ESEA Flexibility

Peer Panel Notes



**State Request:** Nebraska

**Date:** July 21, 2015

# REVIEW AND EVALUATION OF REQUESTS

The U.S. Department of Education (Department) will use a review process that will include both external peer reviewers and staff reviewers to evaluate State educational agency (SEA) requests for this flexibility. This review process will help ensure that each request for this flexibility approved by the Department is consistent with the principles, which are designed to support State efforts to improve student academic achievement and increase the quality of instruction, and is both educationally and technically sound. Reviewers will evaluate whether and how each request for this flexibility will support a comprehensive and coherent set of improvements in the areas of standards and assessments, accountability, and teacher and principal effectiveness that will lead to improved student outcomes. Each SEA will have an opportunity, if necessary, to clarify its plans for peer and staff reviewers and to answer any questions reviewers may have during the on-site review. The peer reviewers will then provide comments to the Department. If an SEA’s request for this flexibility is not granted, reviewers and the Department will provide feedback to the SEA about the components of the SEA’s request that need additional development in order for the request to be approved.

This document provides guidance for peer review panels as they evaluate each request during the peer review portion of the review process. The document includes the specific information that a request must include and questions to guide reviewers as they evaluate each request. **Questions that have numbers or letters represent required elements.** The italicized questions reflect inquiries that reviewers will use to fully consider all aspects of an SEA’s plan for meeting each principle, but do not represent required elements.

In addition to this guidance, reviewers will also use the document titled *ESEA Flexibility*, including the definitions and timelines, when reviewing each SEA’s request. As used in the request form and this guidance, the following terms have the definitions set forth in the document titled *ESEA Flexibility*: (1) college- and career-ready standards, (2) focus school, (3) high-quality assessment, (4) priority school, (5) reward school, (6) standards that are common to a significant number of States, (7) State network of institutions of higher education, (8) student growth, and (9) turnaround principles.

# Review Guidance

## Consultation

1. Did the SEA meaningfully engage and **solicit input on its request from teachers** and their representatives?

* *Is the engagement* ***likely to lead to successful implementation*** *of the SEA’s request due to the input and commitment of teachers and their representatives at the outset of the planning and implementation process?*
* *Did the SEA indicate that it* ***modified any aspect*** *of its request based on input from teachers and their representatives?*

#### Consultation Question 1 Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | * The state appears to have sought and engaged a number of types of individuals and organizations, including teachers and their representatives, as it developed its assessment and accountability system, as well as its request for ESEA accountability flexibility. However, the SEA request does not indicate any summary of input received nor whether any part of its request was modified as a result of the input sessions that were conducted. |
| *Strengths* | * The SEA indicates that teachers, administrators, and representatives from institutions of higher education were involved in developing its assessments and its accountability system. The types of groups and individuals were also consulted about the state’s request for ESEA accountability flexibility. |
| *Weaknesses, issues, lack of clarity* | * While the variety and number of engagement opportunities is listed on page 10-11 in the SEA request, the actual numbers of participants in these sessions is not listed. Thus, it is difficult to ascertain the actual numbers or percentages of teachers, and administrators who were involved in developing the accountability system, or the ESEA accountability flexibility request. In addition, the request does not indicate that any part of the SEA’s request was modified as a result of the sessions held. |
| *Technical Assistance Suggestions* | * Indicate the extent of involvement of the teachers and administrators in developing the accountability system and the ESEA accountability flexibility request. Also, summarize the input received at the input sessions and what parts of the SEA request that were modified as a result of the sessions that were conducted. |

1. Did the SEA meaningfully engage and solicit input on its request from **other diverse communities**, such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes?

* *Is the engagement* ***likely to lead*** *to successful implementation of the SEA’s request due to the input and commitment of relevant stakeholders at the outset of the planning and implementation process?*
* *Did the SEA indicate that it* ***modified any aspect of its request*** *based on stakeholder input?*
* *Does the input represent feedback from a* ***diverse mix of stakeholders*** *representing various perspectives and interests, including stakeholders from high-need communities?*

#### Consultation Question 2 Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA request does not specifically indicate which **diverse communities,** such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes, that the SEA meaningfully engaged and solicited input on its request from. Several types of groups are alluded to, but not named. |
| *Strengths* | It appears that the SEA sought input from diverse groups of stakeholders. |
| *Weaknesses, issues, lack of clarity* | Without naming the diverse groups, it is difficult to ascertain that the other groups from which input was sought were truly diverse. Were groups such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes actually consulted? Which groups? How many individuals? |
| *Technical Assistance Suggestions* | The SEA should specify, by name and by number of participants, which diverse group of stakeholders was consulted and from whom input was sought. Hopefully, the SEA kept records so it can provide this summary. |

## Principle 1: College- and Career-Ready Expectations for All Students

*Note to Peers: Staff will review 1.A Adopt College-And Career-Ready Standards, Options A and B.*

### 1.B Transition to college- and career-ready standards

**1.B** **Part A:** Is the SEA’s plan to transition to and implement college- and career-ready standards statewide in at least reading/language arts and mathematics school **realistic,** **of high quality**?

*Note to Peers: See ESEA Flexibility Review Guidance for additional considerations related to the types of activities an SEA includes in its transition plan.*

#### 1.B Response, Part A

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The state has only partially met this element. The SEA indicated (Attachment 4) that the state has adopted reading/language arts and mathematics standards for statewide use. However, while new assessments of the reading/language arts standards will be initially implemented during the 2015-16 school year, new standards in mathematics are still under development and thus not yet approved. The state also indicated (Attachment 5) that IHEs have certified for the area of reading/language arts that students who meet these standards will not require remedial coursework in postsecondary institutions. This review has yet to occur for mathematics. |
| *Strengths* | The SEA has addressed this question for reading/language arts. |
| *Weaknesses, issues, lack of clarity* | The SEA has not met this criterion for mathematics. |
| *Technical Assistance Suggestions* | The SEA needs to provide evidence that the work on the mathematics standards has been completed and the revised mathematics standards are being used for revised assessments in this area, as well as that IHEs have certified for this area that students who meet these standards will not require remedial coursework in postsecondary institutions. |

**Part B:** Is the SEA’s plan likely to lead to **all students**, including English Learners, students with disabilities, and low-achieving students and economically disadvantaged students and teachers of those students, gaining **access to and learning content aligned** with the college- and career-ready standards?

*Note to Peers: See ESEA Flexibility Review Guidance for additional considerations related to the types of activities an SEA includes in its transition plan.*

#### 1.B Response, Part B

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA has provided considerable detail about the processes it uses to develop and implement academic content standards in reading/English language arts and mathematics. This detailed section (pages 17-36 of its request) includes information about how all students, including English Learners, students with disabilities, and low-achieving students and economically disadvantaged students and teachers of those students, will be able to access and achieve the standards. The engagement of representatives of institutions of higher education is also described. |
| *Strengths* | The descriptions of how its academic content standards are developed, reviewed, implemented, and subsequently revised is quite thorough and includes a number of pertinent details. It is obvious that a number of groups are involved in developing or revising Nebraska standards.  The manner in which the state’s English language proficiency standards were created and adopted, as well as the guiding principles for them, the state’s professional development network, and its English language proficiency assessment, are now under development. Each is described briefly.  The access to the State’s college- and career-ready standards and accommodations for students with disabilities, as well as the state’s alternate assessment for students with severe disabilities, is also described.  The state’s career readiness initiative via Career Technical Education, is also detailed.  Revision of the Nebraska mathematics standards began in 2014 and won't be completed until Fall 2015. |
| *Weaknesses, issues, lack of clarity* | The relationship of the English language proficiency standards now under development to the state’s CCR standards in reading./language arts and mathematics is not described. |
| *Technical Assistance Suggestions* | Provide additional information about the state’s adoption of the ELPA-21 English language development standards, and the relationship of the ELPA-21 standards to the state’s CCR standards. |

### 1.C Develop and Administer Annual, Statewide, Aligned, High-Quality Assessments that Measure Student Growth

**1.C** Did the SEA develop, or does it have a plan to develop, annual, statewide, high-quality assessments, and corresponding academic achievement standards, that measure student growth and are aligned with NDE’s college- and career-ready standards in reading/language arts and mathematics, in at least grades 3-8 and at least once in high school, as demonstrated through one of the three options below? Does the plan include setting academic achievement standards?

