

Massachusetts DOE ED-FLEX REPORT

INTRODUCTION

Waivers provide flexibility in exchange for accountability for the improved academic performance of all students. As part of this accountability, we monitor the activities of school districts and schools receiving waivers and submit to the Secretary an annual report based on our monitoring activities (see Section 4(a)(5) of the Education Flexibility Partnership Act of 1999). The report will assist both the Department of Education (ED) and States in evaluating the effectiveness of the Massachusetts Ed-Flex program in improving teaching and learning for all students. In this report, we provide information on new waivers granted during the 2005-2006 school year and data on student achievement for schools affected by waivers during prior years.

REPORT FORMAT AND INSTRUCTIONS

This report contains two sections – (1) a narrative that provides a general description of Ed-Flex activities in Massachusetts and (2) tables that provide information on (a) Federal waivers that the State has granted, (b) requests that the State has denied or determined to be unnecessary, (c) any applicable waivers of State requirements; and (d) data on the performance of districts and schools operating under waivers.

This report follows the format provided. We respond to each element of the report narrative, providing responses directly below each requested item. If the question is not applicable, we indicate with the symbol “N/A” and explain why the question is not applicable.

(1) Report Narrative

Your Ed-Flex report should contain a narrative that discusses your State's implementation of its Ed-Flex program during the 2005-06 SY. In this narrative, please:

- (a) Describe what Ed Flex waivers were granted and more specifically, provide a description of the activities permitted as a result of the waiver;

School districts requested Ed-Flex waivers, which were granted in the following areas:

- Schoolwide programs (section 1114). There were no new LEA requests during the 2005-06 school year to allow schools that did not meet the 40 percent poverty requirement to operate a schoolwide program. Four schoolwide waivers had previously been approved under NCLB; these continue to operate through the current authorization. Each of these schools had a low-income poverty level between 31 and 39 percent. Prior to approval of this waiver, these schools were required to develop a comprehensive school plan to upgrade all instruction in the school, based on results of their particular needs assessments. The schoolwide plans include the required ten components, incorporated into their school improvement plans. These waivers allow the schools to address the educational needs of all students in the school, while particularly focusing on the lowest-achieving students. These schools are implementing schoolwide restructuring reform initiatives, while also using Title I funds to address professional development needs of all teachers, specifically focusing on curriculum areas where students are not successfully meeting AYP goals. For example, Worcester Public Schools have hired a data person for each of the three schools receiving schoolwide waivers. These specialists analyze data and provide consultation to all teachers for differentiating instruction. The professional development initiatives are part of a district-wide plan, and support all teachers in the schools. There is a new literacy specialist to train and coach all teachers in these schools.
- Targeted Assistance (Section 1113). Only three schools that did not meet grade span or district-wide eligibility criteria for Title I applied for and received approval of their waiver requests. These schools had already availed themselves of the allowable grandfather provision. Other schools not meeting eligibility requirements for Title I used the allowable grandfather provision, allowing them to continue Title I programs without interruption. These schools' poverty levels were less than 5 percentage points below qualification criteria for their district or grade span averages. This waiver approval allowed these schools to continue providing Title I services to the low achieving students in the curriculum area identified through the comprehensive needs assessment and evaluation of the program. Title I services were permitted to continue uninterrupted for one year in the expectation that these schools would again meet the eligibility threshold (without a waiver) for Title I services during the 2006-07 school year. Two of the schools receiving waivers under provision 1113, provide

supplemental reading or Language Arts services and one offered supplemental math instruction.

- For the first time, in the 2005-06 school year, after consultations with USED staff, we approved a new type of waiver request for schools or districts identified for improvement to allow flexibility in the required 10 percent set-aside for professional development. These waiver requests were approved if the district clearly documented that the equivalent 10 percent funding requirement was allocated from federal, state, or local funds. For example, several of these schools received Reading First grants, which exceeded the required set-aside and addressed reading, which was the reason for the schools' low performance. Administrators of these schools strongly believed that teachers would receive high quality professional development in reading from the existing resources, and that Title I funds would be more beneficial if direct instructional services were provided to students. In addition, there are several state-funded reading programs in Massachusetts that offer intensive professional development, that were awarded to the schools requesting waivers. State and federal resources are also provided in mathematics and address the professional development needs of the teachers. These waivers also allow Title I funds to focus on direct instructional support for students (aligned with state standards) while ensuring that required targeted professional development is planned and implemented.

