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## **Pennsylvania's No Child Left Behind Approved Waiver**

### *Frequently Asked Questions*

#### **1. What is an ESEA Flexibility Waiver?**

The federal Elementary and Secondary Education Act (ESEA) (now referred to as No Child Left Behind) gives states the responsibility for monitoring compliance with the law. ESEA Flexibility is the opportunity for state and local educators to decide how to best meet the individual needs of students they serve. Pennsylvania submitted its flexibility waiver in February 2013.

#### **2. Has the state of Pennsylvania received an ESEA Flexibility Waiver?**

Yes, the U.S. Department of Education approved Pennsylvania's ESEA waiver on August 20, 2013, which provides for Pennsylvania a state-led accountability system for identifying high-performing and struggling Title I schools – those schools with a high percentage of low-income students.

#### **3. Why did Pennsylvania apply for a waiver?**

The state's ultimate goal is ensuring that all students graduate college- and career-ready through the professional practice of effective teachers and leaders. Pennsylvania was one of many states that applied for flexibility as related to the No Child Left Behind (NCLB) Act of 2001.

The waiver approval allows Pennsylvania to focus on its state-created system of school improvement and apply resources more strategically. The state now has more autonomy in guiding improvement efforts in its schools by establishing ambitious, yet attainable, goals for schools

#### **4. When will the waiver go into effect?**

The waiver will go into effect immediately for the 2013-14 school year. There will be some implementation steps and assurances that will phase in during the upcoming school year.

#### **5. What flexibility does the waiver give Pennsylvania?**

The waiver allows Pennsylvania to use its own aligned system of accountability for schools. By implementing an aligned accountability system through the flexibility of the ESEA waiver, Pennsylvania can identify schools in need of improvement and better utilize resources directed at improvement. The state can then provide appropriate support and interventions to help schools meet expectations.

#### **6. How long will the waiver be in effect?**

Pennsylvania's waiver will take effect for the 2013-14 school year and remain in place for two years. At that point, the state may request an extension of the waiver.

**7. What does the waiver mean for students, teachers, parents and families?**

The Pennsylvania ESEA Flexibility Waiver affirms the strength of Pennsylvania’s education reform initiatives in the areas of improving educational outcomes for all students, closing achievement gaps, increasing equity, and improving the quality of instruction.

**8. What are the main points addressed in the waiver?**

States that apply for a flexibility waiver must address three main principles:

Principle 1: College and career-ready expectations for all students.

- Implementing college- and career-ready standards for reading/language arts and mathematics in schools statewide.
- Developing and administering annual, statewide, aligned, high-quality assessments that measure student growth.

Principle 2: State-developed differentiated recognition, accountability and support.

- Creating an aligned system of accountability, reducing duplication and making more effective and efficient use of resources throughout the state.
- Providing more accurate identification of buildings in need of school supports.

Principle 3: Supporting effective instruction and leadership.

- Improves the effective educational practices and the professional development of teachers, principals and superintendents through the implementation of the multi-measure Educator Effectiveness System (Act 82).

**9. Will the waiver release school districts from the NCLB proficiency targets?**

Pennsylvania’s waiver will continue to require schools to raise the bar for performance of all students and will hold schools accountable for the academic growth of all students.

The opportunity to implement an aligned accountability system through the flexibility of the ESEA waiver will allow Pennsylvania to identify schools in highest need. In addition, Pennsylvania will be able to more fully coordinate support systems with a focus on improved student achievement and closing the achievement gap through strategies contained in Pennsylvania’s turnaround principles.

**10. Are schools still required to offer Supplemental Educational Services (SES) and public school choice to parents?**

Under the flexibility waiver, schools now have more options in terms of providing remediation to students. Schools may choose to continue with Supplemental Educational Services or design their own tutoring/supplemental programs. Having this option will give schools the ability to customize remedial services to meet student needs.

Both school choice and LEA funding for transportation to a choice school are now optional. Students currently in a choice school may remain in the choice school until completion of the highest grade in that school.

### **11. Will Adequate Yearly Progress (AYP) still be calculated and reported?**

No. AYP is no longer the state's accountability measure. However, some components of AYP, such as attendance and graduation rates, will still be reported to the public as part of Pennsylvania's new statewide accountability system.

### **12. How will Pennsylvania's schools still be held accountable?**

The Pennsylvania ESEA Flexibility Waiver will continue to require schools to raise the bar for performance of all students and will hold schools accountable for the academic growth and gain of all students. When schools fall short, parents can be assured that school leaders must adopt strategies focused on school needs and targeted towards the students most at risk.

