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Racing to Catch Up

Having fallen behind more reform-minded states, Maine will struggle mightily to demonstrate to the Obama administration that it is worthy of federal Race to the Top funds.

by Stephen Bowen

Included in the \$787 billion federal economic stimulus bill passed by the Congress last spring was the Race to the Top Fund, a \$4.35 billion federal education initiative designed, according to the U.S. Department of Education, to "reform our schools and challenge an educational status quo that is failing too many children." The amount of Race to the Top Fund dollars each state is to receive will be determined by a competitive grant. On November 12, 2009, the Department released the 103-page Race to the Top Fund grant application, which describes in detail what the Obama administration is looking for as evidence that a state is a worthy place to invest federal education reform dollars.

A careful review of the grant application requirements suggests that with the education policies the state has on the books today, Maine is at a significant competitive disadvantage with regard to winning Race to the Top funding. Simply put, without major changes in state policy, Maine has almost no chance of winning millions of dollars in federal funding for our schools.

Among the findings of this report:

- To meet the first set of selection criteria, Maine will have to demonstrate broad support for a meaningful education reform agenda, as evidenced by statements of assurance from local school superintendents, school board members and teacher union leaders. Maine has had little success with state-level education reform efforts in the past, and winning widespread support for any reform that threatens the state's education establishment will be a significant challenge.
- Relative to many other states, Maine has seen lackluster improvements in student outcomes over the past few years. The state will struggle to demonstrate, as the application requires, that it been successful at increasing student achievement and closing persistent achievement gaps between subgroups such as high- and low-income students.
- While Maine does have a program of state learning standards, it trails the nation in the development of an effective state-wide assessment system, something required by the Race to the Top Fund program. It will have to quickly develop such a system if it hopes to be competitive on the application's standards and assessment criteria.
- Maine will need to rapidly accelerate the development of its state-level longitudinal data system, particularly with regard to data on teacher effectiveness, if it stands any chance of scoring well on the data systems portion of the application.
- Maine will likely score very poorly on the section of the application dedicated to teacher and administrator effectiveness
 unless it undertakes reforms that provide alternative routes for teacher preparation and certification, begins to allow student achievement data to be used in teacher evaluations and compensation, and dramatically improves the processes by
 which ineffective teachers can be more easily removed from the classroom.
- Maine has little or no experience with taking aggressive steps at the state level to deal with persistently failing schools, something heavily weighted in the Race to the Top Fund application. Legislation will need to be enacted allowing the state to intervene in chronically failing schools, something it does not do today.
- Maine's continuing failure to embrace public charter schools or schools like them puts it at significant competitive disadvantage. Thirty-nine other states have enacted public charter school legislation. Some type of legislative action will be necessary if the state is to score any more than a handful of points on this section of the Race to the Top Fund application.
- While Maine has launched a series of efforts aimed at improving education in science, technology, engineering and mathematics, other states have done far more. If Maine is to score well in this area, more effort will be needed.

The Race To the Top fund.

The American Recovery and Reinvestment Act of 2009 (ARRA), passed by Congress last year and signed by President Obama on February 17, 2009, contained hundreds of billions of dollars in new federal spending designed to stimulate the nation's economy and make what the Obama administration characterized as long-term investments critical to the nation's prosperity.

The ARRA bill included \$53.6 billion in education funding. While the vast majority of these funds were funneled through existing federal education programs, \$5 billion of the \$53.6 billion was set aside for the purpose of encouraging innovation and reform in the nation's schools. The \$4.35 billion Race to the Top Fund (RTF) is the central component of that initiative.

The RTF is essentially designed to do two things. First, elements of the initiative are intended to sustain and expand existing education reform efforts that have been found to improve student outcomes. Second, and perhaps more importantly, the initiative encourages states to invest in promising reform approaches.² In order to realize these two goals, the Obama administration requires states applying for RTF funding to demonstrate that they have not only implemented meaningful reform initiatives in the past, but that they are broadly committed to undertaking real change moving forward, as evidenced by the detailed plans and extensive assurances the application requires.

Specifically, the administration will be grading RTF applications on six sets of criteria, ranging from teacher quality to data systems to standards and assessment. A certain number of points are assigned to each criterion, allowing the administration to place an emphasis on certain areas. A state's chances for RTF funding will therefore depend on how well it meets the standards and criteria established by the administration.³

So how will Maine stack up on each of the selection criteria?

