Minnesota Department of Education

Last updated: March 19, 2012 (additions and changes are highlighted)

No Child Left Behind Waiver Frequently Asked Questions for 2011-12 School Year

School Choice and Supplemental Educational Services

Q: What happens to school choice?

A: Districts must continue to honor their commitments to students who have elected to take advantage of school choice transportation through the end of this year. Beginning next year, schools will no longer be required to provide school choice transportation, but may use Title I funding to accommodate students who have already elected to transfer to another school under NCLB. These decisions will be left up to the districts. However, districts must allow students to stay at the school they have transferred to under NCLB school choice provisions, even if they choose not to provide that student with free transportation.

Q: Do schools have to offer Supplemental Educational Services (SES) this year?

A: Schools and districts must honor the commitments they have made to students, parents and SES providers this year. That means that students who are currently enrolled in SES programs must be allowed to complete their program. It also means that if there was a promised enrollment window for SES and there is demand for SES in the school, that enrollment window must be made available. However, if a school has no students enrolled in SES and there was no enrollment window scheduled, schools and districts may reallocate funds set aside for SES without offering any other SES. Districts and schools must also honor contractual agreements with SES providers.

Q: Will there be an SES application window this spring for the 2012-13 school year?

A: Under the waiver, MDE will no longer be reviewing or approving SES providers, so there will no longer be an SES application. SES providers can work with districts interested in providing SES to develop an SES program, but will not need to work through MDE to enter into an agreement.

Current School Improvement Activities

Q: Our school site is in Corrective Action, Pre-restructuring, or Restructuring. How does this waiver impact us?

A: Schools in Stage 3 of AYP and above (Corrective Action, Pre-Restructuring, and Restructuring) must continue school improvement planning, but should do so without plans to

close or reconstitute schools, or terminate staff. These schools will still have access to support from MDE and regional service providers.

Q: Do schools continue school improvement plan requirements through the end of this school year?

A: MDE believes that all schools should constantly be planning around improvement. With that in mind. MDE is requiring all schools currently working on or implementing school improvement plans to continue this work through the end of the school year. The requirements of this planning will differ slightly from the previous system, in that the plans can be tailored to the specific needs and plans of the district, rather than the school improvement activities mandated under No Child Left Behind. MDE and the regional service providers are still available to support schools and districts in this work.

Q: What happens to schools with School Improvement Grants (SIG schools)?

A: SIG schools must continue their turnaround efforts through the end of their grant periods. All SIG schools will be identified as Priority Schools due to their previous identification of persistently low-performing, but will have the opportunity to exit this status at the end of their grant period if they exhibit sufficient progress. Nothing about this identification changes the requirements of the SIG grant.

Q: What happens to schools currently in one of the Adequate Yearly Progress (AYP) stages?

A: Until Priority, Focus and Reward Schools are identified in May, schools will maintain their current AYP stages. However, as outlined in other questions, the requirements for school choice, SES and other school improvement activities have changed. Upon the initial identification of Priority, Focus and Reward Schools, the current AYP stages will be eliminated and no school will be in an AYP stage.

Q: For districts identified for improvement or corrective action, what changes and when?

A: District AYP stages were eliminated by the waiver. Districts that were in an AYP stage are no longer in that stage. Districts can reallocate the funding they have set aside as a result of their AYP stage immediately. However, districts with improvement plans must continue to work with MDE to implement those plans through the end of the school year.

School and District Finances

Q: When can districts use Title I funds freed up by the elimination of mandatory set-asides?

A: If districts have honored the commitments made to students for school choice and SES as outlined in the questions at the top of this document and have excess set-aside funds, they may reallocate funds to other programming during the March Title I application amendment period. Districts should work with their area directors at MDE to make these amendments.

Q: How would the reallocation of set-aside Title I funds affect nonpublic schools?

A: Any funding that was set aside that is now reallocated for other allowable Title I programming must be distributed equitably to nonpublic schools within a district, in keeping with Title I requirements.

