



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

FEB 11 2014

The Honorable Christopher Cerf
Commissioner of Education
New Jersey Department of Education
PO Box 500
Trenton, NJ 08625-0500

Dear Commissioner Cerf:

Between July 23-25, 2013, a team from the U. S. Department of Education's (ED) Office of Elementary and Secondary Education conducted Part B monitoring of the New Jersey Department of Education's (NJDOE) implementation of its approved ESEA flexibility request. Part B monitoring aims to continue the collaborative relationship begun during the request approval process, provide ED with a deeper understanding of each State educational agency's (SEA) goals and approaches to implementing ESEA flexibility, and ensure that the SEA has the critical elements of ESEA flexibility in place to continue implementation of its plan.

The review focused on the following ESEA flexibility elements:

- SEA Systems and Processes, including Monitoring, Technical Assistance, Data Collection and Use, and Family & Community Engagement and Outreach
- Transitioning to and Implementing College-and Career-ready Standards
- Adopting English Language Proficiency Standards
- Developing and Administering High-Quality Assessments
- Developing and Administering Alternate Assessments
- Developing and Administering English Language Proficiency Assessments
- Annually Reporting College-going and College-credit Accumulation Rates
- Developing and Implementing a State-Based System of Differentiated Recognition, Accountability, and Support
- Reward, Priority, Focus, and Other Title I Schools
- State and Local Report Cards; and
- Teacher and Principal Evaluation and Support Systems.

Enclosed is a report based upon this review. The report includes highlights of NJDOE's implementation of ESEA flexibility and, for each indicator, a snapshot of NJDOE's progress in implementing ESEA flexibility. If appropriate, the report also includes "next steps" that were discussed with the SEA during an exit conference conducted on August 16, 2013 to ensure that NJDOE implements flexibility consistent with its approved request and the timelines and principles of ESEA flexibility. NJDOE should respond to the "next steps" within 30 or 60 business days, as indicated, after receipt of this report. This report will be posted on the ESEA flexibility website.

www.ed.gov
400 MARYLAND AVE., SW, WASHINGTON, DC 20202

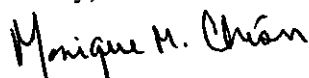
The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Additionally, in the coming months ED will issue a comprehensive summary of each SEA's implementation of ESEA flexibility that includes information gathered through the Part B monitoring process and provides more detail about the innovative practices and common challenges that States are facing as they engage in the effective implementation of ESEA flexibility.

I want to thank you and your staff for the hard work you have undertaken to implement ESEA flexibility. If you have any questions or there are ways that ED staff can provide you additional support as you move forward in implementing your ESEA flexibility request, please feel free to reach out to your SEA's ESEA flexibility contact.

I look forward to continuing our work with you as you implement your ESEA flexibility request. Thank you for your commitment to New Jersey's children.

Sincerely,

A handwritten signature in black ink that reads "Monique M. Chism". The signature is written in a cursive, flowing style.

Monique M. Chism, Ph.D.

Director

Student Achievement and School
Accountability Programs

Enclosure

cc: Bari Erlichson
James Palmer

ESEA FLEXIBILITY PART B MONITORING REPORT

| MONITORING VISIT INFORMATION | |
|--|---|
| State Educational Agency (SEA) | New Jersey Department of Education (NJDOE) |
| Request Approved | February 9, 2012 |
| Request Amended | N/A |
| ESEA Flex Monitoring Activity | Part B Desk Monitoring |
| Monitoring Review Date(s) | July 23-25, 2013 |
| Exit Conference | August 16, 2013 |
| Interviews Conducted | NJDOE Staff |
| U.S. Department of Education (ED) Monitors | Dave English, Francisco Lopez, and Renee Faulkner |

OVERVIEW OF ESEA FLEXIBILITY MONITORING

The U.S. Department of Education (ED) is committed to supporting State educational agencies (SEAs) as they implement ambitious reform agendas through their approved ESEA flexibility requests. Consistent with this commitment, ED has designed a monitoring process to assess an SEA's implementation of the principles of ESEA flexibility and the State-level systems and processes needed to support that implementation.

