March 19, 2014

The Hon. Mark Murphy
Secretary of Education
Delaware Department of Education
John G. Townsend Building
401 Federal Street
Dover, DE 19901

Dear Secretary Murphy,

The Delaware State Chamber of Commerce supports the Department of Education’s proposed ESEA waiver requests to enable Delaware to use its own, well developed system of accountability. We believe the State’s locally developed approach, would best serve all Delaware public schools and, in particular, schools struggling to meet our rigorous standards.

The Delaware State Chamber has been involved in the state’s education reform movement since its inception. In fact, we were among the principal conveners of the initiative known as Vision 2015. So our interest in seeing high levels of achievement and accountability are long standing. We have worked closely with the Department of Education through our ongoing involvement in Vision 2015 and are well aware of the Department’s attention to development of the Academic Framework it intends to use to determine both school and district performance.

From the business community’s standpoint, the local effort provides the kind of standards that we know are needed to meet the workforce demands of State Chamber members. The Delaware approach is transparent, a key element from our point of view, and we know this approach will also use the kind of measurement metrics that will not only provide for the workforce readiness already noted but also for college readiness as well.

We urge that the waivers be granted.

Sincerely,

A. Richard Heffron
President

[Signature]

John H. Taylor, Jr.
Senior Vice President
March 26, 2014

Mark Murphy  
Secretary of Education  
Department of Education  
John G. Townsend Building  
401 Federal Street, Suite 2  
Dover, DE 19901

Dear Secretary Murphy,

The Delaware State Education Association (DSEA) has significant concerns regarding the department’s proposed amendments to the Academic Performance Framework used to measure school performance.

In the past five years, we have seen rapid shifts in Delaware's education system. The state is transitioning to the third state test, with the introduction of Smarter Balanced field testing this Spring. Districts will soon be using a fourth different set of performance/growth targets tied to these state tests. At the same time, our schools continue their transition towards full implementation of Common Core State Standards. Within this context, the Delaware Department of Education continues to make adjustments to DPAS II-R, again calling for significant changes to all five components starting in the 2014-2015 school year.

The abundance of changes and transitions make it exceedingly difficult for school districts and educators to properly plan and ensure effective execution of those plans. Immediate implementation of these proposed amendments does not allow for schools and districts to study the potential impact to accountability measures, the effect on strategic planning, or to properly inform their communities.

We support building a strong system of accountability for our schools and districts. DSEA believes the best course of action is to delay implementation of the Academic Framework until all school districts can conduct a thorough analysis of how these changes will affect their schools, districts and communities. The impact of proposed Academic Framework amendments demands our approach be one of patience and forethought. The discussion and decision must include input from all stakeholders.

Sincerely,

Frederika Jenner, President
Fellow DESS Advisory Council Members,

As promised at the last meeting I wanted to provide a brief on my experience and perceptions in regards to the move to utilizing the performance framework in place of a primary standard of AYP.

For background, my initial experience with the academic performance framework, was as a member of the GACEC (Governors Advisory Council for Exceptional Citizens) charter school ad hoc committee reviewing the larger charter school performance framework of which the academic performance framework is one section. During this review there were significant discussion as to how the academic performance framework could create substantial incentives for charter schools, and their administrators and teachers to discriminate against children with disabilities. As part of that discussion was an opportunity to create virtual comparative groups of students to accurately assess relative performance in the classroom, buildings and at the LEA level to eliminate this discrimination potential. With and due to indication of intent to move forward with this virtual model effort, those involved tolerated the serious risks and shortcomings of the academic framework portion of the charter school performance framework. Additionally the issue of non representation of many students with disabilities and other at risk children in the framework due to sole reliance on a high stakes "n number" without additional analytical opportunities was also identified as a serious deficiency of the academic framework.

When the initial ESEA waiver was being developed, it was clear that DDOE had failed to move forward in any substantial way in developing this virtual analytical tool, and intended to rely predominately on the minimal simplistic federal compliance measurement standards. In part from this perception Delaware PTA, Delaware Parent Advisory Council and the GACEC, created coordinated improvement recommendation for the waiver. One of the items in those recommendations, committed DDOE to begin collaborating on the deeper analysis which is the core of developing a virtual comparative model. This was included in the final ESEA waiver, however despite requests as recent as this year DDOE has been unwilling to initiate this process. The only progress in this area has been initiated by a charter school and is still only a minimal first step.

It is clear that a true virtual model is the only fully equitable analysis tool that will also remove incentives to discriminate against students with disabilities and other at risk children while providing high quality information to inform instruction, monitoring, policy and practices. The data already exists to create the first level of the model and only requires the query structure.
In discussions it is clear that DDOE lacks the not only understanding and practice of how to develop such a model but at times a conceptual understanding of its value and importance, so development will likely need to be a collaboration between DDOE, institutes of higher education and interested stakeholders.

The model can and should be improved form the first level on an ongoing basis by improve query algorithms and additional data component identification and gathering.

For those who do not have familiarity with virtual comparative models, the basis as applied to this situation is that rather than comparing to state average as a whole or at the simplistic federal subgroup level, is identifying and utilizing a set of impacting factors, ideally down the one or 2 levels of subsets of the traditional subgroups, including other validated factors, and providing for overlapping of factors cumulative impact. In the ultimate form this allows for creation of a virtual comparative (state wide) child for every child in our educational system. From this, expected performance can be developed for any grouping of children in any setting. There is certainly no perfect endpoint for these virtual models, but by any measure they are far superior to the crude model currently included in the academic performance framework.

I also should include a discussion of the impact of using the high stakes "n number" on the validity and breadth of the academic performance framework. Delaware currently stands at n=30, the federal maximum allowable which is the smallest data group which shows up in the academic framework reports. This leaves many cells of children, especially students with disabilities and ELL students unreported and not adequately and fully measured in the framework as well as creating potential discrimination in admissions and placements. Many state utilize a lower n member with the range extending all the way down to an n number of 1. Utilizing significantly lower numbers does need effort beyond the high stakes impact range and does require a more sophisticated approach and result utilization, but fully captures all students performance rather than ignoring many of the most at risk children.

