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When policy is practice: SDE effort to help/transform/label low-performing schools

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WHEN POLICY IS PRACTICE: SDE EFFORT TO HELP/TRANSFORM/LABEL
LOW-PERFORMING SCHOOLS

by

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A DISSERTATION

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WHEN POLICY IS PRACTICE: SDE EFFORT TO HELP/TRANSFORM/LABEL LOW-PERFORMING SCHOOLS

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University of Nebraska, 2017

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Policymakers have long been infatuated with education reform (Berliner & Biddle, 1995; Stein, 2004), including at the state level (Lusi, 1997). Consistent with this longer tradition, the Nebraska State Legislature (a.k.a. the ‘Unicameral’) passed Legislative Bill 438 (LB 438) in 2014, providing a statutory outline for a new education accountability system for the state that authorized the State Board of Education (SBOE) to intervene priority schools through the work of an intervention.

This ethnographically informed, exploratory policy implementation study (Creswell, 2013; Hamann & Rosen, 2011; Levinson & Sutton, 2001; Patton, 2002; Schwandt, 2001; Shore & Wright, 1997; Stake, 1978) examines the intersections of democracy and education through the lens of a complex school reform effort developed and implemented in Nebraska. Data for the study were collected between December 2013 and August 2016 and included legislative floor transcripts, education committee hearings, SBOE observations and transcriptions, and an array of documents and video-clips.

While school reforms are often conceived in official spaces of democracy, such as the legislative floor, or a state or local board room (as was the case here), the processes put in place to realize reforms have at times been detrimental to democracy (Gutmann, 1999; Pearl & Pryor, 2005). From an authorized insider vantage point (the author helped NDE implement AQuESTT), the study considers (1) the role of the state in the
implementation and in complex school reform, extending and updating Lusi’s (1997) study. (2) It illuminates AQuESTT’s policy culture (Stein, 2004), the emergent understandings and patterns of action that shaped its development and initial implementation including how equity was and was not invoked and pursued. Ultimately (3), while asserting that Nader’s (1972) notion of “studying up” is more necessary than ever before, the study considers the intersection of the SDEs role and culture with Freire’s (1998) notion of “serious democracy” and worries that politically created and shaped hierarchies (like SDEs) cannot create the necessary horizontality of power that would enable so-called turnaround schools to build the knowledge, skill, and praxis that would actually sustain a successful turnaround.
This dissertation is dedicated to:

My Granddad Hadden, a teacher who spent 38 years investing in students’ lives and a learner who remained determined to transform his Ed.S. to a Ph.D.

My Dad and Mom, for your love, encouragement, and prayers in each of my adventures

And my students, who have been my greatest teachers
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I would also like to thank the members of my committee. Guy Trainin, for sharing his classroom and inquiry into democratic education, and for asking me questions that required me to stop, reflect, and advance my thinking. Theresa Catalano, for wading through each page of this work with careful attention and providing thorough and thoughtful feedback. Jenelle Reeves, with whom I have taken up everything from language acquisition and comparative education to neoliberalism, and who has challenged me to think about how to extend my thinking in ways that will be meaningful beyond completing my dissertation. Cody Hollist, for helping me consider education policymaking and implementation through the lens of another nation-state.

I must acknowledge my mentors and colleagues at the Nebraska Department of Education. Freida Lange, for her steadfast encouragement to “finish that dissertation” and for providing opportunity after opportunity to live praxis at work. Matt Heusman, my partner on the AQuESTT adventure, for providing your feedback and reflections on multiple drafts of this project.

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Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms (Brown v. Board of Education, 1954).

Chief Justice Warren, in his (1954) written unanimous majority decision of the court in Brown v. Board of Education (above), highlighted both the hoped for role of states and communities in ensuring an equitable education to all and the similarly aspirational role of education in sustaining democratic society in the United States. Throughout U.S. history, there have been ongoing efforts to design and redesign schools for these primary purposes (and a range of others, including the development of a workforce and cultural inculcation) (Profriedt, 2008). Education reforms intended to support these purposes are most often shaped by policy developed by elected representatives (i.e., local boards of education, state legislators, state boards of education, or since Brown, Congress) with the expectation that policy will be enacted in such a way that there will be an effect on practices in classrooms at the local level that ultimately advance equity in U.S. society.

Hamann and Rosen (2011) posit that policy is a

…form of sociocultural practice that involves efforts by a range of actors to: (1) define what is problematic in education; (2) shape interpretations and means of how problems should be resolved; and (3) determine to what vision of the future change efforts should be directed (p. 465).
If we think of policy and its implementation as more than text or efforts intended to organize individuals’ behavior, but as artifacts of politics and its processes and negotiation, then approaching a study of a state department of education engaged in complex school reform requires an understanding not only of the history of education reform, but also the intersections of democracy, power, and education that have shaped and that will, I contend, continue to shape the direction of policy and public education in the future.

**Nebraska’s Governance and School Reform Context:**

The design of school governance and structure in the United States places state departments of education (SDEs) in an important policy role in the allocation of state resources, the promulgation of rule, the regulation of local districts’ adherence to rule and statute, and in more recent decades, the mediation of federal policies passed down from Washington D.C. As SDEs are nested within larger and loosely coupled systems of education (Weick, 1976) in the United States that have historically privileged the local governance and control of schools and since federal policy has reached further into state education systems (particularly since No Child Left Behind), it is important to establish a background understanding around how federal, state, and local governance and policy relate to one another.

According to Hamann and Lane (2004), this makes SDEs an important site for study, because they are both “powerful and paradoxical…and are dominant within the hierarchy of K-12 education; hence, paying explicit attention to them allows for the examination of policy as the practice of power…” (p. 429). While this study examines Nebraska Department of Education’s (NDE) role in the development and implementation
of complex accountability reform, under the governing structure of the Nebraska State Board of Education (SBOE) and leadership of the Commissioner of Education, it is also nested within a larger reform context happening at the national level that very much influenced the implementation at the local level (as will be described further in Chapter Four). Nebraska joins a number of other states (i.e., Connecticut, Colorado,) in having SDE intervention in select low-performing schools.

Fig 1.1: National to local reform development and implementation

The Nebraska State Legislature (a.k.a. the ‘Unicameral’) passed Legislative Bill 438 (LB 438) on April 10, 2014, providing a statutory outline for a new education accountability system that included classifying all public schools and districts in performance levels and designating up to three schools at a time (out of 1130 public schools in the state) as priority schools. An examination of the NDE’s priority school identification and initial improvement implementation is the subject of this dissertation.
According to the legislated policy (LB438), which became codified in statute, Neb. Rev. Stat. §§ 79-760.06-.07, the Unicameral authorized the SBOE to intervene in each priority school through the work of an intervention team. Intervention teams were expected to work in collaboration with the local school board and the administration and staff of each priority school to create a progress plan for improvement to be submitted to the SBOE by August 2016. Following SBOE approval (which hypothetically could take several attempts), priority schools would implement their progress plans. Annually thereafter, these schools would submit progress updates for SBOE review. If a school was not released from priority status within five years, the SBOE would then be authorized to administer a different intervention which could include an alternative administrative structure within the school. Given this study examines the creation and early implementation of LB 438 (approximately 2013-2016), such a possible eventually was not part of this analysis.

In response to LB 438, the SBOE and the NDE began developing an implementation framework, initially described as NePAS 1.1 and eventually known as AQuESTT (Accountability for a Quality Education System Today and Tomorrow). The first stages of the system’s design relied on the collective input from a 50+-member taskforce comprised of education stakeholders who were representative of the range of schools and districts in Nebraska. However, over the course of the 2.5 years of this study, design and decision-making regarding the initial implementation was concentrated at the SBOE and Commissioner of Education, with input from NDE employees who were also expected to help transition policy into practice across 245 districts (LEAs) while working
much more closely in three named priority schools. Other stakeholders did sometimes play roles in AQuESTT implementation but not in a sustained or comprehensive fashion.

AQuESTT reflects a complex, system-wide, top-down reform initiative.¹ Reforms are often externally mandated (many times coming from legislative action outside the school or education system as happened in this case), intended to have widespread spread and depth of implementation, and their mere existence and intent often “suggest something is broken” (Michelli & Keiser, 2005, p. 191). These policies often have unintended consequences particularly when there is a gap between what is promised and what happens in the implementation (Liston & Zeichner, 1996; Ravitch, 2010). While school reforms are often conceived in official spaces of democracy, such as the legislative floor, or a state or local board room (as was the case here), the processes put in place to realize reforms have at times been detrimental to democracy (Gutmann, 1999; Pearl & Pryor, 2005).

**Purpose and Significance of the Study:**

Goodlad (1994) describes a disposition of renewal rather than reform which Michelli and Keiser (2005) explain “relies on responsible parties, working together to inquire into the circumstances in question and develop appropriate responses: through dialogue, decision, action, and evaluation” (p. 191). The purpose of this study then, is to understand the work of an SDE engaged in legislatively-mandated, complex school reform (AQuESTT), the policy culture of democracy and education evident within the publicly told narrative, and whether those intersections reflect a disposition of renewal. As such, it builds upon previous studies of SDE’s involvements in school reform (e.g.,

¹ The present tense is used here because AQuESTT remained Nebraska’s policy through the end of this study period. Of course readers should note that it may or may not still be the state’s framework at the time of their reading.
Hamann & Lane, 2004; Lusi, 1998), while asking crucial questions about the links between school, democracy, and social justice in the ever-extending task of building the society we hope for.

AQuESTT is a single case—and the policy culture of SDE in one state and in a particular policy window. However, “…what is generalizable in this study is the range of patterns in thought and behavior and ways in which the culture of policy takes shape in different contexts” (Stein, 2004, p. 162). This is particularly relevant following the December 2015 passage of the Every Student Succeeds Act (ESSA) and a returned legislated emphasis placed upon the role of the SDE in designing accountability to meet guidelines set forth by the U.S. Department of Education.

The Role of the State

Historically, schooling in the United States has been a local and state-level endeavor with state constitutions requiring the establishment of public schools (Greene, 1985; Russell, 1929). Only within recent decades has the federal government assumed a more significant influence on public schooling. So SDEs bear the responsibility of carrying out federal requirements (a shift, following the passage of No Child Left Behind) while they also develop and implement their own policies and reforms. While some SDEs have more centralized control over public schooling in their states, Nebraska has maintained a long tradition of local school district control governed by elected local boards of education. The following page highlights significant events along a federal and state (Nebraska) education policy timeline since the year 2000.
Federal and Nebraska Education Policy Initiatives
2000-2016

2000: LB812, establishing requirements that became Nebraska’s STARS assessment system, signed into law

2002: No Child Left Behind signed into law

2008: STARS replaced by statewide assessments (NeSA) following passage of LB1157

2009: Race to the Top competitive grant announced, awarding states money in exchange for implementing certain education policy (i.e., adopting common standards, charter schools)

2011: Requests for ESEA Flexibility offered to SDEs in exchange for state-developed plans aligned to policy initiatives (i.e., turning around low-performing schools)

2012: SBOE adopts as state accountability system (NePAS) in response to LB870

2014: LB438 passes Nebraska’s Unicameral and becomes AQuESTT

2015:
- Submission of Nebraska’s Request for ESEA Flexibility (April)
- AQuESTT Classification and Designation (December)
- Every Student Succeeds Act signed into law by President Barack Obama (December)

2016: Approval Priority School Progress Plans

Fig 1.2: Federal and state initiatives timeline
According to Nebraska’s governance structure, the elected SBOE sets policy and the NDE realizes that policy under the leadership of a Commissioner of Education hired by the SBOE. These layers of the system comprise the broader notion of the “state.” To clarify further, “state” here does not refer to the nation state. As noted already, in the USA, the federal government (the nation state) is not the traditional locus for education policy-setting and governance. The state legislative policy-setting body in Nebraska is a single house, non-partisan Unicameral. With the passage of LB438, elected representatives in the Unicameral and elected SBOE representatives (neither of whom were necessarily education experts) set education policy and may (or may not) have relied on the expertise of the Commissioner and NDE (the experts) in the process. This notion that it’s the amateurs telling the experts what to do is not a unique policy and implementation narrative in state education governance nor particular to reforms to improve schools.

As Berliner and Biddle (1995) pointed out, there has been a reliance on folk wisdom, political thought, and even business strategy, rather than a reliance on educational expertise in recent reform movements in the U.S. As policymakers (i.e., legislators, governors, and state board members) like most adults have each spent a significant portion of their life attending school, this experiential knowledge of school can lend itself to a self-proclaimed expertise regarding how education policy should be shaped that results from mere familiarity (Lortie, 1975). This can delegitimize the expert knowledge of school practitioners and scholars.

The following ethnographically-informed, exploratory, policy-implementation case study does not focus directly on the intended subjects of the policy (i.e., students at
struggling schools), but rather on the policymakers who put a complex reform initiative in place in Nebraska. While not strictly an ethnography, like Hamann’s work in Maine, Puerto Rico, and Vermont (Hamann, 2005; Hamann & Lane 2004), the frame here is that SDEs (like any complex institution) are select aggregations of people who bring to their work a sense of both their individual responsibilities and the collective work. SDEs help define larger systems.

Drawing upon Susan Follett Lusi’s (1997) case studies of complex school reform initiatives in Kentucky and Vermont two decades ago, this study examines at how a state department of education (NDE) involves itself in school reform (AQuESTT). At the time of Lusi’s (1997) study, the role of SDEs was shifting from sites of state regulation to support for system improvement and federal education policy mediation. Lusi’s work provides me a model for the study of an SDE engaged in complex legislated school reform.

While Lusi focused on the response to change at the SDE, this dissertation extends her work by examining the work of an SDE as it assumes a new role authorized by legislation and intervenes at the building and classroom level, reaching across the education system in ways that it had not previously done. Coburn (2003) suggested that in order to reach scale, a reform must shift the authority of knowledge from external agents (i.e., SDE) to internal, where the teachers, schools, and districts do the work in order for any complex change effort to be sustained or successful (2003, p. 7). In order for this to truly happen, Coburn stated that “…reform-centered knowledge—not only at the classroom level but also among the leaders among multiple levels of the system” was necessary (2003, p. 8). Throughout the development and initial implementation of
AQuESTT, NDE assumed a new role, reaching across the tiers of the system (past ESUs and districts) to intervene in the school and classroom level, ultimately influencing reform coherence, alignment, and ownership across the system.

I trace the intersections between democracy and education policy throughout the legislation, development, and early implementation of the complex school accountability reform, an account I was uniquely positioned to tell, not only as an educator with varied career experiences, nor just as a doctoral candidate with significant preparation for research, but also as an employee of the NDE with a front-row seat to the policy evolution. While my role in the state department of education provided me with access, I acknowledge the challenge my dual roles in this study posed for me as a researcher. I also recognize that I follow in the footsteps of researchers who recognized a researcher’s role in telling the story they were best positioned to tell (Hamann & Vandeyar, in-press).

As an employee involved in the end-phase development and implementation of a reform initiative and as one who wished to research the development and implementation of that reform, it was requisite to consider how to make a space to bridge an emic/etic (insider/outsider) perspective--or a “form of double consciousness that crosses back and forth” (Carlson, 2005, p. 27). I took these complexities into consideration prior to taking on this study and shared my intention not only with my immediate supervisor and colleagues, but also with the Commissioner of Education; they were gracious and encouraging. I endeavored to be careful and transparent to all stakeholders and research subjects throughout the data collection, analysis, and writing of this study. I was not only helping implement AQuESTT, I was studying it. In Chapter Three I further discuss the
ways I tried to maximize the advantage for my insider status provided and minimized control for the hazards.

Following a traditional dissertation format after this introductory chapter, the remaining four chapters consecutively include a review of the research literature, a depiction of methodology, my sharing of data, and then my analysis and conclusions. Chapter Two provides an overview of scholarly literature that is organized in two overarching areas: an examination of ways of thinking about democracy and education and a study of efforts to reform schooling in the United States. Together these themes allow an understanding of education governance as well as ways to consider how policy is constructed, implemented, and transformed in sociocultural spaces.

While the interpretations of the “rule of the people” are multiple (Biesta, 2007), broadly, the definitions of democracy fall along a continuum from more classical representations in the tradition of Athenian, direct democracy on one end to more representative, contemporary forms of democracy similar to governance structures in the United States (Carr & Hartnett, 1996; Pateman, 1970) on the other. Because one of America’s oldest rationales for public education is to support democracy, I chronicle the story of democracy and education in the United States, highlighting the contributions of foundational figures Thomas Jefferson, Horace Mann, and John Dewey and ongoing dialogue throughout democracy in the United States. There is a long history between democracy and education, both education for the sake of democracy and democracy for education. As early as 1786, Benjamin Rush, one the signers of the Declaration of Independence grappled with this tension in his “Thoughts upon the mode of an education in a republic,” stating that in the nascent country, the purpose of education ought to,
“adapt modes of teaching to the peculiar form of our democracy” (Kornfeld, 2001, p. 110). This role of schooling for democracy, which includes the preparation of citizens and the profound belief in the power of education as a panacea for a number of broader societal problems is very much reflected throughout this study.

Ultimately, I define the ideal democratic way of being (that is inclusive of both education for democracy and democracy for education) by using Freire’s (1998) phrase, “serious democracy,” which he described as shifting the power structures in society for the sake of social justice (p. 66). Philosopher and democratic theorist Amy Gutmann (1999) states that serious democracy is built upon dialogue, deliberation, and consensus and critical democracy that invites and includes diverse voices in the conversation while challenging structures of power. Freire believed that the democratic school, the relationship between teacher and learner and the ongoing dialogic interactions, reflection, and practice were central to democracy’s viability (1998).

Practicing democracy through the relational dialogue among learners (teacher as learner and student as teacher) is foundational to “constructing serious democracy.” This pushes against the structures of power for the sake of social justice raises. This way of thinking about democracy as an “associated way of being,” (Dewey, 1916) raises two questions for me in the context of education reform policy implementation: (1) Can representative but hierarchical government (i.e., a state legislator or elected member of a State Board of Education), truly hear and represent the voice of the poor or marginalized in such a way as to “construct serious democracy?” and (2) If a purpose of a complex educational reform implementation is to reach into the classroom in order to influence the
practice of teaching and learning for the sake of equity, will equity be advanced if the reform effort does not reflect serious democracy?

I acknowledge that historically, policy has often framed its beneficiaries as the “other,” employing deviant or deficit frames and positioning the government (or in this case the SDE) as a “corrective force.” Stein (2004) described this as a “policy culture” (p. 19). She asserted (and I agree) that overcoming this policy culture requires an authentic commitment to equity through “purposeful work on the cultural dimensions of schooling [and the] language and rituals of practice” that invites the voice of the school in actively pursuing policy that “address complex considerations of students’ strengths and needs” (Stein, 2004, p. 24-5).

In this study, I examine the development and initial implementation of AQuESTT and how it advances (or does not advance) equity and democracy. I consider to what extent target schools were recognized as subjects (i.e., entity able to act and transform oneself) as they were named priority schools and whether they became objects of a political technology at work in this significant reform effort (Foucault, 1977). Is AQuESTT truly about advancing equity and favorably changing the educational trajectories of students at three struggling schools? Or is it the product of a political technology at work where individuals (irrespective of noble intentions and dedication to do the right work) function as objects of this technology in ways that undermine, rather than advance equity or democracy? By their very premise, efforts to ‘turnaround’ troubled or ‘failing’ schools are supposed to be challenging the structures of power (helping students accrue/develop social capital), so the policies being studied here are intertwined with ‘serious democracy’ in ways that raise questions about poverty and low-
achievement, and the expectation that schools shoulder the primary responsibility for social amelioration (Apple, 2013; Gorski, 2014; Labaree, 2010).

Partly for these reasons, education policy and reform has a long history in the United States (Bruner, 1996; Cuban, 1998; Profriedt, 2008), or as Berliner and Biddle described it, “America has had a long love affair with educational reform” (1995, p. 173). Chapter Two chronicles this history, providing context for the types of education policy and reform that preceded the subject of this particular study. I chronicle the role SDEs play in transforming rhetoric into reality (Hamann & Lane, 2004; Lusi, 1997; Weick, 1995). The intent of Chapter Two is to walk readers consecutively through theories of democracy, the theories (and study) of how education can make/support democracy, to the role SDEs in converting this premise to practice across a state education system, from SDE into classrooms in priority schools.

Chapter Three details my methodological approach. This study is an ethnographically informed, exploratory policy implementation study of a bounded, instrumental case (Creswell, 2013; Patton, 2002; Schwandt, 2001; Stake, 1978). I realize this may sound ‘jargony.’ Chapter Three also clarifies the intended precision behind this terminology.

As with any inquiry, the questions asked should guide the methodology and the research strategy employed should be “…eclectic in its methods, broad in its vision of what it takes to understand man” (Nader, 1972, p. 293). As the questions for this particular study focus on the sociocultural context of an SDE engaged in the development and initial implementation of a complex school reform, I selected a methodology that allowed for an examination of the practice of policy implementation as well as the policy-
culture among actors engaged in the messy work of policy implementation. An ethnographically-informed approach was appropriate, as policy in this case, is indeed a social and cultural construction (Hamann & Vandeyar, in press). Anthropology, from which ethnography originates, has only relatively recently informed the study of education policy (i.e., Shore & Wright, 1997; Levinson & Sutton, 2001). I draw upon the data collection and other tools of ethnography. This allows for both proximity to and familiarity with a socially constructed policy culture (Levinson & Sutton, 2001; Stein, 2004). Acknowledging that studying an SDE presents different challenges than studying a school (or a village), this study follows the work detailed in Lusi’s (1997) study of two SDEs engaged in complex reform nearly two decades ago and studies conducted by Hamann and Lane (2004) with SDEs in both Puerto Rico and Maine.

Like Hamann (2003), this anthropological inquiry is also an example of what Nader (1972) described as “studying up” (i.e., using anthropology to study those with power instead of say, the remote villages or traditions of tribes that originally were the focus of so much of that discipline’s output). By examining the culture of power in this policy study, I make more familiar what should be familiar (i.e., structures of democratic policymaking like legislative bodies or SBOEs), but is currently rather strange, (Van Maanen, 2011).

Data for the study were collected between December 2013 and August 2016 and included legislative floor transcripts, education committee hearings, state board of education observations and transcriptions, and an array of documents and video-clips included in the public telling of AQuESTT’s implementation. Just as an archaeologist searches for material artifacts that contribute to an understanding of a historical culture, I
collected state-level policymaker’s “material culture” (Hodder, 2012) and observed the historical present in order to document the “lifeways of a social group” (Levinson, 2000, p. 3).

Using the qualitative software MaxQDA, I analyzed these artifacts through an iterative process that included review, coding of themes, and analytic memos (Bowen, 2009; Owen, 2014), which allowed for triangulation. In particular, I looked for articulations and illustrations of various stakeholders “theories of action” (Hatch 1998) regarding how SDEs could support school improvement, how schools needed to improve, and/or whether the voices of those in or tied to those schools could or should be heeded (as per the democratic rule by the people).

As Chapter Four provides an account of the initial implementation of AQuESTT includes critical intersectional moments of democracy and schooling. The voices included in the deliberation around these decisions reveal how democracy is imagined and how education policy is shaped. Chronicling AQuESTT’s legislative beginning, debate, codification into statute, interpretation, design, and initial implementation, revealed a similar pattern to Stein’s (2004) study of the enactment of NCLB. Among infinite reform possibilities, only 2-3 policy tropes were considered as legislative solutions.

AQuESTT happened at a particular historical moment, when a Speaker of the House (and former teacher) and Unicameral Education Committee chair worked with the SBOE to draft legislation—a policy making window (Hamann, 2003), which made this case important as such aligning of policy stars is rare. The chapter begins with a description of the Nebraska’s political and educational context and key policy actors.
This is followed by a chronological telling of AQuESTT’s development and initial implementation, from the creation of LB438, its legislative debates and evolution, its passage and transformation into a policy framework, the vision and theory of action behind its design, and ultimately, its initial implementation.

Chapter Five contains a synthesis of the theoretical and empirical analysis of the intersections of democracy, citizen (dis)enfranchisement and public education in the policy culture of AQuESTT. It elucidates: (1) the role of the state in the implementation and in complex school reform, extending and updating Lusi’s (1997) study by noting that unlike in the earlier era, NDE directly intervened at the school and classroom level in three priority schools, (2) AQuESTT’s policy culture (Stein, 2004) that developed throughout its development and initial implementation and its commitment to equity, and (3) the intersection of the SDEs role and culture with Freire’s notion of “serious democracy. The chapter concludes by considering implications of SDEs continuing to play a crucial role for policymaking, policy-mediation, and policy implementation and thus reiterates that SDEs ought to be sites of continued study. I highlight the opportunity for more expansive and authentic democratic engagement in education policymaking in the future that engages a representative public and assert that Nader’s (1972) notion of “studying up” is more necessary than ever before.
CHAPTER 2: LITERATURE REVIEW

Introduction

Chief Justice Warren (from the epigraph to Chapter One) in his Brown v. Board (1954) decision highlighted the “importance of education to our democratic society,” educational access “on equal terms,” and that, if denied an education, it would be “doubtful that any child may reasonably be expected to succeed in life.” Each of these get the purposes of schooling, the relationship between democracy and education, and the equity concerns that undergird this study.

One of the earliest stated purposes of schooling in the newly formed United States was for the sake of sustaining democracy. Early statesmen like Thomas Jefferson, Benjamin Franklin, and Benjamin Rush each wrote about the vital role they imagined educational institutions would play in “human progress and more specifically to the progress of the nation” (Profreidt, 2008, p. 6). Thus, from the beginning, schooling has been inextricably linked to American democracy. This chapter begins with a review of this relationship between democracy and schooling and how using a term like “democracy” is freighted by the multiple conceptions of what it means and how it is being invoked. Eventually the review shows that democratic practices and democratic ends coexist and sometimes compete with other charges for schools.

In a democratic republic like the United States, the institution of education strives to prepare a citizenry with each generation that can take up the responsibility for the rule of the Republic (Greene, 1985). In a Republic (by the rule of its people) a central responsibility of self-rule ought to establish policy that forefronts equitable access and opportunity for its people. Of course the purposes of education have always been
inclusive of broader purposes, just like those Chief Justice Warren mentioned: the inculcation of “cultural values,” preparation for “professional training,” and “helping him adjust normally to his environment.” These purposes have shifted or been privileged over time (with the most recent focus on preparing a workforce). Unfortunately, access to these purposes has not been equitable throughout U.S. history (Spring, 2010). Schools have been called upon to transform in order to fulfill the ever-shifting priority purposes of education and pursuit of equity.

Policymakers have long been infatuated with reform (Berliner & Biddle, 1995). If stated purposes of education are to support democracy and if democratic structures in place (i.e., elected legislators, school board members) craft education policy, then school reforms (crafted in the hope of retooling the education system for stated priority purposes) are implicated in the sustenance of (or drift from) democracy.

The historical responsibility for schooling in the U.S. has been at the state and local level (as outlined in Chapter One), which places a state department of education (SDE) in the role of policymaker and local school regulator (Nebraska’s SDE’s role in school reform will be outlined more in Chapter Four). However, in recent decades, SDEs have also been called upon to act as intermediaries of federal education reform policies (i.e., No Child Left Behind), which gives them a third large role.

As outlined in Chapter One, this study examines the intersections of democracy and education through the lens of a complex school reform effort developed and implemented in Nebraska. Requisite to engaging in inquiry of this nature is a basic understanding of the purposes of schooling in the context of the United States (including the purposes of education for democracy and democracy for education), how this purpose
has informed (or not informed) education reform policy, and how that policy implementation advanced or undermined equity. What follows then, is a overview of each of these literatures.

**Democracy and education:**

The word democracy comes from the Greek words *demos* (the people) and *kratos* (rule), but what ‘rule by the people’ actually means has multiple interpretations (Biesta, 2007). The parsing of the word itself raises an abundance of questions—about what is meant by ‘the people.’ Democracy in the United States is about ordinary people engaged in dialogue to solve public problems and issues (Wood, 1993). While those ideals sound inclusive, history tells an American democratic narrative that gradually broadened who has been included as ‘the people,’ over time and how ‘rule’ has changed as the country has grown. Democracy has grown to become more inclusive, over the country’s lifespan; the struggle for inclusivity has been ongoing and challengingly pursued (Spring, 2013).