Part B Monitoring

In Part B monitoring, SEA implementation of ESEA flexibility was reviewed across several key areas: State-level Systems and Processes, Principle 1, Principle 2, and Principle 3, as outlined in the *ESEA Flexibility Part B Monitoring Protocol*. In each broad area, ED identified key elements that are required under ESEA flexibility and are likely to lead to increased achievement for students. Through examination of documentation submitted by the SEA and interviews with SEA staff, ED assessed the effectiveness of implementation of ESEA flexibility by identifying the extent to which an SEA:

1. Is ensuring that implementation is occurring consistent with the SEA's approved request and the principles and timelines of ESEA flexibility.
2. Is continuing to review and make adjustments to support implementation.
3. Is establishing systems and processes to sustain implementation and improvements.

The report contains the following sections:

- *Highlights of the SEA's Implementation.* This section identifies key accomplishments in the SEA's implementation of ESEA flexibility.
- *Status of Implementation of ESEA Flexibility.* This section indicates whether or not the SEA has met expectations for each element of ESEA flexibility.
- *Elements Requiring Next Steps.* When appropriate, this section identifies any elements where the SEA is not meeting expectations and includes Next Steps that the SEA must take to meet expectations.
- *Recommendations to Strengthen Implementation.* This section provides recommendations to support the SEA in continuing to meet the principles and timelines of ESEA flexibility and strengthening implementation.
- *Additional Comments.* When appropriate, this section includes any additional information related to the SEA's implementation of ESEA flexibility not included elsewhere.

HIGHLIGHTS OF IMPLEMENTATION OF ESEA FLEXIBILITY

The SEA's work includes the following key accomplishments relating to the implementation of ESEA flexibility and/or efforts to engage in a process of continuous review and analysis, particularly for those elements receiving a comprehensive review:

- NJDOE has established a model curriculum divided into 6- to 8-week learning units, aligned to college- and career-ready standards and supported by formative assessments and monitoring in priority and focus schools, at the end of each learning unit. Systems are aligned to assess student performance data and school improvement implementation status data within these 6- to 8-week cycles.
- NJDOE has enacted a regulation that closely reflects ESEA flexibility turnaround principles for priority schools.
- NJDOE has delivered thoughtful, focused oversight of and capacity-building around the development and implementation of Student Growth Objectives, to measure student growth in non-tested grades and subjects, for all teachers beginning in the 2013-2014 school year.

STATUS OF IMPLEMENTATION OF ESEA FLEXIBILITY

SEA Systems & Processes

| Element | Status |
|--|---------------------------|
| Monitoring (EDGAR 80.40 and 2.G) | Not Meeting Expectations* |
| Technical Assistance (2.G) | Meeting Expectations |
| Data Collection & Use (§9304(a)(6)) | Meeting Expectations |
| Family & Community Engagement and Outreach (Implementation Letter) | Meeting Expectations |

Principle 1

| Element | Status |
|--|----------------------|
| Transition to and Implement College- and Career-ready (CCR) Standards (1.B) | Meeting Expectations |
| Adopt English Language Proficiency Standards (Assurance 2) | Meeting Expectations |
| Develop and Administer High-Quality Assessments (Assurance 3) | Meeting Expectations |
| Develop and Administer Alternate Assessments (Assurance 3) | Meeting Expectations |
| Develop and Administer English Language Proficiency Assessments (Assurance 4) | Meeting Expectations |
| Annually Reports College-going and College-credit Accumulation Rates (Assurance 5) | Meeting Expectations |

Principle 2

| Element | Status |
|--|--------------------------|
| Develop and Implement a State-Based System of Differentiated Recognition, Accountability, and Support (2.A) | Meeting Expectations |
| Reward Schools (2.C) | Meeting Expectations |
| Priority Schools (2.D) | Not Meeting Expectations |
| Focus Schools (2.E) | Not Meeting Expectations |
| Other Title I Schools (2.F) | Not Meeting Expectations |
| State and Local Report Cards (§1111 of the ESEA; 2.B and Assurance 14) | Meeting Expectations |

Principle 3

| Element | Status |
|---|----------------------|
| Teacher Evaluation and Support Systems (3.B) | Meeting Expectations |
| Principal Evaluation and Support Systems (3.B) | Meeting Expectations |