Finally no discussion of the academic performance framework would be complete without a discussion of the growth model. While the DCAS growth model was technically optimal, because it was so easily manipulated, it is generally accepted to not be broadly valid. Of course Smarter balance was not developed with a validated growth model component, and it appear that at this point no one is even considering developing a validated growth model algorithm for smarter balance. The current rational appears to be that because many other states do not have a validated growth model that Delaware does not need one.

We appear to be being offered 2 choices, remain with a very limited performance measure, or move to one that is a little better but still very weak in the boarder usage and its value to children, From my perspective neither is acceptable.

I believe when we modify the waiver it should be to put in place a route to robust set of broadly accepted measures which are valuable to teachers and children and not simply for minimal compliance and administrative convenience.

If the DESS council would commit to and receive irrevocable assurances from DDOE for full and expeditious support for developing a robust performance measure then perhaps the current performance framework could be a short term first step with the enhanced performance measure development path outlined in the modification request. Otherwise we are setting Delaware on an path to at best be an also ran in the area of education, and all the related efforts will be dramatically diminished.

Remember our mandate
Delaware Education Support System Advisory Council serves as the core stakeholder group charged with guiding the enhancement and implementation of the Delaware Education Support System, including improvements to the Education Success Planning and Evaluation System. The council also provides guidance on Title I implementation by SEA.

Thanks

Bill

Bill Doolittle

DPTA DESS representative

DPTA President-Elect

On Wed, Mar 19, 2014 at 2:54 PM, Roussell Jennifer <jennifer.roussell@doe.k12.de.us> wrote:

Attached, please find the agenda for next Wednesday's DESS Advisory Council Meeting.

Thank you,

Jennifer L. Roussell
Secretary, Supports & Improvement Resources Workgroup
Education Supports & Innovative Practices Branch
Delaware Department of Education
35 Commerce Way, Suite 1
Dover, DE 19904-5747
302.857.3330 (T) 302.739.1780 (F)
jennifer.roussell@doe.k12.de.us

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From: Haberstroh Susan Keene  
Sent: Thursday, March 13, 2014 8:07 AM  
Subject: DESS Advisory Meeting - March 26th

Dear DESS Advisory Council,

This is to invite you to the next DESS Advisory Council meeting that will be held on Wednesday, March 26th from 9:00am until 10:30am. We will be holding the meeting at Government Support Services, Blue Hen Training Center (directions below). The location is in the same business park as the Collette Building but across the parking lot (near Easter Seals). (We will not be holding a webinar on March 21st as was indicated in my last email.) An outlook meeting invite will be coming to you shortly.

The agenda will include review of the final version of the ESEA Flexibility Request Amendment Proposal. We do not expect to get the final version to you before March 25th; however, we will do our best to get it to you earlier. We will walk through any changes that have been made at this time. Please remember to send any comments to me by March 19th.

Again, thank you for your engagement in this very important process.

Directions:

Blue Hen Conference Room  
Government Support Services  
100 Enterprise Place, Suite 4  
Dover DE 19901

The link below has directions to the location. GSS requests that attendees not park in our “neighbors” parking spaces (Dept. of Election or Easter Seals). If there is not sufficient parking in the front of our building, you are free to park along the sides of the streets, or in the parking lot across from DelOne Bank.

http://gss.omb.delaware.gov/locations.shtml
If you have any questions, please do not hesitate to contact me.

Best,
Susan

Susan Keene Haberstroh, MPA, Ed.D.
Associate Secretary
Education Supports & Innovative Practices Branch

shaberstroh@doe.k12.de.us
DELAWARE CHIEF SCHOOL OFFICERS ASSOCIATION

March 20, 2014

Mark Murphy
Secretary of Education
Department of Education
John G Townsend Building
401 Federal Street, Suite 2
Dover DE 19901

Dear Secretary Murphy:

The Delaware Chief School Officers are sending you this letter with a sense of urgency. As we are all aware, the US Department of Education is allowing states to submit a change in the way school accountability will be determined for one year (2014-2015) under the Elementary and Secondary Education Act (ESEA, formerly known as No Child Left Behind). The Delaware Department of Education is taking this opportunity to submit an amendment this spring which outlines a new set of measures that would be used for the current year.

A component of this plan calls for the use of an Academic Framework that was originally designed in 2011-2012 as a common platform to measure the performance of the state’s charter schools. While Delaware public schools have long used transparent measures to report progress to their respective communities, this framework stipulates very specific measures and priorities that may be out of sync with current individual school district strategic plans which have been developed collaboratively with all school stakeholder groups.

An analysis of where we have been and where we are going reveals, in our view, a very chaotic path DOE has taken over the past four or five years. For example, targets have essentially changed or amended four times in the past five years—in 2009 – AYP, 2010-2012 – AYP and RTTT (which included a shift to the growth mindset as well as student growth), 2013 – AYP and ESEA, and now in 2014 – Academic Framework. Four different rankings and three different state tests (DSTP, DCAS and now SBA) have been used in the last five years. With this constant revolving door in accountability and testing, one can assert with some validity that these changes have created an unstable direction but have also created instability in the public view of education.

If this Framework is approved, the measurement method outlined in Delaware’s amendment will be quickly put into place for the current school year, just as the state is preparing to transition from using DCAS to the new Smarter Balanced assessments. In light of the many transitions our students, teachers, and schools are experiencing, including the system-wide shift to
Common Core State Standards, the changeover from DCAS to Smarter Balanced assessments and the new teacher evaluation system that includes student progress measures, we believe it is in the best interest of our students to postpone utilizing the Academic Framework as a measure of progress in the ESEA amendment and instead to continue with the current AYP measures for one more year.

Waiting one year will give all educators and stakeholders an opportunity to build an understanding of the proposed Academic Framework, to ensure it is aligned with the Smarter Balanced assessments, to assure that schools and school districts will have additional time to align their strategic plan goals and resources with the framework, and to better educate our communities about the warranted changes. All stakeholder—school board members, elected officials, community leaders, parents, teachers, and members of the general community - need to be aware of how we measure student and school progress and more importantly, they deserve to be fully included in the discussion.