*Note to ?eers: Staff will review Options A and C.*

**If the SEA selected Option B:**

If the SEA is neither participating in a State consortium under the RTTA competition nor has developed and administered high-quality assessments, did the SEA provide a realistic, high-quality plan describing activities that are likely to lead to the development of such assessments, , and their annual administration in all LEAs beginning no later than the school year? Does the plan include setting academic achievement standards?

#### 1.C, Option B Response

*Not applicable because the SEA selected 1.C, Option A or Option C*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA only partially meets the criteria because the revised versions of its Nebraska State Accountability in Reading/language arts (NeSA-R) will be implemented, first as a transition assessment in 2015-16 and fully implemented in 2016-17. The mathematics assessments are currently under development. Revised mathematics assessments are slated to be implemented in the futuee, first as a transition test in 2016-17 and fully implemented in 2017-18. However, the lack of alignment data through a means such as a Webb alignment study indicates no information was provided to support the assertion of alignment of the new assessments with the state’s revised academic content standards. |
| *Strengths* | The SEA indicates that the assessments are more rigorous than the assessments that they replace, and that a wider range of item types are used in them. |
| *Weaknesses, issues, lack of clarity* | While the SEA indicates that the new assessments in reading/language arts, being used in 2015-16 as a transition assessment, and in mathematics to be implemented later, will be aligned with its revised academic content standard, no evidence to support this assertion is provided in the summary of the development process on pages 37-46 of its waiver request. |
| *Technical Assistance Suggestions* | The SEA should provide evidence that it has conducted alignment studies between its new assessments and its revised academic content standards in reading and mathematics. Such an alignment study could also shed light on the rigor of its academic content standards. |

### Principle 1 Overall Review

Is the SEA’s plan for transitioning to and implementing college-and career-ready standards, and developing and administering annual, statewide, aligned high-quality assessments that measure student growth, comprehensive, coherent, and likely to increase the quality of instruction for students and improve student achievement? If not, what aspects are not addressed or need to be improved upon?

#### Principle 1 Overall Review Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA’s request appears to meet some of the criteria for acceptance. The lack of evidence about the alignment between its academic content standards and revised assessments does not lend support to assertions of alignment between the two. |
| *Strengths* | The development and use of its academic content standards is thoroughly described, as well as connected to other state initiatives such as professional learning opportunities for educators. The development of revised reading/language arts and mathematics assessments is also well described. |
| *Weaknesses, issues, lack of clarity* | The SEA’s request should be more detailed by naming the groups and organizations that it consulted while developing its waiver request, as well as the number of representatives of these various groups and organizations who were consulted in various sessions held within the state. This would provide evidence of the extent to which its request for ESEA accountability flexibility waiver was prepared with broad input and support from a number of Nebraska groups and organizations. The SEA presented no evidence to support the assertion of alignment between standards and assessments in the summary of the development process on pages 37-46 of its waiver request. |
| *Technical Assistance Suggestions* | The SEA should specify, by name and by number of participants, which diverse groups of stakeholders was consulted and from whom input was sought. This will provide evidence of the extent to which its request for ESEA accountability flexibility waiver was prepared with broad input and support from a number of Nebraska groups and organizations. The SEA should provide evidence that it has conducted alignment studies between its new assessments and its revised academic content standards in reading and mathematics. |

## Principle 2: State-Developed Differentiated Recognition, Accountability, and Support

### 2.A Develop and Implement a State-Based System of Differentiated Recognition, Accountability, and Support

**2.A.i** Did the SEA propose a differentiated recognition, accountability, and support system, and a high-quality plan to implement this system that is **likely to improve student achievement and school performance, close achievement gaps, and increase the quality of instruction for students? Did the SEA demonstrate that a school may not receive the highest rating in the SEA’s differentiated recognition, accountability , and support system if there are significant achievement or graduation rate gaps across subgroups that are not closing in the school?** (*note to Peers, please write to this question after completing 2.A.i.a and 2.A.i.b)*

#### 2.A.i Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The state did propose a differentiated recognition, accountability, and support system, and a high-quality plan to implement this system that it believes is likely to improve student achievement and school performance, close achievement gaps, and increase the quality of instruction for students. |
| *Strengths* | The SEA proposes an accountability process that has four levels to it, that incorporates student performance in several ways, and that includes other factors such as graduation rate. The system includes multiple steps that appear to be carefully thought out. |
| *Weaknesses, issues, lack of clarity* | Since the SEA proposes to use a super subgroup of students in the Needs Improvement category, but did not provide information about how this subgroup relates statistically to the traditional subgroups, the SEA did not demonstrate that a school may not receive the highest rating in the SEA’s differentiated recognition, accountability, and support system if there are significant achievement or graduation rate gaps across subgroups that are not closing in the school. The lack of information about the overlap in composition between the traditional subgroups and the super subgroup, as well as lack of information about adjustments in accountability levels made by the SEA, makes this difficult to ascertain. |
| *Technical Assistance Suggestions* | The SEA needs to provide more information about overlap in the composition of the traditional subgroups and the super subgroup. The state also needs to define how it calculates the graduation rate—two different metrics are briefly alluded to on p. 42. Are any adjustments made to the two graduation rates? |

1. Does the SEA’s accountability system provide differentiated recognition, accountability, and support for all LEAs in the state and for all Title I schools in those LEAs based on (1) **student achievement** in reading/language arts and mathematics, and other subjects at the state’s discretion, for all students and **all subgroups** of students identified in ESEA section 1111(b)(2)(C)(v)(II); (2) **graduation rates** for all students and **all subgroups**; and (3) **school performance and progress** over time, including the performance and progress of **all subgroups**?

#### 2.A.i.a Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | It is likely that Nebraska will meet these criteria because the SEA’s accountability system does provide for differentiated recognition, accountability, and support for all LEAs in the state and for all Title I schools in those LEAs based on (1) student achievement in reading/language arts and mathematics, and other subjects at the state’s discretion, for all students and all subgroups of students identified in ESEA section 1111(b)(2)(C)(v)(II); (2) graduation rates for all students and all subgroups; and (3) school performance and progress over time, including the performance and progress of a single subgroup. Two types of graduation rates are used – four-year and six-year. |
| *Strengths* | The state has developed a multi-step process for determining the status of each school. Performance on student assessments is only one part of the system, with status, growth, and improvement used as additional assessment factors in the accountability system. The system appears to use an annual review of all schools in the needs improvement category by SEA staff, who examine a broad array of factors to determine which schools to assist. |
| *Weaknesses, issues, lack of clarity* | The accountability system that the state has developed is fairly complex. Multiple steps are used annually to classify schools based on a variety of metrics, many of which are not performance on student assessments. Also, annual “compensatory adjustments” in accountability scores (upwards or downwards) are made annually. The rationale for such adjustments is not given (p. 56-67).  Also, the state has created one super subgroup, comprised of all students scoring below proficient. The rationale for this is to not count students more than once. However, students already count multiple times — in the categories of status, growth, and improvement.  The weighting of the two graduation rates, as well as other variables in the state’s accountability system, is not provided.  Will educators and the public understand the bases for the ratings that the schools in the state receive? |
| *Technical Assistance Suggestions* | The SEA’s request should provide information on the overlap between the super subgroup and the various subgroups. To what extent does the super subgroup combine students from the traditional subgroups or ignore such students?  The SEA request should also provide more information on the accountability adjustments made based on changes in student performance. How many schools are adjusted upwards or downwards, and is annual changes in performance a useful metric to use to make such adjustments? |

1. Does the SEA’s differentiated recognition, accountability, and support system create incentives and provide support that is **likely to be effective in closing achievement gaps for all subgroups** of students?

