Accountability and the Federal Role: A Third Way on ESEA

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In summer of 2014, two groups of scholars and policy experts met separately to rethink educational accountability. These groups came from what most would consider different "camps" on school reform—one focused on transforming teaching for "deeper learning" and the other focused on choice as a means for leveraging school improvement. However, both were motivated by concern that accountability as enacted under *No Child Left Behind* had begun to create a straitjacket for schools that was undermining the goals of improvement and equity. At the same time, both groups felt it important to maintain the law's goals of focusing the nation on raising achievement for all children and closing the achievement gap. Both believed the federal government still must play a role in ensuring that states and localities work seriously and effectively to improve options for children at risk.

The papers resulting from these separate sets of discussions[2] agreed on many important points, including that:

> Parents and the public need to know whether children are learning what they need to graduate high school, enter and complete four-year college, or get a rewarding, career-ladder job.
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> Student test scores can provide valuable information, but they should be used in combination with other valid evidence of school effectiveness and student progress (e.g., course completion, progress toward graduation, and more).
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> Assessment of schools should focus on meaningful learning, not just on what is easiest to test. Measures should be tightly linked to the knowledge and skills needed for college and career readiness, including students' abilities to learn and solve problems independently, and apply knowledge.
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> Because a student's level and pace of learning in any one year depend in part on what was learned previously and on the efforts of many professionals working together, the consequences of high and low performance should attach to whole schools, rather than to individual educators. Furthermore,

1 Affiliations are listed for identification purposes only and should not be taken as organizational endorsements.
2 *An Open Letter on School Accountability*, Center on Reinventing Public Education and the Thomas B. Fordham Institute, 2014; *Accountability for College and Career Readiness: Developing a New Paradigm*, Stanford Center for Opportunity in Education and National Center for Innovation in Education, 2014.

meaningful improvement requires sustained collaboration among school-based professionals, so the accountability system should incent team improvement action.

School leaders must have sufficient authority, flexibility, and resources to lead their schools and must take affirmative responsibility for fostering school-wide collaboration aimed at continuous improvement in teaching and learning.

States and school districts must have and exercise multiple options when children learn at low rates that threaten their adult opportunities, including remedying resource shortfalls, supporting teacher and leader improvement, changing school staffing, redesigning or replacing chronically ineffective schools, assigning schools to new managers, and allowing families to choose other school options.

This paper shows that these agreements have important implications for the design of accountability systems at the local, state, and federal levels, particularly:

- The need for evidence, judgment, and action, used in combination to ensure that all children learn effectively and that schools continuously improve.
- The importance both of testing with high-quality instruments used appropriately, and of considering multiple sources of evidence in judging student, educator, or school performance.
- The need for sophisticated judgment systems that put data in context and weigh and balance evidence to determine constructive actions.
- The need for a clear and sensible delineation of the roles of different levels of government.
- The need for continued capacity building and experimentation with approaches to accountability.

This paper ends with five implications for the reauthorization of the *Elementary and Secondary Education Act* (ESEA).

The Goals of Accountability

An accountability system is the mechanism by which public officials make good on their responsibility to ensure that all children learn what they need to become self-supporting citizens who can contribute to the democracy. Government needs to fund schools and support educator training, along with research and development. Public officials need to know—and to provide evidence to parents and other citizens—how well students are learning and that everything possible is being done to educate all children effectively. They also need means to support improvement and to identify and correct problems where they occur.

To pursue these ends, an accountability system includes measurements of results, means for making judgments about performance, and means of effecting meaningful changes when children persistently are not learning what they need. At a time when many children are not learning all that they need to learn, and when there are many ideas about how to improve schools but none is proven best under all circumstances, an accountability system must leave room for experimentation and capacity building.

Because what children need to know evolves with knowledge, technology, and economic demands, an accountability system must encourage high performance and continuous improvement.

These goals cannot be achieved simply by measuring results, labeling schools, or demanding higher performance. To fulfill their responsibilities to children and families, public officials must recognize and act to remedy capacity limitations that constrain school performance, and to eliminate inequalities in funding or access to qualified educators that limit particular students' opportunities to learn. Public officials must also eliminate regulatory and contractual constraints that impede school problem-solving and innovation, that impose excessive constraints on schools that interfere with problem-solving, while developing educators' capabilities to learn to improve their educational systems.

Appropriate Assessment Is Important, as Are Other Measures

Achievement testing, despite its limitations, is an important tool for knowing whether students are learning soon enough to allow prompt correctives for those who may be falling behind. High-quality assessment systems are needed to allow parents and educators to track individual student progress, and policymakers to evaluate the learning and equity outcomes of the education system as a whole.