1. State Success Factors - 125 points.

The first of the six sets of criteria by which the state's RTF application will be judged involves its commitment to meaningful education reform and its record of increasing student achievement. Is the state able to demonstrate that is has made "significant progress in raising student achievement" over the past few years? Is the state's education establishment broadly committed to reform? Even if it is, does the state have the ability to implement systemic reform on a statewide scale?

Simply put, the Obama administration seeks to identify which states are most likely to fully embrace needed reforms and implement them successfully. By putting this set of criteria first, the administration is clearly signaling its belief that the most

ambitious reform plans in the world are meaningless unless a state's education community is broadly committed to making them work.

This is bad news for Maine, which has little in the way of a reform record to run on and a long history of such efforts being stymied either by resistance from the state-level education establishment or opposition from local school districts. For an example of this, one need look no further than the Local Assessment System debacle, a costly state-led attempt at standards-based assessment which ultimately collapsed under the weight of near-universal opposition. Resistance to school district reorganization has been just as intense, at least among the school districts that were actually required to consolidate. Most of districts that were told to merge refused to do so.

Maine's persistent failure to adopt meaningful education reforms is so pronounced, in fact, that the state is widely seen as having very little chance of winning RTF funding. A recent study of state education policies by The New Teacher Project found Maine to be trailing the nation in its embrace of promising reforms.⁴

An even more significant challenge Maine faces with regard to this criterion may be that the RTF application requires not only that a "comprehensive and coherent reform agenda" be developed, but that support for that agenda be documented by "memoranda of agreement" signed by as many school superintendants, school board chairs and teacher union leaders as possible. Fully 60 of the 125 points available under this set of criteria are related to the heavily documented assurances of support such plans require. The plans themselves are worth only 5 points.⁵

Support for such an agenda for change is unlikely to materialize given the knee-jerk opposition to reform that has been the hallmark of Maine's education establishment for years. Indeed, one struggles to think of even a single meaningful reform that groups like the Maine Education Association, the Maine School Management Association and the Maine School Boards Association have embraced. Yet support from these groups will be critical if the state is to have any chance of demonstrating to the Obama administration that it is serious about change.

As if finding agreement on a comprehensive reform agenda wasn't challenging enough, another 30 points are available in this section of the application for states that can show "significant progress in raising achievement" since "at least 2003." In particular, the Obama administration is looking to identify states that have not only seen overall achievement increases but have successfully closed achievement gaps between various subgroups, such as higher- and lower-income students.

Maine will struggle to demonstrate that it has outperformed other states in terms of increasing student achievement over the

past few years. According to the most recent *Quality Counts* report from Education Week, Maine ranked 30th in the nation for achievement gains in 4th grade math and 36th in the nation for gains in 4th grade reading. The state's achievement growth at the 8th grade level was a bit better, with the state ranking 16th for increased achievement in math and 10th for growth in reading scores.⁶

Maine's record for closing achievement gaps is similarly uneven. The state's *Quality Counts* ranking for closing the achievement gap between higher- and lower-income students was 17th for 8th grade math, but 39th for 4th grade reading.⁷ It is unlikely that mixed results like this will give Maine any kind of advantage over the states with which it will complete for RTF grant funding.

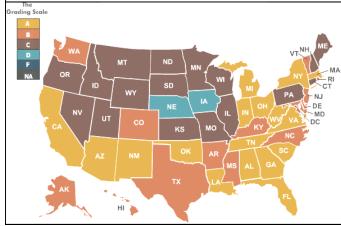
What Maine needs to do. Somehow, the state Department of Education will have to move quickly to develop a "reform agenda" that can win broad support from the education establishment at both the state and local level. Ordinarily, such an agenda would be developed though months of work by various stakeholder groups and blue ribbon panels, but time is not a luxury that Maine enjoys. It has only a few months to unite the education community around a detailed reform plan that will be competitive with those from other states, many of which have been more receptive to reform in recent years than Maine. Having a meaningful and broadly supported plan is made even more critical to the application process by Maine's unremarkable record of student achievement gains.

