

**EXECUTIVE SUMMARY FOR THE ESEA FLEXIBILITY WAIVER**  
**District of Columbia Office of the State Superintendent of Education (DC OSSE)**  
**Revised May 24, 2012**

**OVERVIEW**

The US Department of Education (ED) allows states to request ESEA Flexibility from specific NCLB mandates that are stifling reform, but only if the states are transitioning students, teachers, and schools to a system aligned with college and career ready standards for all students, developing differentiated accountability systems, and undertaking reforms to support effective classroom instruction and school leadership.

Although NCLB focused on achievement gaps and increased accountability for high-need students, there have been unintended consequences lowering educational standards and narrowing the curriculum, with a focus on absolute test scores instead of student growth and gains.

The District of Columbia's application for ESEA Flexibility being submitted by the District of Columbia Office of the State Superintendent of Education (DC OSSE) is not a retreat from accountability but a commitment to be smarter and more focused on how we require low-performing schools and schools with achievement gaps to improve.

On behalf of the District of Columbia, DC OSSE welcomes the opportunity offered by ED to, "show growth with every child, every year, toward the 2020 goal that the U.S. once again leads the world in the proportion of college graduates."

**DC OSSE MAKES SIGNIFICANT PROGRESS IN KEY EDUCATION AREAS**

In 2007, the Public Education Reform Amendment Act established DC OSSE as the State Education Agency for the District of Columbia. Over the last four years, DC OSSE has demonstrated improvements in education and compliance with federal requirements.

- National leader in education in comparison to other states and urban centers –
  - In 2011, the DC OSSE Division of Early Childhood Education and District of Columbia led the nation in Pre-kindergarten enrollment, with almost 10,000 District 3-and-4 year-olds enrolled in pre-kindergarten programs. Washington, DC also ranked third nationally for Child Care Center requirements and oversight.
  - Under the D.C. Healthy Schools Act of 2010 and administered by the DC OSSE Division of Wellness and Nutrition Services, the District of Columbia led the nation in providing school breakfast to children from low-income areas during the 2010-2011 school year, increasing school breakfast participation for District public and charter school students by 35% and allowing Washington DC's national ranking to jump from 20<sup>th</sup> to 1<sup>st</sup> in one year.

- DC OSSE is the second State Education Agency in the nation to align its English/Language Arts state assessments to college- and career ready standards in its efforts to transition and implement Common Core State Standards (CCSS) with Mathematics being aligned in 2013. LEAs and schools will be able to tailor instruction and supports using student assessment results aligned to CCSS.
- Moving towards release from High Risk status –
  - Over the past year, DC OSSE has worked diligently to resolve outstanding federal compliance issues. To date, we have addressed all 349 findings and have submitted the past 3 quarterly reports to ED with zero open items. Based on current improvements, DC OSSE is seeking to exit High Risk status.
- Improvements in compliance with the Individuals with Disabilities Education Act –
  - DC OSSE's ability to hold LEAs accountable and ensure that federal obligations are met is most evident in the significant progress made related to IDEA compliance. While the District has historically been characterized by longstanding noncompliance with IDEA, since the creation of DC OSSE, the District has demonstrated accelerated improvement in key areas of IDEA performance.
  - In 2011, DC OSSE was released from the Blackman portion of the longstanding Blackman Jones Consent Decree as a result of standing up a high functioning State Hearing Office and meeting the numerical benchmark of 90% timely issuance of Hearing Officer Determinations (HODs) over twelve months.
  - In addition, DC OSSE has made significant gains on key IDEA compliance indicators. Specifically, DC OSSE is pleased to report the following current data trends:
    - 94% timeliness rate for initial evaluations and placements
    - 89% timeliness rate for reevaluations
    - 95% timeliness rate for transition from Part C to Part B
  - These results are the product of DC OSSE's ability to implement a robust special education monitoring framework, create key IDEA policies and guidance, develop accurate special education data systems, and provide ongoing training and technical assistance to improve practice and outcomes for students with disabilities.
  - To date, DC OSSE has met 100% of the 34 court ordered metrics for transportation of students with disabilities.

## **DISTRICT OF COLUMBIA EDUCATION CONTEXT**

- There are 54 LEAs representing 78,469 students, of which 41% attend Public Charter Schools, with 77% African American, 15% Hispanic, and 72% low income
- While student achievement has increased, significant progress is needed:
  - Based on the 2011 District of Columbia Comprehensive Assessment System (DC CAS), only 45% of students in English/Language Arts and 47% of students in Math are proficient, identifying 162 (87%) of the 187 schools that administered DC CAS as “failing” schools
  - Science results of The National Assessment of Educational Progress (NAEP) indicate only 8% of students are proficient
  - Only 59% of students graduated within 4 years

## **CHALLENGES WITH STATUS QUO**

- Based on the ED proficiency target of 100% by 2014 of students tested, almost all of the 187 schools, will be classified as “failing” schools
- Based on 2012 ED proficiency target of 83%, DC OSSE estimates that an overwhelming majority of schools will not make Adequate Yearly Progress (AYP) and will be identified as “failing” schools
- Presently, Science and Composition are not included in accountability giving LEAs and schools the opportunity to narrow or exclude them from the curriculum, further stifling progress towards college and career readiness
- Interventions continue to be a “one size fits all” approach limiting LEAs and schools from tailoring services to student and school needs
- DC OSSE LEA and school support is limited to similar services that have minimal room for adjustment, given the scale of LEAs and schools identified as “failing” schools
- Rewards and recognition will only be provided to high performing schools, ignoring schools that show significant student growth progress
- Title I funds continue to be limited to federally mandated activities that cannot be tailored to LEA and school needs

## **SETTING A HIGH BAR FOR ALL**

To receive ESEA flexibility through the waiver of NCLB requirements, a state must develop a rigorous and comprehensive plan addressing the three critical areas that are designed to improve educational outcomes for all students, close achievement gaps and increase equity, and improve the quality of instruction. States must consult a diverse group of stakeholders in developing their plans.

