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**Delaware Priority Schools ESEA Initiative**  
***Delaware PTA MOU Outcomes Brief***

This brief is the first of three briefs covering the planning phases of the Priority School initiative for Delaware covering the years 2014 to 2018. In addition to this MOU (Memorandum of Understanding) brief, we intend to issue a preliminary and final Priority Schools Plan brief analysis. The purpose of this and subsequent analysis briefs, is to provide a review, from the perspective of Delaware PTA - as the representative body for parents and teachers in the state of Delaware, on the feasibility, efficacy and level of inclusion demonstrated in the MOUs presented by the Delaware Department of Education. The analysis also includes an overview of responsibility for the success or failure of each phase to appropriately address and support the goals stated. In our review of this MOU we looked to identify the following components;

1. Adequate levels of funding
2. Indication of robust collaboration and levels of communication
3. Sufficient and reasonable timeline for implementation
4. Level and type of accountability for each stakeholder group

We believe these components will directly impact the level of success, or lack thereof in implementing strategies for successfully turning around the six identified Priority Schools within the next three years.

**Executive summary:**

The federal mandate created by the ESEA (Elementary and Secondary Education Act) Waiver outlines how academic performance is measured at the school level. Based on this federal mandate, all public schools are required to meet Adequate Yearly Performance (AYP) goals which are determined by the level of proficiency on state assessments. The mandate requires that any school not meeting AYP for two consecutive school years, be placed on a watch list and designated as a Priority Schools. In 2014, the Delaware Department of Education identified 6 of Delaware's lowest performing public schools. The intent of the Priority School initiative is develop collaborative school improvement that identify areas of improvement and the necessary resources to support the work in these areas. The expected result is dramatic improvement in the identified areas. Ultimately, any success or lack thereof is measured by the level of proficiency on subsequent state assessments within three years from the date of implementation. The MOU should therefor include sufficient resources and strategies that support the development of effective school wide improvement plans that outline how the schools will meet stated goals.



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In their current form, the MOUs that have been presented by the Delaware Department of Education do not provide the necessary foundation necessary to support successfully development and implementation of school improvement plans. Based on our review of the MOUs presented, we believe the Priority Schools will not have an opportunity to successfully meet the intended goals, and at best they will only experience progress, similar to what we saw with Partnership Zone ESEA mandate.

We believe that lack of adequate funding to develop, implement and sustain school improvement efforts is the primary flaw with the current MOUs. In addition, we believe that the timeframe allowed effectively informing, engaging and collaborating with stakeholders on the MOU and school improvement plans, particularly families, was insufficient.

It is clear that the Delaware Department of Education (DOE) bears the primary responsibility for the implementation of this unrealistic timeline. The unrealistic timeline to engage the community on other stakeholders in this process is a lost opportunity for the children of Delaware, especially the children who are at high risk of failure within the identified schools. While there is some potential to recover and correct this inherent flaw, the timeframe for this is short, perhaps no more than 2 months.



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**Priority School MOU outcome Brief**

**ESEA waiver adoption and Pre initiative preparation and planning**

With the failure of all states to meet the mandates of the NCLB (No Child Left Behind) renewal of ESEA, the US DOE (Federal Department of Education) offered an opportunity for states to request a waiver from the requirements of NCLB. The Waiver will allow states to avoid the damaging and disruptive consequences of not meeting the mandates of NCLB. Delaware applied for and was granted a waiver. This waiver serves as the primary governing document of the Priority School mandate. The structures, which include high stakes testing and AYP (adequate yearly progress) goals, are specified in the waiver and are used to identify priority schools. The waiver also included some elements and timelines for the priority school plan development process<sup>1</sup>

We do not see any indication that the Delaware DOE made any meaningful attempt to develop a sufficient budget for this initiative. In addition, we do not see any clear indication that there was an attempt to collaborate across states to identify common elements, despite the identification of general areas for improvement.

The development of the draft and subsequent guide for plan development and related metrics appears to have been completed with little or no collaboration from a broad group of stakeholders. Furthermore, stakeholders were only informed of the draft a week prior to the ESEA deadline for feedback.

**School identification and initiative roll out:**

As a part of the ESEA waiver process, a pool of the lowest performing Title 1 (schools with a high percentage of students in poverty) was identified. From this grouping of schools, 6 schools were chosen by the Delaware Secretary of Education. To date the methodology used in choosing these final 6 schools has never been disclosed. A draft MOU was provided by the Delaware DOE, which at its core did not include the supports necessary to allow the identified schools a chance of successfully meeting the stated goals. Again this is a result of failure to create a financial structure adequate for the purposes of identifying a practical and sustainable support structure at the state level, failure to set an accurate and practical timeline for developing effective plans with informed stakeholder engagement, and failure to create a collaborative environment where efficient progress could be accomplished. Rather than presenting a document that was transparent, accurate and feasible, the Delaware Department of Education presented a document that was wrought with significant factual misrepresentations and included

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<sup>1</sup> <https://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/de.html>



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language and directives that far exceeded the federal mandate. The overall tone and approach was confrontational rather than collaborative.

**MOU development and negotiation:**

As a result of ineffective preparation and inappropriate content and tone of DOE's draft MOU, the priority school districts, Red Clay and Christina, at different levels adopted a defensive approach. The lack of prior collaboration, the factual inaccuracies in the DOE draft MOU, and the core failure of DOE to set the base conditions for success, particularly in regards to financial analysis and supports, hindered any progress and attempt to address the inherent flaws in the MOUs. Neither party addressed adequately funding the initiative in their MOU proposals.