Respectfully,
Delaware School Chief Officers Association

Mervin Daugherty-RCCSB
Mark Holodick-BSDDorothy Linn-CSD

Freeman Williams-CSD

Victoria Gehrt-NCCVTMatthew Burrows-ASD

Michael Thomas-CSD

Kevin R. FitzgeraldKevin Fitzgerald-CRSDDeborah Zych-PTSD

Deborah Wicks-SSDDaniel Curry-LFSDPhyllis Kohel-MSD

David Ring-DSDRobert Fulton-CHSDSusan Bunting-IRSD
As I attended the February 6th Chiefs/RTTT meeting, participated in the February 25th webinar, and prepare to attend the February 27th Chiefs/RTTT, I have given a lot of thought to the Academic Framework proposed as the new accountability system for Delaware. Obviously the documents and discussions have raised many questions and concerns from all angles, but I decided to take a deep breath and a step back for a moment to try to put things in perspective! It will be very easy to go into tomorrow’s meeting in attack mode and also to get lost in the “data details.” But what are we trying to achieve, what are the non-negotiables, and where do we go from here?

What are we trying to achieve?

I believe that ...

- there must be an accountability system that can be used to determine where students are learning at high levels, where teaching practices are highly effective, and where parents and the community can have confidence that students are college and career ready.

- the accountability system must be easy to understand and easy to communicate to a wide variety of audiences.

- the accountability system should be set up so that meaningful instructional feedback and support can be given to students, teachers, schools, and districts to improve learning for every student.

- depending on its focus, an accountability system can be used to improve public schools or it can be used to destroy public confidence in our schools.

What are the non-negotiables?

I believe that the state needs to explain the non-negotiables for an accountability system...

- by sharing the timelines and the federally-mandated elements of an revised accountability system

- by starting from this point in time and moving forward with a more transparent process of determining a revised accountability system

- by sharing the elements of the accountability system that are negotiable. What can be changed at this point in time?

- by sharing why there appears to be no consideration of an SBAC accountability system with the 22 states have adopted the Common Core State Standards and collaborated on a new form of assessment through Smarter Balanced.
Where do we go from here?

I believe that Delaware...

- has the talent and expertise throughout the state to develop a system that highlights both the strengths and the areas of growth for each student, teacher, school, and district and that by working together the state can be a model of excellence for others.

- has a sense of urgency to know that changes need to be made in our schools and accountability systems but these can be done by building up and not tearing down.

- needs to start from this point to determine what is the best approach to a revised accountability system and work together to determine the metrics that will help build and support world class schools in Delaware.
March 18, 2014

Mr. Mark Murphy  
Secretary of Education  
John G. Townsend Building  
401 Federal Street  
Dover, DE 19901

Dear Secretary Murphy:

I write to express the Rodel Foundation of Delaware's support for the Delaware Department of Education's proposed waiver to the Elementary and Secondary Education Act (ESEA). We are in support of the proposed waiver for several reasons. First, it's relevant and makes sense. Today, the primary measure of school performance is “Adequate Yearly Progress,” a metric established in 2001-02 under No Child Left Behind. That measure was established with the intent of creating a series of mutually agreed upon benchmarks leading to 100% proficiency in 2013. Since we are past that date and the student assessments associated with AYP have changed several times in that 13-year timeframe, the AYP framework no longer carries much meaning here. Furthermore, the metrics within the new, proposed framework are not only relevant today, but they should be durable going forward. These are important attributes in that they are built around student growth to proficiency and college readiness; measures that community members and decision makers should find meaningful.

Second, if having a measure of school performance makes sense and the current measure is antiquated, the question is, what should replace it? Since the state's proposal builds upon a performance framework developed for public charter schools in 2011-2012 with input from key stakeholders, including: the DSEA, the Governor's office, legislators, the Delaware Charter School Network, the State Board of Education, the Department of Education, and our state representative of the Chief State School Officers, the proposed framework seems like a rational place to start.

And third, while I understand that the adaptation of this tool for use across all schools, both district and charter schools alike, may require some modifications over time, I believe the transition to one system is one worth making. The drivers of this transition are equity and transparency. Equity in that all public schools should be measured against a common yard stick and transparency in that parents should have a comprehensive, yet understandable, framework against which to discern the best fit for their child.
Finally, while the Rodel Foundation firmly believes that this proposal makes sense, we also encourage the state to couple this performance framework with capacity and flexibility. This tool will inherently identify areas of growth, so going forward, the state should be prepared to provide or identify the resources needed to address those identified growth areas and allow for local leaders to craft innovative solutions to their complex, community-based challenges.

Sincerely,

[Signature]

Paul A. Herdman, Ed.D.
President and CEO
Dear Secretary Murphy,  
March 18, 2014

The Data Analysis Working Group (DAWG) has convened monthly in partnership with the Delaware Department of Education (DDOE) since April 2013 as a professional learning community for district data leaders. The DAWG aims to increase collaboration (across districts and with the DDOE), devise solutions to common data challenges, and increase our ability to use data to improve decision-making and student achievement. The group consistently reviews data systems, strategizes and provides input on strengthening those systems within the districts and across the state. During our most recent meeting (Wednesday March 12th, 2014) the DAWG met to compile collective concerns and comments about the Academic Framework through the lens of district data personnel. The first part of the meeting was a presentation by Public Impact explaining the Academic Framework and their role in the development of this document. After the presentation, the group was provided a brief 17 minutes for a question and answer session.

