



For Immediate Release: June 29, 2012

Contact: Charles B. Pyle, Director of Communications, (804) 371-2420
Julie C. Grimes, Communications Manager, (804) 225-2775

NCLB Waiver Approved by US Department of Education ***Flexibility Plan Does Away with Complex & Unrealistic “AYP” Objectives***

Superintendent of Public Instruction Patricia I. Wright announced today that Virginia schools and school divisions will no longer have to meet arbitrary and unrealistic No Child Left Behind (NCLB) benchmarks in reading and mathematics or the federal law’s mandate that all students — regardless of circumstance — achieve grade-level proficiency by 2014. The flexibility is the result of United States Secretary of Education Arne Duncan’s decision today to approve the state Board of Education’s application for a waiver from certain provisions of NCLB.

“Virginia schools and school divisions can now focus their energy and resources on implementing the state Board of Education’s rigorous new content standards and assessments without contending with outdated and often counter-productive federal requirements and rules,” Wright said. “The commonwealth will continue to hold schools accountable for closing achievement gaps but schools won’t be subject to a system of increasingly unrealistic annual objectives.”

The waiver allows the state Board of Education to establish challenging but attainable goals for increasing overall student achievement and the achievement of students in demographic subgroups. Annual benchmarks will be set with the goal of reducing the failure rate in reading and mathematics by 50 percent — overall and of each student subgroup — within six years. In contrast, NCLB, as passed by Congress in 2001, requires all students — regardless of circumstance, disability or current achievement level — to demonstrate grade-level proficiency in reading and mathematics by 2014.

The Virginia Department of Education (VDOE) will continue to report — as it has since 1999 under the Standards of Learning (SOL) program — annual school accreditation ratings in September based on overall achievement in English, mathematics, science and history and high school graduation and completion.

Virginia schools and school divisions, however, will no longer receive annual “Adequate Yearly Progress” or AYP ratings. Under the approved waiver, information on schools meeting and not meeting the new, annual federal benchmarks for narrowing proficiency gaps will be reported separately in August. VDOE also will report on low-performing schools identified as “priority” and “focus” schools and recognize high-performing Title I schools as “reward” schools.

“This new federal accountability model is more complicated than the Board of Education believes is necessary, but it is definitely a step in the right direction,” Board President David M. Foster said. “Looking ahead, it is my hope that Congress will at last revise NCLB and allow Virginia to attack achievement gaps within the context of the SOL program, free from unwarranted and intrusive federal rules.”

Priority schools will be identified based on overall student achievement, including graduation rates in the case of high schools. The number of priority schools will be equivalent to five percent of the commonwealth’s Title I schools.

(more)

Focus schools will be identified based on the academic achievement of students in three “proficiency gap groups” comprising students who historically have had difficulty meeting the commonwealth’s achievement standards:

- Proficiency Gap Group 1 — Students with disabilities, English language learners and economically disadvantaged students, regardless of race and ethnicity
- Proficiency Gap Group 2 — African-American students, not of Hispanic origin, including those also counted in Proficiency Gap Group 1
- Proficiency Gap Group 3 — Hispanic students, of one or more races, including those also counted in Proficiency Gap Group 1

The number of focus schools will be equivalent to ten percent of the commonwealth’s Title I schools.

Both priority and focus schools will be subject to state-approved and monitored school-improvement interventions. Priority schools will have to engage a state-approved turnaround partner to help implement a school-improvement model meeting state and federal requirements. Focus schools will have to employ a state-approved coach to help the division develop, implement and monitor intervention strategies to improve the performance of students at risk of not meeting achievement standards or dropping out of school.

Many of the commonwealth’s underperforming schools are already subject to these and similar interventions as a consequence of state accountability provisions and state-established requirements for schools receiving federal School Improvement Grant funds. Priority and Focus schools, however, would not be subject to previous NCLB “improvement” sanctions, such as having to provide public school choice or private tutoring.

“The waiver allows school divisions to focus their Title I funds on measures and strategies that have been shown over time to be effective in raising student achievement,” Wright said.

All public schools — including schools that do not receive Title I funds under the law — will have to implement improvement plans to raise the achievement of student subgroups not meeting the annual benchmarks.

Title I schools earning Virginia Index of Performance, Title I Distinguished School and federal Blue Ribbon School awards will be recognized as reward schools.

Also under the waiver, school divisions must implement the performance and evaluation standards for teachers and principals approved last year by the Board of Education. The standards require that 40 percent of a teacher’s or principal’s evaluation be based on student academic progress.

School divisions unprepared to implement the new performance standards by the start of the 2012-2013 school year must prepare a corrective action plan describing how the standards will be implemented by the beginning of 2013-2014.

#