- (b) Discuss how the Ed-Flex program is assisting your State in implementing State reform efforts and how your State has used the Ed-Flex program to encourage educational innovation;

Some schools requesting waivers were also identified by the State as schools needing additional support in either reading and/or math and thus were specifically targeted for federal or state grants. This allowed the flexibility to maximize the effectiveness of the Title I resources and other funds. Use of funds without the specific restrictions required by the 10 percent professional development reservation for schools identified for improvement, permitting schools to operate Title I schoolwide programs when their poverty level is slightly below the required 40 percent poverty level, or serving those schools that fall slightly below the district or grade span poverty level, encourages innovation in planning. This legislation does not seem to pose a barrier for administrators implementing new, innovative practices and/or programs.

- (c) Highlight how some of the waivers that your State has granted are assisting waiver recipients in advancing local educational reform strategies;

The MA State Education Reform Act is based on scientific research in establishment of our State's high standards and best practices. The waivers encourage the coordination and integration of services to maximize the effectiveness of these resources to help improve student

achievement. This is particularly beneficial to schools identified for improvement, corrective action, or restructuring, where these schools are required to revise their school improvement plan to address the curriculum areas of low student performance. District leaders appreciate the opportunity to target their Title I resources and services in the areas of greatest need, without the restrictions of additional required set-asides for professional development. The Massachusetts Ed Reform Act of 1993 focuses on the importance of professional development activities, addressing specific needs of teachers and students, using the MCAS state assessment results. NCLB requirements are closely aligned with MA Ed Reform initiatives, and further emphasize the significance of professional development based on scientifically based research.

- (d) Indicate whether your State has promoted any particular types of waivers on a statewide basis. With each such waiver, discuss:
- The type(s) of waiver promoted;
 - The State's rationale for promoting the waiver(s) on a statewide basis; and
 - The educational achievement goals that the State expects districts or schools implementing the waiver to meet.

N/A There were no requests for statewide waivers and DOE administrators did not feel any statewide waiver was necessary.

- (e) Discuss the strategies your State has undertaken to improve the implementation of Ed-Flex within your State. In particular, please describe:
- Any significant changes that the State has made to its Ed-Flex plan, since the plan was approved by the U.S. Department of Education;
 - Any relevant changes your State has made in the following areas: the Ed-Flex application review process; how the State captures Ed-Flex data; how the State monitors Ed-Flex districts and schools, etc.; and
 - What student performance outcomes the state expects will occur as a result of these changes.

Following approval from U.S. Department of Education, Massachusetts Department of Education allowed districts to request an Ed-Flex waiver of the required reservation for schools and/or districts in improvement status. This was a new waiver item this year.

The Ed-Flex application review process is initiated by DOE consultation with the responsible school administrators. Discussion and technical assistance provide clarification and individual support. Through these activities, the Ed-Flex waiver request is either encouraged or discouraged. At the Department, a team from the Title I unit, headed by the State Title I Director, reviews all waiver requests. The State monitors Ed-Flex districts and schools through the Coordinated Program Review (CPR) process. These include documentation review and on-site visits, with school and

district administrators, staff, and parents. Progress reports and mid-cycle reviews are also part of this process. The Ed-Flex data is obtained through the state assessments (MCAS), administered on an annual basis, as required under NCLB. There were no significant process changes this year.

The State anticipates that the waiver will help more students reach proficiency.