Initially, those founding this new Republic raised concerns about how to equip ‘the people’ for the responsibility of ruling and developing structures to support the preparation of citizens in a way that would sustain it for generations. Early Americans did not agree about how to best accomplish this purpose. Still, a common answer included the creation of a public system of education (Proefreidt, 2008). Just as democracy and what it means has been contested throughout the history of the United States, education within a democracy has been debated by definition, aim, and scope. As a result, the institution of education in a democracy is a political endeavor (Giroux, 2012; Gutmann, 1999; McAvoy & Hess, 2013). The establishment of free, public schooling is perhaps the most important institutional legacy of the newly formed United States; “it grew from a
modest and marginal position in the eighteenth century to the very center of American life in the twenty-first” (Labaree, 2010, p. 1). Developing an understanding of the varied and still salient perspectives on democracy and education requires developing an understanding of democracy’s roots and public education’s beginnings in the United States. Such an understanding could fill (and has filled) entire texts for the sake of illustrating a foundational understanding based upon some of the key actors whose lives and works continue to influence democratic theory, I highlight Thomas Jefferson, Horace Mann, and John Dewey. (Other theorists e.g., Freire, whose ideas pertain to democracy but whose central concern were not democracy per se, come up later in the chapter.)

Thomas Jefferson believed in the creation of public schools to support the education of the masses so that they could intelligently participate in the newly formed democratic republic. In a letter to George Wythe in 1786, Jefferson asserted that, “by far the most important bill in our whole code is that for the diffusion of knowledge among the people. No other sure foundation can be devised for the preservation of freedom, and happiness” (Peterson, 1977, p. 399). He believed that once established, public education should “prepare citizens to debate and decide among competing ideas, weigh the individual and the common good, and to make judgments that could sustain democratic institutions and ideals…” (quoted in, Goodlad et al., 1997, p. 41). Jefferson believed in free, public schooling that “would allow the poor to rise to positions of public responsibility” which would preserve the newly formed republic “not just because the talented poor would rise to political leadership, but because all those educated at even an elementary level would be given the tools to assess the motives and abilities of those in power…” (Proefriedt, 2008, p. 18). While the specifics of his plan for schooling in
Virginia were not implemented as he had hoped, his philosophy concerning the necessity of formal schooling for the sake of preparing an educated citizenry became a cornerstone of democracy in the United States.

Horace Mann, born in a newly established United States of America, served as secretary to the Board of Education of Massachusetts (1837-1848) where he advocated for public education grounded in moral understanding as a means to undergird democratic disposition. This was to be freely available and inclusive public education paid for and controlled by the public with highly trained teachers, using methods to support the maintenance of a free society (Cremin, 1957). Mann believed that schooling should reflect “those articles in the creed of republicanism which are accepted by all, believed in by all, and which form the common basis of our political faith, shall be taught to all” (Mann, 1848, p. 97). For this reason, he supported a “common school” designed to provide common and general schooling to prepare future citizens for their role as republicans (Mann, 1957; Westbrook, 1996). Mann believed that the common school would support the equality of men and help the new country avoid the emergence of a pseudo-aristocracy and elitism. Mann, asserting that, “education, then, beyond all other devices of human origin, is the great equalizer of the conditions of men...this education should be universal and complete, it would do more than all things else to obliterate factitious distinctions in society” (Mann, 1848, p. 87).

More than a champion of individual schools, Mann was also a proponent for the development of a school system, the preparation of teachers to serve in this system, and the acknowledgement of the diverse and unique needs students may bring into the classroom. He described a range of characteristics that make one “apt” or skilled to teach-
-those who would take on “the most difficult of the arts, and profoundest of all the sciences” (Mann, 1869, p. 21) Mann’s legacy in democratic theory is evident in the structure of public schooling supported by public investment and controlled by democratically elected boards made up of members of the citizenry, the systemization of curriculum, teaching strategies, and teacher preparation, and notions about schooling as the primary site to take on the responsibility of preparing citizens for a free and equal society.

As urbanization, industrialization, and immigration transformed America a generation and two after Horace Mann, John Dewey emerged as arguably the most significant educator and theorist of the 20th century. Dewey “sought to create a democratic society and the kinds of individuals who would prosper within it” (Proefriedt, 2008, p. 96). Despite a shift in education in the United States from common schooling with an aim of providing a common educational foundation for the instruction of all citizens, to a public schooling movement designed to prepare children and youth for their place in the marketplace following the industrial revolution, “One might reasonably consider Dewey’s work in the philosophy and practice of education as an effort to reconstruct ‘common schooling’ so that it might remain pertinent to modern industrial democracies” (Westbrook, 1996, p. 129).

For Dewey democracy was about free and equitable interaction among members in a society, diversity of ideas that stimulate critical thinking, and education that prepares citizens by giving them experiences enacting democracy as students (Dewey, 1997). Democracy, according to Dewey is “more than a form of government; it is primarily a mode of associated living, of conjoint experience” (Dewey, 1997, p. 87). Preparing
students for their lives and roles in this kind of democracy meant developing the intelligence needed to promote participatory citizens results from actually participating as a member of a community, deliberating, and decision-making that considers the common good (Biesta, 2006; Carr & Hartnett, 1996; Noddings, 2013). Teaching and learning in schools according to this philosophy ought to provide students with ample opportunity to act as participating members of their school society. Dewey’s ideas reimagined the role of the teacher and student in the learning space—a space where students engage with diverse ideas and deliberate together to make decisions. These ideas, still relevant nearly one hundred years since the publication of Dewey’s *Democracy and Education* (1916) are central premises liberal and participatory democracy.

**Classical and contemporary democracy**

Democratic theorists often describe democratic societies as falling within two broad constructs differentiated by the role of the individual within the democratic society: ‘classical’ democracy and ‘contemporary’ democracy (Carr & Hartnett, 1996; Pateman, 1970). The term *classical democracy* describes a system rooted in participatory, popular power born out of Athenian democracy and *contemporary democracy* describes more liberal democratic systems that depend on representative political decision-making most recognizable in Western democratic societies (Carr & Hartnett, 1996). Classical democracy “requires continuously expanded opportunities for the direct participation of all citizens in public decision-making by bringing social, political and economic institutions under more genuine democratic control” (Carr & Hartnett, 1996, p. 41). Conversely, the contemporary conception of democracy is a “descriptive concept and its achievement is synonymous with certain empirical conditions. These include: regular
elections, universal suffrage, the existence of rival political parties, a representative system of government, a centralized political leadership, a free press and an independent judiciary” (p. 43).

Benjamin Barber, in *Strong Democracy: Participatory Politics for a New Age*, frames democratic theories using other descriptors with similar meanings-- “thin” and “strong” democracy-- to differentiate between more representative, contemporary, and liberal democratic theories (thin) and participatory, classical democratic theories (strong) (Barber, 1984, p. 3). While Barber asserts that in ‘thin democracy,’ the public surrenders their right to governance to representatives, they trivialize democracy in a system where they are “content to leave the governing to others” (1984, p. 221). This does not mean that representative (thin) democracy is weak. Barber’s definition is congruent with the conception of ‘contemporary democracy’ outlined by Carr and Hartnett (1996) and describes systems in the United States. In contrast, ‘strong democracy’ explicitly ties civil society to citizenship. Strong democracy shares characteristics that align it with more ‘classical’ conceptions of democracy as described by Carr and Hartnett (1996). For the sake of clarity, I will invoke Barber’s frames of ‘thin’ and ‘strong’ democratic theories as I outline more specific theories about democracy and democratic education below.

With an array of democratic theory, it probably makes sense that there is no single way of thinking about the role of education in a democracy (Biesta, 2007, p. 740, 743; Friedman et al., 2008, p. 254; Pearl & Pryor, 2005, p. xvii). While there are varying ideas of what “the nature of the democracy for which schools should be preparing our students,” there does seem to be a “general consensus that public schools bear the
responsibility for preparing students for democratic life” (Mira & Morrell, 2011, p. 409). While there is debate about how much responsibility public schools should bear, they have been relied upon as the primary institution to ensure democracy’s preservation in the United States. In the Jeffersonian tradition, according to Barber, “One of the most important original justifications for public and common schools was democracy’s need for its young people to be educated, cognitively and behaviorally, as competent citizens” (1998, p. 106).

Beyond being intellectually prepared, Goodlad et al. remind us that according to Horace Mann’s conception, developing character through the educational system, schools are “the front line for the development of democratic character in our people and democratic functioning of our government and institutions” (2008, p. 2). If we go back to Dewey’s view that democracy is a mode of associated living enabling us to “hold things in common by way of communication and thus live in community,” (Novak 1994, p. 2), then “education is focused on increasing participation in conversation and action with others to find shared interests and solve common problems (Mira & Morrell, 2011, p. 412).

It is probably important at this point to draw the distinction between education and schooling. Education, “is ubiquitous; it happens, everywhere” while schooling is a “planned, deliberate, intentional enterprise, part of the larger educational enterprise” (Goodlad et al., 2004, p. 4). Education can happen in all manners of social life; “With or without schooling, societies socialize their young (Mead, 1961). They enculturate them; they initiate them into the elders’ conventions of knowing, valuing, and behaving” (Parker, 2001, p. 6). While many of the following theorists will use the term ‘democratic
education,’ to refer to schooling contexts, it is important to recognize that there is much more to democratic education than schooling, because many other institutions can, and do “contribute to democratic education” (Gutmann, 1999, p. 13). Still, schooling becomes the formal structure for “conscious social reproduction,” a space that in a democracy is unique, because it “authorizes citizens to influence how their society reproduces itself” (Gutmann, 1999, p. 15). I will use the term education to refer to the broad, systemic structure of public education and schooling to the specific activity that happens within K-12 schools in the United States.

This brings us back to the questions: What kind of society? What kind of citizen? What kind of education? And subsequently, what kind of policy? As outlined above, there are varying perspectives on how democracy ought to be enacted, the kind of citizen that is necessary to preserve it, and what kind of policy is necessary to actualize it. In general terms, a democratic society is always under construction. It is, “a path or a journey...a way of living with others, a way of being” (Parker, 2003, p. 20). Within this journey, this “associated way of living,” as Dewey describes it, “is a will to the common good...” (Houston, 2004, p. 106).

Like Mann, Nussbaum (2010) describes the democratic citizen as “an active, critical, reflective, and empathetic member of a community of equals, capable of exchanging ideas on the basis of respect and understanding with people from many different backgrounds” (p. 141). Also like Mann, Greene (1995) describes educating citizens for such a participation in society as requiring commonality and commitment to sustaining democracy for future generations (p. 3). Barber (1992) describes this purpose
of education in a democratic society perpetuating democracy where “liberty and equality” have primary importance (p. 6).

Freire (1974) describes schooling for a particular type of citizen in a democratic society with more specificity, charging that the school become a space to gather and to engender certain democratic dispositions, such as the disposition to listen to others—not as a favor but as a duty—and to respect them; a disposition toward tolerance, toward deference to the decisions made by the majority that nevertheless does not deny to anyone who differs in opinion the right to express his or her disagreement; the disposition to question, criticize, and debate… (p. 66).

If, in broad terms democracy is founded on the common good, is dedicated to both liberty and equality in order to perpetuate freedom (Russell, 1929), then what happens among citizens engaged in education policy formation, development, and implementation ought to reflect and embed the dispositions and opportunities Freire describes.

**Liberal democratic theory**

Liberal democracy, which Barber delineates as the dominant modern form of democracy, has informed and guided several of the most successful and enduring governments the world has known,” including the United States (1984, p. 3). A form of thin democracy defined simply, liberal democracy is “the democracy of a capitalist market,” (MacPherson, 2012, p. 1). This framework privileges representative governance for the individual within a market economy. As such, liberal democracy contrasts with participatory and deliberative democratic theories that privilege the agency of the individual within the context of community and the common, public good.

Liberal democratic theory that places even greater emphasis and privilege on the private market is described neoliberalism (Held, 2006; Wells, Slayton & Scott, 2002). In the 1980s the New Right advocated for a ‘minimal state’ the state and for the *laissez-faire*
free market society where ‘politics’ or ‘state action’ should be kept to a minimum (Held, 2006). More recently, Nussbaum (2010) described neoliberalism in the United States as education for economic growth and warns that schooling for economic growth does not cultivate the dispositions necessary for democratic citizens. Neoliberalism’s effect on education within the United States has been “toward a constrained curriculum, supposedly high standards, greater focus on employability, and a proliferation of standards and accountability (Carr, 2008). Barber describes liberal democracy (and I would argue neoliberal democracy) as a ‘thin’ theory of democracy, one whose democratic values are prudential and thus provisional, optional, and conditional--means to exclusively individualistic and private ends” (p. 4).

These democratic theories, according to Carr and Hartnett result from, and reflect “the political requirements of a modern market economy” and place demands upon the education system to align to the society’s economic needs, making education aim toward preparing members for “their future roles as producers, workers, and consumers” (1996, p. 44).

George Counts, writing in 1932 during the Great Depression, described the tension between “the democratic tradition inherited from the past” and “the industrial economic system” (p. 41). The tension between the common good, individual prospering in a market economy, and more recently the global market competition among nations has shaped education and schooling in the United States throughout the last century. Mira and Morrell (2011) state that, “Nowhere is the conflation of democracy and global capitalism more glaring than in educational discourse.” They cite both the publication of A Nation at Risk (1983) and the passage of the No Child Left Behind (2002) as examples
of national policy that tie the survival of democracy in the United States with “education that prepares students to be competitive in the global economy” (p. 408-409). Most recent, is the national discussion about the reauthorization of the Elementary and Secondary Education Act (ESEA) under the Every Student Succeeds Act, passed in 2015, which places emphasizes career education and maintaining international economic status and using the public schooling system as a vehicle to ensure U.S. competitiveness.

AQuESTT has been created steeped in this larger political context.

Nussbaum warns that, “Distracted by the pursuit of wealth, we increasingly ask our schools to turn out useful profit-makers rather than thoughtful citizens” (2010, p. 142). Carr and Hartnett describe this lingering tension between schooling for democratic purposes and schooling for economic purposes when they say that, “any vision of education that takes democracy seriously cannot but be at odds with educational reforms that espouse the language and values of market forces and treat education as a commodity to be purchased and consumed” (p. 192). Mira and Morrell (2011) explain that neoliberal ideology redefines democracy “as a collection of atomized individuals striving for personal gain” (p. 410).

Responding to liberal and neoliberal democratic frames that privilege both the individual and the market, Darling-Hammond asserts that, “Education for democracy must educate us not only for economic fitness or for the ability to make decisions in a voting booth, but also for a shared social life and the pursuit of human possibility. Democracy cannot be sustained if its members do not connect with one another in productive ways” (Goodlad & McMannon, 1997, p. 43).

‘Strong’ democracy:
Theorists who promote ‘strong’ theories of democracy warn that liberal and neoliberal theories threaten direct, participatory, and deliberative ways of engaging as citizens. Democratic society, removed from direct engagement in community and action, is at risk for apathy and a surrendering of one’s rights and freedoms to an elite ruling class. This has the potential to deteriorate citizens’ trust in the structures of democratic governance (Mill, 2001). In a representative democracy, individuals can only “maintain their trust in the institutions of democratic life” if they can trust their fellow citizens (Allen, 2004, p. 47).

However, Robert Putnam in *Bowling Alone* (2000), describes a shift in American’s sense of community and its impact on democracy, stating that many feel “uncomfortably disconnected” and “long for a more civil, more trustworthy, more collectively caring community” (p. 402). He goes on to say that, “Americans are right that the bonds of our communities have withered, and we are right to fear that this transformation has very real costs” (2000, p. 402). Citing statistics from the Annie E. Casey Foundation Social Capital Index, Putnam claims that, states whose residents trust other people, join organizations, volunteer, vote, and socialize with friends--are the same states where children flourish: where babies are born healthy and where teenagers tend not to become parents, drop out of school, get involved with violent crime, or die prematurely due to suicide or homicide (p. 296-297).

With his assertion that Americans are feeling increasingly disconnected to their communities and that such loss has significant impact on quality of life, particularly quality of life for the next generation, Putnam concludes that it is “time to begin to reweave the fabric of our communities” (2000, p. 402). Presumably schools are to be vehicles for that work.
Linda Darling-Hammond warned that, “Only about one-third of our citizens feel sufficiently interested or empowered to participate in a regular way in the political process” (1997, p. 44). Nearly two decades later following the publication of Darling-Hammond’s (1997) work, the political polarization and racial, ethnic, and class divisions she describes have only grown more prominent (Hess & McAvoy, 2015; Mutz, 2006). One needs to look only as far as the 2016 presidential election in the United States and its rhetoric to see the evidence that, “Racial, ethnic, and class divisions are growing as confusion about vast social changes creates a search for scapegoats” (Darling-Hammond, 1997, p. 44).

Reweaving community, as Putnam (2000) suggests, requires reweaving how we enact democracy, how we think of the individual, the individual in community, and how we think of the common good. Noddings points out,

We want to develop citizens who can do more than use the formal procedures of a democracy; we want citizens who respect their interdependence and can work cooperatively across groups with whom they share some values but have different central interests (2013, p. 23).

The type of interdependence and cooperation Noddings (2013) suggests requires trust among individuals in a democratic society. Trust is born out of relationship, communication, and shared community (Greene, 2001, p. 22; Allen, 2004, p. 87).

Barber might point to his ‘strong democracy,’ as a way to reinvigorate democratic dispositions as “a distinctively modern form of participatory democracy...it envisions politics not as a way of life but as a way of living” (1984, p. 117-118). While “thin democratic community leaves men as it finds them, because it demands of men (sic) only the self-interested bargain and of community that it provide and protect market
mechanisms...only in strong democratic community are individuals transformed” (Barber, 1984, p. 232).

These more ‘classical’ conceptions of democracy described here include participatory, deliberative, and critical theories. These theories require education policy, systems, and schooling that cultivate action, community, diversity, and agency—in brief, an education that “seeks to empower its future members to participate collectively in the process through which their society is being shaped and reproduced” (Carr & Hartnett, 1996, p. 43).

**Participatory democracy:**

Participatory democracy is grounded in community, in the reality that “citizens are neighbors bound together by neither blood nor by contract but by their common concerns and common participation in the search for common solution to common conflicts” (Barber, 1984, p. 217). It invites the involvement of individuals at all levels of society--from the neighborhood to the national level—engaging them in “common talk, common decision-making and political judgment, and common action” (Barber, 1984, p. 261). This “common talk [and] common decision making…must be the kind that enables each participant to find his [or her] own singular and authentic voice in the process of identifying values common to all, ideals that are shared” (Greene, 2001, p. 22).

It is important for individuals engaged in this dialogue to see themselves as interdependent actors in a community. The cultivation of community is interdependent with the cultivation of freedom (Parker, 2003). An interdependent community is strongest when it includes diverse voices and perspectives. It is by coming together, “existing with each other, [and] commit[ing] to realizing a good shared by all, men and women, girls
and boys that we constitute democracy,” (Greene, 2001, p. 22). This rich and diverse community, “when it functions effectively and inclusively, [has an] ability to create aggregate wisdom and good judgment from individual citizens’ necessarily limited knowledge, skills, and viewpoints” (Levinson, 2012, p. 11).

**Deliberative democracy:**

Recognizing that participatory democracy can deteriorate to the emotional and ignorant rule of the masses (Noddings, 2013), the aim of deliberative forms of democracy is “to make decisions by coming to consensus through speech, rather than on majority vote” (Allen, 2004, p. 54). Gutmann states that, “a democracy is deliberative to the extent that citizens and their accountable representatives offer one another morally defensible reasons for mutually binding laws in an ongoing process of mutual justification.” In contrast, it is “not deliberative” to the extent that “it treats people as objects of legislation, as passive subjects to be ruled, rather than as citizens who take part in governance by accepting or rejecting the reasons why they and their accountable representatives offer for the laws and policies that mutually bind them” (1999, p. xii). While Gutmann and Thompson (2004) primarily examine deliberative democracy defined as a form of government, Gutmann acknowledges that other deliberative theorists extend deliberation to include civil society. Like Dryzek (2000), I define deliberative democracy as inclusive of both a structure and bureaucracy of governance, as well as civil society.

Deliberative democracy requires diverse ideas, mutual respect, the ability to speak rationally for oneself, and to listen openly. It begins with dialogue in a space where multiple sides are heard on problematic issues and demands that every argument be logically defensible. “It is through dialogue--sometimes with ourselves--that we explore
ideas, argue points, raise questions, and decide to pursue further investigation” (Noddings, 2013, p. 17, 121). The deliberative space must be safe so that it “permits dialogue among persons with regard for another in their diversity, persons empowered to speak in their own voices, to speak for themselves” (Greene, 1985, p. 8). Freire describes the “proper climate for dialogue” as “found in open areas, where men can develop a sense of participation in a common life” far from the “closed conditions of the large estate” (p. 21). These are “real conversations,” the kind that begin in community meetings that “are more ‘realistic’ from the perspective of democratic problem solving” (Putnam, 2000, p. 341). Everyday members of a community (the demos) coming together to listen, learn, share, and determine solutions that best meet the needs of the community reflects a truer sense of democracy at work.

It is precisely because we have face-to-face interaction and dialogue that we are “forced to examine our opinions under the light of other citizens’ scrutiny” which makes it more difficult to “hawk quick fixes and to demonize anyone who disagrees” (Putnam, 2000, pp. 341-342). Parker (2003) sums it up when he describes the deliberation as creating “an in-between space--potentially a solidarity across differences; a ‘we’ among people who are not necessarily friends or relations but who need to accomplish a goal that requires joining together” (p. 81). Allen (2004) calls this political friendship, stating that

…political friends remain attentive to the losses and benefits that constantly circulate throughout the citizenry, and they remain vigilant that this circulation not settle into patterns of domination that precipitate distrust. To develop a cultural habit of such friendship would transform our political world (Allen, 2004, p. 171).
A key analytical lens then of mine to be developed in chapters 4-5 is whether “political friendship” can extend across legislative, bureaucratic, and hierarchical boundaries (as democratic AQcESTT implementation would necessitate).

Beyond participatory democracy and developing participatory citizens, theorists like Gutmann (1999), Mira and Morrell (2011), Greene (2001), and Freire describe schooling for the sake of preparing citizens who enact democracy in a way that cultivates dialogue, consensus, mutual respect, and a commitment to equity and societal transformation that reflects it. Deliberative democracy, according to Gutmann describes virtues such as “veracity, nonviolence, practical judgment, civic integrity, and magnanimity,” as requisite in a democratic society that is committed to securing each individual’s participation in democracy and “its collective capacity to pursue justice (1999, p. xiii). Deliberative democracy ought to “teach future citizens the knowledge and skills needed for democratic deliberation” (Gutmann & Thompson, 2004, p. 35).

**Critical and ‘serious’ democracy:**

Critical democracy acknowledges the power constructs and hierarchies that exist in society and the friction they can impose upon democratic community. Dryzek (2000) states that, “democracy can be made more substantial and effective through greater efforts to include a variety of disadvantaged categories and groups for which the formal promise of democratic equality has masked continued exclusion or oppression” (p. 86). The history of democracy in the United States, certainly includes the narrative of various groups for whom the full privileges and rights of democracy have not been extended (Spring, 2015). “As a nation, we sometimes seem unaware that full participation in the rights and benefits of democracy has not been made available to all Americans,” Darling-
Hammond and Ancess admonish, “and we sometimes seem not to understand that democracy itself is weakened when this is the case” (1996, p. 151). James Baldwin makes a similar case in “I am Not Your Negro”.

Critical democracy that confronts power is a path “not without clamor, rancor, and direct action (disagreement, boycotts, civil disobedience, etc.),” Walter Parker explains (2003, p. 22). Moving democracy ever toward greater inclusion and equity, requires attention and persistence. Paulo Freire insists that

No one constructs a serious democracy, which implies radically changing the societal structures, reorienting the politics of production and development, reinventing power, doing justice to everyone, and abolishing the unjust and immoral gains of the all-powerful without previously and simultaneously working for these democratic preferences and these ethical demands (1998, p. 67).

Democracy that alienates or marginalizes will begin to show ever widening fissures of separation. Alhadeff and Goodlad (2008) caution that, “… democracy that holds us together...that embraces our guiding principles--liberty, justice, and a good life for all--is showing serious signs of stress, of not living up to what we celebrate” (p. 1). This type of democracy has been “stripped of its participatory basis, as voting and representation have come to replace the active involvement of citizens in making public policy and community decisions” (Wood, 1993, p. 79).

We are a long way away from the responsive dynamic that must exist among diverse perspectives in a democracy and the mutual respect that does not exclude minority perspectives or impose ideas on others (Goodlad et al., 2004). Fewer and fewer individuals participating in democratic structures has made our politics more shrill and less balanced (Putnam, 2000) and with that decline in participation, “…an individualistic notion of freedom dominates political debate, leading to more and more programs to
privatize life rather than to facilitate community values” (Wood, 1993, p. 79). Barber (1998) reminds us that “Once upon a time, there was a vital middling choice for Americans between the opposing poles of government and the market, state and the individual, contract association and community” and laments that this balance, that was “admired and imitated elsewhere in the world” is not reflected in the current political and economic landscape of the United States. With those individuals who engage politically in a democratic society on opposite poles, and the majority disengaged in enacting democracy in their communities, democratic society and therefore democratic policy development and implementation is at risk.

Meira Levinson, in her (2012), No Citizen Left Behind, contends that there is not only polarization and lack of political engagement, but also a “civic empowerment gap” in U.S. society “between ethnoracial minority, naturalized, and especially poor citizens, on the one hand, and White, native-born, and especially middle-class and wealthy citizens, on the other” (p. 32). Levinson describes the chasm between these two groups and their “belief that individuals can influence government (political efficacy) and especially that we ourselves can influence government (individual efficacy)” (2012, p. 39). This ought to be worrisome on a variety of levels because this “civic empowerment gap harms all Americans because it weakens the quality and integrity of our democracy” which is dependent both on participation--participation “of a representative and large cross-section of citizens” (Levinson, 2012, p. 48).

Reweaving the fabric of democratic community rooted in deliberation and political friendship is necessary if there is to be a renewed engagement and belief in the ideals of democracy--if individuals in the United States are to believe that pursuing the
ideals of democracy is a worthwhile endeavor. Such an endeavor must take into account
the structures of power that exist and the damage such structures have done and can yet
do while encouraging agency and action. Giroux (2013) states that restoring a “belief in
the promise of democracy requires the American public to engage in a form of memory
work in which loss both evokes our collective vulnerability and our communal
responsibility and reinforces the ethical imperative to provide young people, especially
those marginalized by race and class, with the economic, social, and educational
conditions that make life livable and the future sustainable” (p. 21). Levinson (2012)
describes the necessity of a shared political trust (p. 32), Allen (2004) describes it as the
creation of political “wholeness” (p.90). In critical democracy, dialogue and deliberation
“attempts to shift the usual flow of power in order to un-marginalize the marginalized.
Voices that are usually marginalized--which is to say silenced--are to be centered and
therefore empowered” (Jones, 2004, p. 59).

