



The Education Trust–Midwest



MICHIGAN NO CHILD LEFT BEHIND WAIVER ANALYSIS

In July, the U.S. Department of Education approved Michigan’s request for flexibility on portions of the No Child Left Behind Act.

Introduction

The U.S. Department of Education has given Michigan a rare opportunity to devise new educational systems that better serve our state’s students, families and educators. In return, Washington has agreed to waive some provisions of No Child Left Behind. For instance, states will no longer have to ensure that all students are proficient in reading and math by 2014, so long as they adopt more rigorous academic standards and a meaningful system to support schools while holding them accountable.

The consequences of the waiver are high. Michigan’s approved waiver request will impact:

- How well Michigan’s teachers are able to prepare students to meet new academic standards;
- The helpfulness and reliability of information the state will provide to parents, students and educators on how well their public schools are actually performing;
- Michigan’s ability to reliably and fairly evaluate educators’ impact on student learning, and
- The identification of schools as failing and in need of improvement, which often dictates eligibility for state and federal dollars and intervention programs.

Below, we identify some strengths and weaknesses in Michigan’s approved waiver request, and summarize how Michigan plans to implement three major requirements of the waiver: school accountability, support and public reporting system; the state’s educator evaluation system; and the transition to Common Core state standards.

STRENGTHS OF MICHIGAN’S APPROVED WAIVER REQUEST

- Michigan has lacked a comprehensive school accountability system that ensures all schools are meeting the needs of all students, and it has not set improvement goals for all schools. Michigan’s approved waiver request changes both – holding schools more accountable for the achievement and growth of all students and setting unique school improvement goals based on current performance.
- Schools that are farther behind overall will now have to improve at a faster rate. Unlike in the past, when all schools were expected to improve at the same rate, schools that have a longer way to go to reach the state-set proficiency goal for students will be required to improve faster than schools that are closer to the goal.
- Unlike in the past, when some traditional public and charter schools were not held accountable for their poorest performing students, all schools will now be held accountable in some ways for the performance

of all traditional subgroups – including low-income and minority students – and the performance of their lowest-performing 30% of students.

- The Michigan Department of Education (MDE) has proposed a color-coded accountability system that would label schools as Red, Orange, Yellow, Lime Green, or Dark Green based on student achievement. This approach will give parents more nuanced ratings and information to make informed, empowered decisions on how well their children are being educated and where to send their children to school.

WEAKNESSES OF MICHIGAN’S APPROVED WAIVER REQUEST

- Because of unusually aggressive annual improvement targets proposed by state officials, many schools will be in the bottom color categories, at least for the first few years of the new system. Michigan does not provide adequate supports or interventions for those schools that will fail to meet their goals but that are not identified as among the worst schools in the state.
- While the MDE identifies schools with the biggest gaps between the bottom and top 30% of students, it does not provide these schools with comprehensive strategies that are likely to help them close these gaps, such as supports to recruit teachers who have strong track records with low-performing students. This is particularly distressing in Michigan, which is one of only a handful of states that failed to narrow a single achievement gap since 2003. In 2011, the black-white achievement gap on the 4th grade National Assessment of Educational Progress reading test was an unacceptable 34 points.
- The MDE does not provide evidence of the effectiveness of Michigan’s strategies to improve the state’s lowest-performing schools, and lacks research-based strategies that other states, such as Massachusetts, are using to improve and empower their struggling schools to raise student achievement, such as requiring that leaders of the lowest-performing schools have experience with successfully turning around a failing school.

SUMMARY OF MICHIGAN’S APPROVED WAIVER REQUEST

1. SCHOOL AND DISTRICT ACCOUNTABILITY AND SUPPORT SYSTEM – AND PUBLIC REPORTING

The U.S. Department of Education required that Michigan accurately identify schools most in need of support to improve student achievement, hold all schools accountable to ambitious but achievable goals, and provide differentiated supports and interventions based on three categories of schools:

- Priority Schools, the worst-performing 5% of Title I schools in the state. Title I schools receive federal funds for students living in poverty.
- Focus Schools, the worst-performing 10% of Title 1 Schools for graduation rates or achievement gaps.
- Reward Schools, schools with high performance or improvement rates.

What indicators are used to measure school performance?

- Proficiency rates in reading, math, writing, science, and social studies for all students who take the assessment, for the lowest-performing 30% of students in each school, and for the nine traditional NCLB student subgroups (white, black, Native American, Asian/Pacific Islander, Hispanic, multiracial, students with disabilities, students with limited English proficiency, and the economically disadvantaged).
- High school graduation rates.
- Changes in the performance of individual students.
- Size of gap between bottom and top 30% of students in each school.

How will these indicators be used?