Assessment that provides valid and useful information about individual student learning, as well as the trends of groups of students over time, is essential to inform all responsible parties in the education system about where to focus attention.

However, standardized testing, when overused or misused, can lead to overemphasis on test preparation and other "gaming" that can weaken instruction and depress student learning. Longer-term measures (e.g., progress toward graduation and career readiness, successful completion of college and career-ready courses of study) provide needed counterweights. Other forms of student performance assessment (e.g., on progress toward meaningful, ambitious learning goals in key disciplines) can supplement and cross-validate the results of standardized tests.

Test results alone are also not enough to identify the lines of action most likely to benefit children and improve schools. In order to evaluate school health and diagnose areas of concern, accountability systems must consider results on other key measures (e.g., attendance, student progress, passage of college and career-ready coursework, graduation) and qualitative evidence of whether a school is able to deliver effective instruction, identify and diagnose performance shortfalls, sustain improvement strategies, and attract and keep quality teachers.

Accountability Involves Judgment Systems for Evaluating Evidence, Risk, and Useful Actions

Using multiple sources of evidence requires judgment; for example, on how to weigh the evidence of test scores, other measures of student progress, assessments of educator capacity, school ability to improve, and availability of possibly better options. These judgments cannot be made by machines or via formulas. Officials, whether at the school, local, or state level, must be empowered to make such judgments and act accordingly. Officials should be encouraged to engage in thoughtful study, use diverse evidence, and seek professional advice, but they must judge, seeking the most productive course of action (the one most likely to benefit current students) in each individual case.

Some countries use inspectorate systems and some U.S. states and districts have used a similar school quality review process to combine data with in-school investigation to support diagnostic judgments about what is happening and what is needed. Using these or other tools, responsible officials can, for example, use performance measures to identify schools where low rates of student success raise particular concerns. They can then look further at other evidence—for example, curriculum and teaching quality, school climate, the ability of staff to unite around improvement strategies, and the availability of other quality options for students—to make different decisions about what is most likely to improve learning opportunities for students. Use of multiple measures in this way minimizes risks to students, either of keeping them in a school that is not likely to improve without major changes, or of depriving them of a school that is improving significantly.

There are no risk-free actions. Mechanical arrangements—where all schools whose test scores fall below a given level are automatically targeted for intervention and all above that level are automatically sustained—present a false sense of assurance, but are more risky than judgments considering multiple factors. Ultimately, those who make judgments must also be held accountable for whether their actions or inactions have led to better results for children.

Public officials cannot expect those in schools or at lower levels of government to use data well and make good judgments if they are not willing to consider whether their own actions as funders and regulators prevent some schools' improvement.

Each Level of the Public Education System Should Have Its Own Role in Accountability

The roles of different entities in accountability should be:

- **Schools:** Educate students; manage spending, hiring, trade-offs between salaries and other expenditures, and instructional decisions; marshal the resources and educators to improve instruction and student outcomes. School leaders must have enough freedom to lead their schools and take responsibility for implementing instructional improvement strategies and making the staffing and spending changes those strategies require.

- **Districts**: Hold schools accountable for performance on measures that reveal what schools are doing and how students are responding; help schools find the resources and support they need in order to improve (in some cases including supplementary services provided by health and social agencies); judge whether schools are following courses of action likely to lead to improvement; decide whether to sustain, assist, redesign, or replace a school in which children are not learning.

- **States:** Hold districts accountable for improving the overall performance of local schools and for creating more effective options for students at risk; invest in professional capacity building and help districts find the resources they and their struggling schools need in order to improve.

- **The federal government:** Protect civil rights; ensure transparency of results across states and their districts and schools, including in particular as to the outcomes of poor, minority, and special needs students; support investment in high-quality state longitudinal data systems; use the leverage provided by federal funding programs to press states to hold districts accountable and to foster innovation.

States and school districts must be expected to exercise effective options with respect to a school where poor outcomes for children threaten their adult opportunities. These should include supporting teacher and leader improvement, remedying resource shortfalls, changing school staffing, redesigning or replacing schools to create better options, assigning schools to new managers, and allowing families to opt for other schools.

Families also have a role in accountability. Parents and guardians should have access to transparent information about schools and must be invited to participate in decision making about their own children and about school policies, including those strategies that may be undertaken when a school is not sufficiently enabling all children to learn. Every family should have a voice in school improvement decisions, as well as a choice among public schools that are demonstrably capable of educating a child like theirs.