While Gutmann declares that a democratic state “must take steps to avoid those
inequalities that deprive children of educational attainment adequate to participate in the
political process,” (1999, p. 134), researchers like Allen and Reich (2013), Friedman et
al. (2008), Hess (2008), Parker (2001), and Levinson (2012) characterize the growing
economic and civic gaps appearing in society and schools and call for greater democratic
action. Hess (2008) describes the “increasing ‘democracy divide’ among young people
based on equality and attainment,” and warns that the divide “presents a grave challenge
to the very foundation of our democratic way of life” (p. 373). With narratives of
inequalities in public schooling chronicled in works by Lisa Delpit, Alex Kotlowitz,
Jonathan Kozol, Gloria Ladson-Billings, Pedro Noguera, Jeannie Oakes among others,
we are “concretely confronted with the bruising impact of the layers if inequality
dispensed by schools: a growing underclass that is underprepared for the demands of the
economy and for full and responsible citizenship, and increasingly denied the promise of

Policy and schooling that strives to support serious democracy must be “guided
by democratic ideals” so that the system itself can become a “democratically practiced
place...made so through democratic discourses and practices” (Jenlink & Jenlink, 2008, p.
313). A ‘democratically practiced place’ includes listening to different perspectives and
seeing the world through other’s eyes. It is through education that “individuals can be
provoked to reach beyond themselves in their intersubjective space...and by means of
education that they may become empowered to think about what they are doing, to
become mindful, to share meanings, to conceptualize, to make varied sense of their lived
worlds” (Greene, 1988, p. 12). Michelli & Keiser (2005) state that “engaging in the
apprenticeship of liberty,” requires “becoming aesthetically literate, and learning to make
excellent judgments and to argue well for one’s beliefs” (p. 8). Just as important as the
content or curriculum is the trust created among teachers and learners through everything
from classroom management, to grading practices, to one’s disposition in conversation
(Freire, 1998; Samanci, 2010; Skogen, 2010).

Alexis de Tocqueville, in his travels through the new republic of United States in
1831-1832, called it the land of “the great experiment”--the democratic experiment--the
rule of ‘the people’ rather than of the aristocratic elite (de Tocqueville, 1833, p. 15).
American democracy, in its ceaseless evolution will continue to be an experiment.
“Democracy, it appears, is a bit chancy. But its chances also depend on what we do
ourselves...With adequate understanding of what democracy requires and the will to meet its requirements, we can act to preserve and, what is more to advance democratic ideas and practices” (Dahl, 1998, p. 25). Policymakers and educators have a significant piece of this responsibility. “Only if the present generation actively engages in this ‘struggle for democracy’ will future generations have any chance of receiving an education which does not just fit them into the culture and traditions of an aristocratic society that is dead and past, but empowers them to participate and contribute to the kind of open, pluralistic and democratic society appropriate to the world of the twenty-first century” (Carr & Hartnett, 1996, p. 199-200).

**Education reform policy:**

Just as democracy in the United States ever evolves, the institution of public education has been directed toward a range of purposes, including the preparation of democratic citizens, the development of a competitive workforce, ensuring equity and access to opportunities in society, among others (Labaree, 2010). As the perceived societal needs shift, what is demanded from the education system also shifts and thus, the landscape of education policy is ever changing. As a result, throughout its history, “America has had a long love affair with educational reform” (Berliner & Biddle, 1995, p. 173). Pursuing educational reform has become an ongoing work because it the system has not met society’s expectations for all that public schools ought to provide (Cuban, 2003; Labaree, 2010).

“By ‘school reform’ I refer to proposed solutions to perceived problems that is crafted by policymakers who most often, are democratically elected or appointed. Public school critics identify problems that must be solved. Reformers design solutions and
mobilize coalitions to make changes happen” (Cuban, 2003, p. 7). Education policies, therefore, according to Hall and McGinty (1997) are the “…vehicles for the realization of intentions” (p. 441). These vehicles travel throughout the system to reach those for whom the policy was intended (Stein, 2004). The question that must be raised (as it was introduced in Chapter One) is how policymakers and policy recipients act within a power construct that Foucault (1977) described as individuals “subjects of communication” or “objects of information” (p. 200). Throughout educational reforms, including the case that is the focus of this study, locating the “subjects” and “objects” of policy illuminates the structures of power and how the voices of the “objects” is included (or not included) in the policy development and implementation.

What makes this even more complex is that the education system in the United States is loosely coupled (Labaree, 2010). Power is diffused across fifty states with “the power to operate public education originat[ing] in the states’ constitutions with delegation to the legislature to provide for such systems” ( Heck, 2004, p. 38). McGuinn (2011) describes this complexity, stating that, “…we have 50 different state education systems that collectively contain approximately 14,000 school districts and almost 130,000 schools” (p.3). Only adding to the complexity is the reality that state has different governing structures and a range of control over policy, curriculum, and practices from the state to local level. These structures shape how school reform policy is both developed and implemented across a policy continuum from federal, state, and local levels.

Policy is an expression of democracy. “In the American federalist system, policy change occurs as a result of collective action. How people organize and make choices
about where to pursue ideological agendas are key to understanding the movement of policy issues through the system” (Heck, 2004, p. xv). Policymaking and policy implementation are more than a utilitarian processes or simply governmental actions focused at a particular problem, but a socially constructed activities where actors engage in dialogue, negotiation, and compromise (Cuban, 2013; Heck, 2004; Honig, 2006; Ozga, 2009). Policymaking and policy implementation are complex and while some policymakers believe that the system of education “…can be broken down into discrete segments and reengineered through algorithms and flowcharts to perfection” (Cuban, 2013, p. 163), the system is “…filled with hundreds of moving parts, but many of the parts are human, and these players have varied expertise and independence” (Cuban, 2013, p. 156).

Honig (2006) uses the metaphor of waves to describe the periodic rising attention on a perceived public problem, the efforts of individuals to craft and implement a plan to address the stated problem, and the approach to studying implementation. Broadly speaking, these lenses (e.g., policy stages, rational choice theory, production functions, cost-effective analyses) have their roots in a positivist construction of knowledge.

The formal study of educational policy implementation, according to Honig (2006), began in the 1960s as the federal government sought to ensure that the investments in programs outlined in federal policy were implemented effectively (Berman & McLaughlin, 1974). Much of the implementation literature of this time, “…focused on understanding factors that explain its success and failure [such as]…characteristics of policy development and delivery systems” (Smylie & Evans, 2006, p. 187). The second wave, according to Honig, acknowledged how context
influences implementation. Policy implementation study helped policy implementers avoid implementation “pitfalls” through better “policy design” (Honig, 2006, p. 6-7). The next wave shifted from a study of the policy and its delivery toward “…the ways in which local actors influenced implementation” (Smylie & Evans, 2006, p. 187). Following the release of *A Nation at Risk* (1983), policy implementation study concentrated on “ensuring full implementation” and “demonstratable improvements in students’ performance” (Honig, 2006, p. 8). Policy implementation study shifted to examine the education as a system and ensuring alignment and coherence between and across levels of the system (Clune, 1993; Coburn & Stein, 2006; Jenkins, 2008; O’Day & Smith, 1993).

In recent decades however, much dissatisfaction has been directed at dominant methods of studying political, organizational, and educational processes. Criticism suggests that these lenses have not been entirely satisfactory in explaining policy activity or in resolving social problems” (Heck, 2004, p. 158). As a result, the field of education policy implementation has widened to include critical theory as well as methodologies from anthropology (Honig, 2006; Ozga, 2009). In this way, education policy implementation can be, “conceptualized as a social practice that takes place upon a social terrain” (Dumas & Anyon, 2006, p. 151). Accordingly, implementation study in the future “…should aim to reveal the policies, people, and places that shape how implementation unfolds and provide robust, grounded explanations for how interactions among them help to explain implementation outcomes” (Honig, 2006, p. 2).
I borrow Honig’s (2006) wave metaphor and map it onto the history of education policy in the United States, particularly policy related to complex school reform and the role state departments of education have assumed in these reform efforts.

**Common school**

The establishment of the common school in the mid-nineteenth century, under the leadership of Massachusetts’ Secretary of Education, Horace Mann, represents the first era of school reform in the United States; it was “one of the first experiments of free public education” (Heck, 2004, p. 7). Mann’s vision for the common school was that it “may become the most effective and benignant of all the forces of civilization” (Mann, 1957, p. 80).

The common school movement (in contrast to subsequent reform efforts) “enjoyed the great advantage of being able to create the American school system instead of trying to adapt an existing system that had been created for other purposes” (Labaree, 2010, p. 174). Mann believed that making common schooling available to all students would sustain democracy and economic productivity and mobility (Labaree, 2010; Mann, 1957; Proefriedt, 2008). With this intention, “Mann set out the task of creating state systems of schooling equal to the enormous task he had set for them” (Proefriedt, 2008, p. 47). Reformers of this era believed that centralization and placing the control of schools in the hands of professionals was the “cure for the incompetence and corruption of local school boards” (Ravitch, 2010, p. 5).

By the end of the nineteenth century, “The Report of the Committee of Ten,” released in 1894, outlined what the secondary education experts of the day recognized as a profound need “of reform in all parts of our school system” (Mackenzie, 1894, p. 146).
They called for more standardized curriculum across twelve grade levels and quality of instruction (Mackenzie, 1894).

**Progressives**

Less than a century after the common school movement, schools needed to support new societal purposes; progressive reformers believed that schools should be focused on assimilating immigrants in order to prepare them for their roles as citizens for the sake of sustaining democracy, increasing literacy and preparing workers to reduce poverty and increase economic productivity (Cuban, 2003; Cuban & Usdan, 2003; Labaree, 2010). The *Cardinal Principles of Secondary Education* report, released by the National Education Association (NEA) in 1918, outlines some of these perceived societal needs and how secondary schools ought to reform, “…so that young people may meet the needs of democracy” (p.5). With its aim to differentiate curriculum to prepare an individual for the future classification or work he or she might do, the report has often been criticized for, “…advancing a factory model of schooling designed to fit students into the individual order in the name of increased economic productivity and efficiency” (Wraga, 1994, p. 6). The report recommended a broadening of the curriculum beyond purely academic course offerings and one of its enduring legacies, student tracking, continues to be evident in secondary schools across the United States (Oakes, 1985).

Progressives derided traditional schooling, curriculum, and regimen of the day with its factory model (Cuban, 2003; Labaree, 2010; Levine, 2002). Labaree (2010) describes progressive reformers in two primary categories: “administrative” progressives led by Edward L. Thorndike who focused on governance, and the “child-centered” progressives led by John Dewey who focused on democracy and social justice.
Administrative progressives “adopted the corporate model of efficient school governance” (Cuban, 2003, p. 10), while child-centered progressives “saw themselves constructing democratic communities in the classroom, promoting community values like justice and equity…” (Labaree, 2010, p. 93). Much of Thorndike’s legacy remains in how school governance and leadership is structured today (Labaree, 2010). Critical reflections of the reforms of the progressive era, like those presented by George Counts throughout the 1930s pointed to the structure of school as a function of reproducing social and class distinctions rather than equalizing them. Counts believed that educators ought to cast a vision for a future an America of possibilities and that in the pursuit of that vision,

…the school was not all powerful, neither was it powerless. He [Counts] thought the unique power the school possessed was its ability to formulate an idea of a democratic society, to communicate it to students, and to encourage them to use the ideal as a standard for judging their own and other societies (Counts, 1978, p. x).

He believed that if democracy in the United States were to survive in the industrial age, the power of the privileged class would have to be redistributed (Counts, 1932).

Sputnik and the Cold War

Following World War II, with the advent of the Cold War, schools were expected to give the United States, with its democratic and capitalist systems, an edge over the communist Soviet Union. The 1958 successful Soviet Union launch of the Sputnik satellite into orbit raised fears related to the U.S. competitiveness in both science and math, triggering a new wave of reform. (Bruner, 1996; Cuban, 2003; Cuban & Usdan; Vinovskis, 2003). As a result, “…progressive and democratic educational ideas declined in popularity, giving way to new programs…preparing students in math and science to
become engineers and scientists…raising academic standards and creating new programs for the intellectually gifted” (Cuban, 2003, p. 31).

**Desegregation and equity**

Overlapping with education reform efforts focused on science and math was a reform movement focused on desegregation and equity, following the 1954 *Brown v. Board of Education* decision. Schools had a new challenge to address and so attention shifted from math and science to interventions to end segregation and to provide equity (Cuban, 2003; Cuban & Usdan, 2003). Desegregation brought some of the ideals of the progressive reform movement back into the conversation, that “schools can create community through social inclusion” (Labaree, 2010, p. 178). Efforts toward inclusion and equity were extended with passage of the *Elementary and Secondary Education Act* signed into law in 1965. It is in this period that Washington began to play a significant role in K-12 education policy under Lyndon B. Johnson (a former schoolteacher) that concerns about the quality of the U.S. education gained significant attention on a national level. This culminated in the creation of a federal Department of Education (DOE) in 1979, during the administration of Jimmy Carter (Vinovskis, 2003). Fifty years following this bill’s first iteration and numerous subsequent reauthorizations, the initial goals to undergird equity through education have been elusive.

**A Nation at Risk**

The start of a new decade and a new presidency under Ronald Reagan included a challenge to the existence to the federal Department of Education, until the publication of *A Nation at Risk* in 1983. Issued by the National Commission on Excellence in Education, the report “sounded alarms about America’s dwindling
competitiveness…[and] the disparities in achievement among different racial, ethnic, and immigrant groups and classes became cause for public concern” (Knowles, 2003, p. 39). The report, “with its incendiary language…soon became a touchstone in the history of American education” (Gordon, 2002, p. 1). It blamed educators for the state of the nation’s public schools and the “rising tide of mediocrity;” and the language could almost immediately be found in publications across the country. A Nation at Risk encouraged policymakers to focus on raising standards in a set of policies called the Excellence Movement, a movement that called for more rigorous high school graduation requirements, more student assessments and increased teacher licensure requirements (Fuhrman, 2003; Ravitch, 2010; Schwartz, 2003; Vinovskis, 2003).

This wave of reform resonated particularly with business and industry leaders who cited concerns about the future workforce and worldwide economic competitiveness (Fuhrman, 2003). Policy suggestions for school improvement reflected market-based solutions that crossed party lines as both federal and state legislative bodies developed policy around curricular standards, assessments, and educator evaluation tied to student performance (Cuban, 2003).

State response to A Nation at Risk, “marked a change in state policy education, which had in the past been preoccupied with finance formulas” (Fuhrman, 2003, p. 8). States moved beyond this minimum compliance role and constructed policies around more rigorous curriculum standards, assessments, and educator effectiveness (Schwartz, 2003; Sleeter, 2007). This was a rather dramatic shift, as prior to A Nation at Risk, these elements of schooling were under the regulation of local governance. It is really since this
time period that reform has been “done to rather than done with education professionals” (Elmore, 2003, p. 27).

**Standards and systemic reforms**

As the reform efforts following the release of *A Nation at Risk* abated, a new reform wave grew following the meeting of President George H. W. Bush and the nation’s governors in Charlottesville, Virginia, on September 1989. This meeting was the impetus for the drafting of the National Educational Goals (Cohen, 1995; Elmore, 2003; Vinovskis, 2003). Two years later, under the direction of Secretary of Education Lamar Alexander, President Bush unveiled *America 2000*. It proposed a series of systemic reform initiatives including voluntary national standards and assessments and “break the mold” schools established through the federal grants through the American Schools Development Corporation (Fuhrman, 2003; Vinovskis, 2003).

The objectives of *America 2000*, with its emphasis on a standards-based-approach to school reform and market-based strategies continued under both the *Goals 2000: Educate America Act*, signed into law by President Bill Clinton in 1994 and the reauthorization of ESEA, the *Improving America’s Schools Act* passed that same year (Fuhrman, 2003; Linn, 2007). *Goals 2000* called for “systemic or standards-based reforms…[and the] drafting ambitious state content standards, curriculum, and evaluations at the state level (Vinovskis, 2003, p. 125). In this phase of standards-based reforms, policymakers,

…bought into the idea of giving schools more autonomy, as long as it was in return for greater accountability…..In return for accountability for performance, schools would be free to design their own processes, implying that states would back off the kind of micromanagement critics saw in the excellence reforms (Fuhrman, 2003, p. 9).
States employed a theory of action that if they developed standards-based curricula aligned to assessments, monitored assessment data, and rewarded or punished teachers or principals if schools did not demonstrate improvement, leaders could, “…get teachers and students to perform well academically, as measured by standardized tests” (Cuban & Usdan, 2003, p. 3). This resulted in states adopting content and performance standards and high-stakes tests except in cases like Maine, which created “a ‘low-stakes’ test” (Hamann & Lane, 2003, p. 436) or Nebraska, which developed local assessments (Dappan & Isernhagen, 2005; Gallagher, 2007).

While a movement to standards-reform was celebrated by business and industry (Cuban, 2003), others warned that the prescribed reforms would cause “declining intrinsic motivation in schools, narrowed and superficial instructional efforts, added costs that are not devoted to instruction, outright cheating on evaluation exams, systematic bias against schools serving poor and minority students, and unfair awards (and support) given to schools that already enjoy advantages” (Berliner & Biddle, 1995).

**Accountability—No Child Left Behind:**

After a decade of district and state reform efforts that either leveraged systemic reform around common standards and assessments or conversely, more decentralized, district-level reform, legislators and in Washington D.C. debated a more prominent federal role with the drafting of the 2001 bill to reauthorize the *Elementary and Secondary Education Act* (ESEA): *No Child Left Behind*. Before this time, lawmakers were hesitant to centralize educational reform or accountability, recognizing the diversity of communities, unique needs, and governance structures across states and local districts.
that presented a challenge to prescribing educational reform that could adequately meet
the needs of such broad contexts (Cohen, 1995; Gordon, 2003; Labaree, 2010).

With bipartisan support and under the leadership of President George W. Bush’s
administration, the *No Child Left Behind Act* was signed into law on January 8, 2002,
dramatically changing public education in the United States (Vinovskis, 2003; Weiner,
2007). For the first time, the federal government was “the chief enforcer of performance-
based accountability at the state and local level” (Elmore, 2003, p. 27).

*No Child Left Behind* (NCLB) provided more funding for Title I; called for
stricter accountability; included penalties for schools that did not meet expectations;
emphasized performance standards, assessments, and research-based interventions and
reforms (Cuban, 2003; Linn, 2007; Vinovskis, 2003). NCLB purported to hold schools
accountable for the sake of equity and included annual public reporting of school
performance. Data was disaggregated by targeted sub-groups including “poverty, race,
ethnicity, disability, and limited English proficiency to ensure that no group is left
behind, and a provision of ‘choices for parents and students’” (Sleeter, 2007, p. 3).
Policymakers believed in a theory of action that if held more accountable, teachers and
principals would ensure that students met higher standards while also closing
achievement gaps (Hall & Parker, 2007).

Embedding the legacy of *A Nation at Risk*, and heightened concerns around the
production of a trained workforce to maintain U.S. economic dominance, reforms only
increased market-based neoliberal philosophies imported from the business and industry
(Weiner, 2007). Standards reformers believed that, “by learning math, science, English,
and social studies in greater depth and in alignment with curriculum standards, students
will become more productive workers and America will become a stronger nation” (Labaree, 2010, p. 188). They also proclaimed that leveraging competition resulting from having common challenging standards and assessment results and allowing comparisons across schools and districts would ensure quality education outcomes (McNeil, 2000).

Some of the unintended consequences of NCLB included emphasizing the “deficiencies of schools and students while deemphasizing collaborative and proactive interventions at the school level” (Hall & Parker, 2007, p. 132). Schools were labeled as “failing” for not meeting performance benchmarks included in the law such as adequate yearly progress (AYP) and over time,

… the wider the gap becomes as the system of testing and test preparation comes to substitute in minority schools for the curriculum available to the more privileged students (McNeil, 2000, p. 3).

Schools employed a variety of responses to boost test scores, including remediation for students not meeting proficiency, increasing instructional time in tested areas such as reading and math, changing instructional strategies, selecting new curriculum, allocating time for test preparation, bringing in outside coaching or expertise, creating rewards or sanctions for teachers not meeting performance goals, and unfortunately cheating in a few cases (Dee, Jacob & Schwartz, 2012; Weinbaum, Weiss, & Beaver, 2012). As the clock ticked toward a 2014, 100% proficiency requirement for all students neared, pressures on Congress to pass a long-overdue reauthorization of ESEA increased.

**NCLB limbo**

Prior to the reauthorization of ESEA in the *Every Student Succeeds Act* signed into law on December 10, 2015, most recent reform efforts included charter school and choice movements supported by the Obama Administration’s *Race to the Top*
Charter and school choice

Milton Friedman’s (1955) essay “The Role of Government in Education” which proposed that, “government should fund schooling but not run the schools,” and that “government supply vouchers to every family so that every student could attend a school of choice,” became a foundation for “school choice” advocates (Ravitch, 2010, p. 115). For those who saw public schools as “failing,” “school choice” through vouchers, which would allow students to carry funding to a “school of choice,” offered parents an option to choose a private school over a public one (Noddings, 2013). Under the Reagan administration there was support for vouchers for low-performing students, but national teachers’ unions opposed vouchers and “school choice,” seeing it as, “…a threat to public education and a step toward privatization” (Ravitch, 2010, p. 117). Minnesota was the first state to implement an “open enrollment” program, allowing students to transfer into any district and by the 1990’s following the publication of Chubb and Moe’s Politics, Markets, and America’s Schools, for the Brookings Institution, “school choice” was positioned as the “panacea” for an education system that was, “…incapable of reforming itself” (Ravitch, 2010, p. 118). The “school choice” movement was built upon the notion that the marketplace is, “…simply more efficient at promoting the school autonomy need for effective teaching and learning,” positioning education not as a public good, but a private one” (Labaree, 2010). From this perspective then, the governance structure of public schools, with its democratically elected local boards, “…is inherently inefficient,
nonresponsive to educational consumers, and prone to a particularly stultifying form of bureaucracy” (Labaree, 2010, p. 184).

Charter schools, are part of the “school choice” movement. Often “…publicly funded but free to operate without the rules or restrictions that govern the regular public schools” (Noddings, 2013, p. 9), the notion of charter schools had bipartisan appeal. The language of “choice,” masks a neoliberal, privatization of education movement with notions of freedom, liberty, and equity. “Liberals embraced them as a firewall to stop vouchers. Conservatives saw them as a means to deregulate public education and create competition for the public education system” (Ravitch, 2010, p. 124).

Under No Child Left Behind, charter schools were often seen as a remedy for areas where schools were labeled as “failing.” The idea grew from a vision that teacher-led schools under a “charter” could innovate in working with “…the lowest performing students, the dropouts, the disengaged” in order to find, “…innovative ways to ignite their interest in education” (Ravitch, 2013, Loc 319). The prevalence of charter schools and the private sector’s investment charter school management organizations only expanded under the Obama Administration. While CREDO’s 2012 study of charter schools across the U.S. highlighted modest gains in student performance on English language arts assessments, overall comparisons between charters and traditional public schools, demonstrate little evidence that charter schools provide better educational experiences or outcomes than public schools that enroll similar student populations (Brighouse & Schouten, 2014; Ravitch, 2013; Zimmer et. al, 2012).

Race to the Top
Race to the Top (RttT), a voluntary, competitive grant competition was offered to states by the U.S. Department of Education under the Obama administration in 2009-2010, providing 4.35 billion dollars to awarded states (McGuinn, 2011; Onosko, 2011). RttT, according to McGuinn (2011) had two primary objectives: “…creating political cover for state education reformers to innovate and helping states construct the administrative capacity to implement these innovations effectively” (p. 2). State’s applications were “graded” using a 500-point scale related to how well the reforms proposed aligned with the U.S. Department of Education’s priority areas: “…developing common standards and assessments; improving teacher training, evaluation, and retention policies; creating better data systems; and adopting preferred school-turnaround strategies” (U.S. Department of Education, 2010). The theory of action behind the reform was built upon extending incentives and awarding “winners” or adopters of reform strategies that might motivate other states as well. In its implementation, RttT opened doors for states to implement charter schools, educator evaluations tied to merit pay, school choice programs, turn around models for low-performing schools and invited private-sector actors and venture philanthropists to enter the education marketplace (McGuinn, 2011; Ravitch, 2010; Ravitch, 2013; Russakoff, 2015). Not only did the U.S Department of Education extend these grants to states, but also awarded $361 million to two assessment groups: Partnership for Assessment of Readiness for College and Careers (PARCC) and SMARTER Balanced Consortium to “…design and deliver national assessments aligned to the common national standards” (Onosko, 2011). According to Ravitch (2013), Race to the Top demonstrated that there was bipartisan support for a new kind of education reform directed by the U.S Department of Education, philanthropic
foundations, Wall Street, and major corporations (Ravitch, 2013). The Obama Administration’s next reform effort intended to bypass NCLB, without a reauthorization of the bill in sight, only built upon what Secretary Duncan had unveiled in Race to the Top.

**Common Core:**

The Common Core State Standards (CCSS), developed through the collaboration of the National Governors Association Center for Best Practices and the Council of Chief State School Officers (CCSSO), were released for English language arts and mathematics in 2010 (Porter, et.al, 2011). Developed to provide common expectations across states for grades K-12 that could be compared to other national and international standards, the standards also intended to, “…influence the assessed and enacted curricula (Porter et.al, 2011). The standards, which were not field-tested prior to their implementation or their incorporation into Race to the Top, were also supported by the private sector because, “…there seemed to be many exciting opportunities to make money in the emerging education marketplace” (Ravitch, 2013, loc 428). Textbook companies quickly produced Common Core aligned materials and states that adopted the standards, “…have been compelled to significantly restructure their existing curriculum and adjust how they teach that curriculum” (Butler, 2014, p. 593). States selected which of the assessment groups (PARCC or Smarter Balanced) they would implement for statewide assessments. At one point, 46 states had adopted or partially adopted Common Core State Standards, with only four states never adopting the standards: Alaska Nebraska, Texas, and Virginia (Ravitch, 2013; ASCD, 2016). Berliner and Glass (2014) cautioned that CCSS were just another one of the prescribed policy solutions to “fix” a crisis that did not, in fact exist
and will further narrow the curriculum to what is assessed (Loc 3503). Yong Zhao (2009), in his book *Catching up for Leading the Way* concurred, stating that, “…faith in high standards as a solution is misplaced…after some 20 years of experiments, all the expected positive outcomes of standards-based reform remain elusive…” (Loc3146). The public also expressed concern as CCSS were implemented. Controversy regarding the standards caused some states to back out of their testing consortia and to return to their own state standards (Coburn, Hill & Spillaine, 2016).

**State Requests for ESEA Flexibility**

In an effort to provide states relief from the increasing sanctions of *No Child Left Behind*, the U.S. Department of Education under the leadership of Arne Duncan, Secretary of Education in the Obama administration, offered each state department of education an opportunity to request flexibility from some of the requirements of *No Child Left Behind*, “…to help them move forward with State and local reforms designed to improve student learning and increase the quality of instruction for all students” (U.S. Department of Education, 2014, p. 1). These “waivers” were first introduced in September 2011, and required states to outline reforms aligned to four principles: 1.) Raising expectations with college- and career-readiness standards and assessments, 2.) Implementing state differentiated accountability systems for schools and districts, 3.) Implementing teacher and principal evaluation systems based in multiple measures that include student performance on assessments, and 4.) Reducing burden on local school districts (U.S. Department of Education, 2014). Principle 1: College- and career-ready standards incentivized states to continue their implementation of the Common Core and associated assessments. Principle 2: State differentiated accountability systems, brought
about a wave of “second generation accountability” in states intended to provide a parallel accountability system to what was required under NCLB. These new accountability systems were still required to include student performance as measured by statewide assessments as well as reporting and measurable goals by federally-reported sub-groups. Principle 3: Required states to have both teacher and principal evaluation systems in place based on multiple measures, one of which must be tied to student performance on assessments in tested. The final principal, principle four, incentivized states to continue to develop robust data and reporting systems intended to reduce burden on local districts (CCSSO, 2013; Polikoff et. al, 2013; U.S. Department of Education, 2012). As of 2013, 45 states and the District of Columbia had approved waivers and three more were being reviewed, with only California, Montana, Nebraska2, North Dakota, and Vermont the only non-waiver states (Polikoff et.al, 2013). When ESEA was finally reauthorized in 2015 with the Every Student Succeeds Act, 45 states had approved waivers.