2. Standards and Assessment - 70 points.

Maine may have better luck with this set of requirements, which revolve around the state's adoption of "high quality standards" for student achievement. Maine, like all states, has had learning standards in place for years, but the Obama administration is focused here on the adoption of common standards which will apply in all states. Maine will qualify for 20 out of the 70 points available for this set of criteria simply by being a part of the Common Core State Standards Initiative, a standards development project of the National Governor's Association and the Council of Chief State School Officers.⁸

The element that Maine may struggle with is in the area of assessment. While the state does have learning standards that are generally considered to be quite strong, it has yet to develop a fully integrated assessment system which ensures students have achieved mastery of the standards before graduating. In fact, Maine has fallen so far behind other states in this regard that a recent Education Week study of state assessment and accountability systems ranked Maine 41st in the nation. A new study commissioned by the U.S. Chamber of Commerce also gave Maine poor scores for its standards and assessment system, ranking the state 40th in the nation.

Figure 1: Education Week's 2008 Quality Counts ranking of states on their policies regarding Standards, Assessments and Accountability.



Source: Education Week

What Maine needs to do. Because all states are members of the Common Core State Standards Initiative, the fact that Maine is a member gives it no competitive advantage with regard to the RTF application. It is therefore critical that the state demonstrate a serious commitment to meaningful accountability through the development of new assessment instruments to accompany the coming transition to common standards. Showing that the state intends to be aggressive in pursuing accountability may help to offset its generally poor showing in this area.

As with the first set of criteria, though, the problem here is that Maine is already behind other states with regard to standards and assessment, and has been slow to move forward. As the Portland Press Herald pointed out in an editorial earlier this year, "states that started reform efforts after Maine and introduced statewide exams have been able to introduce a level of accountability for teachers and students that we are still trying to reach." Maine will need to move very quickly to adopt effective accountability measures if it has any hope of being competitive with other states on this set of criteria.

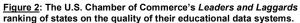
3. Data Systems to Support Instruction - 47 points.

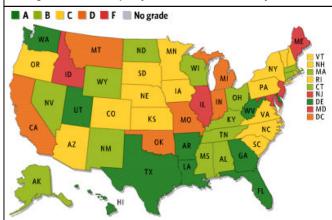
For this set of criteria, the Obama administration is looking for evidence that each state has a robust longitudinal data system featuring several specific elements, that the data system is accessible to "key stakeholders" including parents, and that the information the data system provides is actually used to "improve instruction."

Maine does indeed have a longitudinal data system, parts of which are in place already and parts of which are still in development. The most recent survey of the state's data system conducted by the Data Quality Campaign found that the state had in place 7 of the 10 elements thought to be necessary for a

comprehensive data system. Maine's system was missing the ability to track specific student coursework over time, the ability to track students who had missed required testing, and the ability to match students to specific teachers.¹³

Unfortunately, this is yet another area where Maine ranks behind too many states. The same U.S. Chamber of Commerce report that found Maine lacking in standards and accountability ranked Maine near the very bottom "for its efforts to collect and report high-quality education data." The New Teacher Project agrees, finding that Maine "minimally meets or does not meet" federal guidelines with regard to data systems. 15





Source: U.S. Chamber of Commerce

Specifically, the inability of Maine's longitudinal data system to connect student achievement outcomes to specific teachers needlessly complicates efforts to track teacher quality in order to ensure that every student has an effective teacher.

What Maine needs to do. Simply put, the state needs to accelerate efforts to complete its longitudinal data system and ensure that all the required elements are in place, including a process by which student outcomes can be connected to specific teachers and schools. Unfortunately, there appears to be little appetite in Augusta for doing this. According to a recent report by the National Council on Teacher Quality, "Maine has no plan to use [its longitudinal data] system to link student achievement data with individual teachers." The forces of the failing status quo have evidently prevailed yet again.

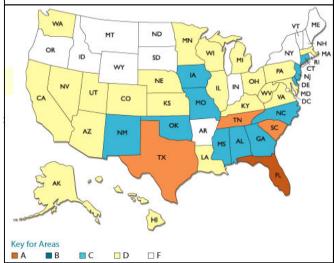
4. Great Teachers and Leaders - 138 points.