ELEMENTS REQUIRING NEXT STEPS

| Element | Monitoring (EDGAR 80.40 and 2.G.) |
|---|--|
| Summary and Status of Implementation | <p>The SEA has not demonstrated that this element is carried out consistent with its approved ESEA flexibility request and the principles and timelines outlined in the document titled <i>ESEA Flexibility</i> and the Education Department General Administrative Regulations (EDGAR) 80.40.</p> <p>SEAs are required, for all ESEA flexibility principles, per EDGAR 80.40, to “monitor grant and subgrant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved” including comparing “actual accomplishments to the objectives.”</p> <p>NJDOE’s Regional Achievement Centers (RAC) track implementation of interventions in all priority and focus schools (Principle 2) and take measures to improve implementation of selected interventions in those schools requiring assistance. NJDOE surveys all local educational agencies (LEA) regarding key implementation milestones for implementation of teacher and principal evaluation systems (Principle 3) and collaborates with LEAs to improve implementation in the case of deficiencies.</p> <p>While NDJOE has provided guidance, training and technical assistance to its LEAs to support the implementation of CCR standards by the 2013-2014 school year (Principle 1), NJDOE does not have a process in place to track the status of implementation of CCR standards during the 2013-2014 school year nor to facilitate adjustments to local implementation based on the results of such status determinations.</p> |
| Next Steps | NJDOE will submit an amendment as part of its ESEA flexibility extension request that describes in detail its revised monitoring plan and process to (1) monitor the status of implementation of CCR standards in all LEAs and (2) support the implementation efforts of LEAs appropriately. |

| Element | Monitoring (EDGAR 80.40 and 2.G.) |
|---------|---|
| | <p>*Subsequent to the monitoring event, NJDOE provided ED with evidence of monitoring and support systems for ensuring implementation of CCR standards in classrooms beginning in the 2013-2014 school year. NJDOE provided documentation of its Quality Single Accountability Continuum (QSAC) LEA review process which includes the review and continuous improvement, on a three-year cycle, of LEA processes for ensuring that curricula and lesson plans are aligned with CCR standards and that instructors are teaching to CCR standards in classrooms. No further action is required.</p> |

| Element | Priority Schools (2.D.) |
|--------------------------------------|--|
| Summary and Status of Implementation | <p>The SEA has not demonstrated that this element is carried out consistent with its approved ESEA flexibility request and the principles and timelines outlined in the document titled <i>ESEA Flexibility</i>, which states that SEAs must effect change in priority schools by “ensuring that each LEA with one or more of these schools implements, for three years, meaningful interventions aligned with the turnaround principles.” Three years of concurrent implementation of all turnaround principles is required in priority schools regardless of when the school exits priority status.</p> <p>NJDOE committed to full implementation in all priority schools beginning in the 2012-2013 school year. RACs do have processes for ensuring that SIPs for non-SIG priority schools include <i>planned</i> improvement activities addressing each of the seven ESEA flexibility turnaround principles; however, (1) the “implementation progress goals” driving priority SIPs are framed in terms of total number of improvement activities completed, not the successful concurrent implementation of improvement activities across all turnaround principles and (2) monitoring reports do not describe <i>completed</i> improvement activities, nor provide feedback on necessary adjustments to support the concurrent implementation of all ESEA flexibility turnaround principles. Thus NJDOE does not have sufficient mechanisms in place to make a determination of whether a priority school is implementing all ESEA turnaround principles concurrently.</p> <p>Additionally, NJDOE reported it would count the 2012-2013 school year as the first of three required years of implementation in all non-SIG priority schools regardless of intervention implementation monitoring results. SEAs may count, towards a priority school’s three years of implementation, only those years in which a school has implemented <i>all</i> turnaround principles concurrently with sufficient fidelity. As such, NJDOE may not count schools that were not implementing all turnaround principals toward this requirement.</p> |
| Next Steps | <p>As part of its ESEA flexibility extension request, NJDOE will submit a high-quality plan for adjusting or augmenting its SIP and monitoring processes to facilitate the determination of whether its non-SIG priority schools are concurrently implementing all ESEA flexibility turnaround principles for the</p> |

| | |
|--|--|
| | 2013-2014 school year and going forward, including steps to determine whether implementation with sufficient fidelity occurs for a total of three years. NJDOE should also include an analysis of 2012-2013 and 2013-2014 implementation status data for priority schools to determine which schools implemented all turnaround principles concurrently during the these school years. |
|--|--|