#### 2.A.i.b Panel Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | As currently provided, it is unlikely that the SEA will meet this criterion. The state proposes to use one super subgroup, comprised of all low performing students (falling in the Needs Improvement category), and although public reporting will be made for all traditional subgroups, no information is provided in the request to demonstrate the overlap between the traditional subgroups and the super subgroup. |
| *Strengths* | The state’s request is attentive to the need to disaggregate overall student performance into sub-categories. Also, the performance of the super subgroup is one of the factors that can lead to raising or lowering the accountability classification level of a school, which means educators are likely to attend to the performance of these students. |
| *Weaknesses, issues, lack of clarity* | Without understanding the overlap between the composition of the traditional subgroups and the super subgroup, and the performance of the traditional subgroups and the super subgroup, it is difficult to assure that schools are attending to the performance of the traditional subgroups. |
| *Technical Assistance Suggestions* | The SEA’s request should provide information on the overlap between the super subgroup and the various subgroups. To what extent does the super subgroup combine students from the traditional subgroups or ignore such students? The request should also contain information on the performance of students in the traditional subgroups and the super subgroup. |

1. *Note to Peers: Staff will review 2.A.i.c*

*Note to Peers: Staff will review 2.A.ii Option A.?*

**ONLY FOR SEAs SELECTING OPTION B: If the SEA elects to include student achievement on assessments other than reading/language arts and mathematics in its differentiated recognition, accountability, and support system by selecting Option B, review and respond to peer review questions in section 2.A.ii. If the SEA does not include other assessments, go to section 2.A.iii.**

**2.A.ii** Did the SEA include student achievement on **assessments in addition to reading/language arts and mathematics** in its differentiated recognition, accountability, and support system and to identify reward, priority, and focus schools?

1. Note to Peers: Staff will review 2.A.ii.a
2. Does the SEA’s **weighting of the included assessments** result in holding schools accountable for ensuring all students achieve NDE’s college- and career-ready standards?
3. Note to Peers: Staff will review 2.A.ii.c

**2.A.ii.b Panel Response**

Not applicable because the SEA selected 2.A, Option A

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA includes assessments of reading/language arts, mathematics, science, and writing in its proposed accountability system (p. 41). The SEA’s request is unlikely to meet 2.A.ii.b., since the SEA’s request does not describe the manner in which the variables listed on pages 40-42 and included in the state’s proposed accountability system are weighted. In addition, levels of performance appear to be set on some measures, but the manner in which this was done is not explained. |
| *Strengths* | The SEA’s proposed accountability system appears to take into account both academic achievement and other factors such as participation in assessment and graduation rate |
| *Weaknesses, issues, lack of clarity* | Without information on the weighting of the included assessments or other factors such as graduation rates, it is difficult to know whether the system will result in holding schools accountable for ensuring all students achieve college- and career-ready standards. Much more information is necessary for how the variables listed on p. 40-42 are to be combined and used to create the accountability index, as well as what cut scores are used for the four levels of performance and how they were (or will be) established. |
| *Technical Assistance Suggestions* | Provide more information about the variables listed on p. 40-42, as well as the manner in which the variables listed are combined into an overall accountability score. Provide information on how the variables listed on p. 40-42 are combined and used to create the accountability index, as well as what cut scores are used for the four levels of performance and how they were (or will be) established. |

### 2.B Set Ambitious but Achievable Annual Measurable Objectives

**2.B** *Note to Peers: Staff will review Options A and B.?*

Did the SEA describe the method it will use to set new ambitious but achievable **annual measurable objectives (AMOs**) in at least reading/language arts and mathematics, for NDE and all LEAs, schools, and subgroups, that provide meaningful goals and are **used to guide support and improvement efforts** through one of the three options below?

**If the SEA selected Option C:**

Did the SEA describe another method that is educationally sound and results in ambitious but achievable AMOs for all LEAs, schools, and subgroups?

1. Did the SEA **provide** the new AMOs and the **method** used to set these AMOs?
2. Did the SEA provide an **educationally sound rationale** for the pattern of academic progress reflected in the new AMOs?
3. If the SEA set AMOs that differ by LEA, school, or subgroup, do the AMOs require LEAs, schools, and subgroups that are **further behind to make greater rates of annual progress**?
4. Did the SEA attach a **copy of the average statewide proficiency** based on assessments administered in the 2010−2011 school year in reading/language arts and mathematics for the “all students” group and all subgroups? (Attachment 8)

* *Are these AMOs* ***similarly ambitious*** *to the AMOs that would result from using Option A or B above?*
* *Are these AMOs* ***ambitious but achievable*** *given NDE’s existing proficiency rates and any other relevant circumstances in NDE?*
* *Will these AMOs result in a significant number of children being on track to be* ***college- and career-ready****?*

#### 2.B, Option C (including Questions i–iv) Panel Response

Not applicable because the SEA selected 2.B, Option A or Option B

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The state has chosen to base its accountability system on the North Carolina Annual Growth Standards model. The NC expected growth equation is illustrated as modified for use in Nebraska. AMOs are calculated based on state tests in ELA, mathematics, science, and writing, as well as individual assessments in the same content areas (p. 82-83). Each school will set customized targets for itself, based on its performance on the state’s assessments. |
| *Strengths* | The state has chosen to use a model with known characteristics (in NC). Although the formulae are complex, the system does permit estimated growth to be calculated in a statistically-sound manner. |
| *Weaknesses, issues, lack of clarity* | The complexity of the formulae will make it challenging for the educators and the public to understand. . As described on p. 83, the “true proficiency” score is calculated by subtracting the sum of the school’s scores in the four content areas assessed from the comparable sum of the state’s performance in the four content area assessments. No data is provided to describe whether this does or does not weight one content more than others in calculating expected growth.  Also, since the SEA is setting school-specific AMO targets, the SEA should provide data to demonstrate that the AMOs require LEAs, schools, and subgroups that are further behind than other schools to make greater rates of annual progress. |
| *Technical Assistance Suggestions* | The SEA should provide data to demonstrate that the AMOs require LEAs, schools, and subgroups that are further behind to make greater rates of annual progress.  Illustrations of actual data from one or two schools would help to understand the impact of adding the performance on four local assessments to the performance on four state assessments. |

### 2.C Reward Schools

**2.C.i** Did the SEA **describe its methodology** for identifying highest-performing and high-progress schools as **reward schools?**

**2.C.i Response**

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA defines a Reward School as a Title I school classified as Excellent, Great, or Good in the Accountability for a Quality Education System Today and Tomorrow AQuESTT’s annual classification that demonstrates significant growth and improvement, or stands out according to tenant-specific indicators used in AQuESTT school profiles. The state uses several categories of reward—Reward School, Distinguished Contributor, and Distinguished Innovator. |
| *Strengths* | The SEA has given thought to different types of rewards for schools that do well on the state’ accountability system. |
| *Weaknesses, issues, lack of clarity* | The method for determining the status of each school is listed on pp. 85 and 86. However, as noted earlier, the manner in which the various variables listed on p. 40-42 are combined into an overall accountability score is not described, nor are what levels of performance on the various variables that a school must achieve to be considered high performing. |
| *Technical Assistance Suggestions* | Provide more information on the actual process for determining the status of each school. Include more information on the manner in which the various variables listed on p. 40-42 are combined into an overall accountability score and what levels of performance on the various variables a school must achieve to be considered high performing or high progress. |

*Note to Peers: Staff will review 2.C.ii.*

**2.C.iii** Are the **recognition** and, if applicable **rewards**, proposed by the SEA for its highest-performing and high-progress schools likely to be considered **meaningful** by the schools?

* *Has the SEA* ***consulted with LEAs and schools*** *in designing its recognition and, where applicable, rewards?*

**2.C.iii Panel Response**

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA has identified a number of ways that reward schools will be recognized and utilized in statewide school improvement efforts. No evidence is provided, however, that the reward schools will consider the different means of recognition as meaningful. |
| *Strengths* | The SEA has identified several ways that reward schools will be recognized and then used in statewide school improvement efforts. |
| *Weaknesses, issues, lack of clarity* | No evidence is provided, however, that the reward schools will consider the different means of recognition now planned as being meaningful. |
| *Technical Assistance Suggestions* | Provide evidence that LEAs and reward schools have been consulted and that they consider the different means of recognition as meaningful. |

### 2.D Priority Schools

*Note to Peers: Staff will review 2.D.i and 2.D.ii.?*

**2.D.iii** Are the interventions that the SEA described aligned with the turnaround principles and are they likely to result in dramatic, systemic change in priority schools?