- Indicators are combined into an index called the Top-to-Bottom List, in which each school is given a percentile ranking from 0 to 100. Exceptionally small schools are not included on this list, but the MDE has proposed a taskforce to address how to measure the performance of small schools as well.
- Schools are expected to demonstrate annual improvement toward a goal of 85% of its students being proficient by 2022 in each subject, overall and for each subgroup.
- If schools do not make their adequate yearly progress goal, they can qualify for a “safe harbor” goal if they demonstrate improvement rates greater than or equal to the 80th percentile of improvement. Safe harbor helps schools that are really far behind be acknowledged for their progress, even if they haven’t reached their goals.
- Schools are expected to have small gaps between the bottom and top 30% of all students in the school. Schools are ranked by these gaps and schools with the biggest gaps will be identified as “Focus.”

How are student subgroups (based on race, income, or other unique status) tracked?

- All nine NCLB student groups must meet the same proficiency goals as the school overall, ensuring that each of these groups is also on track to get to 85% proficiency by 2022.
- In addition, a new “bottom 30%” subgroup will be created and tracked in the same way as the other groups.
- Subgroups in each school can also make a “safe harbor” goal, by demonstrating an improvement rate at the 80th percentile of improvement across the state.
- The MDE tracks the gap between the bottom 30% of students and the top 30% of students at each school. But MDE’s approved waiver request does not track achievement gaps separating historically disadvantaged groups – such as low-income, African American, Hispanic, English Language Learners and Students with Disabilities – from other student populations.

How are schools graded under the proposed statewide public reporting system?

- MDE will adopt a five-category color-coded system to grade schools, which will be used for the first time in August 2013.
 - Each school and its subgroups will get a “red” (0 points) for not meeting its yearly goal or safe harbor goal; a “yellow” (1 point) for meeting its safe harbor improvement goal, and a “green” (2 points) for meeting the AYP goal. (The bottom 30% group would get a green for meeting safe harbor.)
 - The points would be tallied and divided by the total number of possible points for that school. Then, the school would be assigned an overall rating in this way:
 - Less than 50%: Red
 - 50-60%: Orange
 - 60-70%: Yellow
 - 70-85%: Lime Green
 - Over 85%: Dark Green.
 - If a school does not assess at least 95% of its students in two subjects, it is automatically a Red school. If a school is Red for this reason for two consecutive years (or for three out of five years), it is named a Priority school.
 - A school cannot be Green overall if it has a Red on one of its indicators.

How are Priority Schools identified?

- Bottom 5% of schools in the Top-to-Bottom ranking.
- Any school with a graduation rate less than 60% for three consecutive years.
- Any Tier I or Tier II school using School Improvement Grant funds to implement a turnaround model. These are schools that were extremely low performing in previous years and had applied for and been granted federal funds to improve student achievement.
- These schools are also considered Persistently Lowest Achieving (PLA) schools per Michigan legislation.

- Priority schools are organized into four categories.
 - Category 1 – Targeted Needs: 1 year in the bottom 5%.
 - Category 2 – Serious Needs: 2 years in the bottom 5%.
 - Category 3 – Critical Needs: 3+ years in the bottom 5%.
 - Category 4 – Intensive Needs: Recommendation by the MDE School Reform Officer.

What happens to Priority Schools?

- **Supports and Interventions**
 - They are run by the state’s School Reform Office, which ensures that Priority schools are making progress toward their goals and intervenes if they are not.
 - The state will provide each Priority school with data on student performance. Schools must add additional data to the state database. Then, the state will provide what’s called an intervention specialist to help the school analyze the data and diagnose what is truly causing the school’s low performance.
 - Implement one of four intervention models.
 - Turnaround: Replace the principal and at least 50 percent of the school's staff, adopt a new governance structure and implement a new or revised instructional program.
 - Transformation: Develop teacher and school leader effectiveness, which includes replacing the principal; implement comprehensive instructional reform strategies; implement extending learning and teacher planning time; create community-oriented schools; and provide operating flexibility and sustained support.
 - Restart: School districts would close the school and reopen it under the management of a charter school operator; a charter management organization; or an educational management organization selected through a rigorous review process.
 - Closure: The district would close a failing school and enroll the students who attended that school in other high-achieving schools in the district.
 - Districts will be required to use some federal Title 1 funding, earmarked for the poorest of schools, for extended learning time, supports for students who are not proficient in English or students with disabilities, consultation regarding rapid turnaround, release time for a teacher leader to assist with reform, or administration of baseline assessments.
 - Required to organize a School Support Team, which may consist of MDE staff members, district consultants, school peers, and community leaders. The Team will help schools assess needs and target interventions. The lower a school is on the list, the more discretion the support team will be given to make changes.
 - Districts with Priority schools in Category 2 or higher will be required to organize District Intervention Teams with diverse stakeholders to address related to human resources, instructional programs, support of building principals, and communication policy and practice.
 - Priority schools are divided into four categories depending on how long they have been in the bottom 5%, with the longest tenured schools getting the most attention.
 - The lowest-performing category of Priority Schools are recommended to be taken over by the state and put into the Education Achievement Authority (EAA), which is the new school reform district for the state’s worst-performing schools. It will include the worst of Detroit’s schools in the first year, expanding to the rest of the state in subsequent years. A school will remain in the EAA for at least five years. Any local education agency (public school district) in the state has the option to place schools under the authority of the EAA.
- **Criteria for Exiting Priority Status:** Schools can exit Priority status if they receive a Green, Lime, Yellow, or Orange on the Accountability Scorecard at the end of one year of planning and three years in the Priority school intervention (4 years total). Therefore, a school can only exit Priority status if it meets all requirements of Priority schools, meets proficiency or improvement targets on average overall, increases the proficiency rate of all traditional subgroups, and increases the proficiency rate of the bottom 30% of students.

