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## Fair Exchange: NCLB Waivers for Stronger Teacher Evaluations

By Chris Braunlich

11/9/2011 – Local school boards are understandably drooling over the possibility of getting out from under the poorly-devised accountability rules of No Child Left Behind (NCLB).

That federal system has annually moved the “finish line” of educational success further and further down the field until, this year, 342 Virginia schools that *would* have made “Adequate Yearly Progress” (AYP) in previous years were deemed to be “failing schools” simply because the definition of success was moved out of reach.

The Obama Administration has offered to let states receive a “waiver” on much of the AYP regulations. Virginia is planning to apply in February.

But local educators who may think they will receive *carte blanche* release from the onerous NCLB regulations need to know that freedom won’t come without some new guidelines to which they will likely have to adhere. And they may not be happy about some of it.

Perhaps the most problematic for many local school boards will be the Obama Administration’s rules for ratcheting up local teacher and principal evaluation systems, which many boards have in the past been reluctant to sign onto.

For example, the federal "Race to the Top" grant process required state applicants to get "buy in" from local school districts in areas like "improving teacher effectiveness based on performance." Yet, in Virginia, 75 of the state's 134 school divisions refused to agree to "Design and implement rigorous, transparent, and fair evaluation systems for teachers and principals..." Seventy-two school divisions refused to support conducting "annual evaluations of teachers and principals that include timely and constructive feedback" and, as part of those evaluations, "provide teachers and principals with data on student growth for their students, classes, and schools."

The application for NCLB waivers appear less prescriptive (for example, local Boards don’t have to “sign off” on each component of the application), but the feds are still making it clear what they expect of state and local teacher evaluation systems. Administration reviewers of Virginia’s waiver application are expected to consider if evaluations will include “as a significant factor data on student growth for all students (including English Learners and students with disabilities).” They will want to know if Virginia “define(s) a statewide approach for measuring student growth” on assessments.

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And they will want to know if the state has “a process for reviewing and approving (a local school division’s) teacher and principal evaluation and support system to ensure they are consistent with the SEA guidelines.”

This may be a rude awakening for many.

While Virginia state law requires teacher evaluations to be consistent with generalized “performance standards,” there’s no requirement that local teacher evaluations must meet the state’s more specific “guidelines.”

The reality is that local school systems can, if they wish, ignore the state’s guidelines, and construct its own evaluation system. Nor does the state review or approve local school division teacher evaluation systems. Beyond “jawboning” from the top, local school divisions have a lot of latitude in evaluating teachers and principals.

And this may not sit well in a waiver request. Language throughout the waiver application calls for “commitment” from all educational levels, wants a state process for “reviewing and approving,” and expects the state to “ensure” that local school divisions take certain actions. While the Virginia Department of Education is still in the process of unraveling the specifics of the waiver application, this might be a good time for the General Assembly to examine how best to strengthen the Virginia Code on teacher hiring and evaluations.

None of this is the “free ride” some folks may have expected. It would appear that gaining freedom from some provisions of No Child Left Behind is going to be dependent on accepting some tightening in other areas.

But it is good news for students.

Study after study have repeatedly demonstrated that the most important feature in improving student performance is the quality of the teacher. Steps taken to improve teacher (and administrator) performance will pay off with more effective instruction and better school leadership that will have lasting positive effects on student learning.

And, at the end of the day, improving student learning is a goal from which no one should get a waiver.