No other set of criteria in the federal RTF application is worth as many points as are available in this category, which is related to the quality and effectiveness of teachers and school administrators. Under the data systems criteria, the Obama administration requires states to report on teacher effectiveness. Here, they further require that this data be used in teacher evaluations, that it be used to develop high quality professional development programs for teachers, and that it be used to fairly distribute effective teachers across the state. ¹⁷

The goal of the first subsection of the *Great Teachers and Leaders* category is to ensure that states do not erect artificial barriers to entry for "aspiring teachers and principals." States are to be awarded points under this subsection for "allowing alternative routes to certification" including non-traditional teacher preparation programs such as Teach For America. ¹⁸ As in so many other areas, Maine trails the nation with regard to this criterion, being one of only three states in the nation, according to the 2008 *Quality Counts* report, that does not offer "an alternative-route teacher-preparation program." ¹⁹

The second subsection under the *Great Teachers and Leaders* criteria relates to "improving teacher and principal effectiveness based on performance." Specifically, the administration is looking for states to not only measure "student growth," but to incorporate that data into "evaluation systems for teachers and administrators" and to use it to "inform decisions" regarding "compensating, promoting and retaining teachers and principals." Maine, of course, will struggle mightily to meet these requirements as it is one of the few states that does not even collect teacher-specific student achievement data, much less use it to "inform decisions" with regard to teacher employment and compensation. Both the National Council on Teacher Quality and Education Week give Maine poor marks for its continued failure to use student achievement data to ensure teacher effectiveness. 21,22

<u>Figure 3</u>: The National Council on Teacher Quality's *Grading the States* ranking of states on their policies for evaluating teacher effectiveness.



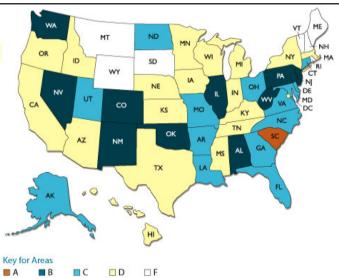
Source: National Council on Teacher Quality

Additionally, Maine has absolutely no process for "ensuring the equitable distribution of effective teachers and principals,"

something else the RTF grant requires. In Maine, hiring decisions are made locally, with the effect that higher-paying districts can afford to be selective in their hiring, while lower-paying districts cannot. The "equitable distribution" criterion alone is worth 25 of the 138 points available under the *Great Teachers and Leaders* criteria.²³

Maine will also struggle with the requirement that student performance data be used to "inform decisions" to "remove ineffective tenured and untenured teachers and principals." Maine, as the National Council on Teacher Quality reports, "does not require any process to ensure that tenure decisions are meaningful" in the first place, and has no policies to ensure that teachers with unsatisfactory evaluations are made eligible for dismissal.²⁴ As in so many other areas, Maine trails the nation in seeing to it that ineffective teachers are removed from the classroom.

<u>Figure 4</u>: The National Council on Teacher Quality's *Grading the States* ranking of states on their policies for exiting ineffective teachers.



Source: National Council on Teacher Quality

What Maine needs to do. To put it bluntly, the *Great Teachers and Leaders* criteria is real trouble for Maine, which has been content for years to retain and reward mediocrity in its schools and classrooms. In fact, it is hard to see how Maine would be eligible for more than a tiny fraction of the points available under this section, given its current policy with regard to teacher and administrator effectiveness, which is to have no policy. Unfortunately, this section of the application is worth more points toward the final total than any other single section (more than the next two sets of criteria combined). Absent a significant change in state policy, something the status quo-defending establishment will resist with every ounce of its considerable might, this set of criteria alone almost certainly sinks Maine's chances for an RTF grant.

5. Turning Around Low-Achieving Schools - 50 points.

This set of criteria is related to the efforts states undertake to deal effectively with continually underperforming schools. Specifically, the Obama administration is looking to identify states that have the "legal, statutory, or regulatory authority" to "intervene directly in the State's persistently lowest-achieving schools," as well as a "high quality plan" to do so.²⁵

With regard to whether Maine's Department of Education has the authority to "intervene" in underperforming schools, nothing in state statute suggests that it does, and according to the Department's 2009 Accountability Workbook, "the state legislature is proposing a plan of action authorizing consequences and support for underperforming schools." This implies, of course, that no system for state intervention in failing schools currently exists. State data also suggests that a number of Maine schools have been allowed to continually underperform, with several having failed to make "adequate yearly progress" in certain subject areas for years. ²⁷

The second part of this set of criteria has to do with the development of a "high-quality plan" featuring "ambitious yet achievable annual targets" for turning failing schools around. The state's Department of Education could doubtless develop such a plan, but getting the required support for it from the education establishment will be no easy task, especially if the plan empowers the state to intervene in a significant way should the local school districts fail to get their schools back on track.

What Maine needs to do: The real challenge Maine faces with regard to this section is that it will have to compete against states that have already taken the kinds of steps to turn around failing schools that the Obama administration is looking for.

