Oregon ESEA Flexibility Waiver

Executive Summary

August 2014

In 2012, Oregon applied for and received US Department of Education (USED) approval of the Elementary and Secondary Education Act (ESEA) Flexibility waiver, providing the opportunity to craft a state-specific plan for education. Under the leadership of Governor John Kitzhaber and Deputy Superintendent of Public Instruction Rob Saxton, Oregon is implementing the plan and has revised portions of the waiver.

The ESEA Flexibility waiver includes a framework for school accountability consistent with broader efforts, led by the Governor and the Oregon Education Investment Board (OEIB) to establish a seamless, outcomes‐focused system of public education. Many of the details and recommendations advanced in the waiver were developed by four large ESEA stakeholder groups, convened by the Oregon Department of Education (ODE) and the Governor’s Office the latter part of 2011. The participants in this process, which included nearly 100 Oregon educators (superintendents, district administrators, teachers, representatives of various stakeholder organizations, ODE, and Governor’s Office staff), contributed hundreds of hours engaging in research, discussion, and debate around the waiver principles. Since then, the process has been informed by ongoing stakeholder groups, thousands of responses to online surveys conducted by ODE and the Governor’s Office, and public comment received with each revision to the waiver.

The waiver resulted in a major shift in school accountability in Oregon. It represents a clear departure from the punitive, “one size fits all” dimensions of No Child Left Behind (NCLB), while maintaining NCLB’s focus on the performance of historically underserved student groups. Core elements are listed here and described in detail below:

1. Detailed plans for implementing college and career ready standards and assessments
2. A new Oregon Report Card, with added measures indicating student progress toward college and career readiness
3. The implementation of Achievement Compacts – partnership agreements between the state and each school district – expressing the contributions school districts should make toward statewide goals for education outcomes, as well as the resources, supports, and flexibility provided by the state
4. Identification of higher- and lower‐performing schools and focus on continuous improvement for all schools
5. An emphasis on measuring student growth to determine whether schools are succeeding
6. A focus on closing the achievement gap between all students and those historically underserved
7. Replacement of NCLB’s approach to school improvement with a customized system of supports and interventions
8. A statewide system of teacher and principal evaluations to promote and support educator effectiveness.

## 1. College and Career Ready Standards and Assessments (Section 1)

In 2010, the State Board of Education adopted the Common Core State Standards (CCSS) in reading/language arts and math. The waiver lays out detailed plans for communicating with stakeholders on CCSS implementation, ensuring instructional materials are aligned to the standards, aligning the CCSS with early learning objectives and post‐secondary standards, and supporting teachers and educators in implementing CCSS. ESEA Flexibility focuses specifically on plans for ensuring the needs of special education students and English Learners are adequately represented throughout Oregon’s implementation efforts.

The waiver also outlines the transition from the Oregon Assessment of Knowledge and Skills (OAKS) to the Smarter Balanced Assessment. Oregon has field tested Smarter Balanced and is fully implementing this new assessment in every district, raising the bar on achievement, and focusing in on alignment with college and career ready standards.

## 2. A New Oregon Report Card (Section 2.A)

Recognizing the need for a public reporting model that conveys a more robust picture of how well schools are ensuring students achieve college and career readiness, Oregon engaged in a stakeholder workgroup process, resulting in a new Report Card. The new Report Card serves several purposes providing: (1) a single system of accountability understandable to the public, aligned with state outcomes and the Achievement Compacts; (2) an accurate reflection of student growth to and beyond standard; and (3) measures beyond standardized test scores, targeting complex thinking skills and characteristics critical to success in college and the workplace. These measures include: evidence‐based assessments of proficiency; college readiness tests such as PSAT/SAT or Plan/ACT; college credits earned through Advanced Placement, International Baccalaureate, and dual credit; and post-secondary enrollments and military enlistment rates. The new Report Card was implemented in 2013-14.

## 3. Achievement Compacts (Overview, Section 2.B)

The Governor and the OEIB have implemented Achievement Compacts, a district‐level accountability tool. Beginning with 2012‐13, all Oregon districts entered into a compact with the OEIB. Achievement Compacts define the outcomes each district commits to in categories established by the OEIB, targeting completion (e.g., awarding of diplomas and degrees), validation of knowledge and skills (e.g., demonstration of proficiency on standardized tests), and connections to the workforce and civic society (e.g., post‐secondary enrollment or career pathways).

Through Achievement Compacts, the state and districts annually agree on ambitious and achievable outcomes necessary to reach the state’s education objectives. Achievement Compacts create a mechanism for intentionality in budget development at the local level and provide a basis for comparisons within districts over time and between districts with comparable student populations. With Achievement Compacts in place, Oregon is able to identify effective practices worth replicating and diagnose and intervene where obstacles impede progress in districts.