| Element | Focus Schools (2.E.) |
|--------------------------------------|--|
| Summary and Status of Implementation | <p>The SEA has not demonstrated that it is ensuring that this element is carried out consistent with its approved ESEA flexibility request and the principles and timelines outlined in the document titled <i>ESEA Flexibility</i>, which states that SEAs must work to close achievement gaps by “ensuring that each LEA implements interventions...in each of these [focus] schools based on reviews of the specific academic needs of the school and its students.” LEAs are expected to identify those student groups which led to a focus school’s identification and ensure that the selection and implementation of one or more interventions is based on data and other information on the academic and non-academic needs of those identified student subgroups, including English learners, students with disabilities and low-achieving students.</p> <p>NJDOE committed to full implementation in all focus schools by the first semester of the 2012-2013 school year, per ESEA flexibility requirements. While RACs have a process for ensuring that LEAs plan improvement activities targeting the two student groups whose performance led to the school being identified as a focus school (in the context of an overall “Quality School Review” that examines the performance results of all students and other indicators of school performance), (1) monitoring reports do not explicitly track implementation of these targeted improvement activities nor provide feedback to LEAs about adjustments to their implementation if needed, and (2) implementation goals embedded in SIPs do not explicitly address implementation of these targeted improvement activities (goals address percentage of all improvement activities implemented).</p> |
| Next Steps | As part of its ESEA flexibility extension request, NJDOE will submit a high quality plan for adjusting or augmenting its SIP and monitoring processes to facilitate the determination of whether its focus schools are implementing, with sufficient fidelity, those interventions targeting performance of the two lowest-performing subgroups, for the 2013-2014 school year and going forward, including (1) adjusting monitoring report templates to reflect the implementation status of those targeted improvement activities and (2) adjusting implementation goals to address implementation of those improvement activities. |

| Element | Other Title I Schools (2.F.) |
|--|--|
| <p>Summary and Status of Implementation</p> | <p>The SEA has not demonstrated that this element is carried out consistent with the principles and timelines outlined in the document titled <i>ESEA Flexibility</i>. SEAs are required to provide incentives and supports to ensure continuous improvement in other Title I schools that, based on the SEA's new annual measurable objectives (AMO) for proficiency and graduation rate targets approved in its accountability workbook, are not making progress in improving student achievement and narrowing achievement gaps.</p> <p>In NJDOE's Part A Monitoring Report, a "next step" was included requiring the SEA to submit an amendment regarding how it would use accountability workbook graduation rate targets (75% graduation rate for the 2011-2012 school year and increasing by 3% every two years thereafter, with a goal of 90%) to identify and drive interventions in other Title I schools during the 2013-2014 school year. In March 2013, NJDOE proposed to identify those Title I schools for which any ESEA subgroup either (1) did not meet a proficiency AMO or (2) had a graduation rate less than 60%, based on previous school years' data.</p> <p>The Department determined, in October 2013, that NJDOE's proposal would not result in the SEA identifying a number of other Title I schools comparable to the number otherwise identified based on performance against accountability workbook graduation rate targets and notified NJDOE that it must use performance against accountability workbook graduation rate targets to identify and drive interventions in other Title I schools during the 2013-2014 school year.</p> <p>Due the timing of the Department's determination regarding NJDOE's proposal, NJDOE was not given ample opportunity to comply with this requirement prior to the Part B monitoring event.</p> |
| <p>Next Steps</p> | <p>As part of its ESEA flexibility extension request, NJDOE will submit an amendment that describes how it will require its LEAs to implement appropriate interventions, during the 2013-2014 school year and going forward, in all other Title I schools with an ESEA subgroup that either (1) did not meet a proficiency AMO or (2) did not meet a graduation rate target, as approved in its accountability workbook, based on previous school years' data.</p> |

RECOMMENDATIONS TO STRENGTHEN IMPLEMENTATION

The following recommendations are provided to support the SEA in continuing to meet the principles and timelines of ESEA flexibility and strengthening implementation through continuous improvement and the establishment of systems and processes to sustain implementation and improvement.

- NJDOE should prioritize and complete the scaffolding activities described in its approved ESEA flexibility request, to support the transition to college- and career-ready standards for English learners and students with disabilities.

- NJDOE should prioritize the training for principals described in its approved ESEA flexibility request regarding evaluation of implementation of CCR standards at the classroom level by teachers.
- NJDOE should strengthen RAC capacity by:
 - providing training for RAC specialists regarding identification and implementation of appropriate interventions to meet the needs of students with disabilities, and
 - developing and implementing an electronic data system to automate the tracking and analysis, in the context of ESEA flexibility requirements, of intervention implementation status in priority and focus schools.
- NJDOE should update the “Progress Targets Report” templates to facilitate the identification of and approval of interventions in Title I high schools identified based on performance against accountability workbook graduation rates.
- NJDOE should prioritize policy-making and planning efforts around NJDOE’s commitment, per its approved ESEA flexibility request, to prohibit the hiring of teachers rated “ineffective” or “partially effective” in priority schools following full implementation of its new teacher evaluation system in the 2013-2014 school year.