How are Focus Schools identified?

- Schools are ranked by the size of the gap between the bottom and top 30% of all students in each school, not by gaps between racial or income subgroups. The 10% of schools with the biggest gaps are labeled as Focus schools. Schools that are already identified as Priority are not included as Focus schools.

What happens to Focus Schools?

• Supports and Interventions

- There are a series of interventions in Year 1, including technical assistance, a needs assessment that will help determine what interventions the school requires to improve, and meetings with teachers, administrators, and parents of students in the subgroups that are affected.
- The MDE will also provide a District Improvement Facilitator to help districts diagnose and prescribe changes in supports to schools. If a district continues to have Focus schools in the second year, these districts must start paying these facilitators out of their own funds, rather than the state's.
- Districts with Focus schools must set aside Title I funds for interventions, such as professional development and culture/climate interventions. The amount required to be set aside increases the longer the district has Focus schools: 10% in Year 1, 15% in Year 2, 20% in Year 3.

- **Criteria for Exiting Focus Status:** Schools can exit Focus status if they receive a Dark Green, Lime Green, Yellow, or Orange on the Accountability Scorecard at the end of the fourth year after being identified. Schools must also meet at least the safe harbor target for the bottom 30% of students. Otherwise, schools can come off the Focus list if the state recognizes them as “Good-Getting-Great” schools, which can occur if a school submits documentation that the MDE-appointed facilitator and the educators in the school discussed how the unique situation of the school (such as new immigrant students every year) cause the school to have a large gap, even if the school is making progress for all students. To be designated “Good-Getting-Great,” the school must also have overall achievement at 75% proficient or above, and the bottom 30% of students must be making rapid progress.

What action, if any, is taken against schools that underperform but don't sink to Priority or Focus status?

- All schools must complete needs assessments, improvement plans and other data on school performance, and the majority of Michigan schools will be ranked on the Top to Bottom list.
- For Orange, Yellow, and Lime Green schools, which only meet state goals for some groups:
 - There are no extra interventions or supports.
 - The color serves as a caution to these schools, and the schools can use the color codes for each subject and group to identify how to make changes for underperforming students.
- For Red schools, which are meeting few or no state goals:
 - Intermediate or emergency school districts will give these schools technical help and improvement plans.
 - Red tells schools they must improve or risk falling to Focus or Priority status.
 - Required to use their annual School Improvement Plan to address the needs of the student groups that did not meet achievement goals.
 - Required to notify parents that the school did not meet its goals and offer choice and transportation to those students choosing to move to another school.
 - During the second year, the school will be required to set aside 5% of its Title I dollars to address the needs of the student groups not meeting goals.
 - During the third and subsequent years, the school will be required to set aside 10% of its Title I dollars for certain interventions and supports that will help to identify and address the root causes of low performance.

How are Reward Schools identified, and what incentives are provided?

- Schools reach Reward status if their performance is either: significantly higher than demographically similar schools; if they are in the top 5% of the state’s top-to-bottom ranking; if they are in the top 5% of improvement on the top-to-bottom ranking, or if they improve beyond 85% student proficiency before 2022.
- A school cannot be named a Reward school if it is a Priority, Focus, or Red school.
- Reward schools will be honored in public announcements, featured in MDE promising practice videos, offered financial flexibility, and are given a chance to be visited by the Governor or Superintendent.

How many schools would be identified in each category?

- In August 2012, the MDE released the first round of Priority, Focus, and Reward schools
 - 146 were Priority.
 - 358 were Focus.
 - 286 were Reward.
 - 2622 schools (or 77%) of schools in Michigan were not identified as Priority, Focus, or Reward.
- The color-coded Accountability Scorecard will not be released until August 2013.