1. Do the SEA’s interventions **include all of the following**?
2. providing **strong leadership** by: (1) **reviewing the performance** of the current **principal**; (2) either **replacing** the principal if such a change is necessary to ensure strong and effective leadership, or demonstrating to the SEA that the current principal has a **track record** in improving achievement and has the ability to lead the turnaround effort; and (3) providing the principal with **operational flexibility** in the areas of scheduling, staff, curriculum, and budget;
3. ensuring that **teachers** are effective and able to improve instruction by: (1) **reviewing the quality** of all staff and **retaining** only those who are determined to be effective and have the ability to be successful in the turnaround effort; (2) preventing ineffective teachers from **transferring** to these schools; and (3) providing **job-embedded, ongoing professional development informed by the teacher evaluation** and support systems and tied to teacher and student needs;
4. **redesigning the school day**, week, or year to include additional time for student learning and teacher collaboration;
5. strengthening the school’s **instructional program** based on student needs and ensuring that the instructional program is **research-based, rigorous, and aligned** with State academic content standards;
6. using **data to inform instruction** and for continuous improvement, including by providing **time for collaboration on the use of data**;
7. establishing a **school environment** that improves school safety and discipline and addressing **other non-academic factors** that impact student achievement, such as students’ social, emotional, and health needs; and
8. providing ongoing mechanisms for **family and community engagement**?

#### 2.D.iii.a (including questions (i)-(vii)) Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA request includes (on p. 96) the four major components of its intervention plans for Priority schools. There are six key areas of school effectiveness where interventions may occur: (1) Leadership: Principal, Teachers, and other Stakeholders; (2) Educator Effectiveness; (3) Teaching and Learning: Curriculum, Instruction, and Assessment; (4) District and School Culture; (5) Family and Community Engagement; and, (6) Effective Use of Data to Inform Instruction and for Continuous Improvement. Many of these areas include or overlap with the seven categories listed in the waiver requirements. Each is described briefly. The state plans to use Appraisal, Intervention, and Assistance (AIA) teams to work with each school to develop a customized intervention. |
| *Strengths* | The SEA approach to interventions is multi-faceted, and includes research-based areas of school effectiveness as the bases for intervention. |
| *Weaknesses, issues, lack of clarity* | Several of the above-listed interventions are not described in the generic text repeated in several places in the SEA’s request: redesign of the school day; strengthening the school’s instructional program; and improving the school’s environment. In these and the other areas, local interventions may include these factors, but this is up to the AIA intervention teams to determine. Thus, the SEA cannot assure that all seven turnaround principles are considered or implemented in all priority schools and reviewed by the AIA teams working with t  In addition, the state indicates that it will identify only three Priority schools annually. No rationale is given for this small number, since it is far fewer than the 5% requirement from USED. (Note: Nebraska has 1294 schools according to this website: <http://nebraska.educationbug.org/public-schools/>; 2015). |
| *Technical Assistance Suggestions* | The SEA should assure that all seven turnaround principles listed above are considered and than actually used by the AIA teams as they work with the designated Priority schools. |

1. Are the identified interventions to be implemented in priority schools likely to —
2. increase the **quality of instruction** in priority schools;
3. improve the **effectiveness of the leadership and the teaching** in these schools; and
4. improve **student achievement** and, where applicable, **graduation rates for all students**, including **English Learners**, **students with disabilities**, and the **lowest-achieving students**?

2.D.iii.b (including questions (i)-(iii)) Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | It is difficult to ascertain whether in the use of the AIA teams will serve to improve the quality of instruction, improve the effectiveness of leadership and teaching, and improve student achievement. |
| *Strengths* | The SEA approach to intervention is multi-faceted, and includes research-based areas of school effectiveness as the bases for intervention. |
| *Weaknesses, issues, lack of clarity* | While the intervention process is described in broad terms, the actual step-by-step process that the SEA anticipates that the AIA teams will use is not described. While the AIA may attend to the six factors listed in the request, what is the actual process that an AIA team may take with a Priority school, from start to finish? |
| *Technical Assistance Suggestions* | Provide a description of the actual process that an AIA team may take with a Priority school, from start to finish. |

1. *Note to Peers: Staff will review 2.D.iii.c*

**2.D.iv** Does the SEA’s proposed timeline ensure that LEAs that have **one or more priority schools will implement** meaningful interventions aligned with the turnaround principles in each priority school?

* *Does the SEA’s proposed timeline distribute priority schools’ implementation of meaningful interventions aligned with the turnaround principles in a balanced way, such that there is* ***not a concentration of these schools in the later years of the timeline****?*

#### 2.D.iv Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA’s request indicates that the initial designation of Priority schools will not occur until the 2105-16 school year, which means AIA teams will be formed and begin working with the three Priority schools no earlier than Spring 2016. |
| *Strengths* | The SEA has outlined its schedule in some detail on p. 102. |
| *Weaknesses, issues, lack of clarity* | The new plan will not begin until designations are made based on the assessments to be administered in the 2015-2016 school year.  The state indicates that it will identify only three Priority schools annually. No rationale is given for this small number, since it is far fewer than the 5% requirement from USED. (Note: Nebraska has 1294 schools according to this website: <http://nebraska.educationbug.org/public-schools/>; 2015). |
| *Technical Assistance Suggestions* | None suggested, so long as the schedule is acceptable to USED. |

**2.D.v** Didthe SEA provide **criteria** to determine when a school that is making significant progress in improving student achievement **exits priority status**?

1. Do the SEA’s criteria ensure that schools that exit priority status **have made significant progress** in improving student achievement?

* *Is the level of progress required by the criteria to exit priority status likely to result in* ***sustained improvement*** *in these schools?*

#### 2.D.v and 2.D.v.a Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA indicates schools identified as Priority will go through a self-evaluation and progress monitoring. As indicated on p. 103 of its request, the SEA indicates that a Priority school may exit this status by the school exiting Needs Improvement in AQuESTT’s annual classification, has evidence of capacity for sustainability in a continuous improvement plan, and has a recommendation from the AIA team. |
| *Strengths* | The state’s exit criteria do take into account the recommendations from the AIA regarding the school’s continuous improvement plan and other recommendations. |
| *Weaknesses, issues, lack of clarity* | Because schools can exit the Needs Improvement category after one year (and may do so because of improved test scores or student growth in performance), it is uncertain whether using these criteria will result in sustained improvement. It is just as likely that such schools will return to Priority school status in a following year. |
| *Technical Assistance Suggestions* | The SEA should consider more stringent, multi-year improvement criteria for schools to exit Priority school status. By requiring more than one year of change or growth, the SEA will help these schools show sustained improvement more likely to be continued in subsequent years. |

### 2.E Focus Schools

*Note to Peers: Staff will review 2.E.i, 2.E.i.a, and 2.E.ii?*

**2.E.i** Did the SEA describe its methodology for identifying a number of low-performing schools equal to at least 10 percent of NDE’s Title I schools as focus schools? If the SEA’s methodology is not based on the definition of focus schools in *ESEA Flexibility* (but is instead, *e.g.*, based on school grades or ratings that take into account a number of factors), did the SEA also demonstrate that the list provided in Table 2 is consistent with the definition, per the Department’s “Demonstrating that an SEA’s Lists of Schools Meet ESEA Flexibility Definitions” guidance?

1. Note to Peers: Staff will review 2.E.i.a.
2. Is the SEA’s methodology for identifying focus schools **educationally sound** and likely to ensure that schools are accountable for the performance of **subgroups** of students?

#### 2.E.i.b Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | No response was provided by the SEA. However, the SEA proposes not to use the performance of students in the traditional subgroups in its proposed accountability system, proposing to use the performance of students in the Needs Improvement category as a super subgroup. |
| *Strengths* | No response was provided by the SEA. |
| *Weaknesses, issues, lack of clarity* | No response was provided by the SEA. However, as noted above, the SEA should provide a comparison of the performance of students in the traditional subgroups with that of students in the super subgroup to help determine if the schools are accountable for the performance of subgroups of students |
| *Technical Assistance Suggestions* | No response was provided by the SEA. |

**2.E.ii** *Note to Peers: Staff will review 2.E.ii?*

**2.E.iii** Does the SEA’s process and timeline ensure that each LEA will identify the needs of its **focus schools** and their students and implement interventions in focus schools. Did the SEA provide **examples** of and **justifications** for the **interventions** the SEA will require its focus schools to implement? Are those interventions based on the needs of students and **likely to improve** the performance of low-performing students and **reduce achievement gaps** among **subgroups**, including English Learners and students with disabilities?

