**Questions and Answers**

***NCLB Waiver***

1. **So Colorado got waivers from NCLB. Why is that important? Why should taxpayers, parents or educators care?**

The ESEA (Elementary and Secondary Education Act) waiver affirms the strength of Colorado’s education reform initiatives in the areas of accountability, educator effectiveness, standards, and assessments. With the waiver, Colorado can shift from an accountability system based on federal definitions and sanctions to its own state accountability system. This allows the state, districts, schools and parents to share a common understanding of district and school performance and to meaningfully distinguish those schools and districts that are meeting performance expectations from those that are not. CDE and districts will be better able to direct resources to those that need them the most, and to focus their improvement efforts on what matters most: ensuring college- and career-readiness for all students.

1. **How does the granting of a waiver change what schools and districts now do?**

Rather than having to communicate and respond to results on both a federal and a state accountability system, schools and districts can now work within a single accountability system which sends a consistent set of signals. Accountability determinations under Title IA of NCLB through Adequate Yearly Progress (AYP) will be replaced by the state accountability determinations, and certain sanctions under Title IA of NCLB will no longer need to be implemented. Schools and districts can instead focus on the results of the State Performance Framework reports and the improvement planning process that follows. This will allow for targeted attention on student growth, allowing educators to focus their attention on their efforts to move students towards college- and career-readiness. Removing AYP has the added benefit of reducing the amount of time and effort Colorado’s school districts and CDE staff spend on AYP calculations and appeals at a time when resources are needed elsewhere.

1. **How does this waiver improve education in Colorado?**

The waiver creates the right conditions for educational improvement in Colorado. Educators have long worried about the unintended consequences of No Child Left Behind. While the federal law promoted a focus on student performance outcomes at a time when not all states had such a focus, it identified some schools as struggling when they were in fact fostering great growth among students. Other schools were not identified while their students were not making much growth at all. The waiver allows Colorado to focus on what matters most in the performance of schools and districts: student academic growth, or learning, which is the heart of the state’s accountability system. When the accountability system incentivizes the right goals, school and district resources and instruction follow based on that focus.

1. **How soon will the waiver be applied in Colorado’s schools and districts?**

Work on implementation planning will take place immediately. However, the noticeable impact will occur in August 2012 when AYP results are not calculated and consequences are no longer based on those results.

Because Colorado’s waiver application was based largely on its existing system, the existing state accountability requirements as outlined in SB09-163 will remain in effect, with some small changes. Any changes in accountability determinations and sanctions will be in effect for the coming fall (the 2012-13 school year, based on the results of the 2011-12 assessments and the most recent postsecondary and workforce readiness measures).

1. **Does the waiver impact any kind of funding for the state or districts? Or, is this simply relief from some federal requirements? Will it reduce paperwork, staff time or effort?**

Approval of the waiver does not bring any additional funds, nor does it take any existing funds away. Some of the Title I funds allocated to districts may be used with greater flexibility as a result of the waiver. The waiver removes the duplicative reporting requirements, paperwork, and staff time associated with implementing two separate accountability systems.

1. **Some say this waiver will actually reduce the level of accountability and that some schools that have been on improvement plans through the old federal system, are now just going to be able to re-set the clock and “take a pass.” Is that true? Explain.**

One of the main reasons the President called on the U.S. Department of Education to open this waiver process to states was that the federal system of AYP had become outdated. With expectations nearing 100% proficiency, AYP was no longer able to distinguish between schools that were truly struggling and those that weren’t as high-performing as we’d wish they could be. Schools received either a pass or a fail determination, and too many schools were being identified as failing.

Our state system doesn’t just label all schools that aren’t near 100% proficiency as failing. Colorado recognizes there are nuances, and that rating everyone as failing isn’t particularly helpful. So, the Colorado system gives schools one of four performance ratings and districts one of five accreditation ratings. This doesn’t give schools or districts a “pass” and it doesn’t re-set the clock. The state accountability system includes at least two years of results for schools and three years of results for districts on the School and District Performance Framework report. Those schools and districts on five consecutive years of Priority Improvement or Turnaround (our lowest performance ratings) will face sanctions, as directed by the State Board, which may include school closure or loss of district accreditation. These are serious consequences for schools and districts that don’t improve.

Additionally, our state system actually holds more schools and students accountable than the AYP system did. For example, by calculating a minority disaggregated group in the School Performance Framework reports, as opposed to the calculations required for AYP, nearly all minority students in the state are included in accountability determinations. The state’s system accounts for 98 percent of minority students, whereas AYP accounted for 82 percent of minority students.

Colorado’s accountability system is also more comprehensive, moving beyond just math and reading proficiency and graduation rates. Colorado’s system incorporates performance on achievement (proficiency) in writing and science, growth and growth to standard, gaps in student group growth and growth to standard, and postsecondary and workforce readiness indicators that, in addition to graduation rate, also includes dropout rate and ACT scores.

This provides a more complete look at school and districts’ success in moving students to college and career readiness.

Additionally, through Colorado’s Unified Improvement Plan process, all schools and districts annually participate in a continuous improvement process, using data to reflect on their performance, identifying performance challenges and root causes, and creating plans for improvement. All schools and districts annually submit these plans to CDE and they are posted for public review. We know even our high-performing schools can find ways to do even better.

We firmly believe the waiver will allow for greater improvements and focus on school and district performance. It is a step forward for meaningful, student-centered accountability.