Q: Does the waiver affect the current year district-level programmatic (2%) or professional development (10%) AYP set-asides?

A: If these set-asides have not been obligated for activities related to the district's improvement plan for the 2011-12 school year, then the excess funding may be reallocated for other approvable Title I activities.

Q: Will the new transferability authority go into effect immediately?

A: Districts now have the authority to transfer up to 100 percent of funds between approved federal programs (see ESEA Section 6123 for a full list of program). This new authority went into effect immediately upon approval of the waiver.

Newly Identified Schools

Q: When will MDE release the lists of Priority, Focus and Reward Schools?

A: MDE will release the lists of Priority, Focus and Reward Schools in May. MDE is in the process of running data from the previous two school years to identify schools in these categories, and will complete its quality assurance processes to finalize the lists this spring. The announcement of these lists will take place after this year's assessment window has closed.

Q: Will there be an appeals process when the Priority and Focus Schools are announced?

A: Because the identification of Priority, Focus and Reward Schools will be based on data from the 2009-10 and 2010-11 school years, there will not be a data appeals window. There were already data appeals windows for assessments from those school years. However, MDE will work with identified Priority and Focus Schools to determine whether exigent circumstances preclude their identification before the lists are announced publicly. Such circumstances could include planned closing or reconstitution, or the end of Title I funding at an identified school.

Q: What will be required of Priority and Focus Schools this year?

A: Upon identification, Priority and Focus Schools will be required to begin working with their districts, MDE and the statewide system of support to develop school turnaround and improvement plans, respectively. MDE will require these plans to be in place at the beginning of the 2012-13 school year so that implementation can begin immediately.

Q: Will the Multiple Measurements Rating (MMR) be reported for all schools at the same time as the Priority, Focus and Reward Schools?

A: In May, when Priority, Focus and Reward Schools are announced, the MMR for every school in the state, regardless of Title I status, will also be released and be available for viewing on the MDE website.

Q: Will MDE also be announcing Celebration or Continuous Improvement Schools this year?

A: Due to the timing of the announcement of Priority, Focus and Reward Schools, MDE will not be releasing a list of Celebration or Continuous Improvement Schools in May. The first lists of Celebration and Continuous Improvement Schools will be released in the summer of 2012.

Q: Attachment 9 on the waiver request appears to identify the Priority, Focus and Reward Schools? What is that and why isn't it being released now?

A: Attachment 9 used preliminary impact data to demonstrate the approximate performance of schools in each of the three categories. This was required by the waiver application. However, this data only used one years' worth of data, and has not gone through MDE's quality assurances processes. Therefore, MDE suppressed the names of schools on these lists to limit disruption to these and other schools. MDE is now working to compute the MMR for every school in the state and identify the three groups of schools. This information will be available in May 2012.

Assessments

Q: Will students still be taking the Minnesota Comprehensive Assessments (MCAs) this year?

A: Nothing in the waiver changes the way that students are tested. The MCAs will be administered as usual during the spring of 2012.

Q: Will schools get an MMR based on the assessments being taken this spring?

A: The results of this year's assessments will be used to generate the MMR for every school that will be released in the summer of 2012. This year's assessment results will *not* be used in the MMR that is announced in May, and will not impact the list of Priority, Focus or Reward Schools that is announced at that time.

Q: Does the cap on the number of alternative assessment scores that can be used in accountability calculations change under the waiver?

A: Districts are still limited to the one percent cap on the number of MTAS proficient scores that can be used in accountability calculations. The cap on MCA-Modified assessments remains 2 percent.

Q: With the multiple test opportunities now available to students in grades three through eight in math, is there any reason to retest students who have tested proficient on their first test?

A: Growth is calculated using student scores, not the proficiency designations, so whether a student tested proficient does not factor into a student or school growth score. If a student takes the test more than once, their highest score is used in all calculations, including growth. Decisions about whether to retest students who test proficient should be made on a student-by-student basis. If a student has exhibited marked improvement following their first test and a teacher or assessment coordinator believes they will score significantly better on a second test, it could be worth it to retest that student. However, if after the first test a teacher believes there is little chance that a student will have a significant increase in their score on a second test it is probably not worth it to retest the student.

