Data Implications of the ESEA Waivers

February 29, 2012

In February 2012 the US Department of Education (ED) granted 11 states (Colorado, Florida, Georgia, Indiana, Kentucky, Massachusetts, Minnesota, New Jersey, New Mexico, Oklahoma, and Tennessee) the first round of waivers from some of the requirements of the Elementary and Secondary Education Act (ESEA) in exchange for other commitments.

As the Data Quality Campaign (DQC) noted in *Why Data Matter in ESEA Reauthorization: Recommendations to ensure data are used to improve student achievement*, nearly every high-priority item in national, federal, state, and local discussions on improving ESEA—and in proposals from across the political spectrum—requires high-quality longitudinal data for its design, implementation, and evaluation.

The recently announced ESEA waivers are no different. This analysis summarizes the waiver requirements, highlights some of the data and data system implications, and notes DQC observations (where applicable) about states' data capacity to address those issues.

The data implications of these policies cannot be an afterthought. As state officials, ED, and individuals involved in the waiver process continue to engage around waiver requests and the subsequent implementation of these policies, it is critical to understand and address these data implications on the front end to avoid unintended consequences.

DQC will continue to monitor these efforts and work with state policymakers to ensure every state has the data capacity it needs to support continuous improvement and various local, state, and federal efforts to advance critical reforms.

States applying for waivers committed to implement the following requirements in four areas:

1. **College- and Career-Ready Expectations for All Students**
   - Adopt **college- and career-ready standards** in at least reading/language arts and mathematics
   - **Transition to and implement** such standards statewide for all students and schools
   - Develop and administer annual, statewide, aligned, **high-quality assessments** and corresponding academic achievement standards that measure **student growth** in at least grades 3–8 and at least once in high school
   - **Annually and publicly report** college-going and credit-accumulation rates for all students and subgroups in each local education agency (LEA) and public high school

Requirement	Data Implication
Develop and administer annual, statewide, aligned, high-quality assessments that measure student growth (Requirement 1C)	Student growth systems require data systems that can store and report individual student-level assessment information over time.
Report annually to the public on college-going and college credit-accumulation rates for all students and subgroups of students in each LEA and public high school (Assurance 5)	Producing these metrics, by high school and LEA, requires data from K–12 and in-state public institutions to be linked, matched, and shared.

DQC Observation:

Timely, transparent feedback about students' postsecondary success is a critical tool for educators, parents, communities, systems leaders, and policymakers as they work to improve their efforts to graduate students ready for college and career.

Forty-nine states reported in *Data for Action 2011: DQC's State Analysis* that they have the technical capacity to match student-level K–12 records with the same students' records in the state's public colleges and universities. This means that these states have the capacity to provide their K–12 systems with at least some postsecondary feedback to inform improvement efforts. DQC has analyzed each state's current efforts to provide this feedback and summarized its findings in a factsheet on Providing High School Feedback. Thirty-nine states produce some kind of high school feedback report, 33 states include enrollment information, and 28 states include remediation information in these reports. The information provided by many states is limited to students who enroll in in-state, public institutions. States are missing the full picture of how their students are doing once they leave high school because our data systems are not able to follow students over state lines.

As a result, states may not be able to report the indicators required by the waivers in a way that paints a comprehensive picture of students' postsecondary success. These issues are the very ones that states raised as challenges in producing the college-going and college credit-accumulation indicators as requirements of their State Fiscal Stabilization Fund (SFSF); ED recently revised the SFSF requirements to reflect those challenges (see DQC's summary here). States need multi-state solutions to addressing some of the political, policy, and technical barriers to providing comprehensive information about students' postsecondary success. It remains to be seen how states will implement these requirements.

DQC will continue to monitor this issue and work with state policymakers to identify and advance solutions to these challenges.

