

# Arkansas's ESEA Flexibility Request

## Questions and Answers

### **1. Why did the U.S. Department of Education offer states an opportunity to seek flexibility from aspects of the No Child Left Behind Act?**

The No Child Left Behind Act (NCLB), the most recent authorization of the Elementary and Secondary Education Act (ESEA), is the principal federal law affecting education from kindergarten through high school. The law was passed in January 2002 with the main goal of helping all students reach proficiency in English language arts/reading and mathematics by the year 2014.

At one time NCLB provided useful feedback on district and school performance – particularly through its focus on disaggregating data for student groups. However the rising number of districts and schools judged inadequate under NCLB, in Arkansas and across the nation, led the U.S. Department of Education (ED) in September 2011 to invite states to seek a waiver of specific requirements of NCLB. In exchange for this flexibility, states must propose rigorous and comprehensive state-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

### **2. Why did Arkansas request ESEA Flexibility?**

Arkansas's proposal seeks to unify accountability and assistance by bringing together state and federal requirements and better differentiate between schools. Our intention is to support every school where students continue to struggle and in so doing create a system focused on college and career readiness that incentivizes continuous improvement in every school in the state.

Our objectives in seeking ESEA Flexibility include: maintaining our track record in setting high standards and expectations while establishing goals that are both ambitious and attainable; incentivizing improved student growth, achievement and graduation rates in all schools; identifying schools that need the most assistance in the aggregate and for student subgroups; and recognizing high achieving and improving schools.

### **3. What are the major components of Arkansas's ESEA Flexibility request?**

The U.S. Department of Education required states to address three main areas or "principles" when submitting ESEA Flexibility requests: (1) college- and career-ready expectations for all students; (2) state-developed differentiated recognition, accountability, and support; (3) supporting effective instruction and leadership. Our request addresses these three principles. Details are in questions 4 through 6 below.

### **4. Under ESEA Flexibility, what will change regarding college- and career-ready expectations for all students?**

Through its ESEA Flexibility request, Arkansas affirmed its planned course of action regarding the establishment and assessment of college- and career-ready expectations for all students. In 2010 our state Board of Education adopted the nationally-based Common Core State Standards in mathematics and English language arts and literacy, and we are now in the process of transitioning to implementation of these standards. We are also a governing state in the multi-state Partnership for the Assessment of Readiness for College and Careers (PARCC). PARCC is developing a common assessment aligned to the Common Core State Standards, which is scheduled to be completed and ready to administer in the 2014-15 school year.

### **5. Under the ESEA Flexibility, what will change regarding support for effective instruction and leadership?**

The U.S. Department of Education required all states seeking an ESEA Flexibility to develop and adopt guidelines for local teacher and principal evaluation and support systems. Through its ESEA Flexibility request, Arkansas affirmed its current course of action regarding the establishment and implementation of a statewide system for educator evaluation and support. In June 2012 our state Board of Education approved new state regulations on educator evaluation to provide every local school with the tools to hold all educators accountable for their performance and enable them to help all students perform at high levels. The new regulations are designed to: promote growth and development among teachers and leaders; place student learning at the center, using multiple measures of student learning; recognize excellence in teaching and leadership; set a high bar for professional teacher status; and shorten timelines for improvement.

Arkansas is staging implementation of this evaluation system over several years, with a cohort of schools and districts piloting the system in 2012-13 and 2013-14, and implementation for all remaining districts by 2014-15.

### **6. Under the ESEA Flexibility, what will change regarding accountability and assistance for districts and schools?**

Under this ESEA Flexibility, Arkansas will continue to hold all districts and schools accountable for the academic performance of all students, while strengthening the state's focus on proficiency, growth and graduation rate gaps. NCLB required every school that missed its targets to implement the same set of one-size-fits-all interventions, regardless of whether the school needed drastic reform or targeted action. This ESEA Flexibility will allow Arkansas to focus its efforts on improving teaching

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and learning with an accountability system that considers student growth and progress toward reducing proficiency, growth and graduation gaps, provides recognition and support, and focuses the most dramatic interventions where they are most needed. Districts and schools will continue to report on the achievement of all of their students and all subgroups, and Arkansas will identify its lowest-performing schools and those with the largest achievement gaps for rigorous interventions aimed at meeting student needs.

The Arkansas Department of Education will engage closely with districts and schools with the largest proficiency gaps, working with them to adopt research-based interventions to close the gap while also increasing overall student achievement. Meanwhile, districts and schools that are further on their way toward preparing all students to be ready for college and careers will have increased autonomy to use resources to support identified needs, including supporting students to go beyond proficiency while also paying close attention to those at risk of falling behind.

Starting in summer 2012, schools will be classified in one of five accountability and assistance levels. Schools meeting their proficiency gap closing goals will be placed in the Exemplary or Achieving levels, schools not meeting their gap closing goals will be placed in Needs Improvement level, schools with the largest proficiency gaps for student subgroups and for all students will be placed in the Needs Improvement Focus level. The state's lowest performing schools will be placed in Needs Improvement Priority level.

### **7. When will changes under the ESEA Flexibility have an impact on schools and districts?**

Arkansas will announce Exemplary, Needs Improvement Focus and Needs Improvement Priority Schools identified as per ESEA Flexibility July 2012. These schools will be subject to the requirements of ESEA Flexibility upon announcement. All schools and districts will receive their first accountability determinations using the approach described in our approved ESEA Flexibility proposal in August 2012, and will be subject to the requirements of the ESEA Flexibility beginning at that point.

### **8. How long will the ESEA Flexibility be in effect?**

Once approved, our waiver will be in effect through the end of the 2013-14 school year. At that point, we may request an extension of the ESEA Flexibility. Once Congress reauthorizes the federal Elementary and Secondary Education Act (ESEA) the flexibility will no longer be valid.

### **9. Will the ESEA Flexibility require changes to state laws or regulations?**

The ESEA Flexibility will require changes to the current state law on underperforming schools (Arkansas Code 6-15-2102) and the closing the achievement gap law (Arkansas Code 6-15-2701). The amendment process will begin in winter 2013.

### **10. How will the state support schools and districts during the transition to the accountability and assistance system described in the ESEA Flexibility?**

In addition to web-based explanatory materials and compressed interactive video conferences, the Arkansas Department of Education is planning to schedule a series of meetings in the summer 2012 for district and school staff to discuss and learn more about the state's new accountability and assistance system.

### **11. What will this flexibility mean for parents and families?**

Under this flexibility, parents and families will get more transparent and comprehensible reports on the success of their children's schools in ensuring all students are on a path for college and career readiness. NCLB's accountability system did not differentiate among the lowest performing schools and schools that needed help in only one or a few areas. This flexibility allows Arkansas to implement an honest accountability and support system that requires real change in the lowest performing schools, allows for locally-tailored solutions based on individual school needs, and recognizes schools for success. When schools fall short, families will know that school and district leaders will adopt targeted and focused strategies for the students most at risk or in need of support and intervention.