MDE Assistance

Q: Will MDE be putting together and offering some workshops around the state which district personnel can attend to learn everything we need to know about the waiver?

A: In the coming months, MDE will be working to help districts and the public learn about the new accountability system under the waiver. This will include training sessions around the state, town hall meetings with Commissioner Cassellius, the dissemination of training materials, and online training opportunities. Please check the MDE website frequently for updates on this work.

Q: Whom do I contact for more information?

A: Please check the No Child Left Behind (NCLB) Waiver Workgroup page of the MDE website frequently for new information on the waiver. This FAQ will be updated as new questions come up. If you have additional questions, please email mde.nclbwaiver@state.mn.us.

No Child Left Behind Waiver Frequently Asked Questions for 2012 and Beyond

General Questions

Q: Why did Minnesota apply for a waiver to No Child Left Behind?

A: There has long been a consensus that many aspects of the No Child Left Behind law have not been effective in measuring or improving school effectiveness. The waiver was an opportunity to gain greater flexibility in the way we measure schools for accountability and the way that schools, districts and MDE work to improve struggling schools.

Q: What does the waiver mean for Minnesota?

A: The waiver means that we now have a new system of accountability for schools. At the foundation of this system is a Multiple Measurements Rating (MMR) that replaces Adequate Yearly Progress (AYP) as the primary measurement of school performance. The MMR looks at proficiency, growth, achievement gap reduction and graduation rates. Using the MMR, we will now identify schools for recognition, accountability and support by designating a percentage of Title I schools as Priority, Focus and Reward Schools. Please see the NCLB Waiver Glossary for definitions of all these terms.

Q: How will assessments change under the waiver?

A: Nothing in the assessments themselves will change under the waiver. Nor will the requirements for students to take the assessments change. What will change is how assessment results are used and interpreted for accountability purposes.

Q: How will the waiver affect the standards/expectations of my child's academic achievements?

A: Nothing in the waiver changes the state's rigorous academic standards in any way. The statewide standards remain in place. What has changed is the way we measure schools' ability to help students meet those standards.

Q: How long will the waiver be in effect?

A: The waiver is good for two years, with an option to extend for a third year. Year one will be the 2012-13 school year. However, if the Elementary and Secondary Education Act (ESEA, currently known as No Child Left Behind) is reauthorized before the end of the waiver period, the reauthorized law would take precedence over the waiver. MDE has worked to ensure that the waiver proposal is compatible with congressional reauthorization proposals.

Accountability Measurements

Q: Who gets measured in the new accountability system?

A: All schools and districts in the state will still be given an AYP determination each year. In addition to that, schools will now be given an MMR every year. The MMR will be the primary drive of recognition, accountability and support in Minnesota.

Q: How is proficiency measured in the MMR?

A: Using the existing AYP index model, schools can receive points based on the weighted percentage of their subgroups that make AYP. The subgroups are weighted according to size, with smaller groups given a weight greater than their relative size. For the purposes of the MMR, schools and subgroups can only make AYP by meeting their AYP index targets, not through Safe Harbor, which measures year-to-year within school improvements in proficiency rates. Every school's weighted percentage is given a percentile rank within their school classifications (elementary, middle/junior high, high school, other), which is multiplied by 25 possible points to generate the number of points a school earns in the proficiency domain.

Q: How is growth measured in the MMR?

A: Using the Minnesota Growth Model, each student is given a growth score based on how their assessment score compares to their predicted assessment score. Predicted scores are generated by looking at the statewide averages for each score from year-to-year. For example, to generate the predicted fourth grade score for a student whose score was 50 in third grade, we look at the average fourth grade score of every student who scored a 50 in third grade. The student's fourth growth score is then based on how they score compare to that prediction. All individual student growth scores are then averaged to generate a school growth score. School growth scores are given a percentile rank within their school classifications (elementary, middle/junior high, high school, other), which is multiplied by 25 possible points to generate the number of points a school earns in the growth domain.