* *Has the SEA* ***demonstrated*** *that the interventions it has identified are* ***effective*** *at increasing student achievement in schools with similar characteristics, needs, and challenges as the schools the SEA has identified as focus schools?*
* *Has the SEA identified interventions that are* ***appropriate for different levels of schools*** *(elementary, middle, high) and that address different* ***types of school needs*** *(e.g., all-students, targeted at the lowest-achieving students)?*

**2.E.iii Response**

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA indicates that the “key areas of school effectiveness described in the AQuESTT and Nebraska’s Intervention Plan for Priority Schools will inform efforts toward improvement for the Focus Schools” (p. 107). Specific differences between interventions for Priority schools and Focus schools are not spelled out in the text provided on pages 107-114. |
| *Strengths* | The SEA approach to intervention (for Priority schools) is multi-faceted, and includes research-based areas of school effectiveness as the bases for intervention. |
| *Weaknesses, issues, lack of clarity* | The SEA has not identified how the strategies developed for Priority school intervention will be used, adapted, or modified for use with Focus schools. Different interventions have not been identified for elementary, middle school, and high schools. nor students targeted at the lowest levels of performance (e.g., the proposed super subgroup). |
| *Technical Assistance Suggestions* | The SEA should provide a plan specific to how it will work with Focus schools—what interventions it will use for these schools, differentiated by school level and for students at the lowest levels of performance. |

**2.E.iv** Did the SEA provide **criteria** to determine when a school that is making significant progress in improving student achievement and narrowing achievement gaps **exits focus status**?

a. Do the SEA’s criteria **ensure** that schools that exit focus status have made **significant progress in improving student achievement and narrowing achievement gaps?**

* *Is the level of progress required by the criteria to exit focus status likely to result in sustained improvement in these schools?*

#### 2.E.iv and 2.E.iv.a Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The state did not provide exit criteria for Focus schools, but repeated the Priority school exit criteria on p. 115. |
| *Strengths* | None |
| *Weaknesses, issues, lack of clarity* | No exit criteria specific to Focus schools were provided. |
| *Technical Assistance Suggestions* | The SEA should provide exit criteria specific to Focus schools. |

### 2.F Provide Incentives and Support for other Title I Schools

**2.F.i** Does the SEA’s differentiated recognition, accountability, and support system **provide incentives and supports for other Title I** schools that, based on the SEA’s new **AMOs and other measures**, are not making progress in **improving student achievement and narrowing achievement gaps**?

#### 2.F.i Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | Although the state has described how it will use a data literacy professional development grant to improve district understanding of how to use of data from its longitudinal data system, the incentives and supports offered to Priority schools (and which may be available to Focus schools) are not listed as being provided to other Title I schools. The waiver request indicates that the SEA and ESUs will support all Title I schools. |
| *Strengths* | The state indicates that it has a network of regional Education Service Units (ESUs) that can be used to support all Title I schools. |
| *Weaknesses, issues, lack of clarity* | No specific plans for supporting other Title I schools are provided in the SEA’s request. Thus, the SEA’s request is virtually silent on how the SEA’s differentiated recognition, accountability, and support system may provide incentives and supports for other Title I schools that, based on the SEA’s new AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gap. |
| *Technical Assistance Suggestions* | The SEA should provide its plans for how the SEA’s differentiated recognition, accountability, and support system will provide incentives and supports for other Title I schools that, based on the SEA’s new AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gap. |

**2.F.ii** Are those incentives and supports **likely to improve student achievement, close achievement gaps**, and increase the **quality of instruction** for all students, including **English Learners** and **students with disabilities**?

#### 2.F.ii Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The lack of response to 2.F.i. makes it difficult to determine whether incentives and assistance to be provided will lead to improved student performance, close achievement gaps, and increase the quality of instruction. |
| *Strengths* | None |
| *Weaknesses, issues, lack of clarity* | No information is provided on the incentives and supports likely to improve student achievement, close achievement gaps, and increase the quality of instruction for all students, including English Learners and students with disabilities. |
| *Technical Assistance Suggestions* | Provide information on the incentives and supports likely to improve student achievement, close achievement gaps, and increase the quality of instruction for all students, including English Learners and students with disabilities. |

### 2.G Build SEA, LEA, and School Capacity to Improve Student Learning

**2.G** Is the SEA’s process for building SEA, **LEA, and school capacity** to improve student learning in all schools and, in particular, in low-performing schools and schools with the largest achievement gaps, likely to succeed in improving such capacity?

1. Is the SEA’s process for ensuring timely and comprehensive **monitoring** of, and **technical assistance** for, LEA implementation of interventions in priority and focus schools likely to result in successful implementation of these interventions and in progress on leading indicators and student outcomes in these schools?

* *Did the SEA describe a process for the* ***rigorous review and approval of any external providers*** *used by the SEA and its LEAs to support the implementation of interventions in priority and focus schools that is likely to result in the identification of high-quality partners with experience and expertise applicable to the needs of the school, including specific subgroup needs?*

1. Is the SEA’s process for ensuring sufficient **support for implementation** of interventions in priority schools, focus schools, and other Title I schools under the SEA’s differentiated recognition, accountability, and support system (including through **leveraging funds** the LEA was previously required to reserve under ESEA section 1116(b)(10), SIG funds, and other Federal funds, as permitted, along with State and local resources) likely to result in successful implementation of such interventions and improved student achievement?
2. Is the SEA’s process for **holding LEAs accountable** for improving school and student performance, particularly for turning around their priority schools, likely to improve LEA capacity to support school improvement?

#### 2.G (including i, ii, and iii) Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA has not met these criteria, given that no specific information that addresses i. – iii. above is provided on pages 119-120. |
| *Strengths* | The SEA request provides only a very brief summary of how it will address this factor, as quoted below   * “Priority and Focus schools under ESEA Flexibility will have Appraisal, Intervention, and Assistance (AIA) partners through ESUs and NDE in aligning their continuous improvement plans to identify benchmarks and strategies to best facilitate growth through the AQuESTT model…. * “Schools and districts will be annually classified through AQuESTT…. * “Nebraska has the infrastructure through its regional ESUs to provide the support to local schools and districts… * “AQuESTT provides a more streamlined structure and focus for professional learning to support continuous improvement. AQuESTT’s broad theory of action utilizes strategies to provide increased support to lowest performing schools and greater freedom for innovation for excellent schools resulting in increased community and student engagement, growth in student performance, and collaboration across the system.” (p.119-120)   Specifics on these are not provided in the waiver request, however. |
| *Weaknesses, issues, lack of clarity* | It is difficult to determine from the state’s response that it has in place a system that can adequately support all of its schools and all of its students. Having committees and a regional education structure does not assure that these resources are actually used, used wisely, or used effectively. There is no mention of how the SEA will hold LEAs accountable for improving school and student performance. |
| *Technical Assistance Suggestions* | The state should provide a plan that specifically addresses how it will monitor and support the performance all schools for all of their students. The SEA should also provide a detailed description of how it will hold LEAs accountable for turning around Priority and Focus schools. |

### Principle 2 Overall Review

Is the SEA’s plan for developing and implementing a system of differentiated recognition, accountability, and support likely to improve student achievement, close achievement gaps, and improve the quality of instruction for students?  Do the components of the SEA’s plan fit together to create a coherent and comprehensive system that supports continuous improvement and is tailored to the needs of NDE, its LEAs, its schools, and its students?  If not, what aspects are not addressed or need to be improved upon?

**Principle 2 Overall Review Response**

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | Because the SEA provided only a generic description of its accountability system in several places in its request, the SEA plan for developing and implementing a system of differentiated recognition, accountability, and support is unlikely to improve student achievement, close achievement gaps, and improve the quality of instruction for students. And, it is difficult to determine if the SEA’s plan do fit together to create a coherent and comprehensive system that supports continuous improvement and is tailored to the needs of NDE, its LEAs, its schools, and its students.  The state should provide more information specific to schools other than Priority schools for its waiver request to be approved. Intervention types are described, but details about the actual intervention processes are missing. Exit criteria for Priority and Focus schools are short-ranged, based on annual assessments, and will be unlikely to produce sustained change and improvement. |
| *Strengths* | The interventions that may be offered to Priority and Focus schools seem to be based on research on effective school improvement practices. Thus, the potential basis for interventions seems to be strong. |
| *Weaknesses, issues, lack of clarity* | The SEA request does not specifically address many of the elements listed in the USED accountability waiver application. Only generic responses are provided, which are repeated several timers. This results in a SEA response that is not detailed or complete. The SEA response should respond specifically to each section of the USED waiver application, not simply repeat the same generic text in one section after another.  Much more information is necessary for how the variables listed on p. 40-42 are to be combined and used to create the accountability index, as well as what cut scores are used for the four levels of performance and how they were (or will be) established. In addition, the impact of the adjustments upwards and downwards in the accountability levels is not shown in terms of number of schools raised or lowered in the accountability system. |
| *Technical Assistance Suggestions* | The SEA should revise its response to address specifically to each section of the USED waiver application. It is unnecessary to repeat the same text about the accountability model, areas of intervention, and the AIA teams in multiple locations. Instead, customize the response to the questions posed in each section. |