**Role of the state department of education**

The responsibility to provide and regulate education has historically been the responsibility of states. Power to operate schools originates from states’ constitutions and the legislatures allocating appropriate funding to support the education system (Heck, 2004). The primary role of state departments of education (SDEs) has been the regulation of the state system to ensure that schools meet a set of common requirements (accreditation), teacher certification, and that funding was disseminated to local districts (Cantor, 1980). As is evident in the reform chronology outlined above, the roles of SDEs

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2 An account of Nebraska’s education policy “maverick” history and identity is detailed in Chapter 4.
have shifted as federal policy has increasingly reached into state and local policy. What makes state-level mediation of federal policy development and implementation even more complex is the diversity of governance structures in place across 50 states. SDEs are a vital site at the intersection of policy and practice. This study examines the role an SDE assumes as policy becomes its own practice and the SDE plays a role in the local school, reaching across the system and providing intervention in local classrooms.

Complex reform policy development and implementation is messy. In the socially constructed and contested spaces where policymaking occurs, “…policy actors compete, negotiate, or compromise and cooperate over time in integrating diverse interests to create coalitions in support of policy actions” (Heck, 2004, p. 7). Such policymaking or implementation is hardly linear or straightforward and as Lusi (1997) described in her study of two state departments of education involved in complex school reform, it requires states to approach their work in very different ways than they have historically done.

On a continuum from local to national, local boards have historically governed schools, districts and state departments of education have assumed a regulatory role, and the federal government had very little role until the mid-twentieth century (Cantor, 1980; Fuhrman & Elmore, 1990). In recent decades, the federal role in education has grown and SDEs have become mediators of federal funding and policy mandates as well as enactors of state level policy, particularly when it comes to accountability (Hamann & Lane, 2004; Lane & Garcia, 2004; Mehan, 2005). Districts and local boards have maintained some local control in states, but these schools and districts must also navigate wide-ranging
reporting, accountability, and policy mandates and strive to bring coherence to divergent policy aims.

Calls for accountability and this shift along the national to local continuum resulted from a perception that U.S. schools are “falling behind” since Sputnik and the release of *A Nation at Risk*. One lens of accountability draws upon a neoliberal narrative, that schools function to produce skilled workers ready to enter the economic machine of a society. A contrasting narrative draws upon the accountability as a way to ensure equitable entrée to a democratic society where a citizen is prepared to engender democratic dispositions. In considering accountability systems, one must ask questions such as: What is the purpose of schooling? For what outcomes ought educators in school be held accountable? How can such outcomes be measured or assessed?

Where schools were once held accountable to their local community and governing board, schools in the United States today are held accountable in state and federal accountability systems. The conversations about the purpose of schooling, the outcomes, and the measures are now being held on legislative floors in Washington D.C., in legislatures, and SDEs across the United States. Since complex school reform initiatives that came about in the 1990s, much of the focus of school reform has been on reforming the system, rather than implementing stand-alone programs targeting specific schools or the student groups they served (Lane & Garcia, 2004; Lusi, 1997). Systems reform efforts continued to expand as the federal influence on local education increased under *No Child Left Behind* as states implemented school improvement grants tied to the law and developed their own state accountability systems and interventions aligned to both *Race to the Top* and Requests for ESEA Flexibility. These second generation
accountability systems, along with a federal government return of the responsibility for the design and implementation of interventions in response to federal accountability framework under the 2015 passage of the *Every Student Succeeds Act*, will provide the backdrop for the next phase of school reform efforts across the United States. This study, which examines the role of the state department of education in the implementation of a new accountability system, extends Susan Follett-Lusi’s (1997) study of two SDEs in the midst of implementing complex school reform initiatives.

In the mid-nineties, Lusi (1997) commented that at the time, there had been little empirical study about what state departments of education do in relationship to policy change, as they came to reimagine an SDE role from “…regulating and monitoring to assessing and serving” (p. 2). While an empirical focus on the SDE has increased (Hamann & Lane, 2004; Lane & Garcia, 2004; Mehan, 2005; Nichols & Cuenca, 2014; Timar 1997), it has not increased by much, despite the reality that the role of SDEs have continued to evolve.

Lusi’s study focused systemic, complex reforms around standards, curriculum, and assessment implementation in Kentucky and Vermont. She stated that in examining each state in its reform development and early implementation that she expected to see the work of the department change to reflect an innovative culture where the formal structures of organizational hierarchy were flattened, organizational boundaries were made more fluid in order to create streams of communication, the organization would be more mission and vision driven rather than driven by rules and regulations, individuals across all levels would be placed in the position to be decision-makers through collaborative processes, and the culture of the organization would promote trust, risk-
taking, questioning, and seeking even better ideas (Fullan & Hargreaves, 1996; Lusi, 1997). Highlighting trust as an essential among reformers and those affected by new policies and practices, which can “hamper the implementation of educational improvement projects” (Anyon, 1997, p. 20-21), Lusi also pointed to the complex and often ambiguous work for states engaged in such broad reform efforts.

Like Lusi (1997) Hamann and Lane (2004), using an ethnography of educational policy, examined two SDEs (Maine and Puerto Rico) as they responded to *No Child Left Behind* (2001) in the implementation of the federal Comprehensive School Reform Demonstration program (CSRD). They describe the way each SDE made sense of and mediated the implementation of CSRD. They found that with each SDE, when staff members “…act as policy intermediaries, they also act as policy adapters and thereby become coauthors of the ultimate policy that becomes practice” (p. 447).

Jean Madsen (1994) described her own experience as staff member of an SDE engaged in complex reform and both the political and practical challenges involved in the implementation of the Excellence in Education Act (EEA) of 1991. Madsen examined the relationship among SDEs, a shift away from local control, and the increasing role of legislation passed down from state and federal elected bodies. She found that the SDE for which she worked “was unable to cope with the demands of implementing reform legislation” and that as a result (despite the fact that the state and state board of education denied the failure) the implementation failed. Madsen advocated for more empirical study of the role of the SDE in “meeting the demands of new legislative initiatives” (p. 171).

Individuals at the SDE and in local districts and schools, where rhetoric is transformed into practice, act in a space of sensemaking, a space of “authoring as well as
interpretation, creation as well as discovery” (Weick, 1995, p. 8) where they transform
the abstract into reality. It is about “…such things as placement of items into frameworks,
comprehending, redressing surprise, constructing meaning, interacting in pursuit of
mutual understanding, and patterning” (Weick, 1995, p. 6). The iterations of sensemaking
continues through the rest of the implementation structure as individuals across the
system engaged in “…an ongoing effort to create a world in which object perception
rather than interpersonal perception would be more appropriate” (Weick, 1995, p. 14).
This ongoing meaning making happens in sociocultural spaces where policy is
appropriated and actors take in reform policy and make it their own (Levinson & Sutton,
2001). It is by examining educational policy implementation through a sociocultural lens
of sensemaking across the system that we deepen our understanding of how policy
impacts people, how we can better inform future policy, and contribute to more
democratic processes in policymaking (Levinson & Sutton, 2001).

Datnow, Hubbard, and Mehan (2002) described complex reform and the actors
engaged in it as “…a dynamic relationship among structural constraints, the culture of the
school, and people’s actions in many interlocking sites or settings” (p.11).

If we think of those interlocking sites as populated by policy actors across an
entire educational system, then according to Labaree (2010) the structure includes:

- The top level of the system, where the reform effort begins, including an array
  of actors that include policymakers, lawmakers, educational leaders who
  communicate reform efforts through publications, speeches, laws, and court
  rulings.
- The next level of the system is where the rhetoric is transformed into practice
  and includes actors like state agency or intermediate service agency
  employees, administrators, local school board members.
- The third level is that of teaching practice and the actors include the teachers
  and support staff in a building that transform the vision of a reform into local
  practice.
Finally, and arguably the most important level is that of the student. He goes on to suggest that a reform movement, “…needs to transform the learning that students take away from their classroom experience if it is going to be declared an educational success” (2010, p. 111).

Transforming learning experiences, at the intersection of education and democracy, however, is not enough. The burden of ensuring social equity has long been placed upon the institution of public schooling in the United States (Apple, 2013; Conant, 1945; Darling-Hammond, 2010; Labaree, 2010). The public school, as one of the only public institutions that continues to serve all children, “Increasingly, our public schools are also all that remains of the nation’s safety net for the poor” (Noguera & Wing, 2006). This “safety net,” includes the range of basic needs and services schools have increasingly been called upon to provide--everything from safety, meals, shelter (a warm place to be), health care (in some places), to adult supervision that includes after-school programming that extends past the traditional hours of schooling (Noguera & Wing, 2006). While the institution of the public school can certainly play a significant role in moving society toward equity, it is impossible for schools (on their own) to be the vehicle for social amelioration in a society of deep inequities (Anyon, 1997; Bowles & Gintis, 1976; Gorski & Zenkov, 2014). So, schools do matter; they play a significant role in advancing equity, but so do the out-of-school structures in broader society (Borman & Dowling, 2010), which means that policymaking ought to broaden to incorporate other institutions in the pursuit of equity for the sake of democracy.

Nebraska’s SDE engaged in complex reform:
What follows in Chapter 4 is an exploration of the intersections of democracy and education, particularly in the case of Nebraska’s implementation of a specific piece of school accountability policy legislation and its design and implementation of AQuESTT. Like the reform policies chronicled in this chapter, AQuESTT is policy at the intersection of democracy for education and as one of its stated purposes is ensuring equity of opportunity and access, it is also education for democracy. Thus, throughout the inquiry and design of methodology (described in Chapter 3), my attention focused on this intersection, the structure and practice of power, and thus, whether this policy development and implementation advanced equity and democracy.

When defining democracy, I draw upon Freire’s (1998) use of the term *serious democracy,* (p. 66) in a way that embraces elements of Gutmann’s deliberative democracy--democracy that is built upon dialogue, deliberation, and consensus and critical democracy that continues to invite and include diverse voices in the conversation while challenging structures of power. In simple terms, ‘strong democracy’ is “about inclusive ways of social and political action” (Biesta, 2007, p. 123). In considering democracy in this way, I revisited Freire’s use of “serious democracy” as he described the relational and democratic way of being between teacher (as learner) and student (as teacher) (Freire, 1998). Constructing such a democracy demands that we pay attention to structures of power and the voices that are privileged as the “subjects of communication” and those that are the “objects of communication” (Foucault, 1977, p. 200). Democracy is based on the idea that we can and should share in steering the course of our lives (we should play a role as a “subject”); “that we are each of us, to some degree, leaders in our own right; that we each have a voice and that every voice counts; that silence and
servility are not the stuff of which vibrant, self-governing communities are made” (Goodlad et al., 2004, p. 93).

Like Maxine Greene, I see the work of democracy as ever-in-the-making, “[d]emocracy as neither a possession nor a guaranteed achievement” but an ideal that belongs to everyone—an ideal that “is forever in the making...a moral and imaginative possibility” (1985, p. 3). It is not static, but ever reconstituted (Dewey, 1997; Goodlad et al., 2008; Hess, 2008). As Walter Parker suggests, democracy is a creative and constructive process that is “not already accomplished...but a trek that citizens in a pluralist society make together” (2003, p. 21). Collaboratively constructing democracy is no easy task; there are no shortcuts and requires care and cultivation. (McDaniel, 2008, p. 83). Freire reminds us that, “Democracy, like any other dream, is not made with spiritual words but with reflection and practice” (1974, p. 67).

Nussbaum (2010) asserts that in the United States “we still maintain that we like democracy and self-governance, and we also think that we like freedom of speech, respect for difference, and understanding of others,” but that we rarely think “about what we need to do in order to transmit them to the next generation to ensure their survival” (p. 141). Education policy construction and implementation through and for serious democracy provides access to democracy through, I suggest, a broad, social definition of democracy in which democracy is “not merely seen as a mode of government but is understood as a ‘mode of associated living’ characterized by inclusive ways of social and political action” (Biesta, 2007, p. 745). We need to be thoughtful and intentional throughout the education system from the classroom, school, district, community, state, and federal structures about co-constructing policy and implementation that both enacts
and supports serious democracy. Noddings urges us to think about the ideals of democracy while also returning “to the world as it is and ask how those ideals might guide and improve the current situation” (2013, p. ix).

Legislated education policy occurs when the governing body (in this case the Nebraska Unicameral) is motivated to “…affect a specific situation, behavior, or condition of its citizenry. In order to do so, it must name a ‘problem’ in need of reform and put in place rules and regulations to ensure a desired solution” (Stein, 2004, p. 3-4).

In a structural or instrumentalist policy frame, policy is developed legislatively through a governing body, such as Congress or a state’s legislature and is passed down through the system from the top down (Shore & Wright, 1997), to eventually affect to those for whom the policy was written or as Stein (2004) describes them: the “policy beneficiaries” (p. 6). Policy analysis in this frame, is then focused on “…relationships between specific policy configurations and discrete policy outcomes” (2004, p. 5).

I posit that policymaking and implementation is more complex than that. Like (Hamann, 2003; Stein, 2004; Sutton & Levinson, 2001; Lusi, 1997) I see a system comprised of unique individuals, interactions between and among elements of the system, and therefore, cultural policy spaces that requires an interpretive analysis of the policy narrative that, “…involves all social actors in the policy process and pays attention to both the historical moment in which a policy develops and the structural realities on institutions responsible for its implementation” (Stein, 2004, p. 6).

The study of AQuESTT extends Lusi’s study of the role of state departments in complex school reform by invoking Stein’s (2004) notion of the “culture of policy [that] permeates every level of policy authorization, interpretation, and implementation”
(p.136) Policy then, is both political and cultural, and so “…[p]olicies are inherently and unequivocally anthropological phenomena” (Shore & Wright, 1997). Throughout the next chapter, I will outline the methodology, participants, data, and analysis that framed the study of AQuESTT, arguably Nebraska Department of Education’s most comprehensive reform since the beginning of the decade.
CHAPTER 3: METHODOLOGY

Introduction:

Qualitative study is the art of noticing, questioning, examining, analyzing, sharing, and asking even better questions. Qualitative researchers study, “…with a curiosity spurred by theoretical questions about the nature of human action, interaction, and society” (Denzin & Lincoln, 1998, p. 80). Stake (1995) describes this curiosity and intentional inquiry as “concentrat[ing] on the instance, trying to pull it apart and put it back together more meaningfully” (p. 75). In this study, I question, examine, pull apart, and attempt to make sense of the early stages of AQuESTT. I study how it develops, its policy culture (Stein, 2004), and how it intersects with notions of democracy against a backdrop of an equally complex federal education policy. Any of these aspects alone would be complex. When studying the intersection of these complexities at a particular policy moment in time, requires a methodology apt for such an exploration.

In order to begin to pull apart, sort, rearrange, and synthesize the multifaceted elements in this intentionally broad framing of a policy implementation narrative. I use an exploratory, ethnographically informed, case study approach that allows for breadth of information and depth of understanding (Angers, 2005; Erickson, 1984; Hamann, 1999; Heck, 2004; Stake, 1995; Yin, 1981). This chapter outlines my methodological approach and rationale for the decisions I made throughout the study. The first section describes my (A) Research Orientation, the second, my (B) Researcher Role, and third, (C) my Research Design.

Research Orientation
What follows is an ethnographically informed exploratory policy implementation study of a bounded, instrumental case (Hamann, 2003). I understand bounded case study to mean a selection of a real-life context set within a bounded time and place that is studied through multiple sources of information (i.e., observations, documents, reports) (Creswell, 2013; Patton, 2002; Schwandt, 2001; Stake, 1978). It is exploratory because, like Berman and McLaughlin (1978) who said that “school district behavior is too complex and social-science is too limited to presume that any study could yield definitive answers or any policy to provide complete solutions,” than a study of an SDE, a legislature, and several schools is even more “too complex.” Nebraska Department of Education (inclusive the State Board of Education and Commissioner of Education) is too complex to presume that a study of it would be definitive, particularly regarding the intersections of AQuESTT policy implementation and democracy. Instead, at the conclusion of this study I imagine there will be even more and, I hope, even better questions that we can consider. I see AQuESTT’s policy narrative as one of those “strategic, qualitative cases” Honig (2006) referred to, “…that provide special opportunities to build knowledge about little understood and often complex phenomena” (p. 22).

Like Susan Follett Lusi’s (1997) case studies of two state departments of education engaged in complex school reform in the mid-1990s, Hamann and Lane’s (2004) study of both Maine’s and Puerto Rico’s state departments of education acting as policy intermediaries, and Jean Madsen’s (1994) study of the implementation of a legislated state reform at the Wisconsin Department of Education, I selected case study because it afforded the opportunity to comprehend a single case through the details and
the interaction of its contexts; it allowed for depth of understanding of the complexity of
a particular case (Stake, 1995, p. xi). It takes time to build a knowledge of the history and
context of an organization like a state department of education and even more time to
begin to piece together the elements behind a complex policy initiative and
implementation like a new statewide accountability system. This particular study
describes 2.5 years of a single, not-yet complete policy narrative, and even then, the
implementation is just truly beginning. But it is safe to end the study where I do because
the State Board of Education’s approval of three Priority School progress plans is not
only a culmination of the initial development and implementation, but also codified the
theory of action behind the SDEs role intervening in local schools.

As I approached a case situated within an SDE responded to legislated reform, I
considered the various degrees of knowledge individuals inside and outside the system of
education possessed regarding education policy—how it is developed and implemented
as well as by whom. Like Nader (1972) I contend that, “...most Americans do not know
enough about, or do they know how to cope with, the people, institutions, and
organizations which most affect their lives” (p. 294). Part of the study of this case
includes attention to the institutions and organizations that make policy, the people who
make them up, and the culture that is developed along the way. Nader (1972) called this
“studying up.”

Ethnographers originally wrote of strange places with the intention of making
them familiar, but over time, they have also been drawn to familiar places “with the
slightly ironic intention of making them strange…” (Van Maanen, 2011, p. 126). Making
what is familiar seem strange, allows for a fresh ‘seeing’ of cultures one knows. Too
often the familiar is invisible to us. In fact, when anthropologist Margaret Mead once described this phenomenon she said, “If a fish were to become an anthropologist, the last thing it would discover would be water” (in Spindler 1982, p. 4). This way, this study makes what ought to be familiar, but may in fact be strange, both more familiar and more accessible, and I hope allows for a fresh way of seeing the structures and culture of policymaking.

As Hamann and Lane (2004) state that, “[a] central purpose of ethnography is to study the in-context sense making engaged in by individuals as parts of groups” (p. 432), an element of this study is to understand how individuals in the education agency made sense of the legislated reform throughout its development and implementation. Traditional policy implementation studies did not take into account the human-dimension of implementation, where individuals take in a policy message and interpret it according to their unique backgrounds and contexts and make sense of both from where they are situated as well as across the “…interactive web of actors and artifacts…” in the structure or system (Spillane, Reiser & Reimer, 2002, p. 404).

As outlined in chapter one, providing public education for citizens and developing and implementing policy to ensure educational equity has been entrusted to each state (Greene, 1985; Russell, 1989). The 1954 Brown v. Board decision reaffirmed this responsibility, describing it as “…the most important function of state and local governments.” The SDE became a key organization, shaping and mediating policy passed from the legislature, governor, or the state board of education. Only in recent decades have SDEs also been called upon to mediate federal policy, an imperative environment to
which they have been required to respond, particularly following the No Child Left Behind Act of 2001.

While the “public face” suggests that agencies are “…rational systems designed to attain goals,” the goals of reform initiatives are often transmitted across “loosely coupled systems in which action is underspecified, inadequately rationalized” (Weick, 1995, p. 134). In loosely coupled systems individuals make sense of and act according to their own beliefs, knowledge, and experience and put these in conversation with one another in ongoing webs of meaning making (Shore & Wright, 1997; Spillane, Reiser, & Reimer, 2002).

While case study provides the opportunity for breadth and depth, ethnographically informed methods of data collection and analysis allow for both intimacy and nuance in the case. As more contemporary definitions describe policymaking as a socially constructed activity (Heck, 2004; Levinson & Sutton, 2001; Stein, 2004) then the “social settings in which policy actors compete, negotiate, or compromise and cooperate over time” become important sites of study (Heck, 2004, p. 7).

Ethnography “refers to the process of documenting the lifeways of a social group” (Levinson, 2000, p. 3). One of its aims is to tell the story of a culture in such a way that the researcher has accessed that culture from the “native point of view” (Spradley, 1979, p. 3). For the sake of this particular study, I use Geertz’s (1973) celebrated definition of culture as “shared webs of meanings.” In a SDE set within a loosely coupled system implementing a complex reform, there are certainly shared understandings and meanings attached both to the policy and perspectives on how policy ought to be realized. I state this, recognizing that my site of study is not a pure reflection of ethnographic holism,
which requires I “…examine the social and cultural context (i.e., the systems of social relations, practices, ideas, beliefs, narratives, values, and understandings) that shapes and is shaped by the implementation activity under study” (Hamann & Rosen, 2011)—in other words the shared webs of meaning that influence the policymaking and implementation. Still, I endeavor here to tell the activities of every day life and the “Raw material comes from active participation in those moments, and the ‘data’ appear in the narrative form that naturally represents them” (Agar, 1980, p. 10).

As Wolcott (2008) suggested, I make the distinction that this study is not fully definable as an ethnography. While it is of a setting (an SDE), it concurrently is not about all of that setting (i.e., not all of NDE). Nor is AQuESTT only set within NDE, it is also about the state Unicameral, school sites, and other non-SDE interlocutors. Nonetheless, the methodology of this case study is ethnographically informed, because I am “…borrowing from (some) ethnographic techniques” (Wolcott, 2008, p. 44). Also, my fieldwork occurred over an extended period of time; it opportunistically incorporated an array of data collection methods; and it tried to develop understandings of various organizational cultures of the space, emerging patterns, and insider (emic) and outsider (etic) perspectives (Atkinson, 1990; Van Maanen, 1988, p. 2, 161).

The individuals who bring their prior knowledge to bear on the legislation, development, and implementation of policy act upon the policy throughout the system, from the legislative chamber to the local classroom. The nature of this work as well as this study is political; the people engaged in this work do their work in a world of power (Agar, 1980; Foucault, 1979). This study does not focus directly on the intended beneficiaries of policy—or in Foucault’s terms, “the objects of political technology”
(1979, p. 200), but rather on the policymakers legislating, developing, and implementing the complex school accountability reform.

Foucault (1979) would undoubtedly refer to these policymakers in power as the “subjects of communication” whereas the local administrators, teachers, and students, would be the “objects of information” (p. 200). Studying these “subjects of communication” means studying individuals in the spaces in which they work; in this case, spaces that belong (or ought to belong) to the public and include the legislative floor, education committee meeting spaces, and the state board of education offices. In addition to observations, the work of these people in these spaces often produces documents or artifacts. These too can be (and were) studied. These actors move across these structures, institutions, and organizations, each of which contain complex and unique cultures and thus, “studying up” within this space of complex school reform, according to Stein (2004) requires attention to “...all social actors in the policy process and pays attention to both the historical moment in which a policy develops and the structural realities on institutions responsible for its implementation” (Stein, 2004, p. 6). While this study will trace the journey of legislated policy reform from the state capital, across the street to the Nebraska Department of Education, and into at least one school, the focus of the study is on what happens in the state education department under the leadership of its Commissioner of Education and the direction of its elected, 8-member state board of education.

In Nader’s (1972) essay, “Up the Anthropologist--Perspectives Gained from Studying Up,” she encouraged anthropologists to study the “processes whereby power and responsibility are exercised in the United States” (p. 284). “Studying up,” then, —
studying those individuals inhabiting constructs of power—means that here, the powerful include legislators, state board of education members, a commissioner of education, and employees of the state education agency, rather than the local administrators, teachers, and students or the intended objects of the policy reform. In studying the, “...culture of power rather than the culture of the powerless,”(p. 289), Nader suggested that researchers could “uncover the structures, institutions, and organizations and support citizens in accessing a democratic framework and its decision-makers that affect their lives” (p. 294). To clarify, I’m not claiming that local administrators, teacher, and students were fully powerless in relation to AQuESTT’s implementation, but they had little role in crafting its original goals, methods, and structures.

**Researcher positionality:**

Congruent with Hamann and Vandeyar’s (in-press) assertion to consider ‘what story you are best positioned to tell’ (and that’s worth telling), I have been uniquely situated to study AQuESTT’s development and how its initial implementation intersects with democracy. I am so positioned not only as an educator with varied career experiences, but more directly as an employee of the SDE, where I accepted a position four months after the passage the legislated reform effort that is the focus of this study. Within my first month on the job, I was, by assignment, facilitating conversations at policy forums held throughout the state and was named to the SDE’s project team tasked with the accountability system’s implementation.

As one who cannot help but engage in the questions that arise from my curiosity, I assumed my ethnographer self, acting like the “cartographer” Spradley (1979) describes, “examin[ing] small details of culture and at the same time seek[ing] to chart the broader
features of the cultural landscape” (p. 185)—even before deciding that the policy story
that was unfolding before me would become a more formal focus of my study. In many
ways, my data collection began the day I began my work at NDE and although my formal
data collection ended in August 31, 2016, following the submission and Nebraska State
School Board approval of priority school progress plans, the AQuESTT implementation
extends beyond such temporal boundaries.

In this study I am not the “detached participant” (Agar, 1980). Rather, I am very
much an “active participant” (Hamann, 2003, p. 25). Toma (2000) describes the benefit
such proximity can provide, as an insider researchers’ understanding of a particular
context or culture possesses greater depth and intimacy. At the same time, by formally
studying AQuESTT’s creation and implementation I stepped out of my policy actor role
in order to maintain a broader perspective than the particular historical moment and the
particular policy decisions along the implementation narrative.

Like the work of Teresa McCarty at Rough Rock School (2002), AQuESTT
includes both relationships and personal investment in the research site. For me, this
means that when reading testimony from employees of the department of education in
legislative education committee transcripts, observing state board of education meetings,
or sifting through documents and artifacts created throughout the development and
implementation of the accountability system, I know the people (at varying
connoisseurial degrees of knowing) and remember the meetings and crafting of artifacts
(like minutes).

My situatedness in the education system in Nebraska means that if there were a
red “you are here” dot along the policy implementation continuum from the legislative
floor to the classroom, my dot could have been seen moving along and across the boundaries of the state department of education and the Educational Service Units (ESUs) and districts, as well as in closer proximity to the Commissioner of Education and members of the State Board of Education at key moments chronicled in the study. In this border crossing role, I had proximity to board room discussions around posited policy intent as well as to individuals in schools who, like Lipsky’s (1980) “street-level bureaucrats…develop conceptions of their work and of their clients that narrow the gap between their personal work limitations and the service ideal” (p. xiii).

While my role provided access to these known people and places, there were also limitations. “There are very real limits to what a particular fieldworker can and cannot learn in a given setting” (Van Maanen, 2011, p. 4). As the Commissioner of Education himself reminded me at one point in the development of this study, there were elements of the narrative that could not be contained within the study, merely because I was not there. There were many conversations, decisions, and rationales to which I was not privy and in drawing upon what is publically available for this study. I have been able to identify and infer some of this ‘off-stage’ activity, but there are also unknown ‘unknowns.’

While data for this study included the collection and analysis of a range of public transcripts and artifacts produced by the Nebraska legislature, state board of education, department of education, and local, there were also more personal data which I systematically collected throughout the same time period. Like Jean Madsen in her (2004) study, Educational Reform at the State Level: The Politics and Problems of Implementation, my role as both SDE employee as well researcher is a complex one.
While I had access, there was tension between the identities of researcher and policy actor. Lusi (1997) describes the challenging, ambiguous, and often complex responses state department of education employees had over time in response to significant agency change that resulted from the policy implementation. Emerson, Fretz, and Shaw (1995) describe the “discomfort” many fieldworkers feel as they examine and analyze the words and actions of individuals with whom, “…they have become deeply involved and in many cases care about” (p. 145). In grappling with these very real phenomena, I relied on the notion of stepping in and out of my ‘insider self’ as Spillane and Coldren (2011) describe, adopting an outsider stance in order to examine my own practice while also participating as an insider. Like a stereoscopic vision of the difference in these two stances or locations allows me to see with depth.