- (f) Discuss strategies your State has implemented to inform districts and schools about Ed-Flex;

Information on Ed-Flex waivers has been disseminated to districts using the following approaches:

- Written instructions (purpose of waiver process, and required procedures)
- Orientation meetings for Title I administrators
- Regional networking meetings for Title I administrators
- Commissioner's letter to superintendents, Title I directors, principals
- Title I statewide annual conference
- Council of Administrators of Compensatory Education (CACE) meetings
- Title I website
- Individual and small group technical assistance directly provided by DOE Title I staff

- (g) Describe what types of technical assistance your State has provided to LEAs implementing ED-Flex waivers; please discuss:

- The types of strategies, the length of the assistance, and the effectiveness of the strategies;

We provide technical assistance to Ed-Flex LEAs using the following:

- DOE Title I staff assigned to specific districts provide guidance and assistance for effective planning and implementation of Title I activities affected by waiver. The length of time required for this assistance varies, based on the knowledge and experience of the administrator(s) seeking individual or small group assistance.
- Assistance provided through the year: initially informing administrators of required information about regulations, guidelines and procedures regarding Ed-Flex waivers. This information is provided through regional and statewide workshops. Sessions describing and responding to questions regarding Ed-Flex waivers typically are scheduled for one hour in duration, which appears sufficient. Additionally, this information is available on the DOE website and disseminated through networking meetings, and administrator meetings.

Describe the steps your State has undertaken to regularly monitor districts and schools receiving waivers, and how that oversight provides constructive feedback to those districts and schools on their waiver implementation activities;

During scheduled LEA monitoring visits, schools that have waivers are visited. The Title I staff person meets with administrators and teachers to determine if the waiver has been instrumental in improving student achievement and also provides technical assistance and suggestions for successful practices. Monitoring activities ensure the effective implementation of the waiver. In addition, special attention is provided to those districts that have approved Ed-Flex waivers, but are not scheduled for CPR visits. Technical assistance and constructive feedback are provided to ensure the expected outcomes as detailed in the waiver request.

- (h) Identify the schools and districts that are not meeting the specific, measurable educational goals established in their Ed-Flex waiver applications and identify what steps were taken to address this issue. In particular, provide information on:
- The specific steps the State has taken to help ensure that schools and districts meet the goals established in their waiver applications;

State assessment (MCAS) results are reviewed annually, monitoring visits are conducted, and meetings are conducted with administrators.

- The number waivers (with the accompanying names of districts/schools) that were terminated or identified for termination as a result of not meeting the specified goals; and

N/A

- The specific actions taken if waivers were not identified for termination, but schools and districts did not meet the goals established in their waiver applications, please describe what steps were taken to address this issue.

With the exception of schoolwide waivers, all waivers have been approved for a single school year. Therefore, it is difficult to measure the impact of the waiver on student achievement using hard data and objective criteria, in a short time span. The impact on instruction varies, depending on the purpose of the waiver. Clearly allowing schools to conduct a comprehensive needs assessment and design a instructional model that focuses on improving the education of all students is helpful in upgrading the entire instructional program. We have had no waivers terminated or identified for termination.

- (i) Discuss generally your State's conclusions regarding the impact of Ed-Flex, particularly with regard to improving student achievement, addressing in particular:
- The effect that the Ed-Flex waiver authority has had on instruction and student achievement in your State;
 - Whether any type of waiver has been particularly effective or ineffective; and

Various factors affect student achievement in the schools and districts granted waivers

- Technical assistance
- Informational sessions
- Classroom walkthroughs
- Support and guidance for program planning
- DOE hires outside technical assistance providers and consultants
- Panel reviews
- Fact finding visits
- Leadership training
- Training for teachers to enable them to more effectively support English Language Learners
- Implementation facilitators
- School support specialists
- How the State has used what it has learned from evaluating its waivers to adjust its Ed-Flex process.

The newest waiver has generated the most positive response, as it permits more Title I funds to be used for direct instructional supplementary support, rather than providing additional dollars for professional development. As a result of limited Title I resources, this waiver permits the use of other federal, state, and local funds to address the required professional development needs, based on state assessment results.