Q: Will schools only be responsible for the growth of students that were enrolled in the school for two consecutive years?

A: Schools will be measured on the proficiency, growth and graduation rates of students that are enrolled in the same school for the full academic year, regardless of whether they were enrolled at that same school in prior years. All students with a prior year MCA score are given a growth score that is used to determine a school's growth score, as well as their achievement gap reduction measurement score if the student is in one of the seven achievement gap subgroups.

Q: Are growth predictions that are used in the growth measurement generated by school averages or statewide averages?

A: Growth predictions for students are based on statewide averages for student growth using the existing Minnesota Growth Model methodology.

Q: How does the growth measurement used in the MMR compare to the growth measurement that generates the growth data on the Data Center of the MDE website?

A: The underlying methodology that is used to generate the growth data in the Data Center- which was created by statute as the Minnesota Growth Model- is the same as what will be used in the MMR. The student growth predictions are the same in the MMR as they are in the

Minnesota Growth Model. There are only two differences in the way this data is computed. First, the MMR growth model uses data from alternative assessments given to students with disabilities, whereas the current Minnesota Growth Model does not. Second, while the Minnesota Growth Model gives the percentages of students with low, medium, and high growth, the MMR growth model simply gives the average growth score in each school.

Q: How is achievement gap reduction measured in the MMR?

A: With the same individual student growth scores that are used in the growth domain, MDE measures the success schools have in getting higher rates of growth in the seven subgroups that are currently below statewide averages than in their higher-performing peers. In order to generate a positive score, the growth of a school's lower-performing subgroups must be higher than the statewide averages for those groups' counterparts. School achievement gap scores are given a percentile rank within their school classifications (elementary, middle/junior high, high school, other), which is multiplied by 25 possible points to generate the number of points a school earns in the achievement gap reduction domain.

Q: Which subgroups are measured for achievement gap reduction?

A: The achievement gap reduction measurement measures the ability of schools to get higher levels of growth in the following seven subgroups: Black, Asian, Hispanic, American Indian, Free and Reduced Price Lunch (FRP), Limited English Proficient (LEP), and Special Education. The four subgroups of students of color are compared to the statewide average for white students. The three other subgroups are compared to the statewide average growth for all students that are not in their subgroup (e.g., LEP students are compared to the statewide average of all non-LEP students).

Q: How is graduation rate measured in the MMR?

A: Graduation rate is measured with the same methodology that is used in the proficiency domain: by looking at a weighted percentage of subgroups that meet their AYP graduation rate target. The AYP graduation rate target has been set at 85 percent in the past, and this target will be used when the MMR is run in the spring of 2012. However, starting in the summer of 2012, AYP graduation rates will be based on a new, federally-mandated cohort-adjusted graduation rate methodology. With the adoption of this new methodology, there will be new AYP graduation rate targets. These targets will be announced before the end of the 2011-12 school year. Every high school's weighted percentage is given a percentile rank which is multiplied by 25 possible points to generate the number of points a school earns in the graduation rate domain.

Q: How are the graduation rates of Area Learning Centers (ALCs) and juvenile correction/detention center included in the accountability system?

A: ALCs and juvenile correction/detention centers are not assigned a school-level graduation rate due to the nature of their student populations. Therefore, these types of schools and programs will not be measured for graduation rate in their MMR, and will have 75 points possible instead of 100. The graduation rates of these types of schools and programs are still included in their district's overall graduation rate, which is calculated and reported as part of AYP.

Q: How is the total MMR calculated?

A: A school's MMR is computed by dividing the total number of points a school earned by the total number of points it could have possibly earned to generate a percentage. For most elementary and middle/junior high schools, there will be 75 possible points. For most high schools, there will be 100 possible points. For all schools, the MMR will be a 0-100 percentage.

