

South Carolina's waiver from certain requirements of the *No Child Left Behind Act of 2001* (NCLB) has been approved. The waiver allows the state to hold schools accountable and reward them for the work they do in all subjects and with all students. The following questions and answers serve to provide direction to school and district personnel as they prepare for the 2012-2013 school year.

South Carolina's *Elementary and Secondary Education Act* (ESEA) Waiver: Frequently Asked Questions

General Questions

A-1: Why did South Carolina 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 the SCDE work to improve struggling schools.

A-2: What are the major changes reflected in the waiver request that impact Title I schools?

A: The concept of all or nothing in terms of meeting Adequate Yearly Progress (AYP) is eliminated. A matrix has been developed that will produce a letter grade for each school and district that will provide a more accurate picture of how well schools and districts are performing. The notion of "school improvement" has been eliminated as well. The state will now recognize "priority" and "focus" schools as required under the waiver guidelines. District improvement has been eliminated also, and districts may not set-aside Title I funds for district-wide professional development in 2012-2013.

A-3: 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. The SCDE has worked to ensure that the waiver proposal is compatible with congressional reauthorization proposals.

A-4: 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.

A-5: How does the waiver impact non-public schools?

A: 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.

Priority and Focus Schools

B-1: When will SCDE release the lists of Priority, Focus and Reward Schools?

A: SCDE will publicly release the lists of Priority, Focus and Reward Schools on August 2. School district will receive embargoed data prior to that date.

B-2: How many schools will fall into each of the new school designations?

A: The bottom five percent of Title I schools (approximately 27 schools) will be identified as Priority Schools. Ten percent of Title I schools (approximately 52 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 75 schools) will be identified as Reward Schools.

B-3: What will Priority Schools have to do?

A: Priority Schools will be required to work collaboratively with parents, their communities, their districts, and the SCDE 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.

B-4: What will Focus Schools have to do?

A: Focus Schools will be required to work collaboratively with parents, their communities, their districts, and the SCDE 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 the SCDE. 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.

B-5: Will there be an appeals process when the Priority and Focus Schools are announced?

A: There will not be a data appeals window. However, the SCDE 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.

B-6: 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 and the Office of School transformation to develop school improvement plans. The SCDE will require these plans to be in place at the beginning of the 2012-13 school year so that implementation can begin immediately.

B-7: 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. “C” and “D” schools will be required to notify parents of the availability of school improvement funds and invite parents to engage in the school improvement planning process.

B-8: Can a first year Title I school be identified as a Priority or Focus school?

A: No.

Public School Choice

C-1: What happens to school choice?

A: Beginning in 2012-2013, schools will no longer be required to provide school choice transportation for students who have previously transferred under NCLB, but may use Title I funding to accommodate these students. The decision 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. Priority and focus schools must continue to offer public school choice to all students.

C-2: 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: Districts are not required to but may elect to provide that transportation 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. The district should weigh their options carefully and respect the critical timeline required by parents to make an informed decision.

Supplemental Educational Services

D-1: 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 *most* schools or districts. Only Priority and Focus schools must offer SES for certain students.

D-2: Will there be an SES application window this spring for the 2012-13 school year?

A: Under the waiver, the South Carolina Department of Education will continue to review and approve SES providers, based upon the number of priority or focus schools.

School Improvement Funds 1003(a)

E-1: Since school improvement has been eliminated, how are school improvement funds now allocated?

A: School improvement funds will now be allocated to Focus schools and Title I schools that are rated as “C” or “D”. Focus schools will receive approximately 75% of the funds and Title I “C” and “D” schools will receive approximately 25% of the funds. The amount of funds will depend on the number of schools in each category.

E-2: How will the school receive the school improvement funds?

A: The funds will be allocated to the district. Schools will be required to develop an improvement plan through the on-line Title I application that addressed the identified needs of the school.

Parent Involvement

F-1: 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. A failure to address this parent engagement will lead to the withholding of Title I funds.

F-2: How will the waiver affect the standards/expectations of a student's academic achievement?

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 all students meet those standards.

Reward Schools

G-1: What is a reward school?

A: Reward schools are identified in two categories: highest achieving and high progress. The top 3-5 schools in each category will be considered Distinguished Reward Schools and will receive a monetary award of \$5,000.00. The top school in each category will be awarded an additional \$10,000. All Reward Schools will be recognized by the State Superintendent of Education.