(2) Data Tables

To the extent applicable, Section A of the Ed-Flex report should include the information requested in the following tables on new waivers granted by your State during school year 2005-2006.

Section A- Waivers Reviewed and Granted

Table 1 – Data on Federal Waivers Granted

In Table 1 in the attached spreadsheet, ED is requesting that you report information by the *type of waiver* that you have granted. Please provide data only on waivers granted during the 2005-2006 school year. In Table 1, you are asked to provide –

- The citation for the specific statutory requirement waived;
- A brief description of the specific activities permitted as a result of the waiver (please do not provide a description of the statutory requirement waived);
- The expected duration for this type of waiver;
- Data on the number of districts implementing the waiver; and
- Data on the number of schools implementing the waiver.

Table 2 – Data on Federal Waivers Requests Not Granted

In Table 2 in the attached spreadsheet, ED is requesting that you report information on Federal waiver requests that the State disapproved or did not grant in school year 2005-2006. Please indicate generally why the State disapproved or did not grant the request (e.g., the State determined that a waiver would undermine the purposes of the program, the State determined that a waiver was not needed in order for a district to conduct its proposed activities).

In Table 2, you are asked to provide –

- The citation to the specific statutory requirement for which a district or school requested a waiver;
- A brief description of the activities that the waiver applicant sought to conduct under the waiver; and
- A brief description of why the State disapproved or otherwise failed to grant the waiver.

Table 3 – Data on State Waivers Granted

In Table 3, ED is requesting that you provide information on any waivers of State educational requirements that the State may have granted in school year 2005-2006. Where applicable, you should indicate whether the State simultaneously granted waivers of related Federal and State requirements.

In Table 3 please provide –

- A brief description of State requirements that the State waived and a description of the activities permitted as a result of the waiver;
- Where applicable, a description of the corresponding Federal requirement that was waived;
- Data on the number of districts implementing the State waiver; and
- Data on the number of schools implementing the State waiver.

Section B- Achievement Data

The data provided in this section will be for school year 2004-2005. For Tables 6, 7, and 8 you have the option of providing the requested student achievement data in the spreadsheets attached or providing report cards for schools affected by waivers provided that they include the student achievement data requested

Table 4 – Student Achievement Data for All Waivers Granted

For waivers that were in effect during the 2004-2005 school year, provide student achievement data in Table 4. In Table 4, please provide:

- The citation to the specific statutory requirement waived;
- The name of each LEA receiving the waiver;
- The number of schools within the LEA affected by the waiver (if applicable);
- The number of schools affected by the waiver that made adequate yearly progress;
- Indicate whether the recipient is meeting the specific, measurable educational goals detailed in the recipient's waiver application; and
- A brief discussion of how the waiver has assisted the district in improving student achievement. The discussion should provide:
 - Relevant student achievement data, including baseline data; and
 - AYP data for the school year prior to the initial implementation of the waiver and for the most recent school year.

Table 5 – Additional Data on Waivers of Schoolwide Threshold Requirements

For schools that had operated a schoolwide program for at least 2 years as a result of the State's waiver of the minimum poverty threshold, please provide the additional data that is requested in Table 5. (For the 2004-2005 school year, waivers would have to have been in effect during at least the 2003-2004 and 2004-2005 school years.)

In Table 5, please provide:

- The number of schools operating under schoolwide waivers for 2 school years or longer during school year 2004-2005;
- The number of these schools meeting the specific, measurable educational goals detailed in the waiver application during school year 2004-2005;

- The number of these schools meeting AYP during SY 2004-2005; and
- The lowest poverty rate of any school that received a waiver to operate a schoolwide program.

Table 6 – Additional Achievement Data on Waivers of Schoolwide Threshold Requirements

In Table 6, please provide disaggregated student achievement data for all grades tested in a school for schools that had operated a schoolwide program for at least 2 years as a result of the State's waiver of the minimum poverty threshold during school year 2004-2005. The data should include the percentage of students performing at or above the proficient level (This is the same data as in school report cards.) Please provide the data only for schools that had operated a schoolwide program for at least 2 years as the result of a waiver of the minimum poverty threshold. (For the 2004-2005 school year, waivers would have to have been prior to the 2003-2004 school year.)