During the brief Q&A session DDOE personnel made it clear that the State realizes there are some issues and concerns with the Academic Framework, i.e. 2.c the “District” measure and the fact that if the Academic Framework was used with this year’s data, all schools would be given 100 points for 2.c. Metric 2.c has no application to non-charter schools making it a useless part of the framework. In addition, DDOE realizes that with the transition to SBAC next year and some issues like 2.c, major changes will need to be made to the Academic Framework. DDOE commented on the fact that they would be willing to work with the DAWG and other stakeholders next year to align and craft the Academic Framework with regard to SBAC and other issues and concerns (the strong positive correlation between the Academic Framework and status achievement and measures of school demographics - when more focus should be on growth, arbitrary values assigned after complex calculation have been completed – 25, 50, 75, 100, - when these arbitrary values lower or inflate a school’s true score, etc.). Therefore, the DAWG feels strongly that “picking apart” each individual metric at this time (positive or negative) is not the focus and would not be productive. Therefore, given the fact that both the DAWG and DDOE acknowledge that there are problems and major concerns with the current version of the Academic Framework and that there will be major changes/revisions needed with regard to the transition to SBAC next year, the DAWG’s professional recommendations and key concerns are outlined below.

The number one recommendation and paramount priority from the DAWG is that the Academic Framework not be used in any form or context this year. For the current 2013-14 school year, every Delaware district focused the creation of their school success plans, instructional and program implementations, consolidated grant, etc. (basically all important issues focusing on DCAS data) around their individual district and school ESEA targets. To now use a “NEW” tool (The Academic Framework) to “classify” schools is completely unfair and inappropriate at this time. Additionally, the DAWG would urge DDOE to consider the message this mid-year shift to
a radically new accountability system would send and how it would be received within our communities. The belief often prevalent in our communities is that public education is constantly shifting its priorities, targets and definitions of academic success. Examples in just the last few years include, but not limited to: DSTP to DCAS to SBAC, Common Core, RTTT, Next Generation Science Standards, ESEA Targets and possibly the Academic Framework. Therefore, the public will be introduced to yet another significant change with the Academic Framework, only to have them see another revision again next year as modification to the framework will have to be completed based on the SBAC and other issues already stated above. The DAWG group feels that the public reaction will be similar to our key point – “If revisions and major modification are needed next year, then why not just wait until next year to roll-out the more applicable Academic Framework.” Every single district assumed, in good faith, that this year’s data would again be used in the “Differentiated Support Matrix” to classify levels of support to districts (Intense, Advanced, Moderate, Minimal).

The Academic Framework was originally created for charter schools through a meticulous process involving various “stakeholders” that were focused on “charter school” performance and evaluation. The focus and intent was not on non-charter schools and the “stakeholder” representation was clearly charter school oriented. The charter schools and their supporters were involved in the development of the Academic Framework, “…. since day one,” as quoted by Greg Meece (Newark Charter School Director and former president of the Delaware Charter School Network). In addition, during the presentation by Public Impact it was stated over and over again that this was a process over several months with regular meetings between “stakeholders” until a final version was created.

The DAWG wants the non-charter schools to have the same respect, transparency, professional courtesy and opportunity as the charter schools with regard to the Academic Framework. In no way is the DAWG stating that there should be no accountability and evaluation processes/tools for districts/schools. In fact, the DAWG feels that some of the metric in the framework have great potential and applicability. As stated above, the DAWG’s recommendation is straightforward, reasonable, clear, and legitimate – the Academic Framework should absolutely not be used this year in place of the “Differentiated Support Matrix.” With all the changes/modification needed to the Academic Framework regarding SBAC and other issues and concerns stated above, common sense, professionalism, and mutual respect demands that a “stakeholders” group representing non-charter schools be formed to ensure the Academic Framework can be fully implemented using the 2014-15 data. The non-charter school “stakeholders” would meet as did the charter school “stakeholders” over the course of several months to have a framework that all involved could support. The current atmosphere within non-charter schools regarding the Academic Framework is not positive or supportive.

The DAWG group therefore respectfully requests that the Academic Framework not be used for this school year regarding any accountability measure and that DDOE continue using the “Differentiated Support Matrix” and ESEA targets to measure LEA performance, which was the complete expectation of all schools for the current year. Then, finally, the DAWG requests that DDOE form a committee of stakeholders to focus on the changes needed due to SBAC and
other concerns outlined above, including individual metric validity and applicability to ensure a smooth, positive, and supportive implementation of the framework for the 2014-15 school year.

Respectfully Submitted,

The Data Analysis Working Group

Ken Hutchins
Capital School District
RTTT Coordinator

Tammy Croce, Ed.D.
Lake Forest School District
Director of Personnel

Joseph Jones
NCCVT School District
Director of Assessment and Accountability

Kevin Dickerson
Sussex Technical School District
Director of Support Services

Gerri Marshall, Ed.D.
Red Clay Consolidated School District
Supervisor of Professional Learning, Research, and Evaluation

Donna Mitchell
Strategic Data Project Fellow, Harvard GSE
Director, Professional Standards Board

Julie Schmidt, Ph.D.
Brandywine School District
Supervisor, Assessment and Accountability

Dan Weinles, Ph.D.
Christina School District
Supervisor, Accountability and Assessment

Sandy Smith
Indian River School District
Director of Assessment and Accountability

TeRay Ross
Colonial School District
Accountability, Research, and Evaluation Specialist

Jeff Klein
Appoquinimink School District
Coordinator of Research, Development and Evaluation

Alexander Shalk, Ed.D.
Smyrna School District
Director of Curriculum
March 10, 2014

Mark Murphy, Secretary of Education
Delaware Department of Education
John G. Townsend Building
401 Federal Street, Suite 2
Dover, DE 19901

Dear Secretary Murphy,

I am grateful for the opportunity to have worked on the development of the Academic Framework to be used in the evaluation of Delaware charter schools. While this framework was built through the participation of stakeholders concerned with and involved in the progress of charter students, an opportunity has been presented in which the framework may be used in evaluating the students in all Delaware public schools.

The results obtained from using the Academic Framework reflect the growth and proficiency of students. The use of the Academic Framework also supports our belief that all students must and can grow through their experiences in all Delaware public schools.

The Delaware Charter Schools Network looks forward to the implementation of the Academic Framework through the ESEA Flexibility Request Amendment Proposal.