Q: When will the MMR be reported?

A: In 2012, MDE will release the MMR, along with the list of Reward, Focus and Priority Schools in May, based on data from 2011. In the future, the MMR and the school designation lists will be released in the summer, around the same time that AYP has traditionally been released in late July or August.

Q: How are schools with a highly mobile student population measured?

A: As with AYP, in order to be included in a school's accountability measurements, a student must be enrolled for a full academic year. Students who are only enrolled in a school for part of the school year are still expected to take the assessment, but are not included in the proficiency, growth or achievement gap reduction measurements. In order to be measured for growth and achievement gap reduction, students must have a current year and previous year reported score. It is not necessary for those scores to come from the same school for a student's growth score to be included in the school's growth score.

Q: How does the Adequate Yearly Progress (AYP) measurement fit into this new system?

A: AYP will still be calculated and reported annually for every school and district, but there will be two major changes to the way this is done. First, the 2014 goal of 100 percent proficiency has been replaced with the 2017 goal of reducing the achievement gap by 50 percent. Second, there are no longer sanctions are mandates associated with not making AYP. Rather, AYP will be used as a reporting tool to gauge district and school progress on meeting the goal of reducing the achievement gap. It should also be noted that subgroup performance on AYP determines a school's performance on the Proficiency domain of the MMR.

Q: Is AYP proficiency still calculated using an index rate or is it now by the percentage of students testing as proficient?

A: Nothing changes in the AYP calculation except for the proficiency targets. AYP will still be calculated with the existing index model that awards half a point for students testing partially proficient, and one point for students meeting or exceeding proficiency.

Q: In the proficiency calculation for AYP, will the status of exceeding the standards be weighted heavier than being proficient?

A: The existing AYP proficiency index model will not be changed, so students who score at the 'Exceeds' level do not earn more index points than students at the 'Meets' level.

Q: How do participation, attendance and graduation rate factor into AYP determinations going forward under the waiver?

A: The only thing that changes about the AYP measurement itself are the proficiency targets. Participation, attendance and graduation rate are still considered in all AYP determinations and will have the same targets going forward (with the exception of graduation rates, which will have new targets in 2012 to reflect the new graduation rate methodology required by the US Department of Education).

Q: What is the minimum subgroup cell size in order to be scored on the four measurements in the MMR and in AYP?

A: The AYP cell size restrictions will remain the same. A subgroup must have at least 20 students to be measured for proficiency, growth, and achievement gap reduction. A subgroup must have at least 40 students in order to be measured for participation, attendance and graduation rate.

Q: How will MDE track the academic performance of Special Education students?

A: All student performance data will be disaggregated to show the performance of each of the nine NCLB-mandated subgroups, including Special Education. Furthermore, the Special Education subgroup is one of the seven that is measured for achievement gap closure. Schools that fail to make progress in closing the gap between the achievement of Special Education students and their peers could become Focus Schools and have to develop an improvement plan to address the academic needs of those students.

Q: How will the waiver impact Title III Annual Measurable Achievement Objectives (AMAOs)?

A: The AMAOs remain unchanged. The only impact the waiver will have on AMAOs is that the AYP targets for English Learners have been changed along with all other subgroups.

Q: Will districts still have access to student-level performance data to determine how school-level measurements were made by MDE?

A: Districts and schools will still have access to all relevant student level data in a format that exhibits how the data was used to generate school-level measurements in the MMR and AYP.

Q: How will the performance of Minnesota students be compared to that of other states, including the other nine states that have received waivers?

A: Minnesota will still be required to participate in the National Assessment of Educational Progress (NAEP) which is given to students in every state in the country. The NAEP results allow the public to see how students from Minnesota compare to those in other states.

School Recognition, Accountability and Support

Q: What types of schools will be eligible for the new school designations?

A: Only schools receiving Title I funds will be eligible for the new school designations (Priority, Focus, Continuous Improvement, Celebration and Reward). The only non-Title I schools that are eligible for designation are those current SIG schools that are not Title I schools.

