

ESEA flex letter PR

AUGUSTA – The education commissioners in Maine and New Hampshire sent a joint letter to Washington, D.C., today that outlines their plans to craft a thoughtful, fair and constructive system for holding their schools accountable and helping them improve. The letter lays out the two states' intentions to get out from under the unfair and unrealistic No Child Left Behind accountability system, but through a deliberate and complete process that involves educators, parents and others in building an alternative.

Maine Education Commissioner Stephen Bowen and New Hampshire Education Commissioner Virginia Barry said in their letter that they agree with U.S. Secretary of Education Arne Duncan's efforts to give states more flexibility in implementing the decade-old No Child Left Behind law, but said the "current timeline and the waiver guidelines will not work in New Hampshire and Maine, a common reality for numerous states." The two states will take additional time to develop new accountability and improvement systems, rather than rush to create them by the Feb. 28 federal deadline.

"We are not going to rush into this," Bowen said. "We're going to take the time to do it right and involve all the right people. We heard loud and clear from teachers, parents, students, superintendents, principals, professional associations and other that they want comprehensive changes to the accountability system. They want a system that lets people know how their schools are doing and helps struggling schools to improve, without stigmatizing them."

Maine is joined by New Hampshire in this approach because the two states share a vision for a modern, proficiency-based education system designed around student needs. While the two states will consult with each other, and with other states, in developing new accountability and improvement systems, each state will be develop its own system.

Maine and New Hampshire were among 39 states and the District of Columbia and Puerto Rico that signaled their intent to make a flexibility request. But for Maine, significant outreach efforts convinced the Department that a hastily-crafted alternative to NCLB would be unwise.

In a survey completed in December 2011 by more than 1,500 Mainers from every county in the state, there was overwhelming support for replacing existing accountability measures with a variety of measures that accurately gauge school and student performance and growth in achievement. Those measures include dropout rates, data from teacher, parent and student surveys, and improvement on state tests -- not simply raw scores. Respondents included more than 500 teachers, as well as parents, administrators, school board members and students. Survey respondents from all groups also voiced support for improved measures of teacher and principal effectiveness.

"There are a lot of data there, and lots of ideas about how to hold schools accountable while providing them the support they need to improve," Bowen said. "We have been stuck with a system that was designed by people who don't know Maine's schools. So we are going to take the time to do serious and real outreach and collaborate with parents, teachers, professional associations, administrators,

legislators and others. We cannot hurriedly create a new plan in Augusta and force it on schools and expect it to be embraced.”

In their letter to Secretary Duncan, the commissioners indicated they plan to hold their current No Child Left Behind accountability targets at the same level for another year, an option allowed by federal guidelines. This will mean fewer additional schools will be negatively labeled as needing improvement late this summer and therefore subject to the unrealistic requirements of those labels.

Unfortunately, it will mean one more year under No Child Left Behind’s requirements and labeling system, according to Bowen. “But we are not willing to rush into an alternative that might not do what we need it to do, and that does not have the support and benefit of widespread input and discussion,” he said.

Questions and Answers

- Q: Wasn’t it clear from the start that you wouldn’t have enough time to complete a request for No Child Left Behind flexibility from the federal government?
A: We knew it would be challenging. However, we had hoped to gain feedback earlier on the first requests submitted by 11 states in mid-November. We planned to use that early feedback to inform our request and our work to develop an accountability and improvement system. But aside from not getting U.S. Department of Education feedback until two months after we anticipated, the real issue was that we found that educators, parents, and others want to be thoroughly engaged in the process and have strong opinions and ideas. We determined there would be no way within the federally determined timeline to conduct a thorough process that involved everyone who wanted to be involved, and that resulted in a new accountability and improvement system we felt would support improved teaching and learning.
- Q: Why do you say “accountability and improvement” system, rather than just “accountability,” like the federal government does?
A: We feel it’s important to be clear about the role an accountability system plays. It’s not about being able to label a school as good or bad. Its value is in helping all schools, wherever they are, to improve. It’s about generating valuable information that can be used to make improvements. Similarly, we never label schools as “failing,” as it’s a stigmatizing moniker that’s insufficient in providing a balanced picture about a school’s performance.
- Q: Why not just go for the waiver request now and improve the accountability and improvement system later?
A: We’ve had enough of a failed accountability system; we have no intention of slapping together a mediocre one in its place. Let’s take our time, involve a wide variety of people and get it right.

