



MEMORANDUM

August 28, 2009

From: Alliance for Excellent Education
Re: FR Doc E9-17906
Subject: State Fiscal Stabilization Fund Phase II Comments

The Alliance for Excellent Education (the Alliance) is a national policy, advocacy, and research organization created to help all middle and high school students receive an excellent education. The Alliance focuses on America's six million most at-risk secondary school students (those in the lowest achievement quartile), who are likely to leave school without a diploma or graduate unprepared for a productive future.

The following pages include the Alliance's response to the Department of Education's (ED) State Fiscal Stabilization Fund notice of proposed requirements, definitions, and approval criteria (the notice), FR Doc E9-17906, published in the federal register on July 29, 2009 for a thirty day comment period.

Before presenting our detailed response, the Alliance would like to thank ED for requesting such a comprehensive set of indicators from states, which will provide a plethora of useful information to inform future education policy decisions. However, the Alliance would also like to urge ED to consider including not just indicators of progress, but also goals and targets for improving performance on these indicators as part of the State Fiscal Stabilization Fund (SFSF) requirements. These goals and targets should move states toward the goal of college and career readiness for all students in a reasonable timeline. By doing this, all states—not just those receiving Race to the Top funds—will be encouraged to move toward improving their performance on each of the four assurances.

The Alliance would also like to emphasize that the distribution of SFSF funds through the Title I formula, which currently provides very little money for high schools, means that the Alliance cannot expect significant high school reform from SFSF. However, the Alliance is encouraged by the fact that it will be able to leverage the information gleaned from SFSF to increase awareness of the needs of high schools and to inform future policy.

In the comments that begin on the following page, the Alliance describes, in detail, how some of the indicators and definitions can be improved to garner more accurate and specific information on high school performance and progress in each of the four reform areas.

I. Proposed Requirements—Assurance Indicators and Descriptors

A. Achieving Equity in Teacher Distribution

- Issue: In this section, states are asked to report on eight descriptors of teacher distribution equity, including the extent to which students in high- and low-poverty schools have access to



highly qualified teachers, how teacher and principal performance are evaluated, and the distribution of performance evaluation ratings (or levels) among teachers and principals.

- Comment: The Alliance applauds ED for bringing these important pieces of information to light. The quality of a student's teacher is the single most important in-school variable impacting student success, so it is important that schools have ways to measure teacher effectiveness and distribution.

Teachers in high schools, particularly those teaching hard-to-staff subjects in high-needs schools, are often teaching out of their field or inexperienced. Teacher absences are also more frequent in high-poverty schools. In addition, there is often a vast disparity between high- and low-poverty schools in teachers' ability to teach advanced coursework such as Advanced Placement (AP) or International Baccalaureate (IB) courses.

- Recommendation: The Alliance recommends that states should report on: the percentage of teachers who are out of their field and inexperienced in high- and low-poverty schools; the attendance of teachers in high- and low-poverty schools; and on the availability of AP, IB, and other advanced coursework in high- and low-poverty schools.

Since states will already be reporting on the number and percentage of teachers rated at each performance level, the Alliance recommends that states also report on what happens to teachers who are rated poorly, i.e., what percentage of teachers rewarded poorly are awarded tenure or continue teaching, etc.

B. Improving Collection and Use of Data

- Issue: In this section, states are asked to report on the elements of their statewide longitudinal data system and whether teachers receive timely and informative data on student performance.
- Comment: The Alliance applauds ED for recognizing the importance of statewide longitudinal data systems and providing teachers with data that can be used to inform instruction. However, it is also important that teachers make use of the data available in order to realize the end goal of improving teaching and learning.
- Recommendation: The Alliance recommends adding an indicator for measuring teachers' use of the data, as proposed by states.

C. Standards and Assessments

- Issue: In this section, states are asked to report data and other information regarding: whether state assessments are of high quality; if the state is working to improve its assessments; if limited English proficiency and special education students are included in state assessment systems; if the state makes information available regarding student academic performance in the state compared to the academic performance of students in other states; and if students



graduate from high school in four years with a regular high school diploma and continue on to pursue a college education or technical training.