Q: How many schools will fall into each of the new school designations?

A: The bottom five percent of Title I schools (approximately 42 schools) will be identified as Priority Schools. Ten percent of Title I schools (approximately 85 schools) will be identified as Focus Schools because they are making the largest contributions to the state's achievement gap. The top 15 percent of Title I schools (approximately 125 schools) will be identified as Reward Schools. An additional 25 percent of high-performing Title I schools (approximately 210 schools) will be eligible for Celebration School status, with 10 percent of Title I schools (approximately 85 percent) being designated Celebration Schools. The bottom 25 percent of schools (approximately 210 schools) which will include most Priority and Focus Schools, will be identified as Continuous Improvement Schools.

Q: What will Priority Schools have to do?

A: Priority Schools will be required to work collaboratively with parents, their communities, their districts, Regional Centers of Excellence and MDE to develop turnaround plans. This plan will have to adhere to Turnaround Principles set by the US Department of Education (these Principles are outlined in the "NCLB Waiver Glossary") and will respond to the specific needs of the students in the school. Priority Schools will maintain their status and continue working on their turnaround plans for three years unless they meet exit criteria. Priority Schools will be required to set aside the equivalent of 20 percent of their Title I funds for activities related to their turnaround plan.

Q: What will Focus Schools have to do?

A: Focus Schools will be required to work collaboratively with parents, their communities, their districts, Regional Centers of Excellence and MDE to develop school improvement plans aimed at improving the performance of their low-performing student subgroups. This plan will be locally tailored by the school and district with technical assistance and strategic support from Regional Centers of Excellence and MDE. Focus Schools will maintain their status and continue working on their improvement plans for three years unless they meet exit criteria. Focus Schools will be required to set aside the equivalent of 20 percent of their Title I funds for activities related to their turnaround plan.

Q: What will Continuous Improvement Schools have to do?

A: Continuous Improvement Schools will be required to work collaboratively with parents, their communities and their districts to develop school improvement plans. Regional Centers of Excellence and MDE will be available for technical assistance and strategic support in this process. These school improvement plans will not be submitted to or approved by MDE. Instead, districts will be charged with implementing the plans within Continuous Improvement Schools. MDE will audit 10 percent of Continuous Improvement Schools annually to ensure fidelity with the improvement planning process.

Q: What happens to Reward Schools?

A: Currently, the only remuneration for Reward Schools will be public recognition for their success. MDE is exploring the possibility of repurposing federal funds or securing funds from

external partners to provide financial incentives to Reward Schools willing to partner with low-performing schools to share best practices.

Q: How does a school become a Celebration School and what is the reward for that status?

A: Schools between the 60th and 86th percentile on the MMR are Celebration-eligible, and may apply to MDE to become a Celebration School. These applications can include qualitative factors that go beyond assessment and graduation rates to explain why a school is deserving of recognition. MDE will then select the equivalent of 10 percent of Title I schools as Celebration Schools based on the quality of the applications. The primary reward for Celebration Schools will be public recognition.

Q: How does the new system affect non-Title I schools?

A: As with the previous NCLB system, all schools, regardless of Title I status, will be measured for accountability. Every school will continue to receive an AYP determination, and every school will now get an MMR as well. However, the new school designations (Reward, Celebration, Focus, Priority and Continuous Improvement) will only apply to Title I schools.

Q: What are the district accountability provisions in the waiver?

A: The MMR and the new accountability designations are directed exclusively at schools. However, districts will continue to receive annual AYP determinations. Additionally, districts with Priority and Focus Schools will be required to complete a district-wide needs assessment to assess and improve their capacity for improving identified schools. If districts fail to effectively implement turnaround or improvement plans in identified schools, and exhibit persistently low performance at the district level, the district could be subject to restrictions on their Title I funding.

Parent Engagement and Choice

Q: What are the parent notification requirements for identified schools?