Florida, for example, has seen dramatic gains in student achievement over the past few years, in no small part because of its rigorous accountability system. The "A+ Plan for Education" initiative, begun in 1999, rates each of Florida's public schools on the achievement of its students and assigns each a letter grade. Schools that repeatedly receive failing grades are subject to increased state oversight, are given additional funding and support, and are required to develop comprehensive turnaround plans for which they are held accountable. ²⁸

Maine has failed to implement anything even remotely like this, yet it must now compete against states, like Florida, which have been aggressive about identifying and dealing with chronically underperforming schools. It therefore stands to reason that Maine's only hope of scoring well in this section of the RTF application would be for the state to enact sweeping reforms that focus state energy and resources on the lowest-performing schools. Taking such a step would send a strong

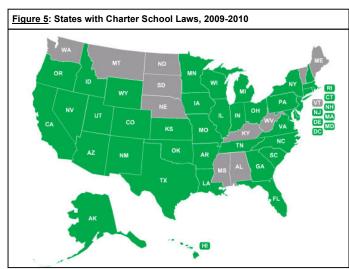
signal that Maine is serious about accountability, something that would be very tough for the state to plausibly claim today.

6. General - 55 points.

This last set of RTF criteria, like the first, is designed to identify for the Obama administration which states are serious about meaningful education reform and which are not.

The first criterion under this section is related to education spending. States are to report whether state spending "to support elementary, secondary, and public higher education for FY 2009" was higher or lower than it was in FY 2008.²⁹ According to the Legislature's Office of Fiscal and Program Review, the state appropriation for the Maine Community College System remained the same for both years, but state appropriations for the Department of Education, which includes state funding for local schools, dropped from FY 2008 to FY 2009, as did state appropriations for the University of Maine system.³⁰ Because similar cuts doubtless happened in most states, however, it is unlikely that Maine is at some competitive disadvantage as a result of the cuts it made to its state education spending.

Maine is at a significant disadvantage, however, with regard to the next criterion in this section, which is "ensuring successful conditions for high-performing charter schools and other innovative schools." As has been widely reported, Maine is one of only eleven states in the nation that does not allow the creation of public charter schools, a fact which alone could cost the state all 40 points available under this criterion.



Source: The National Alliance for Public Charter Schools

The RTF application, however, contains a loophole. Bowing to pressure from the nation's public education lobby, the Obama administration amended the original Race to the Top Fund language regarding charter schools so that states can now be awarded points under this section if they allow for what the

application describes as "innovative autonomous public schools." As defined in the application, innovative autonomous public schools are "open enrollment public schools that, in return for increased accountability for student achievement, have the flexibility and authority to define their instructional models and associated curriculum; select and replace staff; implement new structures and formats for the school day or year; and control their budgets." 32

Because of this change, Commissioner of Education Susan Gendron recently announced that the Baldacci administration would not submit charter school legislation for the upcoming legislative session. The state, she says, already has innovative autonomous public schools as defined in the RTF application. Pressed for an example to support this assertion, the commissioner told the Legislature's Education Committee that the Maine School of Science and Math (MSSM) would qualify under the new federal guidelines. It does not, however, because it is not an open enrollment school. Unlike public charter schools, which must accept all applicants for which they have the space, so-called "magnet" schools like MSSM have selective admissions criteria. State statute describes the mission of MSSM as "providing certain high-achieving high school students with a challenging educational experience,"33 and MSSM's own webpage claims that "admission to the MSSM is highly competitive."³⁴ Given its selective admissions, there is simply no way that MSSM qualifies as the kind of open-enrollment school the RTF guidelines describe.

Maine's existing alternative schools fail to qualify as innovative autonomous public schools under the RTF definition as well. Far from being autonomous, the state's alternative schools are run exclusively by Maine's public school districts. It is the districts, not the schools themselves, which control the budgets of the alternative schools and determine their instructional programs. In fact, state law requires that alternative schools "operate as part of the elementary or secondary school program" just as any other public school does. Far from having the "authority to define" their own curriculum, Maine's alternative schools, according to state law, must have instructional programs that are "in alignment" with Maine's Learning Results.³⁵

The Baldacci administration evidently intends to propose legislation creating so-called "innovative schools," but details of the proposal are still forthcoming.³⁶ It is probably safe to say, however, that absent meaningful legislative action, the state has little chance of winning any of the 40 points available under this section of the application.