## Principle 3: Supporting Effective Instruction and Leadership

### 3.A Develop and Adopt Guidelines for Local Teacher and Principal Evaluation and Support Systems

**3.A.i** Has the SEA developed and adopted guidelines consistent with Principle 3 through one of the two options below?

* If the SEA selected **Option A**:

If the SEA has not already developed and adopted all of the guidelines consistent with Principle 3:

1. Is the SEA’s plan for developing and adopting guidelines for local teacher and principal evaluation and support systems likely to result in successful adoption of those guidelines. 3.A.i, Option A.i Panel Response

*Not applicable because the SEA selected 3.A, Option B*

*Tally of Peer Responses: X Yes, X No*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* |  |
| *Strengths* |  |
| *Weaknesses, issues, lack of clarity* |  |
| *Technical Assistance Suggestions* |  |

1. Does the SEA’s plan include sufficient involvement of teachers and principals in the development of these guidelines?

#### 3.A.i, Option A.ii Response

*Not applicable because the SEA selected 3.A, Option B*

*Tally of Peer Responses: X Yes, X No*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* |  |
| *Strengths* |  |
| *Weaknesses, issues, lack of clarity* |  |
| *Technical Assistance Suggestions* |  |

1. *Note to Peers: Staff will review iii.*

If the SEA selected **Option B**:

If the SEA has developed and adopted all guidelines consistent with Principle 3:

1. Are the guidelines the SEA has adopted **likely to** lead to the development of evaluation and support systems that **increase the quality of instruction** for students and **improve student achievement**? (See question 3.A.ii to review the adopted guidelines for consistency with Principle 3.)

#### 3.A.i, Option B.i Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | Nebraska’s guidelines as currently submitted are not likely to lead to the development of evaluation and support systems that increase the quality of instruction for students and improve student achievement. |
| *Strengths* | * The Nebraska Department of Education (NDE) engaged critical stakeholders including teachers and principals to develop the evaluation framework... The NDE established a 40 member stakeholder committee to draft the framework in 2010. * Although statewide implementation scheduled for school year 2015-16 will be voluntary, he SEA has provided school districts with multiple rubrics they can use to evaluate educator performances. Each rubric has four performance levels—Exemplary, Proficient, Basic, and Unsatisfactory. (page 116) * Schools will collect considerable information on an educator’s performance using several rubrics. By analyzing the rubrics at a granular level, the educator and evaluator may be able to identify areas where educators need additional support and also professional strengths. |
| *Weaknesses, issues, lack of clarity* | * Stakeholders involved in developing the framework appear to have discounted several critical elements of the Flexibility requirements for Principle 3. This includes requiring all LEAs to implement educator evaluation systems and using a student growth measure based on the ESEA assessments. * While the NDE has provided guidance on how LEAs should use the various rubrics that comprise the evaluation process, most of the rubrics—and the overall summary ratings—are highly subjective. It appears that an evaluator could decide not to factor growth into the ratings. * The NDE indicates that the overall summative rating is not a mathematical determination and the evaluative criteria are not weighted (page 120). After consulting the body of evidence on an educator, the evaluator makes a subjective determination of a performance using the four levels above. It appears that student growth measures could be excluded in the performance assessment at the evaluator’s discretion. There is concern that relying on such a subjective process will lead to little differentiation in educator ratings. * The Request does not address how evaluators will be trained to conduct evaluations in a consistent manner across and even within schools. It does not appear that the SEA has made significant investments in training district staff or provided funds to districts to conduct their own training or certification programs. * There is general concern about the rigor of the student learning objectives (SLO) process. It appears that educators have considerable control over developing their growth measures which could lead to perceptions of bias. There is no uniform measure of growth to validate the SLOs (such as a statistical growth measure) and the data sources are not standard across districts. Given the subjectivity of the ratings, it is not clear how the NDE, districts, and schools would ensure inter-rater reliability. Lack of rigorous inter-rater reliability standards and procedures could lead to bias and unfairness across and within school systems. * Because districts voluntarily use the NDE evaluation framework, it is not known how many are using it and how they are using it to inform personnel decisions. It also appears that even districts that voluntarily adopt the framework have considerable discretion the implementation process. There appear to be no state laws or regulations requiring LEAs to use the results of the evaluation systems to inform personnel decisions. * The Request is largely silent on how teachers of EL students or students with disabilities will be included in the evaluation system. |
| *Technical Assistance Suggestions* |  |

1. *Note to Peers: Staff will review ii.*
2. Did the SEA have sufficient **involvement of teachers and principals** in the development of these guidelines?

#### 3.A.i, Option B.iii Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The SEA provided evidence that it involved educators in a meaningful way to develop the Nebraska Teacher and Principal Performance Framework. |
| *Strengths* | * The Nebraska Department of Education (NDE) engaged critical stakeholders including teachers and principals to develop the evaluation frameworks. The NDE established a 40 member stakeholder committee to draft the framework in 2010. |
| *Weaknesses, issues, lack of clarity* | * While the NDE convened stakeholders to create the evaluation framework, the engagement occurred almost five years ago; it is not clear whether educators have continued to be involved in revisiting the framework. * Stakeholders involved in developing the framework appear to have discounted several critical elements of the Flexibility requirements for Principle 3. |
| *Technical Assistance Suggestions* |  |

**ONLY FOR SEAs SELECTING OPTION B: If the SEA has adopted all guidelines for local teacher and principal evaluation and support systems by selecting Option B in section 3.A, review and respond to peer review question 3.A.ii below.**

**3.A.ii** Are the SEA’s guidelinesfor teacher and principal evaluation and support systems consistent with Principle 3 — *i.e.,* will they promote systems that:

1. Will be used for continual improvement of instruction ?

* *Are the SEA’s guidelines likely to result in support for all teachers, including teachers who are specialists working with students with disabilities and English Learners and general classroom teachers with these students in their classrooms, that will enable them to improve their instructional practice?*

#### 3.A.ii.a Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The Nebraska Framework emphasizes the use of formative data to inform educator practice for continuous improvement. However, the Framework either does not contain elements of Principle 3 that are required in order to receive ESEA flexibility. Furthermore, district use of the Framework is voluntary. |
| *Strengths* | * The State appears to recognize the importance of formative data to inform educator practice and has built several observations and feedback loops into the system. |
| *Weaknesses, issues, lack of clarity* | * District use of the Framework is voluntary. * The NDE did not address adequately if teachers of EL students or students with disabilities had any unique needs related to the evaluation process or what data they would consult to set and monitor their SLOs. The NDE also did not address what assessments are used for these students and how they would be linked to the teacher evaluations. |
| *Technical Assistance Suggestions* | * The Request could be strengthened by a discussion of how teachers of EL students and students with disabilities are evaluated. For example, it would be helpful to understand how special education teachers are evaluated--by a general practitioner or by special educators. |

1. Meaningfully differentiate performance using at least three performance levels?
   * *Does the SEA incorporate student growth into its performance-level definitions with sufficient weighting to ensure that performance levels will differentiate among teachers and principals who have made significantly different contributions to student growth or closing achievement gaps?*

#### 3.A.ii.b Response

*Not applicable because the SEA selected 3.A, Option A*

*Tally of Peer Responses: 0 Yes, 0 No*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | Nebraska’s Framework does not incorporate multiple measures including growth to differentiate educator performance at the summative level. |
| *Strengths* | * School districts will be encouraged to use multiple rubrics to evaluate educator performances. Each rubric has four performance levels—Exemplary, Proficient, Basic, and Unsatisfactory. (page 116) * Schools will collect considerable information on an educator’s performance using several rubrics. By analyzing the rubrics at a granular level, the educator and evaluator may be able to identify areas where the educator needs additional supports. * The NDE guidance stresses the importance of evaluating educators on a regular basis. Both systems include informal and formal observation of practice. Districts participating in the pilot in the 2013-14 and 2014-15 schools years are to evaluate probationary educators annually and tenured educators on a three year cycle. |
| *Weaknesses, issues, lack of clarity* | * The NDE indicates that the overall summative rating is not a mathematical determination and the evaluative criteria are not weighted (page 120). After consulting the body of evidence on an educator, the evaluator makes a subjective determination of a performance level using the four levels above. It appears that student growth measures could be excluded from the assessment of performance at the evaluator’s discretion. There is concern that relying on such a subjective process will lead to little differentiation in educator ratings. |
| *Technical Assistance Suggestions* |  |

1. Use **multiple valid measures** in determining performance levels, including as a significant factor data on **student growth** for all students (including **English Learners** and **students with disabilities**), and other measures of professional practice (which may be gathered through multiple formats and sources, such as **observations** based on rigorous teacher performance standards, teacher **portfolios**, and student and parent **surveys**)?
   1. Does the SEA have a process for ensuring that all measures that are included in determining performance levels are **valid measures**, meaning measures that are clearly related to increasing student academic achievement and school performance, and are implemented in a consistent and high-quality manner across schools within an LEA?