Sincerely,

Charles E. Taylor, President
Delaware Charter Schools Network
March 18, 2014

Dear Secretary Murphy:

I wanted to write you a letter of support for the ESEA Flexibility Request Amendment that the Delaware Department of Education (DDOE) is submitting to the United States Department of Education. The implementation of the Alternative Academic Framework in our charter Performance Framework has been transformative for Positive Outcomes Charter School. The Alternative Academic Framework, that takes into account the ‘at-risk’ population that we serve, is exactly what our school has been asking for.

I was pleased that the charter community was involved in the process and that our school specifically was included in the process around alternative measures. As you know, prior to your tenure as Secretary, our school was identified as a Partnership Zone school. This was based solely on a single measure, which did not take into consideration the population that we serve.

While the transformation that we were able to make through our opportunity as a Partnership Zone school has been significant for our students, having this alternative academic framework has been crucial for us. The use of multiple measures allows for holding our school accountable in an equitable manner. Our population is unique and just as they need some accommodations for their work, we, as the school that serves them, need accommodations as well. The Alternate Framework allows for this.

We are not alone in serving kids ‘at-risk’ of failure. I believe that there are other schools within our state that would benefit from the use of the Alternate Framework. Additionally we look forward to working with other schools, if asked, during the implementation phase.

I appreciate that the DDOE is looking to make accountability equitable for all public schools through the use of the Academic Framework. All of our schools and students deserve to have their work looked at through the lens of multiple measures to show where they are and how far they need to go.

Sincerely,

[Signature]

Edward J. Emmett Jr.
Director
March 17, 2014

Arne Duncan, US Secretary of Education
Lyndon Baines Johnson (LBJ), Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary Duncan,

I am writing in support of Delaware’s ESEA Flexibility Request Amendment. As the Executive Director of the Delaware Charter Schools Network, I was a member of the stakeholder group that helped develop the Academic Framework that is included in this amendment. Our group, that included members of the Delaware State Education Agency, District superintendents, the State Board of Education, the Delaware Department of Education, community members, and charter leaders, worked together with consultants from the National Governor’s Association to look at national research based best practices for school accountability measures. This included looking for ways to use multiple measures instead of a single measure. For our charter schools, accountability is what we sign up for, yet being held to one single measure does not accurately show the full picture of how we are doing for our kids.

Through mindful collaboration with this stakeholder group, we were able to come up with an innovative method that combined many of these national best practices for an accountability system that has made a difference for our schools. For me, this was never just about charter schools. This was about finding a better, more accurate way to measure all of our public schools. The idea behind charter schools has always incorporated the thought that we could be the incubator for innovative practices that could then be rolled out to the full system. This is exactly what is happening with the Academic Framework here in Delaware. The accountability idea put forth in the ESEA Amendment is an incredible opportunity for our public system of traditional, vo-tech, magnet, and charter schools to collaborate and work together around a practice that the outcomes for children are truly at the heart of.

Charters are a part of the public education system not apart from. Having an aligned accountability system for all public schools is the right way to move forward. Using this Academic Framework as the same accountability system for our public schools is not a ‘one size fits all’ approach, but rather an understanding that every school has different populations and it recognizes the work happening for each of the children within. Our charters have seen great improvement in how they are being held accountable through the use of this tool because they are now able to show the full breadth of accomplishments for their kids. We are excited to see that all of our public schools will now have this opportunity as well.

Thank you for your consideration of this amendment.

Best,

Kendall Massett
Executive Director
Delaware Charter Schools Network

www.DECCharterNetwork.org
Thank you.

Hi Sandy,
Thanks for the email. No, you do not need to resubmit. I will keep your email as a record.

Best,
Susan

Susan Keene Haberstroh, MPA, Ed.D.
Associate Secretary
Education Supports & Innovative Practices Branch
shaberstroh@doe.k12.de.us

Susan,
I believe Capital’s questions/comments were already submitted and included in the first Q & A. Do I need to resubmit them as concerns?

Please advise.

Thanks,
Sandy
From: Haberstroh Susan Keene [mailto:susan.haberstroh@doe.k12.de.us]
Sent: Tuesday, March 11, 2014 11:51 AM
To: Augustus Amber; Blowman David; Breeding Karen; Breithaupt Challis; Buono Nicholas; Burton Jennifer; Curry Daniel; DALLAS JODY; Daugherty Mervin B; deborah.stevens@dsea.org; Denn Matthew; deweywing@aol.com; Dickerson Kevin; DiPietro Eulinda; Duerr Lori; Frederika.Jenner@dsea.org; Haberstroh Susan Keene; Hartstein Lois; Henderson, Sylvia; Holston Shannon A; Hovermale Rita; Hulse John H.; Jackson Esther; Jackson Jessica; Jarrell Ted; Johnson Donna R; jowilson@udel.edu; Klein Jeff; lfrancisco@caravel.org; Mitchell Donna (PSB); mstevenson@desu.edu; Murphy Mark; O'Mara Lindsay; Panchisin Debbie; Patterpa@wesley.edu; Phillips Charity; rsianjina@desu.edu; Rudinoff Rachael; Ruszkowski Christopher; Santiago Yvette; sfrancis@edsba.org; Smith Sandra; Spangler Sandra; sreihm@edasa.org; terri.hodges@dela.wrepta.org; tohudson@udel.edu; Touchette Brian; vukelich@udel.edu; Watson Michael (DOE);
WEINLES DAN; ZYCH DEBORAH
Cc: Haberstroh Susan Keene
Subject: ESEA Flex Update for DESS Council

Dear DESS Advisory Council,
As discussed in our meeting, we will have an opportunity to get back together to discuss the ESEA Flex Request Amendment. Our plan is to hold a webinar on Friday, March 21st in the afternoon. A meeting invite will be sent.

As noted in the previous email just sent, the comment deadline has been extended to March 19th. We will share with you the comments we have received on this webinar. Again, email me directly with comments or any questions.

