

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, both in Massachusetts 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 Massachusetts request a waiver?

Since the passage in 2010 of the state's *Achievement Gap* act, Massachusetts has been operating dual accountability systems: districts and schools are assessed based on both the state's five-level Framework for District and School Accountability and Assistance and the requirements of NCLB. At one time both provided useful feedback, but NCLB's rising targets have made the metric no longer helpful in identifying schools and districts most in need of assistance or intervention.

Massachusetts' proposal seeks to enhance the state's five-level Framework for District and School Accountability and Assistance by bringing together state and federal requirements and focusing more deliberately on proficiency gaps. 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 a waiver include: unifying our accountability and assistance system; maintaining our track record in setting high standards and expectations while establishing goals that are both ambitious and attainable; incentivizing student achievement in all schools; identifying schools that need the most assistance in the aggregate and for student subgroups; recognizing high achieving and improving schools; and incorporating a measure of student growth in school and district accountability determinations.

3. What are the major components of Massachusetts' waiver request?

The U.S. Department of Education required states to address three main areas or "principles" when submitting NCLB waiver 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 the waiver, what will change regarding college- and career-ready expectations for all students?

Through its waiver request, Massachusetts proposed no changes to its current 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 waiver, what will change regarding support for effective instruction and leadership?

The U.S. Department of Education required all states seeking an NCLB waiver to develop and adopt guidelines for local teacher and principal evaluation and support systems. Through its waiver request, Massachusetts proposed no changes to its current planned course of action regarding the establishment and implementation of a statewide system for educator evaluation and support. In June 2011 our state Board of Education approved new state regulations on educator evaluation to provide every local school committee 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 leaders and teachers; 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.

Massachusetts is staging implementation of this evaluation system over several years, with a cohort of schools and districts piloting the system in 2011-12, implementation in 2012-13 for all districts receiving federal Race to the Top funds, and implementation for all remaining districts in 2013-14.

6. Under the waiver, what will change regarding accountability and assistance for districts and schools?

Under this waiver, Massachusetts will unify state and federal requirements regarding school and district accountability and assistance, and will continue to hold all districts and schools accountable for the academic performance of all students, while strengthening the state's focus on proficiency 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 waiver will allow Massachusetts to move forward with an accountability system that considers student growth and progress toward reducing proficiency 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 Massachusetts will identify its lowest-performing schools and those with the largest achievement gaps for rigorous interventions aimed at meeting student needs.

The Massachusetts Department of Elementary and Secondary 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 and districts will be classified in one of five accountability and assistance levels. Schools meeting their proficiency gap closing goals will be placed in Level 1, schools not meeting their gap closing goals will be placed in Level 2, schools with the largest proficiency gaps for student subgroups and for all students will be placed in Level 3. The state's lowest performing schools will be placed in Level 4 or 5. Districts will be placed in a level based on the performance of their lowest performing schools.

7. When will changes under the waiver have an impact on schools and districts?

Massachusetts will first issue school and district accountability determinations using the approach described in our waiver in August 2012, and districts will be subject to the requirements of the waiver beginning at that point. Prior to August, we anticipate providing districts and schools preliminary information on their accountability and assistance levels to facilitate the approval of federal entitlement grants during summer 2012.

8. How long will the waiver 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 waiver. Once Congress passes the next reauthorization of the federal Elementary and Secondary Education Act (ESEA) the waiver will no longer be valid.

9. Will the waiver require changes to state laws or regulations?

The waiver will require limited changes to the current state regulations on underperforming schools and school districts (603 CMR 2.00). The amendment process will begin in spring 2012, with the aim of finalizing the regulations by July 2012.

10. How will the state support schools and districts during the transition to the accountability and assistance system described in the waiver?

In addition to web-based explanatory materials and web conferences, the Massachusetts Department of Elementary and Secondary is planning to schedule a series of meetings in spring and early 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 a more accurate report on the success of their children's schools. 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 Massachusetts 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.