Table 7 – Additional Achievement Data on Waivers of Eligible School Attendance Areas (Section 1113) Requirements

Please provide the names of all LEAs implementing a waiver of Section 1113 (which establishes the procedures by which LEAs must allocate funds to schools eligible for assistance under Part A of Title I) and the name of each school affected by the waiver. Schools affected by a waiver of Section 1113 are schools that receive an allocation (or don't receive an allocation) or receive a larger (or smaller) allocation as a result of the waiver. (Section 1113 of the Elementary and Secondary Education Act.)

In Table 7, please provide additional achievement data for schools receiving waivers of the Title I targeting requirements, whether the school received additional Title I assistance as a result of the waiver, or the schools received a reduced Title I allocation as a result of the decision to fund more schools.

In Table 7, please provide disaggregated student achievement data for all grades tested in each school showing the percent of students performing at or above the proficient level for each school affected by a Sec. 1113 waiver in each district in school year 2004-2005. (This is the same data as in school report cards.)

Note: Schools affected by a Sec. 1113 waiver are those that that received additional Title I assistance as a result of the waiver, as well as the progress of schools whose Title I allocation was reduced as a result of the decision to fund more schools.

Table 8 – Additional Data on Waivers of Highly Qualified Teacher Requirements

In Table 8, please provide additional data for schools receiving waivers of the requirement that all teachers newly hired by an LEA to teach core academic subjects in a Title I program must meet the statutory definition of “highly qualified.” In Table 8, please provide data on the number of teachers newly hired to provide instruction in the core academic subjects in Title I programs in each school affected by a waiver of Sec. 1119(a)(1). Please provide data for each Title I school affected by the waiver on the number of teachers hired to teach core academic subjects that met the definition of highly qualified and the number of teachers hired that did not meet the definition of highly qualified and whether the school met your State’s definition of adequate yearly progress in those years. Please provide this data for the year before the waiver and each year covered by the waiver. In addition, please attach a school report card that includes student achievement data for schools affected by a waiver of the highly qualified teacher requirement. Data should be provided for each year in which the waiver was in effect.

In addition, please attach a description of your State’s implementation of waivers of Sec. 1119(a)(1), which requires that all teachers hired after the start of the 2002-2003 school year to provide instruction in programs supported with Part A funds must be highly qualified. In the narrative please discuss any particular grade levels or subject areas that were targeted under the waivers, or any unique circumstances within the State that necessitated waiving the highly qualified teacher requirement. Also, include a description of the steps being taken by districts and schools affected by the waivers to ensure that teachers hired under the waivers become highly qualified, and a description of the steps taken by districts and schools affected by the waivers to ensure that all teachers providing instruction in the core academic subjects are highly qualified by the end of school year 2005-2006.

Report Due: September 1, 2006

State: Massachusetts

REPORTING DEADLINE AND SUBMITTAL INSTRUCTIONS

The Ed-Flex State reports are due on September 1, 2006.

Please submit both a hard copy and an electronic copy of your report to ED. Mail the hard copy of your report, via FedEx or UPS, to:

Iyauta Moore
OESE/School Support and Technology Programs
U.S. Department of Education
400 Maryland Avenue, SW, Room 3E219
Washington, DC 20202-6400

E-mail the electronic copy of your report to lyauta.Moore@ed.gov.

If you have any questions or concerns regarding this Ed-Flex Guidance, or any other aspect of the program, please contact Iyauta Moore on (202) 260-2509 or lyauta.Moore@ed.gov.

Report Period: _____

ASSURANCE OF DATA QUALITY

I assure that the data reported in this document is reliable, complete, and accurate.

signature

date

name

title

NOTE: If there are problems with the reliability, completeness or accuracy of the data contained in this report, please describe those problems and provide a plan for addressing them.