A: Priority and Focus Schools will be required to notify parents of their status upon identification and in each subsequent year until they exit their status. This notification must invite parents to participate in the school's turnaround or improvement activities and provide opportunities to engage in the process. Continuous Improvement Schools will be required to notify parents of their status and explain the reasons for their status. The letter must also invite parents to engage in the school improvement process.

Q: What are the roles of parents and communities in school improvement planning?

A: Parents and communities are crucial to the school improvement or school turnaround process. The new system of school support envisions parents and communities taking a greater role in guiding the school improvement and turnaround planning and engaging in the implementation process. District and building leadership teams should include a parent membership. Priority and Focus Schools will be required to develop a comprehensive parent and community engagement plan as part of their turnaround or improvement plan, developed in

consultation with parent stakeholders representing the building and the district. Continuous Improvement Schools will be required to notify parents of their status and invite them to be involved in school improvement planning and implementation. Just as importantly, the Multiple Measurements Rating will provide parents and communities with more information than ever before, with which the goal is to spur greater involvement in the improvement of all schools, not just those identified as Priority, Focus or Continuous Improvement. A failure to address this engagement will lead to the withholding of Title I funds.

Q: ESEA Section 1116(b)(13), which requires the district to permit a child who has transferred to remain in the choice school through the highest grade in the school, does not appear to be waived. Will districts need to continue to provide transportation for these students in future years?

A: The section was not waived so as to allow states and districts that elect to provide that transportation to do so with Title I funding. Districts should work with parents of students that changed schools through NCLB school choice requirements to determine whether funding for that transportation will continue in future years. Districts will not be required to fund the transportation of those students to schools other than their “home” school after the 2011-12 school year.

Q: Will Supplemental Educational Services (SES) be optional for districts?

A: Beginning in the 2012-13 school year, Supplemental Educational Services (SES) will no longer be required for any schools or districts. Under No Child Left Behind, schools that failed to make AYP for a certain number of years were required to offer SES, which typically takes the form of after-school tutoring. This requirement has been waived. Districts may choose to offer SES to students, and will contract out with any external providers they choose. There will no longer be a list of state-approved SES providers.

School and District Finances

Q: How does this affect federal and state funding for schools?

A: There is no change to the formulas used to determine state and federal funding for schools under the waiver. State funding is completely unaffected by the waiver. Federal funding formulas will remain the same, but districts will have greater flexibility with these funds. AYP set-asides for school choice, SES, professional development, and district programming are eliminated, allowing districts to use a larger portion of their federal funding for district-determined activities. Additionally, the transferability allowance under Section 6123(b)(1) of the Elementary and Secondary Education Act (ESEA) has been increased from 50 percent to 100 percent, giving districts more flexibility in transferring funds between federal funding sources. Nothing in the waiver changes the federal requirement that Title I funds be used to supplement, not supplant district and school spending.

Q: Will there be additional funding for Priority, Focus and Continuous Improvement Schools?

A: Beyond the newly increased flexibility and release of formerly set-aside funds, Priority, Focus and Continuous Improvement Schools will continue to receive the same amount of funding.

There is no new funding attached to the waiver, but it does allow the state, districts and schools to use their existing funds more flexibly and effectively.

Q: Will there be any mandated parameters around how Title I funds are used in either Priority or Focus Schools?

A: Priority and Focus Schools will be required to set aside the equivalent of 20 percent of their Title I funds for activities related to their turnaround or school improvement plan. MDE and the Regional Centers of Excellence will work with Priority and Focus Schools to determine which activities are allowable for this set-aside.

Q: Will the 10 percent staff development set-aside still be in place for districts and schools?

A: There will no longer be any mandatory set-asides for staff development. Districts may still spend Title I funds on staff development but it is not required. High-quality staff development would be an allowable use of a Priority or Focus School's 20 percent set-aside.

Q: What are the fiscal implications of the waiver for nonpublic schools?