Best,
Susan

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1. **How have the rating category points and weighting percentages been validated against other measures of school impact? How were the weights for the status and growth components derived? What other stakeholders have evaluated this framework for public school implementation?**
   - First, we are not sure what “other measures of school impact” is referring to.
   - Category points: there are 4 measures separated into quartiles, which are not arbitrary—please see page 23 of the methodology document: http://www.doe.k12.de.us/infosuites/schools/charterschools/files/DCPFAcadFmwrkMethGuid120313.pdf
     
     | Category Standard       | Points |
     |-------------------------|--------|
     | Exceeds Standard        | 100    |
     | Meets Standard          | 75     |
     | Does Not Meet Standard  | 50     |
     | Falls Far Below Standard| 25     |
   - The weighting was decided upon during the development of the framework between 2011-2012, stakeholders involved included: DSEA, Governor’s Office, National Governors Association, Delaware Legislators, Innovative Schools, Delaware Charter School Network, State Board of Education, DOE and Chief State School Officer representative.
   - When the framework was developed from August 2011 through September 2012, it was run against 2 years of data. They were tested by Public Impact to ensure fairness and accuracy. Psychometricians at AIR were involved in setting the growth targets for measures 1a and 1b.

2. **Since lowest-performing (1b) are included in all (1a), are these students are doubly counted towards a school’s score?**
   - Since graduation rates and proficiency (2a, 2b) are part of AYP aren’t these measures doubly counted or more if you count sub-groups (part of 2a, 2b)?
     - No one student is counted multiple times in a single measure (with the exception of AYP)
     - Students will be counted in multiple measures throughout the entire framework index because this honors the complexity of school performance better than a single measure accountability system.

3. **How were targets for Exceeds Standard, Meets Standard, etc., set?**
   - The targets for individual measures as well as the overall ratings and measures were developed through the same stakeholder engagement as described above.
   - Additionally the measures in 1a and 1b were aligned in part to the goals established in the DPAS II – for Administrators, measure 1c was finalized after data testing by Public Impact and discussion with stakeholders, measures 2 a, b, c, d are comparative measures to state average performance, Measures 2a and b also incorporate comparison to the state average along with the lowest 20th and highest 10th percentiles of school performance. It is important to note that these comparisons are based upon a weighted average of the grades served by the school, the number of students within each of those grade levels, and the state averages of the same population.
   - SAT was established based upon performance expectations and the College Career Ready cut score as well as performance measures established in state education goals. The graduation rates were set based on initial RTTT goals.

4. **On the AYP part, there are two categories (meets/does not meet)....what are the values?**
   - 100 points for Meets Standard.
     It was important to ensure that schools received the maximum number of points for "meets standard".
   - 50 points for Does Not Meet Standard.
5. The bottom quartile of performers in one school is very different from other schools? In a selective academic school, the bottom quartile may well be pretty high performers. In other schools, it may be very low performers. The bottom quartile, if anything, should be determined by the statewide distribution, not the school-specific distribution?
   - Every school has a lowest quartile and since this is not a comparative measure against others’ performance it is an appropriate measure of how each and every school is meeting the growth needs of their lowest quartile of students, no matter where that lowest quartile is situated on the continuum.

6. Will we be discussing the timelines for implementation of this Framework?
   - Yes, this is outlined in the ESEA Flexibility Amendment request [here](#).
   - Pending approval from USED, the timeline for implementation will be for SY14/15.

7. When will the more detailed webinar be scheduled?
   - We plan to engage the Department’s Data Analysis Working Group (DAWG) on discussing some of the technical questions. There is a meeting on Wednesday March 12th. This may be a better venue to vet these questions.
   - This FAQ document will continue to evolve.

8. 1a Growth - Can a school have all teachers "satisfactory" (50% targets met) but the entire school still "fail" this metric that must be 60% or higher?
   - Yes, this framework metric is based upon school performance not individual classroom performance.
   - Even though teacher goals are set at 50% for meets in DPAS II, the measures for principal evaluation, states that an Administrator is rated Satisfactory for 60 – 79 and Exceeds for 80 – 100. This is school accountability not teacher accountability, thus comparison should not be made to the classroom level but to comparable measures which use school wide data.

9. How will a typical principal monitor this?
   - This is based on DCAS scores currently, which can be monitored via DCAS-OR and DSARA.
   - Principals as well as district leaders can monitor their school performance.
   - The only thing that they cannot monitor currently are state averages and state-wide data.
   - This is a summary measure of school performance, so principals (and districts) will still monitor leading indicators as they do currently and have previously.

10. How will schools and districts track their progress? How will schools and districts ensure that any formative data collected and tracked by districts and schools during the school year will align with DOE’s framework?
    - Schools and districts will track leading indicators the same way they do today. Changes as a result of the shift to the Smarter Assessments will be the only difference.
    - Any formative data geared towards improving student proficiency rates and improve student growth should align to the framework by default.
    - The methodology document provides details on how every measure is calculated. If a school or district wanted to reevaluate the measures, or see how they are calculated, they are able to do so – with the exception of state-average comparison data.

11. Next year, we will no longer be using DCAS, and with SBAC we will no longer have fall data, so no measure of fall-to-spring growth will be available. Therefore, the growth components of the new framework, as they are now specified, will no longer be possible
    - Correct: whatever accountability rules Delaware has in place will need to evolve to accommodate the shifts related to the Smarter Assessments.
    - SY14/15 is a transition year.
12. The new framework’s three separate growth calculations are completely based on DOE’s current Component V, Part A DCAS fall-to-spring growth model. Next year, we will no longer be using DCAS and with SBAC we will no longer have fall data, so no measure of fall-to-spring growth will even be available. Therefore, the growth components of the new framework, as they are now specified, will no longer be possible. What is being done with regard to these measures?
   - Only measures 1a and 1b use the same instructional scale score growth tables which are used for DPAS II. Measure 1c uses the accountability score.
   - These measures will be able to be used for the 2013-14 school year as well as comparison data reports for the 11-12, and 12-13 school years already completed using the same metrics, which was provided to all districts several months ago.