Atkinson (1990) described my researcher journey of discovery throughout this policy implementation story as well when he said that the ethnographer’s journey “…has features of a quest- a sort of voyage of search, adventure, and exploration. The narrative of the ethnographer’s story portrays him or her through key events and social encounters” (p. 106). Throughout this journey, I intentionally and systematically documented, gathered, and analyzed my own reflections, about meetings, site visits, and even hallway conversations. Sometimes there were as simple as preliminary “scratch notes” (Sangren, 1988); more often they were formal fieldnotes.

As Weick (1995) suggested, this [r]esearch and practice in sensemaking needs to begin with a mindset to look for sensemaking, a willingness to use one’s own life as data, and a “search for these outcroppings and ideas that fascinate. Part of the craft in working
with sensemaking is to begin by immersing oneself in a description…and then immediately begin to write or observe or reflect to see what associations occur” (p. 191).

I have reflected upon the evidence of my own sensemaking of the developing AQuESTT policy culture at the Nebraska Department of Education. In the next chapters I weave elements of my personal sensemaking throughout the unfolding publicly told narrative of AQuESTT, purposefully attempting to illuminate the very real tension between the public and personal dichotomy and the very real tension that can exist for SDE intermediaries as they make sense of the policy narrative of which in which they act. It was a complex role to navigate and required not only personal reflection, but also member-checking (Lincoln & Guba, 1985), and primary source triangulation (Patton, 1990) to ensure that my telling is both valid and reliable (Maxwell, 1992).

**Research setting**

This study offers a public telling of a policy development and implementation. Like Stein’s (2004) study that chronicled Title I policy from the floor of Congress to the classroom, I too followed an implementation from a piece of complex school accountability reform in its legislative drafting, debate, passage, and codification into law, to its development and implementation planning at the state department of education, and through its initial implementation into a school. This account unfolded against a backdrop of a broader national policy context, and thus, in some ways it became a story within a story. While I focused on the state tale throughout the study, I also chronicle elements of the national policy context and particularly interventions to identify and aid ‘failing’ schools in order to provide points of reference. More germane to a design conversation, I used Stein (2004) as one template for how to study the policy
culture of a SDE in the midst of responding to legislated reforms (NCLB in her case and AQuESTT in mine).

The primary site of study is the Nebraska Department of Education. Taking up nearly the entire top (sixth floor) of the Nebraska State Office Building (built in 1965). NDE is segmented into various teams from federal programs, assessment, accreditation and school improvement, to data, research, and evaluation, teacher certification, and teaching and learning. Upon my first visit and tour of the office in 2014, my first thought was *Mad Men*, quickly followed by “rat maze,” as the floor has few permanent walls and is segmented into small cubicles divided by long “hallways” and many dead ends. Take away the cubicles and the open floor plan would indeed be reminiscent of a *Mad Men* set in the 1960s with wide-open spaces dotted by desks. Even in 2016, at times one can hear a typewriter clacking away a few cubes over. and particularly in those moments, I felt transported to what the Department of the Education must have been like when it moved into this space several decades ago.

A reception desk sits at one end of a landing where two rows of three elevators carry NDE employees to and from our top floor of the building. The waiting area just outside the Commissioner and Deputy Commissioners’ suite of offices is lined with photographs of former Commissioners, as well as one of the state’s current Commissioner: Dr. Matthew L. Blomstedt, Ph.D. A side-door from this suite leads into the State Board’s meeting room, where a large semi-circle table is flanked by high-backed office chairs, and where for at least two days a month, the names of eight state board of education members fill the name placard spaces in front of each chair. There are big projection screens on the three walls behind the semi-circle and in front, there is
another table, where individuals presenting or providing public comment can sit before the gathered board. Behind this table there are four rows chairs intended for the public gallery; depending on the particular agenda items on the board’s agenda, this gallery can be empty or overflowing.

**Data collection:**

In initially grappling with how to chronicle one of the policy implementation stories unfolding before me and wanting (and needing) to make my intention to study AQuESTT known, I requested to have lunch with the Commissioner of Education, Dr. Matthew L. Blomstedt. Over a burger and club sandwich just blocks away from the State Office Building, Blomstedt encouraged me to take a look at how he approached his own recent dissertation, also a policy study, which included the collection and analysis of a range of public documents available for Nebraska’s school finance formula. Similar in many ways, our studies each focus on a significant historical moment in education policy in Nebraska. As a part of his data collection, Blomstedt cited Anthony Brundage, who, “…pointed out that there are many forms of primary sources and that many were intended to be made public” (2013, p. 9). Brundage states, “Not only were these intended from the outset to be made public, but in many cases they were designed to influence public opinions” (2008, p. 23). My data collection also included the collection of a range of intentionally public discourse captured through observation, transcripts, and artifacts. Throughout the study and analysis of these documents I could not help but ask about the intent behind the discourse or the framing of artifacts.

With a nod to Nader (1972), Hamann and Lane (2003) asserted that “…data collection should be multiple and as eclectic as necessary.” So like Kretchmar (2014)
Nichols and Cuenca (2014), Owen (2014), Stein (2004), Syeed and Noguera (2014) in their various studies of policy development and implementation, I collected and analyzed a range of data—over 250 public artifacts including draft bills and amendments, powerpoint presentations, policy position statements, agenda item support documents, video-clips, and marketing materials. Many of these artifacts, as Prior (2003) states when she describes contemporary documents, are multi-modal and contain narrative, as well as “...pictures, diagrams, emblems” as well as video and sound (Prior, 2003, p. 6). Between December 2013 and August 2016, I collected 11 legislative transcripts from committee hearings and floor debate and collected and transcribed over 66 state board of education work sessions and business meetings. I was either an observer or participant observer in 46 of these.

Like Shore and Wright (1997) I define the discourses included in documents and transcripts as “…configurations of ideas which provide the threads from which ideologies are woven” (p. 18). Recognizing that discourses are socially constructed, they are reflections and representations of policy cultures whether they are transcripts that capture the spoken word or artifacts that capture the material culture (Hodder, 2012).

As the policy culture and its actors in this policy implementation existed in the public sphere, the individuals and schools included in the study were publicly named and the documents belonged to the public record. Thus, full anonymity is not really possible. Data were collected through observation of State Board of Education meetings allowed under Nebraska Open Meetings law, which states each public body will give advance notice of time and place of each meeting along with agenda items that, “shall be sufficiently descriptive to give the public reasonable notice of all matters to be considered
at the meeting” and that “[r]easonable arrangements are made to accommodate the public’s right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices…” (Neb. Rev. Stat. § 84-1411). In determining what Institutional Review Board (IRB) permissions might be required to conduct this study, I was notified that “…because you will observing in a public setting and that all of the documents that you will be utilizing will be in the public domain, IRB is not required” (B. Freeman, personal communication, May 17, 2016). Thus, no internal review board approval was required.

Primary source artifacts, including legislative documents, transcripts of legislative hearings and debate, State Board of Education meetings, documents, and other artifacts made available through board meeting agendas or on the Nebraska Department of Education website, local school district and school board public documents and other artifacts were also collected. Nebraska public records statute, defines public records as “…all records, documents regardless of physical form, of or belonging to this state, any county, city, village, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee…” (Neb. Rev. Sat. § 84-712.01). In compliance with statutory obligations, agendas and recordings have been maintained and made publicly available which empowers any citizen or interested individual to examine public documents, “make memoranda, copies using their own copying or photocopying equipment,” (Neb. Rev. Stat. § 84-712.01).

With a data ranging from legislative floor transcripts, observations of State Board of Education work sessions and meetings, as well as documents and presentations made
available as a part of the public record, also made case study the appropriate choice, for it relies on bringing together a “wealth of information from a variety of sources” (Heck, 2004, p. 208). Selecting a single case, “allows for the depth of observation that is necessary to capture the subtle and iterative process” by which policy actors make sense of policy and policy implementation (Coburn, 2001, p. 147).

**Data analysis and synthesis**

The telling of this layered policy implementation account draws upon the analysis of public documents and material culture that includes documents, artifacts, and presentations as well as discourse from public meetings (Hodder, 2012; Owen, 2014). I consider these within a couple of overlapping frames, those data that are discourse (transcripts of floor debate or state board of education meeting dialogue) and those that are material culture or products of social interaction (bill drafts, policy position statements, powerpoint presentations) (Altheide, 1987; Hodder, 2012), which I refer to as artifacts. Although both are primarily texts, one is the written record of oral language, while the other was initially created as writing. These were analyzed thematically in order to understand the policy culture of AQuESTT and the ways in which its development and implementation intersected with “serious democracy” (Freire, 1998, p. 66).

My data analysis, as my data collection, relies upon the tradition of ethnography in order to gain insight on policy culture through dialogue and artifacts. The study of material culture can be particularly important as a tool of anthropology of policy because it provides a way to “…document and understand the communication of meaning as well as to verify theoretical relationships” (Altheide, 1987, p. 68). Analyzing documents is an iterative process that includes review, coding, of themes, and analytic memos. (Bowen,
Like Owen (2014), I used memos in order to uncover patterns and themes that “…served as bridges designed to move my codes toward more analytic thought about my data” (p. 16). I analyzed these artifacts alongside the discourse of legislators, state board of education members, the Commissioner of Education, and employees of the Nebraska Department of Education from transcripts of legislative floor debates, hearings, and meetings using the same process consisting of open coding, where I took small segments of discourse and identified “…promising ideas and categories to provide the major topic themes,” followed by focused coding, where I analyzed the ideas that had been uncovered and identified a “…smaller set of promising ideas,” and then wrote memos where I connected ideas across themes (Emerson, Fretz & Shaw, 1995, p. 143).
Just as Stein (2004) analyzed each Congressional floor debate in her policy study in order to “…discern and analyze the themes” (p. 145) of the policy process in context of the individuals for whom the policy was intended, I conducted a content analysis through a review of transcripts, documents, and artifacts that had been thematically coded in segments. From this, categories and key moments of intersection emerged (sometimes coded and memoed multiple times) in order to attempt demonstrate the development of the AQuESTT policy culture and its intersections with democratic ways of being.

I used MaxQDA 12 Plus, a qualitative, research software, to facilitate my data curation and analysis. It allowed me to track frequency and location of identified segments by theme as well as to analyze segments across themes. It allowed me to analyze memos across all types of data and when utilizing specific tools within the software package (e.g., domain table, code relations browser) I was able to triangulate data and to examine how themes interacted across discourse in transcripts and artifacts over the course of the implementation narrative, which allowed me to identify key policy decision-making moments as well as intersections of democratic ways of being empirically as well as theoretically. These findings are outlined in both chapters 4-5 of this study.

**Validation and significance**

As a fully engaged participant and researcher in this study, I have been constantly aware and thus, attentive to the trustworthiness of the telling. Beyond attempting to, “…draw an audience into an unfamiliar story world and allow it, as far as possible to see, hear, and feel as the fieldworker [I] saw, heard, and felt (Van Maanen, 2011, p. 103), my study contains a great degree of face validity, because it includes the “actual spoken
words” (Stein, 2004, p. 161) of policy actors, artifacts, and observation and participant observation that provide triangulation (Creswell, 2013; Patton, 1990). Whether or not the study could be replicated with the same results, it is likely that “the frames of analysis that guided my observations may not be shared by others” (Stein, 2004, p. 161). With this in mind, I provided opportunity for both member-checking and external audits (Angers, 2005; Creswell, 2013; McQuillan, 1998).

Speculating how the results of this study might be generalizable beyond this single Nebraska case is challenging, as the policy culture described in this study is bound by time, place, and the actors contained within. However, “…what is generalizable in this study is the range of patterns in thought and behavior and ways in which the culture of policy takes shape in different contexts” (Stein, 2004, p. 162).

Having read about SDE policy implementation in Kentucky, Vermont, Maine, Puerto Rico, and Wisconsin, I can aver that NDE does not seem dramatically different from its cousin SDEs in other jurisdictions.

I believe most researchers (if not all) approach a study in the hope that it will have relevance both empirically and theoretically. Empirically, I hope to provide a lens with which state policy actors can consider their roles within the power constructs of the education system and the ways in which they make sense of, construct, and diffuse policy cultures throughout the education system as a result of the analysis of this particular complex policy reform. Theoretically, I hope that through the AQuESTT policy reform development and implementation narrative, we gain insight into the ways democracy is enacted (or not enacted) and consider how uncovering these policy structures and cultures
provides citizens with the information about how they can best make the system work for them when they choose to exercise their rights of citizenship (Nader, 1972).
CHAPTER 4: FINDINGS

Introduction

Upon stepping off the sixth floor elevator at the Nebraska State Office Building, one must pass through a set of glass double doors to enter the Nebraska Department of Education’s reception area. Above those doors is inscribed NDE’s mission: “To lead and support the preparation of all Nebraskans for learning, earning, and living.”

Commissioner Matthew L. Blomstedt Ph.D., throughout the course of this study expressed his synopsis of NDE’s mission a focus on “Every student, every day” and AQuESTT (Accountability for a Quality Education System Today and Tomorrow) became his most significant investment to realize this goal.

Lusi (1997) examined two state education agencies (SDEs) in the midst of complex education reform. In the forward to her text, Richard Elmore described the long history of state responsibility for “…setting the purposes, providing for the financing, and administering the regulations that govern schools,” (p. ix). He outlined how increasing pressure on the public education system in the United States, a constant push for reforms, an ever shifting political landscape influenced by two- and four-year election cycles and term-limits, and an impatience for results, placed state boards of education, chief education officers, and state education agencies in positions to be more “…active and visible political actors” (p. x). In the case of Nebraska, like Kentucky and Vermont in the 1990s, “whether or not states can achieve the degree of alignment envisioned by the proponents of systemic reform [in Nebraska] is still an empirical question” (Lusi, 1997, p. 3).
This study takes up Lusi’s challenge to explore the role of the SDE in an empirical manner and thus, extends Lusi’s work as it chronicles an “early picture and analysis” (Lusi, 1997, p. 4) of Nebraska’s development and initial implementation of a statewide accountability system: AQuESTT. While efforts like this have deep antecedents, AQuESTT began in January 2013, with the introduction of a bill in Nebraska’s Legislature and included three primary phases which I subtitle: (1) The transformation of LB438 to Nebraska Revised Statute 79-760.06-.07, (2) The development of AQuESTT and going “above and beyond what was required in statute,” and (3) AQuESTT’s initial implementation—“Bolder, Broader, Better.”

In her case-studies in both Kentucky and Vermont, Lusi acknowledged that her narrative (while recent) had already become historical. Early analysis of reforms in early in their implementation means that resulting change and responses to that change is especially fresh. Lusi states that, “…change always brings pain and confusion, even if it is ultimately beneficial. Readers should realize that SDE staff and practitioners’ understandings of and reactions to these changes will very likely change over time” (1997, p. 4). I share this because the segment of the AQuESTT implementation included here is also very recent history in Nebraska. Part of the narrative of AQuESTT intersects with my own story. While the implementation of AQuESTT here is told through the words and artifacts available to the public, it also includes my responses gathered through systematic reflective journaling. I acknowledge up front that there have been moments of uncertainty, frustration, pain in this journey, but there have also been moments when I have been inspired by the passion, vision, and work of educators, policymakers, and
students. Despite these moments of uncertainty and discomfort, it remains entirely possible that changes AQuntT set in motion may prove beneficial.

**The transformation of LB438 to *Nebraska Revised Statute 79-760.06-07***

Describing the role of a state department of education in the midst of a complex school reform requires an understanding of the state’s particular context and education governance. Nebraska has a history of considering itself rather unique when it comes to its democratic governance.

**A bill’s journey through the Unicameral**

As the only state in the United States with a unicameral, or a single legislative body of lawmakers (since 1934) Nebraska prides itself on its non-partisan government, maintaining that the structure provides more straightforward procedures and greater privileges to the press and allows for greater public awareness of what the represented electorate is acting upon (Nebraska’s 104th Legislature, 2016, p. 1). The 49 members of the Unicameral, who can serve a maximum of two consecutive four-year terms, each represent around 37,000 people (Nebraska’s 104th Legislature, 2016). Legislative sessions in Nebraska begin in January and “consist of 90 working days in odd-numbered years and 60 working days in even-numbered years” (Nebraska’s 104th Legislature, 2016, p. 3).

Prior to a bill’s introduction, a senator and staff research legislative remedies during the interim period between legislative sessions. A senator will take a proposed idea to a bill drafter prior to the first ten days of a legislative session when bills are introduced. “A senator introduces a bill by filing it with the Clerk of the Legislature. The clerk reads the title of the bill into the record, assigns it a number, and prints copies of it
for public and legislative use” (Nebraska’s 104th Legislature, 2016, p. 9). Once a bill has been filed, there is a budget or fiscal note process that occurs, which “estimates the change in state, county, or municipal expenses or revenue that would result under the provisions of each bill” (Nebraska’s 104th Legislature, 2016, p. 9).

Following this first phase, every bill goes to committee where it has a public hearing by a legislative committee. In the case of LB438, the bill was assigned to the Education Committee for hearing. “At hearings, citizens have a chance to express their opinions to the committee members. Testimony is recorded, transcribed, and made part of the official committee record” (Nebraska’s 104th Legislature, 2016, p. 9).

Then, following a hearing, a committee can choose to advance, hold, or take no action on the proposed bill. If a bill is advanced, it is placed on General File. When a bill is on General File, it is the first time the full legislature will debate the bill and vote on it. It is at this stage, that senators “…consider amendments, which may be proposed by committees or individual senators” (Nebraska’s 104th Legislature, 2016, p. 10). In order for an amendment to be adopted, it takes a vote of the majority of the unicameral (or 25 votes). If the bill advances, it goes to Select File, which allows for a second debate and opportunity for further amendments or compromises. A bill on Select File may be returned to committee for further review, postponed, or advanced to Final Reading. At this point, the bill (which cannot be amended or debated) is read aloud by the Clerk of the Legislature. Senators may elect to vote on the bill for Final Reading or return it to Select File for consideration of a specific amendment. A final vote on a bill can no longer be taken unless it is one legislative day after it is placed on Final Reading. If a bill is passed, it goes to the governor’s desk where he or she has five days to act on a bill, either signing
it into law or vetoing the bill. If a bill is signed by the governor, it typically goes into effect three months after the Legislature adjourns for the session, however, if a bill has an emergency clause, it can go into effect before then (Nebraska’s 104th Legislature, 2016). A vetoed bill can be overwritten, but that procedure does not further pertain here.

**Education governance in Nebraska:**

In 1855, twelve years before statehood, the Territorial Legislature passed the *Act to Establish the Common Schools of Nebraska*, establishing local school governance through a three-member board consisting of a president, secretary, and treasurer. Local boards were responsible for governing decisions around textbook selection, teacher hiring, curriculum, and school regulation (Beggs, 1939). In 1869, the Legislature passed an *Act to Establish a System of Public Instruction for the State of Nebraska*, putting in place a State Superintendent of Instruction and county superintendents who were elected every two years (Nebraska State Legislature, 1869). Supervision and accountability was provided through visits from both the county superintendents and the State Superintendent of Public Instruction. “The early Superintendent of Public Instruction realized the need to develop and to maintain a quality school system…leaders believed that without policies and procedures from the Department of Public Instruction, Nebraska’s children would not receive a quality education” (Limoges, 2001, p. 18). Over time, local leaders came to accept the role of Nebraska’s Department of Public Instruction as a regulatory body, but maintained local control over its schools and districts.

The State Superintendent and Office of Public Instruction were included in the state’s constitution of 1875 (“State Board” | NDE, 2016). In 1947, State Superintendent
Wayne O. Reed, in his annual report to the Legislature, discussed proposed updates to the role of the State Superintendent and the Office of Public Instruction. Nearly one hundred years since common schools had been established in the Nebraska Territory,

“…Nebraska had progressed from a common school system with a simple set of laws to a complex system which included ten classes of schools and hundreds of laws” (Limoges, 2001, p. 20). Reed suggested that a State Board of Education and an appointed Commissioner of Education would be able to better provide for the varying needs of the schools in the state (Limoges, 2001).

A 1952 constitutional amendment, approved through a vote of the citizens of Nebraska, established a reorganized state department of education rather than an Office of Public Instruction and transferred the authority of the State Superintendent to the newly established State Board of Education and Commissioner of Education.

Laws passed in 1953 outlined a six-member, elected, non-salaried structure. In 1968, the number of state board members increased in eight and in 2011, the boundaries were redistributed (Neb. Rev. Stat. § 79-311). The Nebraska State Board of Education (SBOE) today, is an 8-member elected body that “acting as a unit,” serves as the policy-forming, planning, and evaluative body overseeing the state’s school program, deliberating and taking action with the professional advice and counsel of the Commissioner of Education (Neb. Rev. Stat. § 79-301.02). It is responsible for appointing the Commissioner of Education and since 1953, it has ensured that the Nebraska Department of Education (NDE), functions effectively under the Commissioner’s leadership (Neb. Rev. Stat. §§ 79-301; 79-318). The Legislature has, over the past sixty years, set forth numerous duties for the SBOE, including coordinating
educational activities related to accreditation of schools, academic content standards
(Neb. Rev. Stat. § 79-760.01), assessment (Neb. Rev. Stat. §§ 79-760.02-03), and
accountability, most recently updated with the passage of LB438 (codified as Neb. Rev.
Stat. § 79-760.06-.07).

No SBOE member by statute can be “actively engaged in the teaching
profession,” (Neb. Rev. Stat. § 79-313.01). The body relies on the Commissioner of
Education who serves as the executive officer of the State Board of Education for
advisement according to his or her educational attainments and years of demonstrated
“personal and professional experience in the administration of public education” (Neb.
Rev. Stat. § 79-304). NDE has responsibilities for “general supervision and
administration of the school system of the state…” (Neb. Rev. Stat. § 79-301.01) under
the leadership of the Commissioner of Education and the SBOE. It is under this
governance structure that statutory requirements, regulation, and policy is developed and
implemented in Nebraska. Unlike many states, where a chief education officer in a state
may be appointed by a governor or an elected position, or where an SDE may be a code
agency under the direct authority of a state’s legislature or governor, Nebraska’s
education governance is overseen by a body of eight elected officials who appoint a
Commissioner that leads and oversees a constitutional agency (i.e., NDE).

**LB438: educational policy Landscape and key figures**

This account, like any, includes an array of key actors that require introduction to
the readers. Heck (2004) describes these policy actors as either “insiders” who set the
agenda and move policy forward; those in the “near circle,” who can persuade insiders;
the “far circle” who have less direct influence, but can influence implementation from
their organizational role; and “forgotten players,” which are groups on the fringes that have influence at particular times, but “generally do not influence the agenda” (p. 65). The following include principal policy actors at key points throughout this policy account.

**Unicameral**

**Greg Adams:** Former Nebraska Senator Greg Adams spent represented District 24 in the Unicameral. Beginning his career in York, Nebraska, where he taught for 31 years and served as the mayor for 10, the senator spent four years chairing the Legislature’s Education Committee (Stoddard, 2013). In 2013, he was elected speaker of the Legislature, the same session in which he introduced LB438. Due to term limits, Adams transitioned from his work in the Unicameral to serve as executive director of Accelerate Nebraska, a non-profit focused on improving education outcomes and connections to career (Accelerate Nebraska, 2016).

**Kate Sullivan:** First elected to the Legislature in 2008, Sullivan represented the 41st District and chaired the Education Committee when LB438 was introduced. Sullivan and the Education Committee worked with Sen. Adams and proposed amendments to LB438 prior to its final reading.

**Scott Lautenbaugh:** Appointed to the Legislature in 2007, Lautenbaugh represented District 18 in Northwest Omaha. During his time in the Legislature, Lautenbaugh introduced several charter school bills and in 2014, he introduced LB972, which would have allowed charter schools in the state (McDermott, 2014). Facing term limits, Lautenbaugh stepped down from his term early to become a lobbyist in the state (Duggan, 2014).
State Board of Education

While the membership of the SBOE did change over the course of the two-and-a-half years of data collection, as two members of the board resigned their posts in early without providing a reason to the public and another moved out of her district, leaving another vacancy, the following members played significant roles in the development and implementation of AQuESTT. Throughout the period of this study the SBOE maintained work session and business meetings falling on the first Thursday and Friday of each month. Board committees typically scheduled meetings beginning on Wednesday of the week and prior to Thursday’s work session or following Friday’s business meeting. While both the work session and business meeting were subject to open meetings law and therefore open to the public and live-streamed on public television, committee meetings and executive sessions were closed to the public. Key board figures in this study include:

District 1- Lillie Larson: Serving a portion of Lancaster County, including Lincoln, the second largest city in the state, Lillie Larson was first elected to the SBOE in 2013 after serving many terms on the Lincoln Public Schools Board of Education. Larson began her career as a public high school social studies teacher (“State Board of Education| NDE,” 2016).

District 2- Glen Flint: Flint was appointed by Governor Heineman to represent District 2 on the SBOE on March 28, 2014, following the resignation of Omaha attorney Mark Quandahl in January 2014 (Dejka, 2014a). Flint is a software developer with Northrop Grumman in Bellevue, Nebraska (“State Board of Education| NDE,” 2016).

District 3- Rachel Wise: Wise was elected to the SBOE in 2013, representing Northeast Nebraska. A retired educator whose teaching and administrative experiences included
work in rural districts, Omaha Public Schools, and in an Educational Service Unit, Wise was elected President of the State Board of Education in January 2014 (Burt County Messenger, 2014).

**District 4- John Witzel:** Witzel was also appointed by Governor Heineman to the SBOE in March 2014, following the resignation of another long-serving board member, Rebecca Valdez in January 2014 (Dejka, 2014b). A retired Air Force veteran, Witzel served for 14 years a board member for Educational Service Unit #3 serving Douglas and Sarpy Counties prior to joining the State Board (“State Board of Education| NDE,” 2016).

**District 5- Patricia Timm:** First appointed to the SBOE in 2004 and continuing to represent Southeast Nebraska following her election in 2007. Timm began her career as a kindergarten and K-12 art teacher (“State Board of Education| NDE,” 2016). As the member with the longest tenure with the board, Timm served as board President January 2013, when LB438 was first introduced and prior to Wise’s election in 2014 (Reist, 2013).

**District 6- Maureen Nickels:** Nickels was first elected to represent central Nebraska in 2015, filling a position left vacant by Lynn Cronk who following her retirement, moved out of the district (Reist, 2015a). Nickels taught for Grand Island Public Schools for 26 years before joining the Nebraska State Educators’ Association (NSEA) (“State Board of Education| NDE,” 2016). Following her election to the board, questions were raised by opponents as to whether it was constitutional for her to maintain her employment with NSEA; it was determined that she could maintain her job with NSEA and her position on the SBOE.
District 7- Molly O’Holleran: Elected to the SBOE in 2010 and representing the largest region, across western Nebraska, O’Holleran’s career also began in education. Prior to joining the SBOE, she served on the North Platte Public Schools Board of Education (“State Board of Education| NDE,” 2016). O’Holleran served as the chair of the Accountability Committee when LB438 was debated and passed.

District 8- Patrick McPherson: McPherson was elected to represent a portion of the Omaha metro area in 2015, a position previously filled by John Seiler, who had decided to not pursue another term. Upon assuming his role in January 2015, McPherson was the focus of controversy and pressure to resign after a post on his blog, the *Objective Conservative*, referred to President Obama as a “half breed” (Reist, 2015b). McPherson deleted the post and stated that the post had been written by a contributor to his blog, acknowledging that he, “…must do a better job of monitoring posts by others” (Reist, 2015b). Despite ongoing pressures coming political officials including Senators Ben Sasse and Deb Fischer, Governor Pete Ricketts, public comment in the February 2015 State Board of Education meeting, and a State Board of Education 6-2 vote requesting his resignation, McPherson made it clear that he had no plans to resign his position (Dejka, 2015; Ozaka, 2015). McPherson’s brought with him experiences from the banking industry and city government. He “…served as Director of Department of Administrative Services for the City of Omaha from 1997-2001” (State Board of Education| NDE, 2016).