Are districts, like individual schools, also held accountable for achievement and gaps?

- The MDE’s approved waiver request includes district scorecards, which will be scored the same way as the school scorecards, by aggregating data to the district.
- The state will also produce a list of Focus districts, which will be determined in the same manner as Focus schools (described above). This attention to district-wide performance will hopefully prevent districts from gaming the system by moving low-performing students to one school.
- The MDE will also provide a “watchdog list” of districts that appear to be purposefully steering low-performing students into particular schools.

2. STATEWIDE EDUCATOR EVALUATION SYSTEM

This portion of the waiver requirements is meant to ensure that Michigan has statewide guidelines for teacher and administrator evaluations. In the past, many Michigan educators have not been evaluated regularly and have not been given meaningful feedback on their performance so they can improve. Michigan also lacks a common standard for what effective teaching looks like, making it impossible to compare teacher effectiveness throughout the state and difficult to identify struggling teachers and get them the support and training they need to improve.

Realizing the importance of effective educators on student achievement, the Obama administration proposed its Race to the Top program in 2009, which led to the first recent statewide teacher evaluation reforms in Michigan. State legislation passed in 2011 – also intended to improve educator feedback and support – created the Michigan Council for Educator Effectiveness, which is designing a statewide evaluation system throughout 2012 and 2013.

What are the requirements of the federal waiver?

- Evaluations must show what effect teachers or administrators have on student learning as a significant factor in their evaluations.
- The state must pilot a statewide educator evaluation system no later than 2013-2014, and begin using a state system no later than 2014-2015.
- Individual school districts that opt out of the state evaluation model must develop their own systems that nevertheless meet state standards by summer 2013.

What are Michigan’s plans for developing evaluation guidelines?

- The MDE’s approved waiver request relies heavily on the Michigan Council for Educator Effectiveness to design an evaluation based in part on student learning. The Michigan Council is led by Dean Deborah

Ball of the University of Michigan's School of Education. The Council is working feverishly through 2013 to design such a system. Under the waiver requirements, Michigan's evaluation guidelines must include a method to: measure student growth; evaluate other assessment tools that measure student growth; observe teachers' classroom performance; and train these classroom observers.

- Michigan's 2011 legislation includes provisions for strengthening evaluations, and is aligned with the federal waiver requirements.
- The MDE plan to train classroom observers is based on research from the respected Measures of Effective Teaching (MET) study, funded by the Bill & Melinda Gates Foundation.

How will MDE ensure that each district develops a high-quality evaluation if they decide to opt out of the statewide system?

- Local districts will have the freedom to adopt interim guidelines in the 2012-2013 school year. But they must then adopt the Council's evaluation guidelines by 2013-2014, or whenever it is completed.
- Until then, the state will help individual districts develop best practices, educate them on what will be required in the future and provide districts with information to measure student growth in reading and math in grades 3-7.

3. COMMON CORE: College- and Career-Ready Expectations for All Students

State and national leaders agree our nation's students are not adequately prepared to compete in the global economy. That's why new Common Core State Standards are being developed by educators in coordination with the nation's governors, the business community and others. These standards represent what students need to know to be prepared for college and career.

Michigan is one of 45 states and the District of Columbia to adopt the Common Core, which are more rigorous than current Michigan standards. Under the waiver requirements, Common Core must be in place by 2014-2015. At that time, Michigan will replace the Michigan Educational Assessment Program (MEAP) and high school Michigan Merit Exam with Common Core assessments designed by the Smarter Balanced Assessment, one of two national consortiums designing assessments aligned with the Common Core, which are expected to make it easier to measure student growth over time.

How is Michigan preparing to transition to the Common Core?

- Michigan has signed on to the Smarter Balanced Assessment Consortium and has set new rigorous "cut" scores (the scores students have to get on state assessments to be counted as proficient on them) to better align current assessment standards with the rigor of Common Core. New formative, interim, and summative assessments will be fully adopted by 2014-2015.

What training is the MDE providing to help teachers learn and teach to the Common Core?

- The MDE has partnered with the Michigan Association of Intermediate School Administrators to develop units and lessons for all educators to download for free. The resources are aligned to the Common Core in English language arts and mathematics for kindergarten to eleventh-grade.
- The MDE said it's using professional development to support teachers' instruction of English language learners in academic courses, such as math and history.
- The MDE will hire consultants to work with Priority, Focus, and other low-performing schools on instruction aligned with the Common Core.

Michigan's full approved ESEA flexibility request can be found here:

http://www.michigan.gov/documents/mde/ESEA_Flexibility_Request_FINAL_377829_7.pdf