#### 3.A.ii.c(i) Response

*Not applicable because the SEA selected 3.A, Option A*

*Tally of Peer Responses: Yes, No*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The NDE does not have a process for ensuring that all measures that are included in determining performance levels are valid measures, and are implemented in a consistent and high-quality manner across schools within an LEA. |
| *Strengths* | * None. |
| *Weaknesses, issues, lack of clarity* | * While the NDE has provided guidance on how LEAs should use the various rubrics that comprise the evaluation process, most of the rubrics—and the overall summative ratings—are highly subjective. It appears that an evaluator could decide not to factor growth into the ratings. * The Request does not address how evaluators will be trained to conduct evaluations in a consistent manner across and even within schools. It does not appear that the SEA has made significant investments in training district staff or provided funds to districts to conduct their own training or certification programs. * There is general concern about the rigor of the SLO process. It appears that educators have considerable control over developing their SLOs, which could lead to bias. There is no uniform measure of growth to validate the SLOs and the data sources are not standard (i.e., there is no requirement that a growth measure be based on State assessments). * Given the subjectivity of the ratings, it is not clear how the NDE, districts, and schools would ensure inter-rater reliability. Lack of rigorous inter-rater reliability standards and procedures could lead to bias and unfairness across and within school systems. |
| *Technical Assistance Suggestions* | * It would be helpful to see the distribution of ratings using NDE’s approach to evaluation to get a sense if districts are realizing differentiated ratings. * The NDE should consider some objective measures of educator performance related to student growth to provide an independent assessment of an educator’s effect on student learning. * If the NDE has established inter-rater reliability standards and procedures, the request could be strengthened by discussing them. This would include information on how evaluators are trained and/or certified. |

* 1. For grades and subjects in which assessments are required under ESEA section 1111(b)(3), does the SEA define a **statewide approach for measuring student growth** on these assessments?

#### 3.A.ii.c(ii) Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The NDE does not define a statewide approach for measuring student growth on ESEA assessments |
| *Strengths* | * None |
| *Weaknesses, issues, lack of clarity* | * Because the evaluation systems are voluntary, the SEA cannot ensure that the use of the ESEA assessments in educator evaluation systems will be implemented statewide. * The principal evaluation system does not require the use of student growth data. * When setting SLOs, teachers may consider the Nebraska State Accountability (NeSA) assessments, which the SEA is using for ESEA accountability, in the development process. Using the NeSA assessments to set and measure SLOs is not mandatory. |
| *Technical Assistance Suggestions* | * If the NDE is intent on using only SLOs for a student growth measures, it may want to review Oregon’s approach to setting SLOs using the state assessments. |

* 1. For **grades and subjects in which assessments are not required** under ESEA section 1111(b)(3), does the SEA either specify the **measures of student growth** that LEAs must use or select from or **plan to provide guidance** to LEAs on what measures of student growth are appropriate, and establish a **system for ensuring** that LEAs will use valid measures?

#### 3.A.ii.c(iii) Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | It is not clear from the information provided whether the non-ESEA assessments that the SEA has recommended for LEAs to use are valid measures. |
| *Strengths* | * The NDE has provided guidance to LEAs on using SLOs to measure student growth and discusses the importance of educators using data to assess and improve student learning. * The NDE indicates that the any assessments the LEAs select to develop SLOs should be rigorous and comparable across classrooms. |
| *Weaknesses, issues, lack of clarity* | * The voluntary nature of the evaluation system will not ensure that all districts and schools are using SLOs as part of their evaluation systems. * While the evaluation system for teachers discusses using student growth in the voluntary evaluation system, there is no growth component in the principal evaluation system. * While the NDE has provided guidance and rubrics on how districts can use SLOs, the materials provided do not adequately address the rigor validation of SLOs. * While NDE indicates that the assessments used in setting SLOs should be rigorous and comparable across classrooms it is not clear whether it has evaluated all assessments used by school districts to determine if they are valid measures for student growth calculations. The Request also notes that districts can use other measures of growth in their SLOs including projects, portfolios, products, or performance (p. 119). These sources would not provide reliable or valid measures of student growth. |
| *Technical Assistance Suggestions* | * The NDE may want to consider conducting a comprehensive review of local assessment to ensure that they can yield valid student growth measures at least within an LEA. In addition, requiring the use of assessment data in a growth measure would provide an objective, uniform data sources to which all educators would be held accountable. |

1. Evaluate teachers and principals on **a regular basis**?

#### 3.A.ii.d Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | Districts electing to use the NDE Framework are encouraged to evaluate educators on a regular basis. |
| *Strengths* | * The NDE guidance stresses the importance of evaluating educators on a regular basis. Both teacher and principal evaluation systems include informal and formal observation of practice. Districts participating in the pilot are to evaluate probationary educators annually and tenured educators on a three year cycle. * Tenured principal receive two-years of formative evaluations as part of their three year cycle, so there is some mechanism for the ongoing review of practice. |
| *Weaknesses, issues, lack of clarity* | * Differentiating the evaluation cycles by experience has several advantages including reduced burden on human capital and fiscal resources across local systems. However, it is not clear whether districts will allow teachers in need of improvement to become tenured. It would be harmful to students to allow an educator in need of improvement to receive tenure and not be evaluated for three more years. The three-year evaluation cycle for tenured teachers may be acceptable assuming that the evaluation results are used as a gateway to tenure. |
| *Technical Assistance Suggestions* | * The Request could be strengthened with a discussion on how differentiating the evaluation cycles by educator experience benefits both educators and school systems and what safe-guards are in place to either prevent an educator in need of improvement from receiving tenure or provide more frequent evaluation if these educators receive tenure. |

1. Provide clear, timely, and useful **feedback**, including feedback that identifies needs and **guides professional development**?

* *Will the SEA’s guidelines ensure that evaluations occur with a* ***frequency*** *sufficient to ensure that feedback is provided in a timely manner to inform effective practice?*
* *Are the SEA’s guidelines likely to result in* ***differentiated professional development*** *that meets the needs of teachers?*

#### 3.A.ii.e Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | While the NDE discusses the importance of feedback to educators including an assessment of professional development needs, it is not clear how much differentiation in ratings districts will realize with the current evaluation system. Therefore, it is difficult to understand how LEAs would target supports based on evaluation results. |
| *Strengths* | * The NDE discusses the importance of feedback throughout the educator evaluation process and recommends multiple conferences between the educator and evaluator. * The NDE has created several rubrics to evaluate multiple dimensions of educator practices. These rubrics have the potential of giving educators authentic feedback on their strengths and challenges if used properly by skilled and experienced evaluators. * All teachers are required to develop and implement an annual professional development plan. The NDE has provided a sample rubric for evaluating the plans. |
| *Weaknesses, issues, lack of clarity* | * The Request does not adequately address if principals are required to seek professional supports on a regular basis. It appears that local school district may require supports, but there is not the same emphasis on professional development for leaders as there is for teachers. * While teachers develop a professional development plan and the NDE has provided evaluative rubrics, it is not clear who is evaluating the quality of the plans and monitoring a teacher’s progress. In addition, the Request does not detail how the results of the evaluation system are used to inform the professional development plans. * As noted above, there is concern whether NDE’s highly-subjective framework will yield enough differentiation in the ratings to determine areas where support is needed. * While the Request discusses the importance of professional development for teachers and has them prepare an annual plan, it does not adequately address how teachers access support. |
| *Technical Assistance Suggestions* | * As discussed above, the Request could be strengthened by providing data from the pilot that show a summary of ratings to determine if NDE’s evaluation framework is leading to adequate differentiation. * The Request could also be strengthened by a discussion on how Nebraska’s educators access professional supports. For example, does the State have a PD portal that educators can access? Are there examples of districts with exemplary professional support practices that are linked to evaluation systems? The NDE appears to be relying heavily on the Educational Service Units (ESUs) to provide training on to LEAs on the educator evaluation systems. Additional detail on the roll-out of these professional supports across districts other than hosting the four workshops in 2014 would be useful in understanding statewide implementation efforts. |