**Commissioner of Education**

Matthew L. Blomstedt: Blomstedt was appointed Commissioner of Education by the SBOE on January 2, 2014 to replace Roger Breed (who had been in office since 2009). Prior to taking this position, Blomstedt served as the Executive Director of the
Educational Service Unit Coordinating Council, the Executive Director of the Nebraska Rural Community Schools Association, and as research analyst for the Education Committee in the Legislature (“Commissioner| NDE,” 2016). Unlike his predecessors, Blomstedt’s prior roles did not include experience as a classroom teacher, building principal, or district superintendent.

**Nebraska Department of Education:**

While there are many names of individuals from across NDE who played significant roles throughout this study, the individuals listed here were key in the decision-making throughout the development of AQuESTT and direction-setting throughout its initial implementation.

**Brian Halstead** - Employed by NDE since 1990, Halstead assumed the role of Assistant Commissioner in 2008 and was named a Deputy Commissioner and Chief of Staff in 2015. Halstead’s duties include “numerous areas related to the development, implementation and application of the law, education policy, and legislative liaison activities at the federal, state, and local levels” (“Commissioner| NDE,” 2016).

**Deb Frison** - Dr. Deb Frison joined NDE in August of 2015, as the Deputy Commissioner of School Improvement and Support. As a “veteran Nebraska educator with 38 years of teaching and administrative experience in the Omaha Public Schools,” (“Commissioner| NDE,” 2016), Frison joined the department to work with schools as the state implements a new accountability system” (Duffy, 2015).

**Sue Anderson** - Dr. Sue Anderson joined NDE in August 2014 as the Accountability Coordinator. Anderson had previously worked at NDE in the early days of Nebraska’s
writing assessment before taking a position at Educational Service Unit #3 (Nebraska Department of Education, 2014g).

**Kathy Kennedy**- Dr. Kathy Kennedy (KLK Consulting Inc.) was hired as a contractor by NDE in February 2016, to work with the state’s identified priority schools (i.e., three schools identified through AQuESTT). Kennedy had worked as a contractor for the Omaha Public Schools in previous years and most recently with Druid Hill Elementary, which was one of the three priority schools, in the 2015-2016 school year (Reist, 2016). Kennedy, a former Assistant Superintendent of Instructional Design and Innovation who retired from Moore County Public Schools in North Carolina in August 2015 (Nagy, 2015; Lentz, 2015; WNCN Staff, 2015), was hired to help the state develop a model for intervention and support that could be used to support all schools in Needs Improvement (Nebraska State Board of Education, 2016g).

**School Accountability in Nebraska:**

Just as Nebraska prides itself on its unique style of state governance with a Unicameral, state education policy around accountability enjoys a similar history often referred to as, “the Nebraska way.”

Under No Child Left Behind, when faced with meeting Average Yearly Progress (AYP) requirements, “…every state but Nebraska decided to use norm-referenced or state developed high stakes measures” (Dappen & Isernhagen, 2005, p. 147). Following the passage of LB812, the *Quality Education and Accountability Act* in 2000, NDE (under the leadership of then Commissioner of Education Doug Christensen and Deputy Commissioner Polly Feis) developed its own local-assessment and accountability system:
STARS (School-based, Teacher-led, Assessment and Reporting System) (Nebraska Department of Education, 2004).

According to a STARS Summary report,

The underlying philosophy that supports Nebraska’s School-based Teacher-led Assessment and Reporting System emphasizes a partnership between the local school districts and the Nebraska Department of Education. Keeping decisions about student performance on standards at the local classroom level provides a balance between state level guidance and local decision-making. Partnership and balance are the two crucial elements in making changes in schools that will result in improved learning for all students (2004, p. 1).

Using this approach to meet standards, assessment, and accountability in the state allowed Nebraska, “…to keep teaching and learning at the center of the educational process, promoting high-impact, not high-stakes, assessment” (Dappen & Isernhagen, 2005, p. 148). It also allowed the control of curriculum and assessment to remain at the local level, where “[e]mphasis is put on professional accountability in that teachers are directly involved in constructing an accountability system that relates directly to classroom teaching…” (Sleeter, 2007, p. 10). Increasing federal pressure from and expressed frustrations coming from local educators, “… concerning the amount of time involved in the development and administration of STARS assessments, combined with the inherent inconsistencies in methodology between districts, pushed a discussion on Nebraska assessments to the legislative level” (Isom, 2012, p. 7). In 2008, the Nebraska Legislature passed LB1157, which “required that a single statewide assessment of reading, math, and science be phased in and, by the year 2013, replace the STARS system of locally developed assessments (NDE, 2010a, p. 1). These statewide assessments came to be known as NeSA (Nebraska Statewide Assessments). Following the passage of LB1157 Commissioner Christensen resigned. When asked about his decision to leave his position, he stated that,
I believe that state testing is wrong and is not in the best interests of students, teachers and other educators, and schools. I cannot uphold the constitutional responsibility of being a Commissioner who is to uphold the "law of the land" and put in place something that I believe is so dreadfully wrong as education policy and so destructive as public policy about education (Cody, 2008).

Beyond mandating the implementation of statewide assessments, LB1157 also required the SBOE to develop a way to, “...determine how well public schools are performing in terms of achievement of public school students related to the state academic content standards” (79-760.03(a)).

In January 2012, with statewide assessments fully implemented in the state, Sen. Adams introduced LB870, which would authorize the SBOE to develop and implement an accountability system for schools and districts by the 2012-2013 school year. The bill allowed the board to incorporate multiple measures into a single performance score for each public school and district in the state (Nebraska’s 102nd Legislature, 2012). The bill was passed and signed into law and accordingly, on August 9, 2012. In its first foray into state accountability,

…the Nebraska State Board of Education adopted as policy, the Nebraska Performance Accountability System [NePAS], which provides multiple scores and rankings for school districts in NeSA- Reading, Math, Science, Writing and for Graduation rate (Nebraska Department of Education, 2014a, p.1).

The introduction of LB438

Senator Greg Adams, the Speaker of the Legislature, first introduced Legislative Bill #438 (LB438) on January 22, 2013. The bill, which Sen. Adams (former chair of the Education Committee) made his priority bill for the session, amended LB870, his 2012 legislation (Neb. Rev. Stat. § 79-760.06), outlining the creation of a more robust state education accountability system to be developed and implemented under the direction of the SBOE. The introduced legislation required the SBOE to incorporate multiple
indicators into a performance score for schools and districts, to select up to five priority schools (from the lowest performance category) for intervention (Nebraska’s 103rd Legislature, 2014a). The SBOE, according to the introduced copy, would appoint an intervention team as well as a “community school operating council.” The council, in collaboration with the school staff, administration, and local board of education would develop a progress plan to be approved by the SBOE (Nebraska 103rd Legislature, 2013a).

The bill’s hearing before the Education Committee took place on February 25, 2013. Other bills and resolutions discussed that day included LB517, a bill introduced by Sen. Scheer that would allow, but not require the SBOE to adopt Common Core Standards; a charter school bill introduced by Sen. Lautenbaugh that would allow the establishment of five charter schools as a mechanism of school reform for “failing schools;” and a technical clean-up bill introduced by Sen. Sullivan that would adjust statute in order to support NDE’s policy work.

The hearing on LB438 immediately followed Sen. Lautenbaugh’s charter school bill and Sen. Adams, in his opening statements told members of the Education Committee that while his proposed accountability legislation “was not originally designed or introduced as an alternative to charter schools…I’m here today to provide you with what might be perceived to be an alternative to that” (Nebraska’s 103rd Legislature, 2013b, p. 75). Adams described how LB438, would expand upon the legislation passed in LB870, authorizing the SBOE to assume a new role in intervening in schools that, “…may be failing, but the fact they’re failing means that we need to
prioritize them and do something about them” (Nebraska’s 103rd Legislature, 2013b, p. 75).

The interventions he proposed did not mean a school takeover, but rather through an intervention team,

…a team of folks chosen by the State Board of Education to step into that school building, or school district, whatever the case may be, analyze the situation and say here's what we believe the factors are that are contributing to this school not improving…The state school board would simply be authorized to come in with an intervention team, analyze the situation, prepare a report and say you've got to follow this plan and then continue to follow up on that to see to it that the plan is being followed… And then stay on top of that school district to see to it that the plan is implemented. Now similar to a charter school environment, this may be, who knows…(Nebraska’s 103rd Legislature, 2013b, p. 75).

Adams also described the role of proposed operating councils for each priority school that would represent the community and serve in an advisory capacity to ensure “…local buy-in from the people that are right there whose kids go to that building or maybe they own the store right down the street, but they're part of that attendance area, that want to see that school improve” (Nebraska’s 103rd Legislature, 2013b, p. 76).

The Chair of the Education Committee, Sen. Sullivan, commented that LB438, “…at least from the department’s standpoint came with a pretty hefty fiscal note” (Nebraska’s 103rd Legislature, 2013b, p. 76). Adams acknowledged that the legislation would require significant financial support in order to provide intervention for the proposed five priority schools and in response to Sullivan’s concerns, stated that, “…Maybe it could be done, Senator, on a pilot basis. Maybe instead of five priority schools, it’s one.” (Nebraska’s 103rd Legislature, 2013b, p. 76).

When questioned by Sen. Harr about whether the money would go to “pump money and resources” into schools, Adams responded that, the first line of intervention
Another member of the Education Committee, Sen. Kolowski, a former principal in Millard Public Schools, raised a concern about the support a priority school might have and whether it might be beneficial to have someone from the outside, “…trained in a model or models of school reform…that is nurturing that group along. How does that group...where do they go to find the tools needed to do the reform effort that is needed in that individual school?” (Nebraska’s 103rd Legislature, 2013b, p. 79). Adams responded that the legislation he proposed would allow the State Board of Education to determine what model and how to provide support to the priority schools.

Following Sen. Adams, Assistant Commissioner Brian Halstead testified on behalf of then-Commissioner Roger Breed in support of LB438.

The bill proposes a reasonable and restrained approach to help ensure that all Nebraska students are afforded a high-quality educational opportunity. The bill sets out the implementation after the 2013-14 school year, allowing the state board the time to fully analyze statewide test data, improvement numbers, and growth trajectories so as to have a much clearer picture of expectations for schools and school districts. Further, the bill is learning focused. It requires progress toward clear goals, and it provides a level of support and oversight that brings the community, the school, the department into alignment to improve Nebraska schools. (Nebraska’s 103rd Legislature, 2013b, p. 82).

Following the reading of Breed’s statement, Sen. Sullivan questioned the fiscal note attached to LB438, asking whether or not there would be a way to provide support in such a way as to not have “…those big funding challenges” (Nebraska’s 103rd Legislature, 2013b, p. 83). Halstead responded that, “there is cost,” to doing the kind of work necessary to accomplish what Sen. Adams proposed in the bill and that perhaps the committee might consider reducing the total number of priority schools from five to two or three.
Other testimony on the bill included support coming from Jay Sears, representing the Nebraska State Educators’ Association (NSEA), who told Education Committee members that proposed legislation would allow Nebraska to consider how it can support its schools that might need improvement develop a plan to ensure that it happens. He went on to state that, instituting charters wouldn’t solve the problem and that the state should take the opportunity to figure out how to coordinate support “…and do the right thing for kids in the schools districts” (Nebraska’s 103rd Legislature, 2013b, p. 84).

John Bonaiuto, registered lobbyist for the Nebraska Council of School Administrators (NCSA) and the Nebraska Association of School Boards (NASB) provided neutral testimony on the bill and appreciation on behalf of both organizations for Adams’ proposed legislation. He went on to encourage policy makers to highlight the benefit of being a priority school, stating that,

I think a part of this helping schools is between the Legislature and the state board and the department putting a spin on this that it's a good thing to be a priority school. I mean, that's going to be really important, that you're special, that you mean a great deal to your district and to the state, and we really do want to help and help you succeed. I think that's going to be an important part of this, that it's not a bad thing to be designated, but it's a helpful thing. (Nebraska’s 103rd Legislature, 2013b, p. 89).

Finally, Sen. Adams made brief closing statements to bring the discussion of LB438 to an end in the Education Committee Hearing.

**Updates to LB438**

Adams filed an Amendment 1240 on May 2, 2013, updating the language of LB438, changing the total number of priority schools that could be designated to three and removing the formation of operating councils for each priority school. The bill was then placed on General File and postponed to the next session.
Other events influencing the policy context in which LB438 would be considered in the next term included the announcement that Commissioner of Education Roger Breed would retire, effective July 1, 2013 (Dejka, 2014) and the introduction of a Legislative Resolution (#305) put forward by Sen. Harr of Omaha intending to “to study the governance and efficiency of the State Board of Education,” (Nebraska’s 103rd Legislature, 2013c). That Legislative Resolution was assigned to the Government, Military and Veterans Affairs Committee and a hearing was set for November 8, 2013.

Sen. Harr, in his opening statements on LR305, reminded the committee that the purpose of the interim study was to look at whether the current structure of an elected Board of Education that appoints a Commissioner is most efficient to get “…the best results for our kids” (Nebraska’s 103rd Legislature, 2013d, p. 52). Harr stated that,

…what we found is that there is a diffusion of power. And with that diffusion…it wasn't by happenstinance. It was intentional because education…the argument is education is all of our responsibility But then the question becomes, if we aren't meeting our goals and expectations, who is ultimately responsible so that we can make sure our kids are getting the education that is not just deserved, but constitutionally required…we looked at how other states conduct their State Board of Education. And we look at the results of how those students perform on tests. And while you can't directly correlate one to the other, what you do find is that there is a pattern. And that the states that have our style don't always perform as well as others (Nebraska’s 103rd Legislature, 2013d, p. 53).

The committee heard testimony from James Harrold, a Ph.D. student and adjunct instructor at the University of Nebraska-Omaha who, along with Dr. Johoo Lee, conducted the study of governance to which Sen. Harr had referred in his opening statements. Citing NAEP (National Assessment of Educational Progress) Assessment results, *Education Week*’s annual Quality Counts report on states’ efforts to improve education, and education governance models in other states, Harrold concluded that, “…we think that at least looking at the governance model is probably worth a look
because it seems to be partially causal to success” (Nebraska’s 103rd Legislature, 2013d, p. 60).

SBOE member Mark Quandahl, representing District 2 (and former state senator), responded to the previous testimony by outlining a the history of education governance in the state and the constitutional provisions for the Department of Education, the State Board, and the Commissioner of Education. Quandahl outlined some of the responsibilities of the board including school funding formulas, setting standards and assessments, teacher and principal effectiveness, and accountability. He went on to remind committee members that,

There's over 785 statutory references to the State Board of Education...and we didn't look at Commissioner of Education, we didn't look at Department of Education...And so, you know, the Department of Education, it's not a code agency, it's autonomous from the executive branch, from the legislative branch, from the judicial branch. However, that being said there is that constitutional provision that says that we are subject to legislative direction. And that's something that we do. And as a matter of fact, that takes up a lot of our time, taking the legislative directives and then turning that into real, boots-on-the-ground policy. (Nebraska’s 103rd Legislature, 2013d, p. 65).

Committee member Sen. Avery, referring back to previous Commissioner of Education Doug Christensen quipped, “Thank you. I remember a former commissioner that didn't quite interpret the constitution the way you did,” before Sen. Murante asked a more serious question.

Why doesn't the Legislature just confer these powers on a superintendent or a commissioner on education, let that person be appointed by the Governor, and they have to act with whatever policies the Legislature enacts? (Nebraska’s 103rd Legislature, 2013d, 2013, p. 67).

Quandahl stated that getting rid of the SBOE would require a constitutional amendment, to which Sen. Murante responded that regardless of how popular a governor
in Nebraska might be, he had a difficult time imagining voters taking powers away from an elected State Board. Quandahl agreed, saying that “…being involved in politics and being a state senator, I’ve found that the constituents and that the citizens of the state of Nebraska like to have a direct voice in their government” (Nebraska’s 103rd Legislature, 2013d, 2013, p. 69).

Dr. Roger Breed, Nebraska’s newly retired Commissioner of Education, followed Quandahl’s testimony, stating that,

I can say without hesitation and as a public school educator with over 40 years of service that I much prefer the system of an elected State Board of Education and an appointed commissioner that is embedded in Article VII of the Nebraska state Constitution. I would oppose, and, in fact, strongly oppose, any system that diminishes the involvement of all Nebraskans in the education of our citizens (Nebraska’s 103rd Legislature, 2013d, 2013, p. 72).

Responding to previous discussions about whether the structure of an elected board provided efficiency and accountability, Breed said,

…as near as I can tell, an efficient governmental body is one that does what I want done right away. An inefficient governmental body is one that includes many voices that deliberates extensively, that thinks long term, that brings together many heads to come up with actionable ideas and plans…(Nebraska’s 103rd Legislature, 2013d, 2013, p. 72).

He also cautioned the committee against only looking at NAEP scores or reports in Education Week and encouraged legislators to think about broader ways to assess schools and further cautioned them against a governor-appointed Commissioner of Education, expressing concern that the system of education would become more politicized, thus putting the “education system at risk” (Nebraska’s 103rd Legislature, 2013d, 2013, p. 75).

The final individual providing testimony on the bill was Dick Clark, the executive director of the Platte Institute, a conservative non-profit think tank founded by Pete
Ricketts’s (Governor of Nebraska throughout most of this study) political allies in 2007 and where Ricketts served as the Director and President at the organization’s inception. Self-described as a “free-market think tank,” (“Platte Institute Unveiled”, 2008), the Platte Institute was provided support and resources as a part of the broader State Policy Network—an umbrella organization that advances conservative policies that have included expanded access to charter schools and school vouchers. Clark cited a study from Education Week, which placed Nebraska “49th out of 50 for educational policy and performance,” and went on to describe the state’s persistent achievement gaps, stating that,

Clearly Nebraska’s education system is not working for many of its students and changing the structure of educational leadership in the state could help facilitate the important reforms that would enable all of our students to succeed and compete with their national and international peers in this global economy… Changing the constitution to have the education commissioner as part of the cabinet would help our state develop unified education policy and give reform-minded commissioners more opportunities to help craft innovative reforms and make Nebraska's education system into the success that we know it ought to be (Nebraska’s 103rd Legislature, 2013d, pp. 78-79).

He exhorted the committee to think about the impact such changes could make on the lives of students in Nebraska.

Clark cited information from Education Week’s annual “Quality Counts” ratings, which ranks states on a variety of education policy indicators that included the implementation of common standards and assessments, accountability systems aligned to Race to the Top and Requests for ESEA Flexibility, and teacher evaluations that included student performance on statewide assessments (“About the State Highlights Reports-Education Week”, 2013)—policy areas that (as described in both Chapter 2 and
previously in Chapter 3) Nebraska policymakers had rejected as not reflecting the “Nebraska Way.”

Sen. Harr provided closing statements in which he responded to those who provided testimony, stating that despite the concerns brought forward by Quandahl and Breed, the “empirical evidence [makes] it abundantly clear we can do better.” (The empirical evidence cited from Education Week’s report in which the indicators automatically put Nebraska in low-ratings resulting from a rejection of national policy currents rather than the actual quality of the education system). Harr reminded the committee that education makes up a significant portion of the state’s budget he stated that it was no longer the 1950s, when the current State Board of Education structure was put in place.

In this race for equality, in a race to take politics out of education, the question is, have we taken accountability out? Have we diffused it so far that nobody is responsible? Everyone is responsible, but nobody is responsible. At the end of the day, if my kid doesn't get the education she deserves, who do I turn to? (Nebraska’s 103rd Legislature, 2013d, p. 81).

While these discussions were happening between legislative sessions, the SBOE was in the midst of a search to fill the Commissioner of Education position left vacant by Dr. Breed. By December of 2013, they announced the finalists. During their December 6th meeting, then-President of the SBOE Pat Timm, announced a special session to take place on December 11th and 12th to interview candidates.

Also in this meeting, board member Mark Quandahl, in his Legislative Committee report shared that sponsor of LB438, Sen. Adams and chair of the Education Committee, Sen. Sullivan had visited the day before to discuss LB438, which “they [Speaker Adams and Senator Sullivan] are going to move forward on pretty early in the
session” (Nebraska State Board of Education, 2013a). Quandahl described the appreciation both Speaker Adams and Senator Sullivan expressed in collaborating as policy partners in outlining a new system of accountability and pointed out that in the upcoming January board meeting, “we have to discuss and then adopt at least a skeletal framework of what that system is going to look at, so just be aware of that” (Nebraska State Board of Education, 2013a).

Also during this board meeting, in her Accountability Ad Hoc Committee report to the full-board, Molly O’Halloran described NDE’s work in framing an accountability system that would align with LB438 and might also open the conversation around applying for ESEA flexibility. She reported on the work of the governor’s Technical Advisory Committee (TAC) around the development of this new system that would classify schools, rather than rank them. Acknowledging that “we like to do things the Nebraska-way,” O’Halloran outlined a vision of accountability that, according to the committee, included revisiting the purpose and role of accountability so as “not just to point fingers and blame, but to get answers and to provide solutions…really the carrot of accountability instead of the stick” (Nebraska State Board of Education, 2013a).

A week later, in a SBOE special session, the board voted 8-0 at 11:12 a.m. in support of offering Dr. Matthew L. Blomstedt a contract to become the new Commissioner of Education in Nebraska. Most recently serving as the Executive Director of the Educational Service Unit Coordinating Council, Blomstedt acknowledged that his path to the position had not followed the typical trajectory of teacher, administrator, or superintendent. “Blomstedt, 41, said he could not have had the experiences he’s had in educational policy if he’d gone that route” (Anderson, 2013). SBOE members
highlighted Blomstedt’s leadership and relationship with many of the state’s superintendents as well as his “…knowledge of state education policy and funding and his ability to work with people from a variety of different groups and across political aisles” (Anderson, 2013) and some of the many reasons he was selected in a unanimous decision to become the state’s Commissioner of Education.

Upon accepting the position, Blomstedt immediately highlighted that a first priority would be to, “…focus on the legislative agenda [and] a measure introduced by State Sen. Greg Adams of York and the Education Department [that] would create an accountability system to address schools with achievement problems” (Anderson, 2013).

**LB 438 in the 2014 legislative session:**

With the beginning of a new year, discussions in the Legislature, the SBOE, and NDE seemed to revolve around accountability. Education Committee hearings in the new session included bills related to accountability, responsibility, and public policy. Sen. Harr’s interim study (LR305) examining Nebraska’s governance model vs. other states continued as lawmakers grappled with notions of education reform along a continuum ranging from centralized oversight from the Governor to considering a constitutional amendment that would abolish the SBOE.

In their January 2014 work session and business meeting, SBOE President Pat Timm welcomed and introduced the newly appointed Commissioner of Education, Dr. Matthew L. Blomstedt. In the board’s annual elections, Rachel Wise was named President of the State Board.

During their two days of meeting as a full board, they heard updates on Sen. Adams’s accountability legislation (LB438) that had been placed on General File.
Assistant Commissioner, Brian Halstead described ongoing collaboration with the Legislature, and particularly, the Education Committee as the second session of the 103rd Legislature would convene the next week and Sen. Adams’s bill would most likely be re-introduced and acted upon early in the session.

Dr. Valorie Foy, Director of Statewide Assessment provided an update on NDE’s progress, developing parameters for a new accountability system aligned with LB438. Foy reminded board members of the recent development of the “NePAS” system following 2012 legislation and stated that, “The new NePAS system that we are proposing would take multiple indicators and combine them into a single measure to identify performance levels for individual schools and districts” (Nebraska State Board of Education, 2014a). The new accountability system, which she referred to as “NePAS 1.1” would include indictors from, “NeSA reading, writing, math, and science participation and performance, and graduation rate.” She explained, “That’s exactly what we’re using right now; we’re just going to use it in a different way. So that would not be a huge surprise to schools” (Nebraska State Board of Education, 2014a).

Dr. Foy explained that the new system would use student status, growth, and improvement on statewide assessments and include a super-subgroup of non-proficient students rather than the sub-groups used under the federal AYP system. Table 4.1 (below), is an artifact from Dr. Foy’s presentation that further clarifies how NePAS 1.1 was to work.

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3 Participation is defined as the percentage of eligible assessments with scores (completed assessments) compared to the total number of eligible assessments for students in tested grades.
Dr. Foy clarified to board members that what she was presenting was merely an introductory framework and that NDE planned to have a “taskforce of people to provide input into this system” to provide mechanisms to get feedback from districts, and to leverage local and national assessment and accountability expertise in order to develop the state’s model. Before moving forward however, Foy expressed that,

…we would like is a vote of approval for this document, that just sets these general parameters in place. It would guide us, we would know that we have your support in doing so, and it could also provide input to the Legislature as they move forward, that they can see that we are moving forward toward a goal that they have (Nebraska State Board of Education, 2014a).
O’Holleran thanked NDE for the work in beginning to draw out an accountability framework that would broaden the original NePAS, stating that,

…our accountability system won’t just be ranking schools, it will also be presenting models for best practices. And that will really enhance education in Nebraska. And then the second point is, this supergroup designation will really respect local control because, if for instance, we go to those not meeting proficiency, that can vary in our 249 districts depending on the needs of that district. So, by creating a system that still honors local control, and provides supports, we’ll be able to function in an adaptive manner (Nebraska State Board of Education, 2014a).

The next day in the State Board’s business meeting, Jay Sears, still representing the Nebraska State Educators’ Association (NSEA), provided public comment on the proposed NePAS1.1 framework, stating,

I was excited to hear Valorie talk about the draft that is out there for you today to give them the go-ahead to work on this. Accountability is a very important piece for us, because if we don’t have the data to find out what is happening in classrooms we can’t help people get better (Nebraska State Board of Education, 2014b).

Following Dr. Foy’s request, the board unanimously approved the initial framework for NePAS1.1, giving the go-ahead for the NDE to continue developing a new statewide accountability system in alignment with LB438’s pending re-introduction in the legislative session (Nebraska State Board of Education, 2014b).

Less than a week later, on January 8th, the 103rd Nebraska Legislature began its second session and LB438 was re-introduced as a carryover bill, along with Amendment 1540, introduced by Education Committee chair Sen. Sullivan. Giving LB438 the title Quality Education Accountability Act, the amendment updated the language and timeline from the 2013 carryover bill, so that data determining school and district classification and priority school designation would come from the 2014-2015 school year (Nebraska’s 103rd Legislature 2nd Session, 2014a). The Working to Improve Nebraska Schools Act, a
contrasting school accountability bill sponsored by Sen. Lautenbaugh and the
Independent Public Schools Act, a renamed charter school bill also sponsored by
Lautenbaugh, and a Legislative Resolution which would replace the elected State Board
of Education with a Commissioner of Education appointed by the Legislature and
governor were also introduced.

The SBOE gathered at the end of January for their legislative retreat to discuss
proposed legislation and to determine what stance the board, as a unit, would take on the
session’s introduced bills. The board determined whether it would support, oppose, or
remain neutral on proposed legislation and also made decisions about whether a board
representative should provide testimony in committee hearings.

There were continued discussions around the two accountability bills (LB438 and
LB952) as well as the Working to Improve Nebraska Schools Act, put forward by Sen.
Lautenbaugh, The second bill contrasted LB438 in its overall vision of school
accountability reform as it included provisions related to retention at third grade for
students who did not demonstrate grade-level reading proficiency on NeSA, constructing
an A-F grading ratings for schools and districts based on performance, alternative teacher
certification routes in the state, and school recognition and performance bonuses to
schools for improvement (Nebraska’s 103rd Legislature 2nd Session, 2014k).

The SBOE decided to oppose Lautenbaugh’s LB952, the Working to Improve
Nebraska Schools Act, and the next day, newly appointed Commissioner Matthew L.
Blomstedt testified in opposition to the bill. In his testimony he outlined the importance
of having the SBOE and the Commissioner leading in developing a system of
accountability that would best meet the needs of Nebraska (Education Committee Hearing, 2014b).