**Final MOU outcome and impact:**

After much contention, eventually both Red Clay and Cristina school districts were able to come to agreement with Delaware DOE for a priority school MOUs. Based on stakeholder level of budgetary analysis lead by Delaware PTA\*, current funding provides less than **55%** of the dedicated new priority school funding needed to have provide high probability of success of dramatically improving these schools in 3 years. We do not believe that these schools will meet stated goals with the current level of identified funding. There is also no indication of sustainability of the necessary level of funding for success, defined in the MOUs.

With the failure of both Delaware DOE and the Priority school districts to complete even the most fundamental analysis of the resources required to allow for a high probability of success, school plan development can only be based on current available funds. Using this approach with past initiatives has led to the development of plans that were inadequate in meeting stated goals and outcomes for students. The plans were neither transformative nor sustainable and in the end the plans failed.



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**Analysis of responsibility**

**Federal Department of Education/Congress**

Congress created ESEA and the US DOE was responsible for implementing and guiding the waiver process, as well as approving the waivers. However, they failed to provide adequate and prescriptive language around both collaboration and performing a base initiative analysis to set the condition for success.

**Governor**

Governor Markell has been deeply involved in educational reform in Delaware throughout his 2 terms. Unfortunately the Governor has failed to provide policy and basic administration/business practices/budget oversight required to ensure the Priority School initiative is adequately funded for success. In particular, it appears that no substantive analysis of the primarily element of implementation required to meet the goal, and the cost to implement these elements with fidelity was ever completed. We believe that this project/initiative analysis failure is a result of an inadequate attempt to prioritize/direct adequate additional state appropriations to this initiative in the Governor's budget. Delaware PTA provided budgetary information and recommendations to the Governor in regards to this failure. Unfortunately the opportunity to collaborate was delayed to the point that we could not contribute to creation of a MOU which adequately supported the goals. The result was a process and document that substantively undermined the development of plans to meet the goal of dramatic improvement. The Governor has also not yet put forward a vision for sustainable funding to ensure that the plans meet the needs of the students.

**State legislators**

Although legislators worked to provide a legislative process for the ESEA waiver in epilog, they failed to include means for a fiscal analysis or fiscal note. Substantive legislative fiscal analysis of the cost of the priority school component would have allowed for proper budgetary planning. The legislature still has the opportunity to review/create such analysis and appropriate adequate funding to create the resources necessary to support the Priority School goals. The legislature also has the opportunity to create an equitable funding structure to sustain appropriate resources for all at risk needs students with special needs in these schools.



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**Delaware Department of Education**

The Delaware Department of education bears primary responsibility for the failure to develop and approve MOUs that support the conditions necessary for a high probability of success of meeting the goal of dramatic improvement for the students in the 6 identified priority schools. As mentioned above, we believe the following component are necessary in developing a MOU that is student centered and offers the Priority Schools the best possible outcomes. These components include;

1. Failure to provide a primary analysis to create state level structures and supports for the Priority School initiative;
2. Failure to provide and support a collaborative environment at all phases of the initiative;
3. Failure to provide accurate and practical information to support the initiative; and
4. Over emphasis on the technical processes in the areas of compliance, rather than focusing on a practical path that benefits students

**Christina and Red Clay School Districts:**

Lacking adequate support, the Red Clay and Christina school districts were given erroneous information by the Delaware DOE. In addition, the contentious environment created by the actions of the Delaware Department of Education greatly impeded any effort to create effective and collaborative MOUs. Despite this, it is our belief that each district had the opportunity to offer alternative MOUs that were strong and included sufficient resources and strategies aligned with the intended goals of school wide improvement. While it is reasonably presumed that Delaware DOE would have rejected these alternative MOUs based on inclusion of additional state responsibilities and commitments, these alternatives would have set an important benchmark; one that would have allowed for additional discussion and substantial improvements. However, the defensive posture of the districts contributed to the development of alternative MOUs that still lacked the components necessary for meeting stated goals. **It should also be noted that there are substantive indications that the districts may be willing to raise matching funds based on the current funding ration for units, if like other federal programs, if can be derived from tuition tax funds. Even though they did not offer this in their MOU drafts, it demonstrates the willingness of the districts to do their part if addition funding is available.**



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**Educators**

Educators recognized from early on that Delaware DOE had not provided the components necessary for creating appropriate and effective MOUs. Educators did negotiate in good faith with the district to create elements that support effective plans. It is clear that their input was not adequate to be effective in moving the primary parties to a successful outcome.

**Community stakeholders**

Since all stakeholders were not directly involved in the full MOU negotiations, it is clear that their input was not adequate to be effective in moving the primary parties to a successful outcome.

**Parents/Families**

While parents both within and outside the priority school communities provided input and tried to keep the focus on outcomes for students, it is clear that their input was not adequate to be effective in moving the primary parties to a successful outcome.

*\* The budget development methodologies were based on an informal review of successful turnaround schools across the country. Considerations were given for differences in school/district size and demographic. Using this approach, we were able to identify common elements of successful plans that were implemented with fidelity, and in some cases minimal resources. The initial and subsequent drafts were shared with parents, other stakeholders and decision makers. The drafts were also shared with the Turnaround Leads at both of the implementing districts and the State DOE. As a result, this document was refined to include draft comments from these groups. This budget represents the minimal amounts needed to effectively implement the school improvement plans for each of the 6 identified Priority Schools in Delaware. It will be up to the individual schools to determine the specific methodology used in the appropriation process.*