Likewise, Maine has little chance of scoring anything more than a couple of points under the "demonstrating other significant reform conditions" criterion that is the last part of this section of the application. According to the application, states

are to be judged here on the extent to which they have "created, through law, regulation, or policy, conditions favorable to education reform or innovation that have increased student achievement or graduation rates, narrowed achievement gaps, or resulted in other important outcomes" that were not included elsewhere in the application.³⁷

Given that Maine will have all it can do to win points in most sections of the application as it is, it is doubtful that anything added here will significantly help the state to make a case for it being a prudent place for the federal government to invest school reform dollars.

What Maine needs to do. Of the 55 points available in this last section, a state's charter school policy, or lack thereof, counts for 40 points. Simply passing charter school legislation, as 39 other states have, would guarantee Maine most of those points. Just last year, a charter school bill came within a handful of votes of passing the Maine legislature despite what can only be characterized as tepid support from the Baldacci administration. Were the administration to launch a more aggressive campaign for charter schools, it seems likely a bill could be passed and, just like that, Maine would see its competitive position with regard to the RTF grant improve, if only by 40 points. Given the challenges for Maine that exist elsewhere in the application, passing long-overdue charter school legislation seems like one of the easiest things the state could do to immediately improve its competitive standing.

A Focus on STEM.

Maine might have better luck with a "competitive preference priority" emphasizing a focus on Science, Technology, Engineering, and Mathematics, the so-called "STEM" fields. Rather than establish a separate set of criteria with a focus on STEM education, the Obama administration is looking for states to describe their plans to emphasize STEM education throughout their RTF applications. Maine has established a STEM collaborative and has a number of STEM-related initiatives underway, but it will compete against other states that have taken similar steps. In fact, the New Teacher Project's review of state STEM initiatives cataloged by the Education Commission of the States found Maine well behind a number of states in its efforts with regard to STEM education.

Conclusion.

It seems fair to say that Maine is in real trouble with regard to its RTF application.

• Fully 60 of the 125 points available under the *State Success Factors* criteria are related to the state winning widespread support for a meaningful education reform agenda, something it has little history of doing. Maine's record of improving student achievement over the past few years is

- uneven at best, yet 30 more points in this section will go to states with solid records of achievement growth.
- Seventy points are available in the *Standards and Assessment* section of the application, another area where Maine trails the nation. Implementation of an effective statewide assessment system is long overdue.
- Maine will need to dramatically accelerate the development of its longitudinal data system, particularly with regard to data on teacher effectiveness, if it stands any chance of winning more than a handful of the 47 points available in the *Data Systems* section of the application.
- Maine will likely be awarded but a fraction of the 138 points available in the *Great Teachers and Leaders* section of the application unless it takes significant steps to improve the process by which teachers and school administrators are recruited, trained, hired, supported, and, most importantly, removed from the classroom if they prove to be ineffective. This section of the application carries more weight than any other for the simple reason that little else that goes on in schools has as much impact on student outcomes as the effectiveness of teachers and administrators.
- Maine has little or no experience with taking aggressive steps to deal with persistently failing schools, and will score poorly on the *Turning Around Lowest-Achieving Schools* section of the application unless it takes unprecedented action in this area.
- Maine's failure to embrace public charter schools is a national embarrassment and could cost the state 40 of the 55 points available for the last set of criteria in the application. It remains to be seen whether the legislature will approve legislation to permit even the ersatz charter schools that the Baldacci administration has proposed.
- While Maine has launched a series of efforts aimed at improving education in the STEM fields, other states have pulled ahead, leaving Maine at a competitive disadvantage unless further steps are taken to improve STEM education.

In recent testimony before the Legislature's Education Committee, commissioner Gendron said that charter schools were "lowest on the list" of issues that the state must deal with if it is to successfully compete for an RTF grant.⁴⁰

She was absolutely right.

As this report demonstrates, Maine will need to quickly and boldly embrace a number of significant school reforms if it has any hope of winning RTF funding and, more importantly, dramatically increasing the effectiveness of its schools. The Obama administration, to its credit, has laid out a comprehensive reform agenda that would, for the most part, move Maine in the right direction. What remains to be seen is whether Maine will heed the president's call, and move forward with meaningful and overdue reforms of Maine's schools.

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Stephen Bowen directs the Center for Education Excellence at The Maine Heritage Policy Center. He can be reached at sbowen@mainepolicy.org.

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