Opposition to LB952 was supported by both NSEA and the NCSA. John Bonaiuto, representing NCSA, indicated that the SBOE “should be involved in these types of changes…” He pointed Speaker Adams’s bill LB438 which, “is trying to find out how do we help districts that are not making the kind of achievement that's necessary. And he has a pilot I believe in his priority bill that he's trying to move us in the right direction and do the best practices to help districts achieve better” (Education Committee Hearing, 2014b).

LB972, the Independent Public Schools Act, introduced by Sen. Lautenbaugh and renamed from the Charter Schools Act put forward the previous session, would affect only the Omaha metropolitan area. The bill identified the SBOE as the single body that could determine whether or not an independent public school would meet requirements to be accredited or approved in the state, unlike the variety of institutions that can provide charters in other states.

In the SBOE’s February board meeting, Assistant Commissioner Halstead reminded the board that the previous year they opposed Sen. Lautenbaugh’s charter school bill. Following a brief discussion where both Pat Timm and Lillie Larson highlighted the element of school choice that is available with option enrollment, board member Molly O’Holleran moved for the board’s opposition to the bill proposed that staff testify in opposition of the bill at the upcoming Education Committee hearing. The motion passed with five members voting to oppose the bill, board member John Seiler
opposing the motion, and two seats left vacant following the January resignations of board members Mark Quandahl and Rebecca Valdez.

Sen. Lautenbaugh also put forward *Legislative Resolution 421* (LR421), a review that suggested replacing the elected SBOE with a legislative and governor-appointed Commissioner of Education. In the Education Committee hearing on January 27, 2014, a staffer from Sen. Lautenbaugh’s office provided opening statements on the resolution. Stating that beyond the fact that other states have a similar structure of governance over their systems of education, the rationale for the suggested change was that,

…by having a single commissioner to sort of regulate and unify policy among the local school boards, it would provide greater local control and allow folks to know exactly who to contact when they had a concern about their school system…. He [Lautenbaugh] felt that having one decision maker versus the current board would be a slightly more--I'm not going to say convenient but more expedient process in trying to get policy decided and pushed forward to help the local school boards (Education Committee Hearing 2014b).

One final bill, discussed in the State Board of Education February 3, 2014, work session, was LB 952, sponsored by Sen. Cook from Omaha, which would recreate the position of Student Achievement Coordinator at the Nebraska Department of Education. Halstead told board members that the previous position created in 2007 was dissolved with budget cuts following the recession. The proposed legislation would include a budget sufficient to hire an FTE, however, “the problem is, there’s no one person that’s going to be able to do everything this position is described to do” (Nebraska State Board of Education, 2014c) Halstead told board members.

I mention this particular piece of legislation, because this is where my story intersected with the broader policy narrative related to school reform and accountability.

In January 2014, I was working for an education non-profit in the Omaha, partnering with
various metro school districts, a community college, and public 4-year university.

Beyond stopping by our CEO’s office and noticing debate on the legislative floor on his television, I was not following the session’s legislation or how this particular bill would pull me into a job, a policy culture, and ultimately into this study.

**LB438 on the floor of the Legislature:**


What this bill does is to put the State Board and the Legislature in the same place so we're working together, not up against one another…It simply states that the State Board of Education will use the various indicators of student performance that they have, and whether they be the results of math and reading or whether they be graduation rates or whether they be growth models of improvement, use the data that they already have and build a system for evaluating school districts and school buildings to determine where we really have issues. And once that determination is made, the bill authorizes the State Board of Education to intervene in that school district (Nebraska 103rd Legislature 2nd Sess. 2014c).

Adams highlighted the importance of having an accountability for Nebraska, not only a system imposed by Washington D.C. in No Child Left Behind and reminded his fellow lawmakers that, “We're one of the few states that cannot ask the Department of Ed for waivers because we don't have an accountability system” (Nebraska 103rd Legislature 2nd Sess. 2014c).

Sen. Sullivan followed Sen. Adams’s introduction, explaining how AM1240 had adjusted the original introduced legislation, decreasing the number of priority schools from up to five to up to three and decreasing the fiscal note projections from “$4.2 million down to $800,000” (Nebraska 103rd Legislature 2nd Sess. 2014c). Sullivan also
detailed how a second amendment, AM1580 had updated the timeline from what was originally proposed, with the SBOE approving priority school plans in August 2016. Initial discussion coming from senators on day one expressed support for the bill and raised clarifying questions about process that might be used to classify schools and districts or to designate priority schools. Adams explained that the proposed legislation had intentionally left the decisions about how to accomplish the implementation of the accountability system up to the SBOE (Nebraska 103rd Legislature 2nd Sess. 2014c).

On the second day of the debate, Sen. Chambers, representing District 11 in North Omaha, expressed his opposition to the amendment that had decreased the number of priority schools from five to three (Nebraska 103rd Legislature 2nd Sess. 2014d). Sen. Larson expressed similar concerns when he had the floor, describing the challenges of Santee, a district on the Santee Sioux Reservation in his district and the “…underlying issues that continue to hinder or hold it back” (Nebraska 103rd Legislature 2nd Sess. 2014d). Larson stated that with other communities facing similar challenges, “I’m just not sure three is enough…” (Nebraska 103rd Legislature 2nd Sess. 2014d). Larson also wondered whether the three schools selected for “help” would come from Omaha or Lincoln, stating that, “…it’s very easy to pick the priority schools that are close to home and ignore rural Nebraska” (Nebraska 103rd Legislature 2nd Sess. 2014d).

When given the floor, Sen. Lautenbaugh expressed concerns about students’ access to quality education stating that,

…we have a problem in this state with education. And you may gasp and you may say, oh my gosh, that can't be true; our schools do great, my schools do great, my kids go to a good school. Well, your kids might, but too many don't, too many don't. And too many who wish to go to a good school, too many parents who wish their kids go to a good school have to put their children on a bus and send them
elsewhere. And that's not how our system is supposed to work (Nebraska 103rd Legislature 2nd Sess. 2014d).

Sen. Sullivan said that she agreed that the system was far from perfect and that legislation like this was necessary to help improve the system. She stated that,

Our most valuable resource is the human capital and the young people that we have. And there is no more important job that we have than to educate our young people. And no child should fall behind; no child should fall between the cracks; no child should be disengaged in this process. We want them all to be successful. And I'm proud of the system that we have. (Nebraska 103rd Legislature 2nd Sess. 2014d).

Sullivan went on to describe what the state could learn about supporting struggling schools through the priority school intervention process that could be applied in other schools. She also mentioned an Education Committee visioning process she had put forward under LB1103 that she believed would bring coordination and a collaborative focus around the improvements necessary to the system of education in the state (Nebraska 103rd Legislature 2nd Sess. 2014d).

Sen. Harms put forward his response to the bill, expressing his concern that holding schools accountable in the current bill ignored that,

…you have a large number of children coming in already with deficiency…And so now we're going to watch those children go all the way through this system and we are going to see failures all the way along the line. So when we talk about this aspect of it, I would be in hopes that we start to focus on before the child gets there, because that's where we're failing (Nebraska 103rd Legislature 2nd Sess. 2014d).

Harms encouraged his fellow senators to think about early childhood investments before thinking about school accountability metrics.

Upon his turn with the floor, Sen. Lautenbaugh asked Sen. Adams what would happen if a plan to improve a priority school didn’t work and Adams responded that he didn’t have an answer to that question, nor did he think that the SBOE knew what the
answer would be without knowing the context of the school and the plan. Lautenbaugh responded that in a few years maybe there would be another plan and that in the meantime, “…with every year we fail more children” (Nebraska 103rd Legislature 2nd Sess. 2014d). Lautenbaugh stated that poverty or other outside neighborhood challenges could not be an excuse for schools. He stated,

Well, I'm sorry, but that's the hand you're dealt. Teach them…Some people think of the State Board or State Department of Education as coming in with the green eyeshades on and having a, you know, discussion over coffee about how this should change and how we could do better at these schools that are failing. And I keep using the F word: failing. Failing, failing, failing, because some of these schools are, by any reasonable measure, failing our children. I have a different image in mind of reformers from the State Department of Education in a perfect world swinging in on ropes through the windows and saying we're here to take over; we've assumed control; this ends today…For true accountability to exist, there has to be a hammer; there has to be a sanction; there has to be something that happens if you fail to perform (Nebraska 103rd Legislature 2nd Sess. 2014d).

Lautenbaugh then put forward an amendment to LB438, which he described as something, “that reads as a kind of snarky thing and it’s not…” (Nebraska 103rd Legislature 2nd Sess. 2014d). His amendment, submitted and later withdrawn, changed the title of LB438 from the Quality Education Accountability Act, to the Quality Education Postponement Act (Nebraska 103rd Legislature 2nd Sess. 2014d).

Sen. Mello, also from Omaha, responded to Lautenbaugh’s statements when he had the floor, saying that while he had not originally planned to speak on the legislation that day, but that,

…anytime I hear my good friend and colleague Senator Lautenbaugh stand up and discuss the perils of trying to blame poverty of why we just don't have the education system that we have and need right now, I get a little nervous and I get a little concerned. Because, unfortunately, that mind-set is what's I think trying to drive a national debate right now when it comes to education policy, that, you know what, there's just poor kids and we've just got to deal with it…I wish, Senator Lautenbaugh, there was simply a silver bullet to deal with poverty. There's not (Nebraska 103rd Legislature 2nd Sess. 2014d).
Sen. Cook echoed Mello’s concerns regarding the discussions about schools and
the impact poverty raised by Sen. Lautenbaugh. Cook extended the discussion to included
access to early childhood. limited English proficiency, and achievement gaps into the
conversation, stating that,

Sometimes I do feel, colleagues, that we frame our conversation around those
issues, poverty, early childhood, limited English proficiency, because we are
uncomfortable talking about the impact of race on the situations that we see in the
schools, not only in Omaha but across the state…I hate to say it but it is a fact in
the state of Nebraska, people move away from people that they do not relate to
racially (Nebraska 103rd Legislature 2nd Sess. 2014d).

Throughout the rest of the second day’s debate on LB438, senators rose in support of the
measure while also providing commentary on poverty, early childhood, and other related
bills that might impact the education system in the state

On the third day of debate on LB438, initial dialogue focused on the work of
intervention teams that would be identified and assigned to each priority school. Sen.
Harms, who the day before had described the challenges some schools in his district face
when children with “deficits” come to kindergarten unprepared, commented with his time
on the floor that,

“…what this bill is about is to identify quite frankly that the schools that have
problems and then send a team in there to help them adjust that, and then help the
superintendent and the school boards understand that they need to have
greater…maybe greater staff development or move teachers around. But that's
what this bill is all about is to get into those schools that are failing and the
children to come along that are not doing well, to intervene with that and put a
team together to help them get there (Nebraska 103rd Legislature 2nd Sess. 2014e).

Sen. Larson, with his time, inquired about the makeup of these teams and whether
individuals might have expertise in “school turnaround.” Sen. Adams responded that
while the Commissioner of Education would appoint members to the priority school
teams, “I don't have any reason to believe that the department is going to put blinders on to those people who within the state or outside the state…that couldn't help us” (Nebraska 103rd Legislature 2nd Sess. 2014e). Larson pointed out that in his opinion, NDE had repeatedly put blinders on regarding charter schools, teacher certification, and Teach for America and so he was concerned about who might be selected to intervene and what might happen should that school not turnaround. Raising the question of charter schools as an intervention, Larson asked,

Why don't we say if the priority school has not improved in five years we will convert it to an Achievement First charter school or a KIPP charter school or an Aspire Public School charter school? Because we've made them a priority in LB438, they still can't get their stuff together, we've seen it in other states that these charter schools, KIPP schools are some of the best schools in the nation, highest rated public schools in the nation. Why can't we do that in LB438?...We know it works. We know there's been turnarounds, yet we're willing to pass or look at something that's watered down in a...there still could be a school that's a priority school for five years or ten years with no conversion...This is more the carrot, soft-handed approach, let's see if this works (Nebraska 103rd Legislature 2nd Sess. 2014e).

Adams responded that, “This bill doesn't go that far obviously. That's a whole other issue, whole other issue that is currently being dealt with in the Education Committee” (Nebraska 103rd Legislature 2nd Sess. 2014e).

Before LB438 went to a vote to move it from General File to Select File and after listening to the deliberations around school reform and charter schools, Sen. Adams provided some closing statements, telling the assembled senators that,

Before you cast the net out there and say there's something terribly wrong with that school, be sure you know why. LB438 gives the state of Nebraska an opportunity to add to the federal accountability system. It gives the state of Nebraska an opportunity, statutory authority, to intervene in these schools that don't seem to get it turned around… But here's the method. It's not a silver bullet either. It's a start…We get into a discussion like this, all the focus is on the failure and you forget about all the successes out there. (Nebraska 103rd Legislature 2nd Sess. 2014e).
On February 13, 2014, with a vote of 35-0, the bill advanced and moved into initial Engrossment and Review.

The State Board of Education met on March 3-4, the middle of LB438’s journey through the Unicameral. Halstead, in his March 3rd work session legislative report, informed the board that there were 24 days remaining in the session and that Sen. Lautenbaugh’s Legislative Resolution 421, calling for a constitutional amendment that would strike all mention of the SBOE, NDE, and the Commissioner of Education from the Nebraska Constitution had been postponed indefinitely. Joking that the “good news is, there does not appear to be anything this session about a constitutional amendment [and] the bad news is, you’ll be back next year, so there’s a lot of work you’ll have to do with the rest of the bills that are still here,” (Nebraska State Board of Education, 2014e). Halstead went on to report that Senator Adams’s priority bill, LB438 had moved from General File to Select File and that debate would most likely happen within the week.

Halstead also updated the board on Sen. Lautenbaugh’s two bills, LB952, the contrasting accountability bill that he had not prioritized would not be moving out of committee. Halstead gave the caveat that in the coming debate on LB438, the Department would pay attention to what amendments Sen. Lautenbaugh might try to work into Sen. Adams’s bill. Halstead also commented that the Department would be watching for pieces of LB972, Senator Lautenbaugh’s bill in the Education Committee that put forward the creation of independent public schools or charter schools in the metropolitan area of Omaha.

Later in the work session, Chair of the Accountability Committee, Molly O’Holleran, also updated the board on LB438’s progress and described Sen. Adams’s
latest amendment allowing for an “an alternate administrative structure among other options. And that really creates more flexibility for our school districts after five consecutive years identified as a priority school, that’s our turnaround plan he’s talking about.”

O’Holleran went on to share work happening at NDE under the leadership of Valorie Foy with the creation of an accountability taskforce made up of

…the best and the brightest, a diverse group of school districts, and ESU representatives who reviewed our current status in our accountability plans and framework. And they provided information and insights to the accountability committee to consider (Nebraska State Board of Education, 2014e).

O’Holleran connected the work of this taskforce around accountability and design of Nebraska’s accountability system to the ESEA Flexibility provided by the U.S. Department of Education through a waiver application. She described the key components required by the waiver and acknowledged that, “Nebraska should design what we want” (Nebraska State Board of Education, 2014e). She concluded her remarks stating,

We will bring any recommendations to the whole board to consider as soon as possible. And I think Rachel said, this is on a fast-track. And we will all be relying on Valorie Foy and her group at NDE as well as the taskforce with whom you’re associated. And our very important policy partners in the state legislature. And the debate on 438 is going to continue. And as you probably know, we need to be right in there with the discussions and ready to perform according to their expectations (Nebraska State Board of Education, 2014e).

On March 5, 2014, the day following the State Board of Education business meeting, Sen. Adams filed AM1934, which included stronger authority for the SBOE that could be assumed in a priority school if that school did not demonstrate progress after five years. Referred to as the “hammer” by legislators, the floor dialogue included comments from Sen. Lautenbaugh on the proposed amendment, expressing his
impatience about how long it would be until real change happened in schools that weren’t performing as they should. “I don't think business as usual is acceptable anymore and it shouldn't have been acceptable for as long as it has been… I'm not sure we have a sledge yet. And more to the point what I was getting at earlier was I don't know that we have anyone willing to swing it” (Nebraska 103rd Legislature 2nd Sess. 2014f).

Just as before chair of the Education Committee Sen. Sullivan stood in support of LB438 with the amendment, stating that with the proposed legislation the SBOE would develop the tools to identify “low-performing schools” as well as the processes to “help those schools.” She reminded senators that “…this is a new process. We don't know exactly what it's going to look like” (Nebraska 103rd Legislature 2nd Sess. 2014f).

Sullivan acknowledged Lautenbaugh’s impatience, stating that,

… it's going to be a methodical process because they [State Board of Education] want to develop appropriate indicators, appropriate measurements so that they don't just tell a school: You're failing, you're doing a bad job. Well, how are we doing a bad job and how can you help us do a better job? So that does need to be a thoughtful and somewhat methodical process of doing that (Nebraska 103rd Legislature 2nd Sess. 2014f).

She also rejected statements that the education system was broken in Nebraska, stating that, “I am so proud of the educational system in this state” (Nebraska 103rd Legislature 2nd Sess. 2014f).

Sen. Mello stated his appreciation for Sen. Sullivan and Sen. Adams’s work in bringing LB438 forward and continuing to work with senators to improve it throughout the session. Mello pointed to one particular feature included in the amendment, referring to it as the “hammer: that had been requested in earlier debates, in giving the SBOE the authority to put in an alternate administrative structure if progress was not made in a priority school.
That gives the Department of Education, under this bill, the ability to come to a school district, and if necessary, they don't meet the ongoing benchmarks that's needed for progress, the Department of Education can come forward and they can close down a school. They can come into a district, to a specific school and completely change the administrative leadership. This, essentially, was part of that hammer that we had discussed (Nebraska 103rd Legislature 2nd Sess. 2014f).

The amended changes were adopted in a vote of 28-0 and the bill was forwarded to enrollment and review for engrossment.

LB438 was placed on Final Reading on March 10th. On March 25th, Adams filed another amendment (AM2624), to the final copy, adding an emergency clause that would make the bill immediately effective upon becoming law. On March 27th, the bill was returned to Select File and AM2624, which made small edits to the bill was once again brought to the floor of the Legislature. Following its adoption, the bill advanced once again to engrossment and review. On the last day of March, the bill was placed on Final Reading the second time.

The Final Reading and vote on LB438 took place on April 3, 2014. Because the bill had an emergency clause, it would be made effective the day following the governor’s signature. The bill passed, with 48 senators voting affirmative and one senator (Sen. Gloor) present, but not voting. In the accompanying appropriations bill, 48 voted affirmative, no senator voted against the appropriation, and Sen. Lautenbaugh was present, but did not vote. The President/Speaker of the legislative body signed the bill immediately and presented it to the Governor on the same date. One week later, LB438 was made law and entered state statute as Neb. Rev. Stat. Sec. 79-760.06-.07.

The SBOE held their monthly work session and business meetings on April 7-8 in the window of time between the passage of LB438 in the Legislature and the Governor signing the bill into law on April 9th.
They welcomed two new members to fill seats vacated by Mark Quandahl and Rebecca Valdez. These seats were filled by Glen Flint of District 2, representing suburban Omaha; and John Witzel of District 4, representing a significant part of the Omaha metro area. In his opening statements, Commissioner Blomstedt asked that discussion and action item presenters provide a brief history and context to support new board members’ learning about key discussion areas for the day.

Much of the conversation in their April 7th work session focused on LB438, the state’s history with accountability, and the work that had moved forward since the board’s January approval of an initial accountability framework, NePAS 1.1. In his legislative overview Halstead told the board,

…we are certainly hopeful that the Governor will sign 438 and 438A that provide the funding to the Department to carry out those provisions. This has been the focus of the Board for the last two years. Senator Adams and Senator Sullivan have been very helpful in working with us. They’ve met several times with the Board’s legislative committee on this bill and everything. Hopefully the Governor will sign this bill yet this week so that we can finally complete Nebraska accountability and do it the way we do things in Nebraska (Nebraska State Board of Education, 2014g).

With the Governor’s signature, Nebraska would, as a state, take on a new role related to accountability. Foy, Director of Statewide Assessment, provided board members with a brief history of school accountability in Nebraska, including the STARS assessment system, a statewide writing assessment in 2001, followed by additional NeSA (Nebraska Statewide Assessments) assessments in reading, math, and science.

In 2012, she explained, the Legislature passed Neb. Rev. Stat. § 79-760.06, and NDE, in collaboration with educators from across the state developed NePAS, the Nebraska Performance Accountability System. Foy described the measures and reporting included in the NePAS system along with benefits as well as some of the confusion that
had been expressed regarding its multiple rankings. Foy reminded the board that the rankings in NePAS included status assessment scores from NeSA assessments along with measures including growth, improvement, participation, and graduation rates. She explained,

And, if you’ve looked at the State of the Schools Report, it is sort of interesting because the NePAS, if you look at it, you could look at it and say there are like 40 rankings there and that is true. And so for that reason, some people say it’s sort of confusing; it’s not very clear. But here’s the thing about publishing all those rankings. Everything’s out there...It’s all right in the public...And so while it may look like a complex system, there is a certain simplicity about listing all of those. And then leaving that to the local district to tell their story, based on those. So, that’s the current system that we have (Nebraska State Board of Education, 2014g).

With this context, Foy described how LB438, if signed by the Governor, would change school accountability in Nebraska.

LB438 does away with the multiple rankings that are currently in the NePAS system. The major differences about it are that it asks us to develop a system to assign schools and districts to a performance level, so we need to determine however many performance levels we are going to have, and assign schools to one of those, based on the criteria that are determined to identify the three lowest performing schools in the state and provide intervention and school improvement help, throughout the state, but especially in those three schools. And so that will change what accountability looks like in the state of Nebraska (Nebraska State Board of Education, 2014g).

Foy said that in working collaboratively with Sen. Sullivan and Sen. Adams from the Legislature, NDE had begun work in anticipation of LB438 and reminded board members that through the work of the Accountability Committee, chaired by Molly O’Holleran, recommendations for an initial framework for NePAS 1.1 had been approved by the full board in their January business meeting.

Foy provided an update on work that had gone on since January which included the creation of a NePAS Taskforce made up of between 50 and 60 members who
represented all different roles in education across the state, including superintendents, principals, teachers, district assessment coordinators, NDE experts, and ESU partners.

In a four-day meeting held in February, the taskforce discussed the number of performance levels that should go into NePAS 1.1, how the system would take into account subgroup performance, and what a formula might look like to place schools and districts in performance levels that would also identify the three “lowest performing schools” for intervention. She told the board that the taskforce was working toward bringing a recommendation to the board, acknowledging the shortness of the timeline ahead. Foy informed the board that the taskforce planned to meet for at least two more days and potential one time more before August.

Foy described the unique processes Nebraska leveraged in designing its accountability system stating that,

… this is a process that is pretty typical of what we do in Nebraska, in that we go to educators, we use state department expertise, we work with our State Board committees, and eventually we move that to a process where we are able to adopt that. And could I say also that we have worked hand-in-hand with the Legislature on this piece… I go to the federal meetings and I can tell you, not every state has their Legislature, their State Board, their Nebraska schools, and their state education department working on the same page… And so I think that really speaks well for Nebraska (Nebraska State Board of Education, 2014g).

Accountability Committee chair O’Holleran followed Foy’s presentation, commenting that while No Child Left Behind was a “failed law,” it had forced schools to look at their at-risk student population performance. She vowed that in the work moving forward,

..we will still focus on ameliorating those achievement gaps that exist between our at-risk groups, because it’s not just general student growth and school improvement. It still matters that we’re addressing the needs of some of our lowest-performing groups (Nebraska State Board of Education, 2014g).
Both Foy and O’Halloran also described the long-term vision for the new system that would incorporate broader measures beyond statewide assessment. Foy outlined indicators that might include dual-credit and Advanced Placement course offerings. Later, Commissioner Blomstedt outlined a vision for assessment that might think about pulling in student performance data differently. He said, “…we need to build future assessment systems that allow us to dip our toe kind of into the water and see how districts are doing, but use all these data sources relative to engaging schools in their school improvement processes” (Nebraska State Board of Education, 2014g).

Blomstedt acknowledged the collaborative work that had occurred among the Legislature, the SBOE, and NDE, thanking both Sen. Sullivan and Sen. Adams for their contribution moving LB438 forward. He went on to tell board members that, “…there are some moments where we have to say we need to work very closely with the Legislature to design a system for the future.”

Throughout the April work session and business meetings, it was evident that Nebraska’s accountability future included the ongoing work of the NePAS 1.1 taskforce and their efforts to pull together recommendations for performance level classification, indicators to be included in the new system, and ultimately determining three schools for intervention. Foy expressed that the taskforce was committed to accomplishing this work in a way that aligned with the vision, philosophies, and commitments of the SBOE. The board not only approved the initial framework of NePAS 1.1, but had also approved the original NePAS system in 2012, their accountability board policy adopted on September 2, 2009 (reaffirmed in August 2012).
According to Policy G19, in the *Nebraska State Board of Education’s Bylaw and Policy Reference Manual*, the primary purpose of accountability “is to improve learning for all students.” Beyond that, achievement results “should be shared in a collaborative conversation” with parents and stakeholders, ought to inform professional development and school improvement, and “A state comprehensive accountability system will include student performance information and school and community-based indicators that directly support and impact student performance” (Nebraska State Board of Education, 2012). It was within the frame of these state board belief statements that NDE and the NePAS 1.1 Taskforce continued to develop recommendations for the state’s new accountability system.

**LB438 becomes law**

On April 9, 2014, Governor Dave Heineman signed LB438 into law. The bill became Nebraska Revised Statute § 79-760.06-07. After two years of collaborative work among Sen. Adams and the Education Committee chaired by Sen. Sullivan, the SBOE, and NDE, the state, by statute had a requirement to develop an accountability system that would include the classification of schools and districts into performance levels, and the authority to identify and intervene in up to three priority schools.

By the May 8th State Board of Education work session, much of the discussion focused on the ongoing development of NePAS 1.1 how the new accountability system might place the state in relationship to the requirements of a U.S. Department of Education waiver from *No Child Left Behind*. The agenda item for accountability was moved to the end of the meeting and chair of the Accountability Committee, Molly O’Holleran opened her presentation with a reminder to the board that the taskforce would
make recommendations for the new accountability system (NePAS 1.1), but that, it was
the board’s responsibility according to statute to make the final determination on what the
system would include. “The legislators have given us this responsibility. We are going to
be designing this accountability system,” she said (Nebraska State Board of Education,
2014h).

Foy presented the SBOE an update of the work of the NePAS 1.1 taskforce,
describing the progress within the framework the Board approved in January and
acknowledging future iterations of the system, stating that,

I do want to take a second to say that we do realize that the Board has presented a
vision of where they would like to go, which we are envisioning as NePAS 1.2
that would encompass more data than what we are able to put our hands on at this
time, because these data are not collected yet. Things like International
Baccalaureate, Advanced Placement, and pieces like that, that we could possibly
measure in the future, you will not see in this model (Nebraska State Board of
Education, 2014h).

In its first implementation, Foy stated, the accountability system would meet the
requirements outlined in LB438 using data NDE collected at the time. “And LB438 was
very clear about setting performance levels, assigning schools and districts to
performance levels, and intervening in the three lowest and so, that is what we have been
working on,” she reminded them (Nebraska State Board of Education, 2014h).

Foy reported that taskforce would develop accountability models and ultimately
present a recommendation to the Accountability Committee and then to the full SBOE.
Including,

…we have all sorts of different memberships represented, from schools that don’t
have very many at-risk students, to schools that have a high number of at-risk
students, and in addition, we have all these different partners represented. So we
have principals on it, we have superintendents, we have district assessment
contacts, ELL specialists in our schools, Sped leaders in the school districts, we have policy partners…(Nebraska State Board of Education, 2014h).

Policy partners included the NSEA, local school board members, teachers, the Nebraska Council on Humanities, national assessment and accountability experts, among others. Foy assured the Board that the work of the taskforce was being done with careful consideration of the vision and direction the SBOE had taken around accountability.

…look at what they have established as their priorities: getting all schools to improve, improving student achievement, and providing assistance to schools. And look back at your own framework. This Taskforce is right with you on what they want to achieve in schools. Their guiding principles go right to your indicators: multiple indicators, trend data, status, improvement, growth, and then they’re sensitive to change, transparent, because they want to do what’s best for schools. And if you look at what they want to include, there are no surprises there (Nebraska State Board of Education, 2014h).

