principles**
- **Focus schools:** Close achievement gaps by identifying and implementing interventions in schools with the greatest achievement gaps or low graduation rates
- Provide incentives and supports for other Title I schools
- Build SEA, LEA, and school capacity to improve student learning in all schools

Principle 3: Supporting Effective Instruction and Leadership

To support SEA and LEA development of evaluation systems that go beyond NCLB's minimum HQT standards

- Develop and adopt SEA guidelines for local teacher and principal evaluation and support systems
- Ensure LEAs implement teacher and principal evaluation and support systems that are consistent with SEA guidelines

Principle 4: Reducing Duplication and Unnecessary Burden

to provide an environment in which schools and districts have the flexibility to focus on what is best for students

- Remove duplicative and burdensome reporting requirements that have little or no impact on student outcomes
- Evaluate and revise SEA administrative requirements to reduce duplication and unnecessary burden on LEAs and schools

IMPLEMENTATION TIMELINES

- The Secretary intends to grant waivers included in this flexibility through the end of the 2013–2014 school year.
- An SEA may request an extension of the initial period of this flexibility prior to the start of the 2014–2015 school year unless it is superseded by reauthorization of the ESEA.
- The time at which an SEA may begin to take advantage of a particular waiver and the deadlines for implementation of a particular principle vary from principle to principle and from waiver to waiver. See the "Timeline for Implementation" in the document titled *ESEA Flexibility* for the deadlines for complying with each principle and implementing each waiver.

CONSULTATION

- An SEA must engage diverse stakeholders and communities in the development of its request
- Engage and solicit input from
  - teachers and their representatives
  - diverse stakeholders, such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes.
- Consult with the State's Committee of Practitioners

EVALUATION

- An SEA that receives approval is encouraged 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.

- The Department will work with the SEA to design and conduct the evaluation. The Department will fund the evaluation.

TIMELINE FOR SUBMISSION

IN ORDER TO PROVIDE FLEXIBILITY TO STATES BY THE END OF THE 2011-2012 SCHOOL YEAR, WE WILL PROVIDE TWO SUBMISSION WINDOWS

- Submit request by **November 14, 2011** for December peer review

- Submit request by **mid-February, 2012** for a Spring 2012 review

ADDITIONAL TIME

- If an SEA needs additional time to plan for implementation of the flexibility package, it may request approval to use the same AMOs for AYP determinations in the 2011-2012 school year that it used in the 2010-2011 school year.
- There will be an additional opportunity for these SEAs to submit a request for the full flexibility package following the 2011-2012 school year.
- Details to follow.

PEER REVIEW PROCESS

- SEA requests will be evaluated by expert peer reviewers
- An SEA will have multiple opportunities to clarify its plans for reviewers and to answer any questions reviewers may have.
- If necessary, the Department will provide feedback to an SEA about components of the SEA's request that need additional development
- Peer reviewer evaluations will inform the Secretary's decisions to grant flexibility to SEAs.

TECHNICAL SUPPORT

- Webinars
  - September 28: Developing the SEA Request
  - October 5: Responses to State Questions
- ESEA Flexibility Forum
  - September 29-30
- State Questions and Office Hours
  - To submit questions or schedule a time for SEA teams to speak with Department staff, contact ESEAflexibility@ed.gov

Technical support

Available Documents

- ESEA Flexibility
  - Flexibilities
  - Principles
  - Consultation
  - Evaluation
  - Definitions of key terms
  - Timelines
- ESEA Flexibility Request
  - Details evidence States submit to meet the principles

Forthcoming Supporting Documents

- FAQs
- Peer Review Guidance

THANK YOU

- ESEA Flexibility Web Site
  - www.ed.gov/esea/flexibility

- Questions?
  - ESEAflexibility@ed.gov