And, has the state considered a value-added growth methodology?
   - The methodology to calculate growth in 2014-15 and beyond is currently being reviewed by the State Board of Education, and additional details on what changes will need to be made to the methodology will be communicated.
   - The intent is that growth will be able to be calculated using a spring to spring assessment and enable a transition without a gap in analysis.
   - The targets within the framework were designed to adapt to a new high stakes assessment. While cut scores and growth targets may change, the language of the framework should not need to change drastically since we are measuring student outcomes, i.e. % of students proficient in Math and ELA.

13. For the comparison "virtual school"- are that schools students removed from the comparison group?
   - The students in the schools are not currently removed from the comparison. (updated 3.7.14)

14. Why was this accountability framework selected?
   - This was developed from a national best practice model and customized for Delaware by Delaware education leaders. This is not a canned product developed or created by an outside entity.
   - This framework has been in place for charter schools in Delaware since September 2012 and reports have been generated based upon the framework metrics back to the 2010-11 school year. This framework was first used with those schools and upon the multiple years of data has proved to be a more robust measure for evaluating school performance.
   - The maturation of this framework model to be used as a model for all schools is an application of the intent of charter schools to be centers of innovation.
   - Other states have similar accountability systems in place which are used for all schools – states that have an index as part of ESEA flex applications, include Colorado, Hawaii, Rhode Island, Pennsylvania, Massachusetts, Maryland, Nevada. States that have an A-F grade based on an underlying index are Florida, Indiana, Arizona, Louisiana. California has an index based on a fewer number of indicators (no growth). (updated 3.7.14)

15. Has this methodology been applied to a regular school in Delaware to see how it compares to the ratings the school has received in the past?
   - Yes, the methodology has been applied to all Delaware public schools for 2011-12 and 2012-13. Reports were provided to all superintendents in September outlining each schools’ performance against the framework.
   - DOE has cross-referenced prior identification of schools with the overall ratings of the framework and found alignment and is in the process of running full impact data.

16. Is Full Academic Year still applied?
17. Growth to Proficiency: since this data point includes "average growth by grade" (based on historical data), how will this be calculated with no historical data related to the SBAC?
   - As stated above, SY14/15 is a transition year, and any accountability system in place would need to evolve to accommodate the Smarter assessments. The methodology to calculate growth in 2014-15 and beyond is currently being reviewed and additional details on what changes will need to be made to the methodology will be communicated. The intent is that growth will be able to be calculated using a spring to spring assessment and enable a transition without a gap in analysis.

18. Will mission-specific goals still be included? If so, can you provide some examples?
   - Mission Specific Goals will not be included in SY14/15, as it is a transition year.
   - Examples of Mission Specific goals are available in some charter school Performance Agreements.

19. How will growth be measured with SBAC at schools where not all grade levels are being tested?
   - As stated above, SY14/15 is a transition year, and any accountability system in place would need to evolve to accommodate issues related to the Smarter assessments.
   - The Secretary has stated publicly that DOE intends to have an assessment measure in 9th and 10th grade, even though it may not be a measure developed by SBAC.
   - This is still under development, and information will be communicated as it becomes available.

20. Why are we moving away from a pass/fail system to a system where schools can be ranked?
   - Schools will receive one of four ratings – Exceeds Standard, Meets Standards, Does Not Meet Standard, and Falls Far Below Standard. There is no pass/fail.
   - The AYP, pass/fail measure of school performance does not honor the complexity of a school’s performance. This model values growth and proficiency and additional measures that are critical to student achievement.
   - This framework provides a transparent view of student achievement through multiple measures.

21. How will school accountability be calculated in summer of 2014?
   - Pending approval from USED, school classifications and district levels of support for SY14/15 would be made using the Academic Framework. AYP will still be calculated and reported, and used as a measure in the Academic Framework.
   - The reward, recognition, focus and priority schools will be identified using 13-14 data. This is answered in another question below.

22. On page 2 of the ESEA amendment document it talks about determining priority schools for the 2014-15 school year based on this framework, which seems like it would need the data from the 2013-14 school year? If this is approved by the Federal Govt before the end of the school year, this framework will be applied this school year?
   - Yes, the Academic Framework would be applied to the 2013-14 school year for the determination of a new cohort of Priority schools. Please see ESEA Flexibility Amendment Proposal.
23. With regard to "overall rating" at the end, why not just use the calculations with the weighting? Why assign them to a standard value 25, 50, 75, 100 then apply the weighting?
   - By assigning an individual measure score out of 100 – note: this means that 100 points has been evenly distributed across the four target levels – you are able to then calculate an overall score using the weights which is also out of 100% of the points possible in the framework. This approach promotes transparency and clarity about the rolling up process to an overall score/rating.
   - This is an easy communication tool with parents, community, teachers, leaders, etc. and allows schools to run the calculations themselves. The one caveat to keep in mind is that no school could achieve a score below 25% since the Falls Far Below Measure is given 25 points.

24. Will schools that only serve a “specific” group of students be graded/weighted the same? (KCILC)
   - For purposes of charter schools, Delaware has developed an Alternative Academic Framework.
     http://www.doe.k12.de.us/infosuites/schools/charterschools/files/AltAcadPerfRmwrkPOCS.pdf

25. How were the weighted averages calculated/determined? (arbitrary or to provide a clear ranking or quartiles or to ensure there were schools that fell into each classification at the end) – ranging from 5% to 17.5%
   - See question 1. Data was analyzed, raw scores were graphed against expectations and then looked at in multiple formats by the stakeholders including but not limited to examining how the framework reacted to schools within the extremes as well as high performance and low growth, low performance but high growth, and multiple points in between. The goal is to have no schools weighted in the lowest two ratings, the expectation is that all schools will be high performing.

26. How will Low-SES be determined? (DHSS, FRL, ????)
   - Low Socio Economic status will be determined using the alternative poverty metric.

27. 2.a Proficiency = Why are we going back to the old DSTP ways and comparing/ranking schools in the State? Why are we not using the DCAS methodology and using the first year as a school’s/district’s baseline and then setting “Targets” (i.e. Reducing the number of non-proficient students by 50% over five years) This is more “fair” than comparing/ranking schools and using State averages.
   - The Annual Measurable Objectives (AMOs) were set based on the state average in 2010-2011. This is the same as the ESEA Flex AMOs. The AMOs in the Academic Framework align with the state AMOs.

