



Graduate School
of Education
& Human Development

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Contact: Megan Cotten
(301) 656-0348
megan@thehatchergroup.com

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States Find Relief and Cause for Optimism in NCLB Waivers But Express Concern about Long-Term Solutions and Impact of ESEA Reauthorization

WASHINGTON, D.C. — March 4, 2013—States expect the U.S. Department of Education waivers of key accountability requirements of the No Child Left Behind Act (NCLB) to address several pressing problems with the law, according to a report released today by the Center on Education Policy. But states also worry what will happen to the new systems developed under waivers if Congress reauthorizes the Elementary and Secondary Education Act (ESEA).

Most of the 38 states that responded to a CEP survey anticipate that the waivers will satisfy common concerns about NCLB, such as the law's unrealistic goal of 100% student proficiency by 2014 and its mandatory consequences for schools deemed in need of improvement. For example, 35 states expect the accountability system outlined in their waiver application to do a better job than NCLB of identifying schools in need of improvement, according to the CEP report, *States' Perspectives on Waivers: Relief from NCLB, Concern about Long-term Solutions*.

In the year since the U.S. Secretary of Education Arne Duncan began granting NCLB waivers to states that agreed to implement particular reform measures, 44 states have submitted requests for waivers, and ED has approved applications from 34 states and the District of Columbia. CEP's survey included 32 of the 35 approved waiver states and 6 states with pending waivers applications in the fall of 2012. To receive a waiver, a state must establish college- and career-ready standards for all students; develop and implement differentiated recognition, accountability, and support systems for schools; develop and implement teacher and principal evaluation and support systems that include student achievement growth as a factor; and evaluate and remove duplicative and burdensome state reporting requirements.

A large majority of the state officials surveyed also expressed optimism that key aspects of the waivers—including changes in accountability, the adoption of college- and career-ready standards, and the use of growth-based teacher and principal evaluation systems—will improve student learning. “States believe they have put together accountability plans and other supports that will improve student learning,” said CEP’s executive director Maria Ferguson. “They see this as a real opportunity to customize accountability systems so they work more effectively in their individual states.”

State survey participants expressed considerable uncertainty and concern, however, about what will happen to the programs and policies they have put in place under the waivers if Congress reauthorizes ESEA. In an open-ended portion of the survey, respondents from 19 states were apprehensive about such issues as the confusion the transition to a revised ESEA would cause, the potential costs and disruption involved in implementing yet another accountability system, and the loss of credibility that might ensue among educators, parents and other stakeholders. But some states were more optimistic that a reauthorized ESEA might be consistent with their waiver plans or might allow them to continue similar policies.

The study also found that waivers have shaped state policies and accelerated some reforms. For example, 10 states reported amending their plans for existing teacher evaluation systems in order to align them better with the waiver requirements. And most of the states surveyed are either piloting or implementing new teacher evaluation and support systems, including the 11 states that are already using the results for personnel decisions. “There are numerous different teacher and principal evaluation systems underway as a result of these waivers. It will be important to learn as much as possible about these systems because there is still much disagreement in this area about what is both fair and accurate,” said the report co-author, Jennifer McMurrer.

“States are clearly satisfied with the plans they have put in place under waivers, but it is yet to be seen if student learning improves under these systems,” said Diane Stark Rentner, CEP’s deputy director.

The report can be accessed free of charge at www.cep-dc.org.

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Based in Washington, D.C., and founded in 1995 by Jack Jennings, the Center on Education Policy at The George Washington University is a national advocate for public education and for more effective public schools. The Center works to help Americans better understand the role of public education in a democracy and the need to improve the academic quality of public schools. The Center does not represent special interests. Instead, it helps citizens make sense of conflicting opinions and perceptions about public education and create conditions that will lead to better public schools. interests.