### **Principle 1: Transitioning to College- and Career-Ready Standards and Assessments:**

To request ESEA flexibility, a state must have already adopted college- and career-ready standards in English/Language Arts and Mathematics designed to raise the achievement of all

students, including English learners and students with disabilities. The state will then help its schools and districts transition to implementing those standards and will commit to administering statewide tests aligned with college- and career-readiness.

- In June 2010, the DC State Board of Education (SBOE) adopted the Common Core State Standards (CCSS)
- DC OSSE began aligning DC CAS, its statewide assessment, to CCSS beginning with English/Language Arts in 2012 with Mathematics alignment to take place in 2013
- Additional professional development opportunities have been provided and will be further expanded by DC OSSE to LEAs and schools to assist in the transition to CCSS
- Participation in Race to the Top (RTTT) created additional resources for schools to use in their implementation of CCSS including professional learning communities and exemplar teaching lessons

**Principle 2: Developing Systems of Differentiated Recognition, Accountability, and Support:**

Under ESEA flexibility, a state will establish a differentiated recognition, accountability and support system granting credit for progress toward college- and career-readiness. The system each state develops will recognize and reward the highest achieving schools that serve low-income students and those that show the greatest student progress, designating them as Reward Schools. Conversely, states are also required to designate at least 5 percent of lowest-performing schools as Priority Schools and develop a system for a district to implement rigorous interventions to turn the schools around. And a minimum of 10 percent of the state's schools will be designated as Focus Schools due to low graduation rates, large achievement gaps, or low student subgroup performance — the district will target strategies designed to focus on students with the greatest needs.

- DC OSSE proposes to utilize an index that will rate schools based on new targets and group schools according to performance, student growth, and other indicators
- As part of its statewide system of support, DC OSSE will develop, implement, and monitor effectiveness of its cross-functional team comprised of Early Childhood, Elementary and Secondary Education, Specialized Education, Post-Secondary Education, and Wellness and Nutrition to coordinate services to LEAs and schools in improving academic achievement, closing achievement gaps, and building capacity at the LEA and school level
- DC OSSE is working with the Mid-Atlantic Comprehensive Center to assist in the implementation of the statewide system of support with emphasis on developing, implementing, and monitoring state-level intensive supports to the lowest performing LEAs and schools

### **Principle 3: Evaluating and Supporting Teacher and Principal Effectiveness:**

Each state that receives ESEA flexibility will set basic guidelines for teacher and principal evaluation and support systems. The state and its districts will develop these systems with input from teachers and principals and will assess their performance based on multiple valid measures, including student progress over time and multiple measures of professional practice, and will use these systems to provide clear feedback to teachers on how to improve instruction.

- As part of Race To The Top (RTTT), 29 out of 54 LEAs representing over 90% of the student population are implementing teacher and leader evaluation systems
- The RTTT participating LEAs will be required to meet additional criteria including adding non-tested grade teachers in their evaluation systems
- In addition, LEAs not currently participating in RTTT and receiving Title I funds will be required to meet all criteria

### **SUPPORTING ON-GOING REFORM AND INNOVATION**

#### **As a RTTT recipient, the majority of the work required by ED is underway**

- Transitioning to CCSS began in June 2010 with the SBOE adoption of the standards
- DC CAS is now aligned with CCSS in English/Language Arts for the 2012 administration with Mathematics targeted to alignment for 2013 administration
- Teacher and leader evaluation systems are currently being implemented in 29 out of 54 LEAs participating in RTTT, representing 90% of the students in the District of Columbia

### **ESEA WAIVER BENEFITS**

#### **1. Flexibility regarding the 2013-2014 timeline for achieving 100% proficient**

- Allows the state to reset goals that are ambitious and achievable in reading/language arts and math to support improvement efforts in all schools for all students
  - new annual measurable objectives (AMOs) will be 73% of students proficient by 2017
  - Establish a goal to reach 70% of students graduating from high school within 4 years by 2017

#### **2. Flexibility regarding LEA and school improvement and accountability requirements**

- Provides opportunity to include other subjects in new accountability system
  - The District of Columbia will be including composition in 2013 and science in 2014 in its new accountability system
- Moves from a system that over-identifies schools as “failing” and prescribes a interventions based on school and student needs

- At least 15% of the lowest performing schools will be identified as “failing” schools
- “Supplemental Educational Services (SES)” and “Choice” will be optional for LEAs and schools to implement
- Tailors interventions and supports to lowest performing schools and schools with largest achievement gaps to the unique needs of those schools and districts
  - DC OSSE will provide varying levels of interventions and supports depending on the school’s performance and years in need of improvement
  - LEAs and schools will be given flexibility to innovate and create interventions and supports to meet student needs
- Recognizes and rewards both schools that are the highest-achieving and those whose students are making the most progress
  - In addition to recognition, other incentives such as additional funding will be available to successful schools

### **3. Flexibility related to the use of federal education funds**

- Allows for increased flexibility to use several funding streams in ways LEAs and schools determine best meet their needs
  - Use of mandated Title I reservation for interventions and supports will be based on LEA and school needs and progress in meeting performance targets
  - LEAs and schools will have the ability to leverage other federal resources to support Title I activities
- Protects funds to meet the needs of particular populations of disadvantaged students
  - Use of funds will be targeted based on student needs, particularly those in special populations, (i.e. students with disabilities and English Language Learners)