1. Will be used to **inform personnel decisions**?

#### 3.A.ii.f Response

*Not applicable because the SEA selected 3.A, Option A*

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | * Nebraska’s Request does not adequately address how the evaluation systems will inform personnel systems. |
| *Strengths* | * The NDE provided an evaluation framework that is focused on professional supports. |
| *Weaknesses, issues, lack of clarity* | * Because districts voluntarily use the NDE evaluation framework, it is not known how many are using it and how they are using it to inform personnel decisions. * There appear to be no state laws or regulations requiring LEAs to use the results of the evaluation systems to inform personnel decisions. For example, as noted above, it is not clear whether the evaluation results inform tenure decisions. |
| *Technical Assistance Suggestions* |  |

### 3. B Ensure LEAs Implement Teacher and Principal Evaluation and Support Systems

**3.B** Is the SEA’s process for ensuring that each LEA develops, adopts, pilots, and implements, with the involvement of teachers and principals, evaluation and support systems consistent with the SEA’s adopted guidelines **likely to lead to high-quality local teacher and principal evaluation and support systems**?

* *Does the SEA have a* ***process for reviewing and approving*** *an LEA’s teacher and principal evaluation and support systems to ensure that they are consistent with the SEA’s guidelines and will result in the successful implementation of such systems?*
* *Does the SEA have a process for ensuring that an LEA develops, adopts, pilots, and implements its teacher and principal evaluation and support systems with the* ***involvement of teachers and principals****?*
* *Did the SEA describe the process it will use to ensure that all measures used in an LEA’s evaluation and support systems are* ***valid, meaningful measures*** *that are clearly related to increasing student academic achievement and school performance, and are implemented in a consistent and high-quality manner across schools within an LEA (i.e., process for ensuring inter-rater* ***reliability****)?*
* *Does the SEA have a process for ensuring that teachers working with* ***special populations of students, such as students with disabilities and English Learners,*** *are included in the LEA’s teacher and principal evaluation and support systems?*
* *Is the SEA’s plan likely to be successful in ensuring that LEAs meet the* ***timeline requirements*** *by either (1) piloting evaluation and support systems school year and implementing evaluation and support systems consistent with the requirements described above (2) implementing these systems no later than the ?school year?*
* *Do* ***timelines*** *reflect a clear understanding of what steps will be necessary and reflect a* ***logical sequencing and spacing*** *of the key steps necessary to implement evaluation and support systems consistent with the required timelines?*
* *Is the SEA plan for providing adequate* ***guidance and other technical assistance to LEAs*** *in developing and implementing teacher and principal evaluation and support systems likely to lead to successful implementation?*
* *Is the* ***pilot broad enough*** *to gain sufficient feedback from a variety of types of educators, schools, and classrooms to inform full implementation of the LEA’s evaluation and support systems?*

#### 3.B Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | The NDE’s process for ensuring that each LEA develops, adopts, pilots, and implements, with the involvement of teachers and principals, evaluation and support systems consistent with the SEA’s adopted guidelines is not likely to lead to high-quality local teacher and principal evaluation and support systems |
| *Strengths* | * The NDE piloted the evaluation frameworks in 17 districts. * Schools selected one of two common rubrics—the Danielson Framework for Teaching or the Marzano’s Causal Evaluation Model. . Districts can also select their own frameworks. |
| *Weaknesses, issues, lack of clarity* | * As stated above, there appear to be no processes in place for the NDE to ensure districts are using valid and reliable measures in the evaluation systems. * Districts may select their own evaluation frameworks, but the Request does not provide information on how the NDE will review and approve district selections as wells a ensure fidelity of implementation. * While the NDE did not provide demographics of the pilot districts, data from the Common Core of Data reveal that approximately 8 percent of teachers work in the 17 pilot districts. It is not clear if all schools within an LEA participated in the pilot. None of the pilot districts were large urban districts. It also is not clear if districts that enroll large numbers of EL students or students living in poverty—those districts that are often hard to staff—were included in the pilot. The Request did not address any lessons learned from the pilot or any refinements made to the evaluation systems based on the pilot. * The evaluation systems remain voluntary. It is not clear from the request how many districts and schools are planning to implement the evaluation systems in 2015-16. * The Request does not adequately address how the NDE will ensure that teachers of EL students and students with disabilities are included in the evaluation system. |
| *Technical Assistance Suggestions* | * The Request could benefit from further discussion of the pilot and any lessons learned from the field. Also, the NDE should provide the list of districts that are planning to implement in 2015-16. * The Request could be strengthened by including information on how teachers of EL students and students with disabilities are included in the evaluation system and if they have different needs from general educators. |

### Principle 3 Overall Review

If the SEA indicated that it has not developed and adopted all guidelines for local teacher and principal evaluation and support systems consistent with Principle 3 by selecting Option A in section 3.A, is the SEA’s plan for the SEA’s and LEAs’ development and implementation of teacher and principal evaluation and support systems comprehensive, coherent, and likely to increase the quality of instruction for students and improve student achievement? If not, what aspects are not addressed or need to be improved upon?

If the SEA indicated that is has adopted guidelines for local teacher and principal evaluation and support systems consistent with Principle 3 by selecting Option B in section 3.A, are the SEA’s guidelines and the SEA’s process for ensuring, as applicable, LEA development, adoption, piloting, and implementation of evaluation and support systems comprehensive, coherent, and likely to increase the quality of instruction for students and improve student achievement? If not, what aspects are not addressed or need to be improved upon?

#### Principle 3 Overall Review Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| *Rationale* | While the NDE has made progress in implementing educator evaluation systems its plan falls short in several areas and does not adhere to the Flexibility requirements. |
| *Strengths* | * Although statewide implementation scheduled for school year 2015-16 will be voluntary, he SEA has provided school districts with multiple rubrics they can use to evaluate educator performances. Each rubric has four performance levels—Exemplary, Proficient, Basic, and Unsatisfactory. (page 116) * Schools will collect considerable information on an educator’s performance using several rubrics. By analyzing the rubrics at a granular level, the educator and evaluator may be able to identify areas where educators need additional support and also professional strengths. |
| *Weaknesses, issues, lack of clarity* | * As documented throughout this review the voluntary nature of the evaluation systems is at odds with the requirements of Principle 3. Not only is LEA adoption of the systems voluntary, there appears to be little oversight by the SEA to ensure that LEAs are implementing the proposed framework with fidelity. LEAs have considerable leeway in how they approach the implementation of these systems. The NDE guidance is just that—a guide to what stakeholders in the state believe to be best practices for developing and implementing educator evaluation systems. * Several elements described in the NDE’s evaluation frameworks do not meet the requirements of Principle 3. For example, the teacher framework does not require LEAs to use the ESEA assessments for student growth. * The plan lacks clarity in how it plans to roll out the frameworks beyond the pilot in 2015-16. The NDE does not discuss how it would train new LEAs adopting the frameworks or how it would ensure fidelity of implementation including the selection of rubrics not provided by the SEA and valid measures, as well as inter-rater reliability procedures. The request does not address how evaluators would be trained and/or certified. * The plan largely is silent on how teachers of EL students or students with disabilities are included in the frameworks including any alternative assessments they should consult or any unique needs they may have on the observation of practice components. |
| *Technical Assistance Suggestions* | * See suggestions throughout this review. |

## Overall Request Evaluation

Did the SEA provide a comprehensive and coherent approach for implementing the waivers and principles in its request for the flexibility? Overall, is implementation of the SEA’s approach likely to increase the quality of instruction for students and improve student achievement? If not, what aspects are not addressed or need to be improved upon?

#### Overall Request Evaluation Response

| *Response Component* | *Peer Panel Response* |
| --- | --- |
| Rationale |  |
| *Strengths* |  |
| *Weaknesses, issues, lack of clarity* |  |
| *Technical Assistance Suggestions* |  |