A: Nonpublic schools should be largely unaffected by the waiver. Nonpublic schools that receive Title I funds could see their funding increase as district-level set-asides (which were not distributed equitably to nonpublic schools) are eliminated and that funding rolls back into general Title I budgets. There are no circumstances under which the formula for Title I funding will be altered to reduce funding for nonpublic schools.

School and District Planning Activities

Q: What are Regional Centers of Excellence and what role do they play in the new system?

A: Under the past NCLB model, there were eight education service regions to provide support to schools not making AYP. The new waiver provisions have created a need for MDE to reevaluate this model so as to provide better services to schools and districts, particularly to Priority and Focus Schools. The new models for service providers are called the Regional Centers of Excellence. The new Regional Centers will provide a focused and consistent delivery of school improvement services across the state. Data Analysis, Standards, Reading, Math, English Language Development, Special Education and Instructional leadership will be the focus of services and supports. February 17, 2012February 17, 2012The range of services and supports may include web-based resources and tools, as well as guided facilitation and technical assistance.

Q: Will there be district improvement plans anymore?

A: MDE encourages all districts to continue looking at ways to improve, but there is no longer a requirement for districts to write and submit a district improvement plan on the basis of AYP or MMR results.

Q: Will MDE provide templates for school improvement plans?

A: MDE and the Regional Centers of Excellence will work with districts to determine the best format for the school turnaround and improvement plans at Priority and Focus Schools, respectively. All other schools writing improvement plans may choose whichever format they would like, but may access resources from MDE and the Regional Centers of Excellence as desired.

Q: Will there be guidelines for professional development?

A: Priority and Focus Schools will have to demonstrate that their professional development plans are high-quality and research-based. For schools that are not Priority or Focus Schools, districts have the authority to determine professional development programming.

Q: Will the waiver affect the requirements to operate a schoolwide or targeted assistance Title I program?

A: For most schools and districts, the requirements for schoolwide and targeted assistance programs will not change under the waiver. However, Priority Schools that have a level of poverty below the 40 percent threshold required to operate a schoolwide program may choose to become a schoolwide program if it is consistent with their turnaround plan.

Q: How will the more flexible school improvement planning impact goals for QComp, literacy aid and other state programs?

A: Nothing in the waiver exempts schools or districts from the requirements of state programs such as QComp and the new required literacy planning. However, schools and districts may choose to use the MMR or its related measurements in their goal-setting processes.

Teacher qualifications and evaluations

Q: Do the requirements for Highly Qualified Teachers (HQT) remain in place?

A: Under the waiver, a district is not required to develop an improvement plan or restrict the use of federal funds pursuant to such a plan. Additionally, MDE is not required to enter into the agreement required by ESEA section 2141(c) with a district. Districts are not restricted in their use of Title I, Part A funds for paraprofessionals, but still must comply with the requirements with respect to paraprofessionals in ESEA section 1119(c) through (g). The basic highly qualified teacher requirements of NCLB remain in place. Also, there is still a requirement in to ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers.

Q: Is the waiver at all tied to teacher evaluation?

A: The waiver is only indirectly tied to teacher and principal evaluation. One of the US Department of Education requirements for receiving the waiver was to have these systems in place or in development, a requirement that Minnesota was able to meet due to the legislative action taken on this issue in 2011. Nothing in the waiver changes the state’s statutory requirements for evaluation systems.

Minnesota Department of Education (MDE) Assistance

Q: Will MDE be putting together and offering some workshops around the state which district personnel can attend to learn everything we need to know about the waiver?

A: In the coming months, MDE will be working to help districts and the public learn about the new accountability system under the waiver. This will include training sessions around the state, town hall meetings with Commissioner Cassellius, the dissemination of training materials, and online training opportunities. Please check the MDE website frequently for updates on this work.

Q: Whom do I contact for more information?

A: Please check the No Child Left Behind (NCLB) Waiver Workgroup page of the MDE website frequently for new information on the waiver. This FAQ will be updated as new questions come up. If you have additional questions, please email mde.nclbwaiver@state.mn.us.