- **Comment:** While the information requested from states in this section will be very useful, it would also be helpful to gather information on whether graduation requirements align with college and work readiness and to require further indicators of postsecondary persistence and degree completion. These indicators would help determine the extent to which high schools are providing students with access to a rigorous curriculum along with the supports and interventions they need to achieve.
- **Recommendation:** The Alliance recommends that Secretary Duncan ask states to describe their graduation requirements and identify whether completing those requirements would adequately prepare a student for college-level courses and the workforce. The Alliance also recommends that each state identify, of those students who pursue postsecondary education, indicators of these students' persistence and degree completion, i.e., the number and percentage of students who remain enrolled in postsecondary programs and the number and percentage who earn a two-year or four-year degree in three and six years, respectively. The Alliance also recommends that all of the indicators requested in this paragraph be reported—overall and by student subgroup as consistent with section 1111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act (ESEA)—for each state, local educational agency (LEA), and high school.

D. Supporting Struggling Schools

- **Issue:** In this section, states are asked to report data and other information on the extent to which reforms to improve student academic achievement are implemented in the state's Title I schools in improvement, corrective action, or restructuring, and on the extent to which charter schools are operating.
- **Comment:** Because policies for funding, improving, and turning around high schools have differed significantly from policies aimed at elementary and middle schools, it is important that the indicators described in this section be disaggregated for high schools. In the case of Title I funds, distribution decisions have varied across districts but have tended to favor elementary schools. As a result, it has been difficult to identify to what extent high schools receive Title I funds. Because these funds are the largest source of federal education funding and are the basis for the support and accountability structures set up under federal education law, it is difficult to determine the needs of high schools accurately.
- **Recommendation:** The Alliance recommends that the indicators in this section, particularly indicators 1-8, should be reported by school type and grade span so that high schools are reported separately. States should report the number and names of all schools eligible for and receiving Title I by grade span as well as by the number and percentage of high schools with graduation rates of 60 percent or less that are in improvement, corrective action, or restructuring.



E. Supporting Struggling High Schools

- Issue: Indicators in section (d) *Supporting Struggling Schools* use Title I schools in improvement, corrective action, or restructuring as a proxy for the lowest-performing schools.
- Comment: For high schools, improvement status is not an accurate indicator of school performance. In fact, as many as 40 percent of dropout factories—the nation’s 2,000 lowest-performing high schools—are reported as having made Adequate Yearly Progress, which misrepresents the performance of these schools. This is because accountability for high schools is currently weak; high schools are judged based upon assessments in only one year and have no meaningful incentives to improve graduation rates.
- Recommendation: The Alliance recommends high schools with graduation rates below 60 percent be added to indicators (d)(2)–(d)(5).

II. Comments on Proposed Definitions

A. Student Achievement Outcomes

- Issue: Student achievement outcomes are defined as summative assessment scores, scores on interim assessments predictive of summative assessment results, either of the previous scores in terms of gains or growth, student grades, rates at which students are on track to graduate from high school, or some combination thereof.
- Comment: If available, the primary measures used should be those that schools and teachers cannot influence. Using student grades or credit accumulation creates incentives for schools to lower their grading standards and criteria for course passage.
- Recommendation: The Alliance recommends making it explicit that the primary measure of student achievement outcomes should be summative assessment scores or interim assessment scores when available.

B. School that Has Made Progress

- Issue: A “school that has made progress” is defined as a school whose gains on the state assessment are equal to or greater than the average gains of schools in the state on that assessment.
- Comment: For high schools, student achievement on assessments must be used in tandem with graduation rates to avoid creating perverse incentives to push out low-performing students before graduation.
- Recommendation: The Alliance recommends adding to this definition that, in the case of high schools, such a school must also have made gains in graduating students at a rate that is equal to or greater than the average graduation rate gain of other schools in the state, and that meet



the definition of continuous and substantial improvement as defined by ED in 34 CFR 200.19(b)(1).

C. School that Has Been Turned Around

- Issue: A “school that has been turned around” is defined as a school that has had a governance change, implemented a new instructional focus, and replaced at least 50 percent of its staff as part of a planned intervention.
- Comment: As used in research and parlance, the term “school turnaround” implies improvements in achievement results in a formerly low-performing school. The term used here describes the governance changes designed to lead to such improvement.
- Recommendation: The Alliance recommends rewording to “school that has undertaken a turnaround strategy,” or similar, to clarify the difference between process and results.