- Q: Why hold the proficiency targets flat for a year? How does that help?
A: It does two things: it will reduce the number of new schools that will be labeled “not making progress.” And, because of that, fewer schools will be forced to undertake improvement plans that are not necessarily warranted, or appropriate.
- Q: What’s unfair and unrealistic about the No Child Left Behind system?
A: The basic concept of NCLB is good: all students should make progress, not just some. It is imperative that schools find a way to support all students in learning the skills and knowledge they need to be successful in college, careers, and civic life.

Unfortunately, the accountability measures in No Child Left Behind have forced teachers and schools to focus on “teaching to the test,” at the expense of other content areas and skill sets. In addition, the system places far too much emphasis on a single statewide test. While standardized testing should play a role in measuring progress by students, teachers, schools and states, it is only one measure.

Furthermore, No Child Left Behind measures this year’s students in a grade against last year’s students in the same grade. But they are not the same kids. There is national consensus now that what is needed is a “growth model” approach in which we compare this year’s students against where they were a year before. That is, a student might be two years below reading level at the beginning of third grade, and only one year behind by the time he or she reaches fourth grade. While that student is still behind, he or she made two years’ progress in one year. That should count in favor of the student’s teacher and school, not against. It is a more useful assessment of how the school is doing and where improvements can be made.

- Q: So what would be in Maine’s new accountability and improvement system?
A: We are already making plans to convene educators and others to help develop the new system. A few elements seem likely:
 - Student achievement will be measured by a growth model, not by comparing this year’s students with last year’s students.
 - There will still be an expectation that schools must work to close gaps among groups of students, especially those most at risk, including low-income students, students with disabilities, and English Learners.
 - High performing schools will be recognized, and lower-performing schools – by the new measures – will be identified, but not stigmatized, and plans will be put in place to help them improve. This is about helping to improve school and student achievement; we can only do that by working together. “Blame and shame” is not conducive to positive collaboration.
 - School districts will have more flexibility in developing improvement plans, rather than having set requirements that make sense in some places and not in others.

- Q: So, are Maine schools really doing OK and No Child Left Behind just had it all wrong?
A: No. Like the rest of the country, far too few of Maine's students are proficient in reading, math, writing and science. And student achievement, while higher in Maine than most other states, has been relatively flat for more than five years.

- Q: Why is Maine working with New Hampshire in this effort?
A: The states have a good working relationship on numerous education issues and came to similar conclusions about the right path forward on accountability and improvement systems. While we plan to collaborate and share ideas, we will develop separate accountability systems with the stakeholders in our own states.

One of the reasons this collaboration will work well is because Maine and New Hampshire have a shared vision to build learner-centered educational systems and customized approaches to teaching and learning.

Learn more about these initiatives by reading Commissioner Bowen's [Strategic Plan](#) and by checking out Governor LePage's [education agenda](#).

- Q: How can I stay informed about, and even get involved in, developing a new accountability and improvement system?

A:

Read. Start with [Maine DOE's ESEA flexibility web page](#), the [U.S. Department of Education's ESEA page](#), and Commissioner Bowen's [blog entry about ESEA](#).

Stay informed. Sign up for the weekly [Commissioner's Update](#) (and the monthly Maine DOE Update and press releases, too) and visit the [Maine DOE Newsroom](#) regularly. Follow [Commissioner Bowen](#) and [Maine DOE News](#) on Twitter.

Participate. Every item in the Maine DOE Newsroom has a comments section at the bottom. We've also created a special section just for [discussion about ESEA flexibility](#). Share your voice.

Contact Us. If you'd like to be a part of one of the groups that will be formed to develop the system, [send us a message](#) with your contact info and your interest.

Text of the Joint Letter

February 13, 2012

The Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

On behalf of the students, parents, teachers, school and district staff, and the citizens of the states of Maine and New Hampshire, we write to you to communicate the intentions of our states regarding our development of state accountability systems.