This allocation of responsibility implies that higher-level governments should not "jump over" lower ones. State and federal governments can provide data and research, as well as systems of support, and can use the funding they provide to incentivize and support improvement. But they should not make decisions about how to evaluate individual educators, manage individual schools, or respond to educators and schools whose students are not learning. Those should be the responsibility of districts and, primarily, school leaders. Nor should state and federal governments interfere with parents' responsibilities and opportunities for their children.

Accountability relationships (between educators and school leaders, districts and schools, states and districts, and the federal government and states) should be redesigned around annual plans that incorporate hard evidence, acknowledge problems, pledge lines of corrective action to be taken promptly by both parties, and specify actions that will be taken within a reasonable time period if corrective actions are not taken or fail to work.

States should provide measures and establish processes under which districts hold schools accountable. Systems of assessment that can provide annual information about student growth for individual students—and can provide data for groups of students (e.g., by race, language background, poverty, special education status)—are indispensable because they can alert educators and public officials to needs that must be remedied promptly.

The federal government has a role both in ensuring that appropriate data are available to inform parents and stakeholders about results and progress (from assessments and other measures, such as graduation rates) and encouraging experimentation in search of methods that measure and encourage deeper learning and discourage narrowing of what students are taught.

The Need for Continued Experimentation and Capacity Building

The federal government should require that districts engage in assessments that can provide annual measures of student learning and progress toward college readiness.

As assessment options improve, some states are working to develop systems of assessment that combine periodic state standardized tests with other subject-specific assessments. At some point in the near future, it should be possible to measure deeper understanding and ability to apply knowledge in ways that provide valid and reliable measures of student growth that can be compared with more general achievement test results.

Philanthropies and the federal government should support development and testing of rich subject matter assessments and other means for documenting student learning that allow reliable tracking of student growth and are predictive of later college and career success. States and the federal government should fund trials of accountability systems designed to use the new assessments. Because science, technology, and the economy are constantly shifting, the measures and standards used to assess schools must be continuously updated to reflect new content and valued skills.

Districts and states should move without delay on recruiting new leaders, training incumbents, enriching pre-service training, and replacing incumbents who do not adapt to the new responsibilities.

Schools operating under specific accountability plans will need to set priorities for teacher recruitment and in-service training. If funds now held centrally by school districts are transferred to schools based on weighted enrollment, schools will have new ability to set priorities and purchase what they need. This does not preclude states, districts, or philanthropies from providing extra funding under a school's accountability plan.

There is also the need for one or more national centers to design and document the results of accountability system trials and serve as a knowledge manager for the improvement of accountability systems overall.

Implications for ESEA

As this is written, Congress is considering proposals for improvement of the *Elementary and Secondary Education Act*. This paper has five implications for the accountability aspects of that legislation:

1. Congress should continue to expect states to ensure that districts make annual determinations of student learning and growth based on valid and reliable measures and to report assessment data by student groups. Congress should support reasonable experimentation with new approaches to measuring student learning and progress, evaluating schools, and remedying low performance. It should allow the Secretary of Education to approve statewide accountability systems based on systems of assessments that combine general and deeper measures of learning to assess a wider range of content and skills, and provide more detailed diagnostic information about individual children's learning. These agreements should be possible where the proposed combination of assessments are validated by state test results and meet high standards of reliability, validity, comparability, and quality. The implementation and outcomes of these agreements should be rigorously studied and the Secretary should have the authority to revoke agreements that do not lead to effective action on behalf of children at risk.

2. ESEA should encourage state use of multiple measures dashboards that look at a number of indicators of student and school progress, and still require, as a condition for receiving federal funds, that states and localities take effective action on behalf of children not learning.

3. ESEA should not prescribe local practices with respect to educator evaluation or school improvement, nor require mechanical use of test scores to drive consequences for schools, but require states to establish systems for reviewing district and school progress and determining when effective interventions are needed.

4. ESEA should transform the role of the federal government in accountability. The federal government should make annual performance agreements with individual states. These agreements should create strong incentives for states to improve district and school performance on raising graduation rates and assuring college and career readiness for disadvantaged children, and specify consequences for failing to do so.

5. ESEA should also create incentives for states to recognize and remedy systematic differences in the financial and human resources available for the education of similar students, and for districts to remove internal barriers to funding equity and transparency.

From our very different vantage points, we believe an ESEA developed on these principles would better accomplish the noble goals that NCLB set out to achieve. It would ultimately, we are convinced, produce greater equity and excellence in our education system with less federal overreach and more of the American problem solving our successes are built on.

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