28. 2.b Overall Subgroups = How is the “overall” subgroup calculation determined from each individual subgroup evaluation? How is this fair to schools that have “all” subgroups represented as compared to schools that have only one or two subgroups represented?
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Last updated: 3/7/14

- This is detailed in the methodology document on page 11 also look at the model performance review report on pages 27-30.

29. Why are we not using the DCAS methodology and using the first year as a school’s/district’s baseline and then setting “Targets” (i.e. Reducing the number of non-proficient students by 50% over five years) This is more “fair” than comparing/ranking schools and using State averages.
- The Annual Measurable Objectives (AMOs) were set based on the state average in 2010-2011. This is the same as the ESEA Flex AMOs. The AMOs in the Academic Framework align with the state AMOs.

30. 2.c District comparison = This data point was created to compare Charter Schools to the same grade level schools in the District they served. How does this work with districts that have only one school at a particular level? Comparing a school to itself will always be “meets standard”, but never “exceeds standard”. Also, how is it fair, for example if a district has only two high schools, that this data point basically has one pass, one fail, and could possibly generate public conflict to which high school a child should attend? (or “dividing” “meets standard” and “does not meet standard” elementary schools) The potential application of this data point can become very volatile if you are comparing one school to another within a district.
- This measure is under consideration for exclusion from the 2014-15 Academic Framework.

31. 2.d Similar Schools = The title of this data point is misleading in the table. It is a “statistically similar school”. This is going to a bit challenging to explain this data point to different audiences – very complex metrics. The main concern is the fact that is it a “virtual school” – not real – it is taking into account many, many subgroup analysis – great, but does it also take into account absenteeism, tardy rate, discipline, parent involvement, other statically impactful variables on student performance. (For example, Table 5 in the framework methodology show the basic concept – point – African American (SpEd, FRL, ELL) but does it take into account the other variables listed above – attendance, discipline, etc. – so it is a virtual school, but is it “really” a similar school?
- The level of data and type of data used is consistent with the available data and demographics currently used for accountability. There is not a current plan to align student discipline, attendance, parent involvement, etc into academic data performance flags.

32. 3a and 4b – They are connected. For example, fail the graduation rate and fail the AYP?
- The Academic Framework is made up of multiple measures. You could get credit for the graduation rate, but miss AYP.

33. SAT Scores – are they really a fair data point when comparing schools with a very large Low SES population to a school with a very small Low SES population?
- The expectation is that all schools are moving all students toward college and career ready, regardless of demographic subgroups.
Susan – as you know, the other DESS members and I just received the proposed ESEA waiver document on Tuesday. I am looking forward to participating in the discussion at today’s DESS meeting, but if the Department is truly interested in the committee’s informed input into its proposed application, I strongly suggest that the submission be delayed until the committee has an opportunity to fully understand the application, suggest changes to the Department of Education, find out whether those changes are being made, and offer a formal opinion on whether the waiver is a good idea.

As applied to the reward and recognition schools, I have serious concerns about the new “Academic Framework,” most significantly (a) that the majority of its components relate to percentages of students at proficiency (as opposed to student growth), which is at least partially a function of the status of students when they arrive at school rather than the expertise or effort being applied by the school to the education of those students, and relatedly (b) that the proposal to compare students in different schools suggests a level of equivalency between schools that does not exist in reality. The academic achievement of an ELL student from a low income background attending school at a middle school that has a student population that is only 10% ELL and 20% low income cannot be realistically compared to a student with the same profile attending a school that is 40% ELL and has 85% low income students – the schools are dealing with completely different challenges, and although we hope that both schools will help each student to achieve, it is not accurate to suggest that the latter school should be expected to be able to provide exactly the same support to the student as the former school.

Beyond concerns with the “Framework” itself, there are other issues that should be addressed with the Reward and Recognition Schools. Specifically, I believe that schools should not be eligible to receive these awards if they (a) require students to meet some level of academic achievement as a condition of admission to the school, or (b) prohibit or discourage students with any types of disabilities from attending the school. Both of these policies have the effect of artificially inflating the overall student proficiency scores at a school, and given that the Reward and Recognition designations are based on overall student performance, these schools should not be eligible. Additionally, for schools required to be “Title 1” schools in order to receive awards, I believe that the state should use a more restrictive definition of Title 1 school with respect to the percentage of low income students attending the school. As you know, we have had schools in each of the last two years receive awards based on their status as “Title 1” schools, when those schools have had among the lowest percentage of low-income students in their student population of any schools in our state.
These are just some of my concerns with respect to Reward and Recognition schools, I suspect that other DESS members may have similar concerns with regard to other applications of the new “Framework” that will have potentially negative consequences for schools that are affected. It is unclear to me that there is any federal deadline for us to submit this waiver request, and if that is the case, my strong suggestion is that a follow-up meeting of DESS be scheduled and that the Department of Education refrain from submitting its waiver request until the DESS has an opportunity to offer suggestions, see the Department’s responses to those suggestions, and then offer an opinion on whether the waiver is a good idea for the state.
Susan – Here are just a few thoughts on the ESEA Flexibility amendments –

- Pg 2 - identification of Priority schools – I am sure your team may have discussed this effect but with the change to a new assessment system, only examining 2 years of data could flag a school unnecessarily. If you consider a look at a longer trend data (3-5 years) this review paints a more accurate picture of school performance over time. I am specifically thinking of some schools flagged for PZ or focus using 2010-2011 data from DCAS when in a deeper examination of the data, there were schools with more historic low performance over time than some schools that were identified.

- Can the single measure of SAT trigger Priority status?

- On Page 13 there is reference made to the MOU – While I agree a more clearly defined MOU between school, district, and state is needed, does this mean the language around the negotiation of an MOU between the district and union has been taken out of the regulation? If so, I would suggest that the language stay. This requirement was a powerful tool, as well as it gave political cover for districts/school leaders to allow flexibility at their PZ schools.

Thanks!
Shannon