## 4. Focus on Continuous Improvement for All Schools (Sections 2.C.i, 2.C.ii, 2.C.iii, 2.F, 2.G)

Oregon is committed to substantially improving student success rates and performance at all levels. Achieving high levels of improvement requires a complete system transformation, with the emphasis shifting from labeling students and schools as failures to spotlighting student and institutional success. A system that recognizes, rewards, and learns from high‐performing schools and districts, while targeting supports and interventions to low-performing schools, is essential to Oregon’s philosophy of accountability for all schools.

To qualify for a waiver, a state must identify at least five percent of its highest‐performing or highest‐progress Title I schools as Reward Schools, and 15 percent of its lowest‐performing or lowest‐progress Title I schools as Priority and Focus Schools. To support its focus on continuous improvement for all schools, Oregon labels Reward schools as Model Schools and is implementing a statewide Continuous Improvement Network through which Model Schools are networked with both higher and lower performing schools. To address challenges within Priority and Focus Schools, Oregon has implemented a system of tiered supports and interventions described below in #7. This system of continuous improvement provides opportunities for teachers to learn from teachers, principals from principals, and district leaders from district leaders.

## 5. Incorporating Student Growth (Sections 2.A, 2.D.i)

Oregon’s students, parents and educators have a pressing need to understand student performance not only in terms of cut scores and standards, but also in terms of individual growth, year by year. Under NCLB, schools were rated according to the percentage of students within them who met or exceeded on the state assessment, or whether they met target cohort graduation rates. Oregon has shifted the emphasis to whether schools are helping individual students improve performance from one year to the next, and whether each student is on a trajectory toward college and career readiness.

Now Oregon’s methodology for rating schools and identifying them as Priority, Focus, or Model, especially for elementary and middle schools, assigns significant weight to overall student growth as expressed by year‐over‐year improvement on the state assessment. The result is that some schools with overall good performance but low growth receive a lower rating, while schools where overall performance is low but students are growing quickly receive a higher rating. At the high school level, the model shifts more emphasis onto four‐ and five‐year cohort graduation rates.

## 6. Focus on Closing the Achievement Gap (Sections 2.A, 2.D.i, 2.D.iii, 2.E.i, 2.E.ii)

One of the achievements of NCLB was its focus on all students, and Oregon shares a strong commitment to focusing on and improving achievement of historically underserved subgroups. To achieve educational outcomes in an equitable way and represent the citizenry of our state, Oregon must make improving subgroup performance the top priority.

To sharpen this focus, Oregon is continuing to report on the performance of all previously‐reported subgroups, as well as the performance of mobile and migrant students, and comparisons by gender and economically disadvantaged status. Further, in identifying its Focus and Priority Schools, Oregon uses a significant additional weighting on the growth (for middle and elementary schools) and graduation rate (for high schools) of students belonging to a subgroup with historically lower performance (Economically Disadvantaged, Students with Disabilities, Limited English Proficiency, American Indian/Alaska Native, Black/African American, Hispanic, and Pacific Islander).

## 7. Customized System of Supports and Interventions (Sections 2.D.iii, 2.D.iv, 2.D.v, 2.F)

Oregon has moved away from the one size fits all sanctions required under NCLB and into a differentiated system supporting districts to better meet the individual needs of students. Oregon firmly believes real and sustained school and district improvement will only occur through the redesign of school and district systems and supports, including (1) strong school leadership, (2) effective evaluation and supports for educators, (3) authentic and culturally appropriate curriculum and instructional strategies, (4) inviting culture and climate in schools, and (5) engaging family and community partnerships. Oregon insists districts engage in a rapid diagnosis of student needs, supports districts in developing systems of instruction tailored to the needs of each student, and advances a statewide culture of high expectations for students, parents, and families. Along with this, ODE has shifted its role to focus on support and improvement, promoting the achievement of outcomes for students.

For Priority and Focus Schools, Oregon’s cycle of improvement contains the following elements:

* An annual self‐evaluation to identify areas of challenge
* An externally‐guided “deeper diagnosis” to determine the primary causes of challenges and identify potential interventions
* Based on the persistence of poor performance and the results of the deeper diagnosis, an annual determination of the level of outside direction necessary to result in substantial improvement
* A Comprehensive Achievement Plan, developed with educator and community input and approved by ODE, to drive interventions and set improvement goals
* Federal and state funding set‐asides to support the implementation and monitoring of Comprehensive Achievement Plans.

## 8. A Statewide System for Teacher and Leader Effectiveness (Section 3)

ODE has worked collaboratively with key stakeholders and organizations to create a supportive state policy infrastructure focused on educator effectiveness from pre‐service through in‐service leading to improved student learning. Oregon has created guidelines for implementing the requirements of educator effectiveness legislation passed in 2011, including adopting core teacher and administrator standards to improve teaching and learning, guide professional development, and assist school districts in determining effectiveness of teachers and administrators.