2. **State-Developed Differentiated Recognition, Accountability, and Support**
   - Develop and implement a system of **differentiated recognition, accountability, and support** for all LEAs and Title I schools
   - **Create incentives including differentiated interventions and support**

Requirement	Data Implication
Provide a description of the state education agency's (SEA) differentiated recognition, accountability, and support system (Requirement 2.A.i)	The SEA's plan likely includes the collection and use of specific data to calculate metrics and differentiate among schools.
Describe the meaningful interventions aligned with ED's turnaround principles that an LEA must implement in priority schools (Requirement 2.D.iii)	One of the turnaround principles is "using data to inform instruction and for continuous improvement, including by providing time for collaboration on the use of data."

3. **Supporting Effective Instruction and Leadership**
   - SEAs and LEAs must commit to **develop, adopt, pilot, and implement** teacher and principal evaluation and support systems that
     (1) will be used for continual improvement of instruction;
     (2) meaningfully differentiate performance using at least three performance levels;
     (3) use multiple valid measures in determining performance levels, including student growth data and other measures of professional practice;
     (4) evaluate teachers and principals on a regular basis;
     (5) provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and
     (6) will be used to inform personnel decisions.
   - SEAs must **develop and adopt guidelines** for these systems, and LEAs must develop and implement teacher and principal evaluation and support systems that are consistent with their SEAs' guidelines.

- All teachers, principals, and evaluators should be **trained** on the evaluation system and their responsibilities in the evaluation system.
- SEAs must also **provide student growth data** on current and previous-year students to teachers of reading/language arts and mathematics in tested grades and subjects in a manner that is timely and informs instructional programs.

Requirement	Data Implication
Assurance 8 – Provide, in timely and instructionally relevant manner, all reading/language arts and mathematics teachers in tested grades and subjects, student growth data on their current and previous year students (or will provide by SFSF deadline)	Providing teachers with growth data on their students requires the ability to link teacher and student data, as well as policies and practices that determine the quality of that link.
Requirement 3.a - Provide a copy of the guidelines for local teacher and principal evaluation and support systems the SEA has adopted	

DQC Observation:

Teacher effectiveness data has the potential to be powerfully leveraged to target professional development, inform staffing assignments, tailor classroom instruction, reflect on practice, support research, and otherwise support teachers. There is significant activity at the local, state, and federal levels to measure and improve teacher effectiveness, with an unprecedented focus on the use of student achievement as a primary indicator of effectiveness.

The linchpin of all these efforts is that states must reliably link students and teachers in ways that capture the complex connections that exist in schools. The following recommended practices and processes help ensure that the data and the teacher-student link are accepted as high quality, reliable, and fair by critical stakeholders, particularly teachers:

1. Creating a statewide definition of *teacher of record*
2. Establishing the ability to connect multiple teachers per student per course
3. Providing accurate and up-to-date state data

Data for Action 2011: DQC's State Analysis and DQC's work with states provides some insight into states' data capacity to do this work. The majority of states have the basic data infrastructure necessary to measure teacher effectiveness based on student achievement. Every state collects data on students and teachers. However, many states currently lack the policies and processes necessary to ensure that the data and the teacher-student link are high quality and reliable for critical stakeholders, particularly teachers. States are beginning to focus on the quality practices that should drive this work: creating a statewide definition of teacher of record, establishing the ability to link multiple educators to students, and ensuring state-level data are accurate and up to date. Many states are currently working on these issues and learning from the experiences of leading states. We expect states to make significant progress in the coming year. DQC has summarized its findings about states' efforts in this fact sheet on *Measuring Teacher Effectiveness*.

4. **Reducing Duplication and Unnecessary Burden**
   - SEAs must evaluate and revise their administrative requirements to **reduce duplication and unnecessary burden** on LEAs and schools.

Requirement	Data Implication
Assurance 9 – Evaluate and, based on that evaluation, revise SEA administrative requirements to reduce duplication and unnecessary burden on LEAs and schools	Efforts to evaluate and reduce burden may impact data collection and reporting requirements.