We applaud your recent actions to provide states with flexibility to meet the current ESEA statute, acknowledging the failure in current federal law. Like you, we have made a deep commitment to support the learning of each child in our states, a commitment that ensures each student graduates from our schools ready for college, employment, and productive citizenship. And like you, we believe that attaining such goals requires us to rethink our state accountability systems, our support for teacher effectiveness and quality instruction, and implementation of the Common Core. The achievement goals you have called for in the ESEA Flexibility opportunity are very much alive and supported across our states.

Unfortunately, the current timeline and the waiver guidelines will not work in New Hampshire and Maine, a common reality for numerous rural states. Our schools—which already provide significant personalized learning for students—are tightly connected with their communities. Hurriedly creating a system that lists and labels schools will not work in communities ready to collaborate for student success. Furthermore, the available approved methods of interventions are not viable for many schools in rural states where we routinely struggle to attract quality administrators and teachers. Being able to remove ineffective educators is not a solution in hard to staff schools. Alternatively, we need to create ways to cultivate the teachers we have, recruit the teachers we need, and create learning environments that will retain these quality people.

Realizing this, we have employed numerous strategies to engage educators, legislators, business leaders, professional organizations, school board/school district representatives, and community-based organizations, along with citizens, to review what we need from a new state accountability system. Our engagement with our stakeholders has identified a clear need for a better state system, but one that will take us longer than a few months to create and one that differs from the guidance in your ESEA Flexibility offer.

It is our collective belief that New Hampshire and Maine—in order to create an accountability system that meets the needs of the learners in our states—need to implement a fundamentally new theory of change regarding accountability. Our intention is to fully engage our citizens in creating a learner-centered accountability system that will assess both student learning and the learning strategies employed in our schools, develop a differentiated identification and support system, build capacity within our schools and districts to thoughtfully engage in improvement, engage parents and community members as collaborators, and implement changes that are data-driven and effective—to systematically improve student learning for each student.

This system has to be plausible and focus on the needs of our states. It must be credible with our educators, a reality largely lacking in current ESEA legislation. Rushing to create and implement a plan without this broad involvement will result in a less thoughtful system that ill serves the students in our states. While our thinking is still in development, we have been working with colleagues across state lines through the New England Secondary School Consortium to start this process.

We are not interested in engaging in this work solely to obtain a waiver from the federal government; we are interested in engaging in this work to improve learning for our students. We see this effort aligning and supporting our intention to create a learner-centered, proficiency-based education system that meets the learning needs of each student. The current federally mandated accountability system -- with its emphasis on age-based grade levels, its inflexibility with time, and its fixed achievement levels -- fails to recognize students on an individual level and stands in the way of creating a true learner-centered system.

To provide the necessary relief we require to create this new system and pursuant to Section 9401 of the Elementary and Secondary Education Act, we will retain our AMOs at the 2010/2011 levels for the 2011/12 school year. Our intention is to develop our new state accountability systems over the next 18 months for full implementation with the 2013-2014 school year. We plan on working as critical friends across state lines, acknowledging our different policy context, but believing that such a collaboration will push us to create more thoughtful and beneficial systems. In coming weeks, we will be meeting with stakeholders in our respective states to lay out a detailed plan for the development of a new accountability system, and pledge to keep the Department apprised of our progress.

We are excited to engage in this new endeavor, and would welcome collaboration with the U.S. Department of Education. We believe the intentions we state above fit within current federal law and the spirit of your efforts to provide flexibility in support of improved learning and accountability systems. Like you, we recognize that NCLB is broken. We believe a new accountability system based on our developing idea will better identify schools most in need, motivate educators to teach a rich and rigorous course of study, and—above all—improve learning opportunities for our students and increase their achievement. We intend to develop state accountability systems that engage and value our greater publics, encourage change for improvement not compliance, and make a positive difference in the lives of our students. We look forward to future engagement with you and your staff in our efforts.

Sincerely,

Virginia M. Barry, Ph.D.
Commissioner
New Hampshire Department of Education

Stephen L. Bowen, M. Ed.
Commissioner
Maine Department of Education