Title I schools may be designated as Reward, Priority, or Focus schools based upon four Annual Measurable Objectives (AMOs):

1. Test Participation Rate – To meet this AMO, the school must achieve 95% participation on the PSSAs and Keystone Exams.
2. Graduation Rate/Attendance Rate – To meet this AMO, the school must achieve an 85% graduation rate OR, if no graduation rate is applicable, an attendance rate of 90% or improvement from the previous year.
3. Closing the Achievement Gap: All Students – The achievement gap is determined by comparing the percent of students who are proficient or advanced on the PSSA, Keystone Exams, or the Pennsylvania Alternate System of Assessment (PASA) in the 2012-13 baseline year with 100% proficiency. The benchmark for closing the achievement gap is that 50% of the gap will be closed over a six-year period.
4. Closing the Achievement Gap: Historically Underperforming Students – Using the same approach as for All Students, this AMO applies to a non-duplicated count of students with disabilities, economically disadvantaged students, and English Language Learners enrolled for a full academic year taking the PSSA, Keystone Exams or PASA.

In addition, all public schools in the state will receive a School Performance Profile (SPP) score based on 100 points. This score will be considered the school's academic performance score, and while not the criteria for determination of Reward, Priority, or Focus status, it details student performance through scoring of multiple measures that define achievement. The School Performance Profile also includes supports to permits schools to access materials and resources to improve in defined areas related to achievement.

### **13. How do I know if my child's school has been designated as a Reward, Priority, or Focus school?**

The School Performance Profile (SPP) will display the accountability status of schools, as applicable, as well as the academic performance score for each school. This online site will be available for the public in fall 2013.

**14. Will all schools be eligible for the new school designations?**

No. Only schools receiving Title I funds will be eligible for the new school designations of Reward, Priority, and Focus; however, all public schools will receive a School Performance Profile academic performance score.

**15. How is a school designated as a Reward School?**

There are two Reward Schools designations: *Reward – High Achievement* and *Reward: High Progress*.

*Reward: High Achievement*

Highest 5% Title I schools (based on aggregate Mathematics and Reading proficiency for PSSA and/or Algebra I/Literature for Keystone Exams)

AND

Meets all four Annual Measurable Objectives (AMOs). AMOs include:

- Test Participation in Mathematics/Reading PSSA (and/or Algebra I/Literature Keystone Exams) – All Students
- Graduation Rate (or Attendance Rate) – All Students
- Closing the Achievement Gap in Mathematics/Reading PSSA (and/or Algebra I/Literature Keystone Exams) – All Students
- Closing the Achievement Gap in Mathematics/Reading PSSA (and/or Algebra I/Literature Keystone Exams) – Historically Underperforming Students

(Note: For 2012-13 data, Closing the Achievement Gap will not be measured as this is the baseline year.)

AND

Not a Priority School or Focus School

*Reward: High Progress*

For 2011-12 and 2012-13 school years: Highest 5% Title I schools based on aggregate PVAAS growth score in Reading and Mathematics for PSSA and/or Algebra I/Literature for Keystone Exams for All Students

OR

For 2013-14 school year and beyond: Highest 5% Title I schools based on aggregate progress in closing the achievement gap in Reading and Mathematics for PSSA and/or Algebra I/Literature for Keystone Exams combined for the All Student group and the Historically Underperforming Student group.

**16. What do Reward Schools receive?**

Reward Schools may be recognized in the following manner:

- Receive the Keystone Award at the annual SAS Institute.
- Present their strategies for success during the annual SAS Institute (December), Title I Improving School Performance Conference (January), Annual Federal Programs Conference (April), and other venues as appropriate
- Compete for Collaboration and/or Innovation Grants (depending on the availability of funding).



**17. How is a school designated as a Priority School?**

The following criteria defines a Priority school:

Lowest 5% of Title I schools (based on aggregate Mathematics and Reading proficiency for PSSA and/or Algebra I/Literature for Keystone Exams)

OR

Title I school receiving School Improvement Grant (SIG) funds

**18. What will Priority Schools have to do?**

Priority Schools will receive assistance from the Pennsylvania Department of Education to implement interventions that will respond to the specific needs of the students in the school. PDE will provide liaisons to facilitate and support Priority schools' use of the training, technical assistance, and tools available to them from PDE. Improvement plans are required and will consist of interventions that must be directly related to identified needs based on the AMOs.

**19. How is a school designated as a Focus School?**

The following criteria defines a Priority school:

Lowest 10% of Title I schools (based on highest achievement gap for the Historically Low Performing students AMO). The aggregate achievement gap is for combined Mathematics/Reading PSSA (and/or Algebra I/ Literature Keystone Exams).

OR

Title I school with a Graduation Rate below 60%

OR

Test Participation below 95%

AND

Not a Priority school

**20. What will Focus Schools have to do?**

Focus schools will be required to review existing school improvement plans and will be required to implement at least one meaningful intervention directly related to a criterion influencing that designation at the beginning of the 2013-14 school year.

**21. What should I do if my child's school is named as a Priority or Focus school or has received a low School Performance Profile score?**

Parents, families, and community members are crucial to the school improvement or school turnaround process. If your child's school is named as a Priority or Focus or has earned a low School Performance Profile score, school, you should take advantage of the opportunities the school offers to become more informed about what these designations/scores mean and what in particular the school needs from you as it works to increase student achievement and success. With parents, families, schools, students and communities working together, over time these designated schools will see improvement.