The NePAS 1.1, Accountability Task Force Synthesis document Foy provided for the board stated that,

…members have reviewed research on accountability, including accountability plans in other states and had the opportunity to view presentations from department members and other experts on topics such as graduation rate, student growth percentile, and subgroup/supergroup use. The format has revolved around acquiring information and perspective, participating in small and large group discussions, and then moving to consensus building about facets of the system…The Task Force will reconvene for its final steps this upcoming summer before providing recommendations to the State Board of Education Accountability Committee (Nebraska Department of Education, 2014a).

The taskforce discussed how many performance levels the state should have and seemed to be in agreement that they did not want to have a system with five performance levels, as in other states it had been too easy to convert that to an A-F scale. “Right now, they are looking at four unless the data indicates a need for more or fewer that’s probably what we are going to go with but we’re always open to what our data tells us,” Foy explained (Nebraska State Board of Education, 2014h).
Foy said that the metrics the group was considering in the development of the classification models were complex. They included considerations about how to think about subgroup data and whether the state ought to consider a super-subgroup that would move away from AYP models that counted non-proficient students from identified subgroups multiple times (Nebraska State Board of Education, 2014h). The taskforce would meet again over the summer, between the SBOE’s June and August Board meetings, Foy said. What the group had developed beyond guiding principles included, …performance level characteristics and policy statements, which in effect, are models that they have created. And out of this committee, they have created five K-6 models, five middle school models, five high school models, and five K-12 models (Nebraska State Board of Education, 2014h).

Foy acknowledged that designing a classification model that would be fair for the wide-ranging sizes of schools in the state would be challenging. She outlined next steps for the group, stating “[w]e’re coming back together to come to agreement on these models, to limit the number, so that we can send recommendations that are usable to the SBOE, but give you choices” (Nebraska State Board of Education, 2014h).

Following Foy’s update, long-time NDE employee, former director of Federal Programs, and Assistant Commissioner Marilyn Peterson shared a scope and timeline for the work that would ensure that NePAS 1.1, with classification of schools and districts, the designation of three priority schools, and the intervention in those three schools, met the dates outlined in Neb. Rev. Statute Sec. 79-760.06-077 (LB438). “You’ll notice at the top it says the work-plan for developing and NePAS is at 10%,” she noted for board members before going on to say that, “…our friends in other states tell us that getting a model to classify schools is 10% of the work; 90% follows that and that’s actually working with those schools” (Nebraska State Board of Education, 2014h). Peterson
highlighted the key components the new statute required including the classification of schools, the designation of priority schools, intervention in priority schools, and the release of priority school designation. She began,

You will see that NePAS, the classification component that Valorie [Foy] and the taskforce are working on is one part of it. There is another part of it that is that second pass or third pass maybe, to look at which are the three [priority] schools and we want to keep that process focused on school improvement (Nebraska State Board of Education, 2014h).

Peterson described statutory responsibilities of the SBOE, the Commissioner of Education, and NDE in the designation of the three priority schools.

We need to be able to say to the three schools, here’s why we consider you the neediest schools and here’s what you have to do to get out of being called the neediest schools. And we need to have it focused on, I hope, school improvement and not just on changing scores. There’s also a consequences component to that and that is how are we going to support the schools or districts that we identify as the lowest-performing. It’s not good enough for us to say, ‘oh, you’re in the slow group but try to get out,’ you know. We’ve got to do something to help (Nebraska State Board of Education, 2014h).

The help, as outlined by statute, would begin upon priority school designation, and continue until the school was released when expectations established by the SBOE were met. After five years, if a school remained a priority school, a strong plan or administrative structure could be put in place.

If you are one of the three the intervention starts at that time because you’re going to have a team working with you and the law says you have to open up your policies, your finances, your records, and so on. You have to work together. So the intervention starts once we have identified the priority schools.” After five years, however, Peterson stated, “[i]f [the school is] not off that …then I’m sorry folks, but we’ve all failed. They failed. We failed them. Then we have to do something radically different (Nebraska State Board of Education, 2014h).

Peterson said that in order to make meet the requirements outlined in Neb. Rev. Stat. § 79-760.06-07 by August 2015, the SBOE needed to promulgate new a new rule for accountability in which, she explained, would likely take up to six months to be
drafted, presented for public comment, approved, and submitted to the Governor for
signature (Nebraska State Board of Education, 2014h). Beyond the formal regulatory
guidance, the work of NDE would have to change.

We have to have teams that look at all of those low-performing schools and
decide on the three. We have to have teams that are ready to go out and work with
the three schools…there is nobody in the Department currently doing this. So we
have to organize and realign our resources (Nebraska State Board of Education,
2014h).

Peterson stated that the Commissioner asked her to provide the overview and timeline so
that board members would be aware of their role in the accountability system and the key
policy decision points that needed to be considered in coming months.

One of those decision points included the potential the implications having a new
state accountability might have in relationship to federal accountability, the 2014
expectation of 100% proficiency as mandated by No Child Left Behind (NCLB), and
ESEA Flexibility. Board member Molly O’Holleran introduced the topic stating that,

[the]Accountability Committee realizes that the time has come to evaluate where
we are, and where we need to be to get federal accountability for a waiver. And
this has been our discussion and we are really interested to hear what the whole
board thinks. We don’t want to do this, just to get flexibility—just to get a waiver,
if it perverts what Nebraska’s best intentions are for our 249 school districts. So
what we have directed Commissioner Blomstedt and NDE to do is to create a
scenario that aligns what we’re doing, where we want to go, with the performance
expectations described by the federal United States Department of Education
(Nebraska State Board of Education, 2014h).

The Board again called upon Peterson’s (who had most recently written Nebraska’s
application for the Obama administration’s Race to the Top) expertise. Peterson stated
that,

…we have talked about waivers since 2011, I think when they were first left
out—laid out. The Secretary of Education was willing to waive certain
requirements in No Child Left Behind, because Congress was not getting it
reauthorized and that 2014 deadline was approaching (Nebraska State Board of Education, 2014h).

Peterson provided a context for why Nebraska had not previously submitted an application Request for Flexibility as other states had.

At that time, we looked at the requirements and said ‘hmm,’ there’s a lot of stuff here. In exchange for not having to do AYP, we have to do a lot of other things and we opted not to apply for a waiver in 2011. (Nebraska State Board of Education, 2014h).

Peterson reviewed the assurances the state would need to agree to in submitting an application and went on to explain that the narrative components centered around “four principles, you must follow if you want to do a waiver and the first one is that you must have college- and career-ready expectations for all students (Nebraska State Board of Education, 2014h).” Peterson outlined the work NDE was doing to update standards and to have sign-off from post-secondary institutions to ensure the college- and career-readiness of students who were proficient on Nebraska standards. Peterson explained that the state was on its way to meeting the requirements of Principle 1, but that timelines would be a real issue because, “it will take us several years to do it, but that’s a natural progression for the development of standards” (Nebraska State Board of Education, 2014h).

Peterson moved on to outline Principle 2, a state developed, differentiated, recognition, accountability, and support system. “Well, that means basically what we are doing with our accountability system,” she began, “and as I said, nothing in our, as we developed our accountability system, it does not contradict what is in here. It isn’t complete though, you need to understand that” (Nebraska State Board of Education, 2014h). Peterson said that a gap between the NePAS 1.1 accountability model being
designed and the requirements of a Request for ESEA Flexibility included the number of schools identified for state intervention and a “...component that disaggregates data and sets goals as to how we will decrease the achievement gap that exist among our schools” (Nebraska State Board of Education, 2014h).

Finally, Peterson focused on Principle 3 of the Request for ESEA Flexibility, a teacher and principal evaluation system, another place where the State Board of Education would need to consider some shifts in philosophy and policy decisions if deciding to move forward with a waiver, she explained. While the Department had worked over the course of the previous four to five years to develop the Nebraska Teacher/Principal Performance Framework, and was in a pilot-phase with districts in the state, Peterson explained that the timelines required in the waiver application were problematic, as was a requirement in Principle 3 to tie student achievement data to teacher performance evaluation in tested grades. Peterson said that,

In most of the waivers, the feds have been very, very pushy, if you will, about having that be the state test but we have been developing a model that looks at student learning objectives. Student learning objectives are still outcomes—student achievement, they are tied to the content and the curriculum and the instructional strategies or framework that is being used. So we have a measure; it is not our model to propose to use state assessment, the NeSA results as a part of the evaluation; it was not designed that way from the beginning. So we have, ahem, this might be a stumbling block as we pursue a waiver I’m saying, because they are really, the U.S. Department of Education is really pushing for connecting a state assessment results and states are doing this differently (Nebraska State Board of Education, 2014h).

This, Peterson explained, along with the fact that school districts were not mandated to use the state model or a single framework for evaluation would be key policy decisions for the State Board should they decide to pursue ESEA Flexibility. She did not go on to describe Principle 4, required in a waiver, reducing burden on local districts.
In response to Peterson’s presentation and the summation of gaps between Nebraska’s current policy and practice in relationship to the requirements for a Request for ESEA Flexibility, board member John Seiler asked, “What percentage of compliance do we have to be in, do you think?” (Nebraska State Board of Education, 2014h).

Peterson and Commissioner Blomstedt were not in agreement in their responses to this question. Peterson’s immediate response drew upon her experience as the Director of Federal Programs, giving an example of what NDE would require should a school ask for a waiver of a requirement,

…if I were a district, and seeking a waiver from the Department, and the Department sent me a form, I know I’d have to fill out that form. And I’d have to say yes to all the things they want me to do in order to get the waiver… I’m sorry. I personally have a difficulty seeing the negotiation part (Nebraska State Board of Education, 2014h).

Commissioner Blomstedt followed Peterson’s comment by saying, “I describe it this way. I’m optimistic, she’s pessimistic, but the reality, is she’s right” (Nebraska State Board of Education, 2014h). The Commissioner explained that,

We have to have them lay out what the process is. It’s their process. Quite frankly, it’s what they tell us we have to do. And then we have to decide, hey look, are we willing to go there. And then that’s the negotiation percentage part of it. And we’ll find out (Nebraska State Board of Education, 2014h).

O’Holleran, chair of the Accountability Committee pulled the discussion back together, reminding the Board of the critical timeframe for the board to study and to make a decision about pursuing a Request for ESEA Flexibility from the U.S. Department of Education. “We are at a tipping point in doing something great for our school districts,” she stated, referring to Nebraska’s progress in developing an accountability system and consideration of a waiver (Nebraska State Board of Education, 2014h). She went on to say,
[It is a] great time to bring our ESUs together, our administrators, our teachers, our communities. And if we choose to apply for a waiver, part of that process is going out to our communities and doing outreach to our communities and seeing how do you want this to look. What do you want your students to look like when they graduate? And how, in fact, can Nebraska do this to prepare students for college- and career. We need to keep in mind that if we apply for a waiver, it’s because it does something for Nebraska students…let’s not shirk our responsibility because it’s intimidating. And you know what, if they deny us, then they deny us when we were trying to do what’s best for Nebraska (Nebraska State Board of Education, 2014h).

Commissioner Blomstedt agreed that if the board should decide to move forward with a waiver, that would have to be a collaborative process among, “the whole education system in Nebraska, the Legislature, hopefully the Governor, hopefully all of the other policy partners, who are all in this together to do what’s right for education” Nebraska State Board of Education, 2014h. Blomstedt reminded the Board of their responsibility to provide leadership.

We have to provide hope. I mean, we have to provide hope that we’re going to move this process forward. Our schools need to hear that message from us. They need to be able to partner with us; they understand what we’re going through. That’s why I want to commend the committee for encouraging us to go ahead and move this documentation out, for the Board’s conversation, and quite frankly, for our partners’ conversations all across the state. So, I think that’s absolutely critical and we must, we must provide hope that we’re walking through this process (Nebraska State Board of Education, 2014h).

The Board ended the work session with the Commissioner thanking board members for their thoughtful conversation around accountability and telling them, “I think this is where we need to go” (Nebraska State Board of Education, 2014h).

At this point in Nebraska’s LB438’s accountability narrative, the State Board of Education and the Nebraska Department of Education were in the process of putting a system in place. Following the State Board’s approval of a broad framework for accountability in NePAS 1.1, NDE staff moved forward pulling together a taskforce with
representatives from broad stakeholder groups to work collaboratively in developing classification models and ultimately, recommendations to go to the SBOE.

Running side-by-side, and perhaps coming closer than ever before, federal accountability with its 2011 flexibility provision provided to states feeling the weight of accountability under *No Child Left Behind* and without reauthorization of *ESEA* in sight, and Nebraska’s state accountability system. In the floor debates of LB438, months earlier, legislators discussed how giving the State Board of Education legislative direction around state accountability and authority to intervene in Nebraska priority schools would better position the state to apply for a waiver. The SBOE and the Commissioner were in a position to respond to what was outlined in LB438 and to respond to Nebraska’s school districts’ requests for relief from the proficiency requirements in *NCLB*.

**NePAS 1.1 becomes AQuESTT**

By June, the discussion around accountability had shifted beyond a focus on classification to what it would mean to designate and work with three priority schools. Conversation regarding Neb. Rev. Stat. § 79-760.06-07 (LB438) continued to be interwoven with dialogue around whether the SBOE would recommend that NDE write a waiver or a *Request for ESEA Flexibility*. In her report as the Accountability Committee chair, Molly O’Holleran read the basic requirements of designating three school buildings among the 1130. “[T]hese priority schools will be at the lowest performance level at the time of the initial priority school designation,” she explained, “And they will remain priority schools until the designation is removed by the State Board” (Nebraska State Board of Education, 2014i). O’Holleran stated that the philosophy of the new accountability system, “…is not about punishing or embarrassing or shaming schools.
This is about designating them and then providing an intervention team that will diagnose the issues that negatively affect their student achievement in these priority schools” (Nebraska State Board of Education, 2014i).

The intervention team, O’Holleran explained could be comprised of up to five people per school whose task it would be to work with the local education association, local board of education, administration, and teachers in order to “help them set up best practices for continuous improvement, because that is the ultimate goal” (Nebraska State Board of Education, 2014i). O’Holleran emphasized this point, stating that, “[w]hatever we do in these turnaround models will create a sustainable paradigm for that school and that district to improve student achievement and to narrow the achievement gap” (Nebraska State Board of Education, 2014i).

Later, Commissioner Blomstedt returned to this point, describing an education aligned with continuous improvement. “It’s a lot of elements of a system that have to work together ultimately for us to be successful in this, “ he said,

The other reality, the message that we clearly want for our school districts is that we are trying to build a system of support that’s in addition to the system of accountability, that also links to the proper data, ultimately for school improvement efforts, and bringing those pieces together we want to be that solid partner in that effort to help all of our school districts, quite frankly (Nebraska State Board of Education, 2014i)

This system would not include borrowing some other model; “[w]e will be able to build a Nebraska-based system,” he stated.

Discussion in the accountability update on the board agenda also focused on whether Nebraska ought to submit a Request for ESEA Flexibility (wavier). O’Holleran explained that the Commissioner would soon be engaged in conversation with the U.S. Department of Education, “regarding how Nebraska sees creating a framework for going
forward with this plan” (Nebraska State Board of Education, 2014i) Commissioner

Blomstedt expanded on this information, sharing with the Board that,

> I do feel very good in our conversations with the Assistant Secretary of Education for ESEA, Deb Delisle. At the national level I’ve had a couple opportunities to speak with her on the phone, one opportunity to speak with her in person, I mentioned to them that I think we needed a process quite frankly, to apply. The current process isn’t really open to us at the moment, but they are very willing to be talking with us, so we can present our plan for what we believe an accountability system needs to look like in Nebraska (Nebraska State Board of Education, 2014i)

He assured the board that he and the staff at NDE would continue the work and dialogue with the U.S. Department of Education and thanked members of the staff and the Accountability Committee for their work.

What was different about this board meeting, as compared to accountability reports in the previous months of the year, is that the Commissioner did not ask the Director of Statewide Accountability to present on the progress of NePAS 1.1. Following O’Holleran’s Accountability Committee report, Blomstedt stated that Foy was available if there were questions and then made his own comments. There was a pause when the Commissioner finished speaking. Foy looked toward the Commissioner and Board President Rachel Wise. With a voice rising in inflection, Foy offered to answer any questions. Wise asked if there were any, but did not pause to wait if there were any questions, but without a pause, she transitioned the board into their public comment period. Wise explained that the board had decided in place a time for public comment to see if anyone came to provide testimony about ESEA Flexibility or the framework of accountability the board had approved in January and the subsequent work of the NePAS
1.1 Task Force. There was no public comment on these particular accountability-related topics.

With no State Board of Education meeting in July, the board would not hear other updates about NePAS 1.1 or ESEA Flexibility as a full board until August. In the meantime, the Commissioner and the staff of the Nebraska Department of Education would continue their work and also frame out presentations and communications for the state’s Educational Service Units (ESUs), local districts (LEAs), and school staff at the annual Administrators’ Days gathering at the end of July.

It was between the June and August board meetings, that NDE advertised a position for Student Achievement Coordinator who would,

Provide leadership, consultative, or technical assistance services to address the unique educational needs of students in poverty, limited English proficient students, and highly mobile students within school improvement efforts and serves as the Department's liaison to the Metro Area Learning Community ("statejobs.nebraska.gov", 2014).

On a late June day, I sat in my midtown Omaha office and heard a colleague calling out to me across the hall. I leaned back in my chair so that I could look through my office door and into his. “You have to apply for this job,” he said, “it sounds just like you.” I shook my head and rolled my eyes, teasing that he was trying to get rid of me. I went home that night though, and pulled up the description again. I decided to put in an application, left on an extended vacation to Europe, and almost forgot about it until my first day back in the office in August, when I received an email from the Nebraska Department of Education requesting that I schedule my interview in Lincoln.

Meanwhile, at the end of July, Commissioner Blomstedt gave his keynote address to educators gathered for the annual Administrators’ Days Conference in which he laid
out his vision for accountability in the state. He told the group of assembled administrators that he was there to talk about, “…the notion of building support systems for every student every day” (Nebraska Department of Education, 2014b). He asked the group to consider who, according to the constitution, was ultimately, was responsible for the system of education in Nebraska—the State Board of Education? The Commissioner? The Legislature? Local boards of education? The federal government? “The fact of the matter,” Blomstedt stated, “it’s all of us working together” (Nebraska Department of Education, 2014b).

Blomstedt acknowledged the significant work ahead in developing an accountability system that met the requirements of LB438 and that would support schools’ improvement throughout the state as well as the schools that would be specifically identified as priority schools. Citing Michael Fullan’s (2009) work *Motion Leadership*, Blomstedt told school leaders that in developing an accountability system, … continuous improvement is a big part of that. Everything that we build in education, we have to look at how those cogs are tying together and actually how they're connecting for a full system reform…We have to start to invest in things that make a difference to every student, every day. We have to do that in such a fashion that actually we understand that there's certain investments that might removing barriers, sometimes an investment to remove a barrier that exists. It's also an investment to really begin to focus our energies on learning. (Nebraska Department of Education, 2014b).

With this broad vision guiding his work, Blomstedt described the accountability system he envisioned. He acknowledged that each school and district would be classified into a performance classification and shared an anecdote from earlier in the year when he was talking with a superintendent who told him, “Matt, we’re going to categorize schools and why don’t you put one word to describe you on a list and that’s the word you are going to be labeled with” (Nebraska Department of Education, 2014b). Blomstedt assured
administrators that, “…if we do that, we’ve missed the whole thing” (Nebraska Department of Education, 2014b). He went on to describe the disposition with which he planned to work with identified priority schools. “These are schools that are in most need of assistance to improve…who’s responsible for those priority schools, ultimately? I am. I’m not going to shy away from that” (Nebraska Department of Education, 2014b).

Blomstedt told administrators that in the next week, the SBOE would release, “…a high level model to be able to start to talk about this in a public fashion of what we think we’re going to be able to do” (Nebraska Department of Education, 2014b). Commissioner Blomstedt closed his remarks by encouraging the gathered educators to provide feedback and to continue to dialogue to develop the system together. He that he, State Board of Education, and the Department of Education, “We’re listening. We’re listening, we’re responding. We’re going to make a system that supports every student, every day in Nebraska. You can hold me to it, hold me accountable” (Nebraska Department of Education, 2014b).

A week following the Commissioner’s Administrators’ Days keynote, the SBOE reconvened after its summer break for their August work session and business meeting. It was quickly evident, however, that work in the development of a new statewide accountability system had continued over the summer. Just as Blomstedt had promised in his keynote, the SBOE unveiled a draft document outlining components of the state’s new accountability system.

Early in their work session agenda, as the board discussed the format of an upcoming presentation at the NASB Conference in November, board member Lillie Larson requested that the board members determine key topics that they would be able to
cover so that they could be prepared. Molly O’Holleran followed Lillie’s comment with a request to the Commissioner.

I would request that we consider talking about AQuESTT for Nebraska. It’s a system-wide approach to changes that are going to be occurring as a result of LB438. And I think, um, our school boards, our local governance associations are going to want to know how best to leverage their finances and their capacity to meet the new needs of LB438. And especially, they will probably want to have some questions about how we begin to provide support for this very broad initiative (Nebraska State Board of Education, 2014j).

AQuESTT for Nebraska entered the public record for the first time. At that point in the agenda, no other information was offered about this “very broad initiative,” that would meet the requirements of LB438, the bill passed and codified as Neb. Rev. Stat. §§ 79-760.06-07.

Finally, in the second to last item in the board’s work session, O’Holleran opened the discussion on AQuESTT, urging her fellow board members to look at their attached agenda document with the light bulb on the front that saying, “And it’s Systems to Support Every Student, Every Day and we’re calling this Accountability for a Quality Education System Today and Tomorrow: AQuESTT for Nebraska.”

O’Holleran wanted to make sure the individuals in the public gallery also could see what she was referencing and so after a few minutes to allow Nebraska Department of Education employees to get a digital copy on the big screens in the State Board of Education meeting room, she went on,

You all realize that LB438 has put a new onus on the State Board of Education to really talk about not just status scores, growth, and improvement, and graduation rates, but really, set up a type of classification system where we can look at school districts and provide support for those lower performing school districts and also highlight best practices for our high performing districts (Nebraska State Board of Education, 2014j).
This system, “is really going to provide inspiration and best practices…” O’Halloran stated, before turning it over to the Commissioner (Nebraska State Board of Education, 2014j).

The Commissioner described AQuESTT in context to the “Every Student, Every Day” theme he had called upon in his Administrators’ Days keynote the week before. AQuESTT, he said, “begins to lay out, quite frankly, a vision for an accountability system...”(Nebraska State Board of Education, 2014j). The document on the screen and made available through the State Board online agenda provided some narrative about this new initiative that seemed to center around six areas or tenets, including college- and career-readiness, assessment, positive partnerships and relationships, educator effectiveness, transitions, and educational opportunities and access. With AQuESTT, he explained,

We’re moving forward with the systems that are going to actually support students every day across the state of Nebraska and support our school districts in their mission to teach students…I mean, it’s a quest for us to be able to look for as to, where we need to go, what we need to do, what really matters--key investments in education, what really matters for our student across the state. Ultimately, we do have to design the accountability system as 438 says, and I think earlier it says that building an accountability system is literally the least we can do (Nebraska State Board of Education, 2014j).
Blomstedt said it was the responsibility of the SBOE, the Legislature, the Commissioner, NDE, and other policy partners to provide leadership in designing a system of education for Nebraska. The system would include the accountability elements outlined in LB438, which meant categorizing schools, which was tough. Blomstedt went on to explain that should there end up being four categories for the schools, those categories would be Excellent, Great, and Needs Improvement (Nebraska State Board of Education, 2014j). It was from the Needs Improvement classification that the three priority schools would be designated.
Just as he had described at Administrators’ Days, Blomstedt said that the priority schools would be defined as “… the schools in most need of support to improve” (Nebraska State Board of Education, 2014j). He asserted that classification was about much more than the three priority schools and their intervention.

I’ll tell you, that I think this is meaningful. It’s meaningful in the sense that when we identify a group of schools that needs improvement, and when we identify our schools that are in the most need of support, I want to design support systems for all of those schools. We can’t leave any of them out there on their own…(Nebraska State Board of Education, 2014j).

Describing some of the philosophy and work that was happening at the board level and in NDE with the six tenets of this new education system for Nebraska, he once again referenced Michael Fullan’s and Lee Jenkins’s work around notions of leadership, investments, and data informing accountability and the direction of policy (Nebraska State Board of Education, 2014j). Concluding his remarks, he stated,

How do we actually mesh that {the tenets} together so that we can be able to lead. And then look at school districts and say, ‘these are best practices. These are the things that are going to make a difference.’ And how do we partner to support and make sure. And so what I would tell you, these tenets are things that we are standing up and saying that these matter in the school system, they matter in the supports that we build in the Department of Education, and ultimately, ultimately they matter for every student, every day for their success. And I think that’s why we’re in this business (Nebraska State Board of Education, 2014j).

With AQuESTTT replacing NePAS1.1, Blomstedt pointed the board’s attention to a communication plan and timeline available on the agenda and informed them of upcoming policy forums to engage stakeholders in the design of this work. “We want to engage the public, our stakeholders, our school districts, our parents, our communities in a conversation around what’s really best. And we’re going to want that feedback. I’m not going to pretend that we’ve captured everything,” he stated.
In the meantime, the work around accountability and classification would move forward in recognition that the overall vision of measures connected to the tenets included data not currently collected. “We’ll start with the data that we have,” Blomstedt said, “That’s what 438 requires of us, but we’ll get that work done” (Nebraska State Board of Education, 2014j). He informed the board that the new AQuESTT system, “…becomes core to whatever efforts that we have to be able to apply for ESEA Flexibility” (Nebraska State Board of Education, 2014j).

The AQuESTT document attached to the board agenda highlighted the role and function of the SBOE according to Neb. Rev. Stat. Sec. 79-301.02. as the “policy-making, planning, and evaluative body for Nebraska public schools” (Nebraska Department of Education, 2014c). With the Legislature’s passage of LB438 and the Governor’s signature, making the bill statute, the AQuESTT overview document described the SBOE’s,

…opportunity to integrate components of accountability, assessment, accreditation, career education, and data into a system of school improvement and support is imperative for the good of Nebraska students and critical for Nebraska to build a vibrant and economically successful future. The State Board of Education’s goal is to establish a vision for accountability; but, more importantly, a vision for a quality education system for Nebraska’s generations to come (Nebraska Department of Education, 2014c).

The total design of this accountability system, according to the document, was in the hands of the education leaders, policy makers, and citizens of the state and would be, “…dependent on and driven by local boards of education, administrators, teachers, parents, communities, and students” (Nebraska Department of Education, 2014c, p. 2). The document included key “drivers and philosophies” informing the development of AQuESTT, including, “fairness, sensitivity to change, transparency, support for school
and district improvement as well as student achievement, multiple indicators derived from key tenets of successful schools and districts, incorporation of trend data, and a system grounded in student growth and success” (Nebraska Department of Education, 2014c, p. 3) All of these elements, the document explained, would ensure that the right people and commitments to go “above and beyond” what was required in statute to develop an accountability system, and would be a “blueprint for continuous improvement for each school and school district in Nebraska” (Nebraska Department of Education, 2014c, p. 3).

The specifics of this system, as the Commissioner had described to board members in his presentation, would include the classification of all schools and districts, the designation of priority schools—those schools determined as “most in need of assistance to improve,” and the development and implementation of a progress plan that would be submitted to the SBOE for approval (Nebraska Department of Education, 2014c p.4). Projected timelines for AQuESTT, included future work around classification that would be presented an extended session of the SBOE in September, a continued discussion of system components in October and November, with an anticipated vote for approval in December (Nebraska Department of Education, 2014d).

A communication plan also outlined the planned communication in upcoming months, including communications to school and district staffs, local board of education members, various advisory groups, and a survey that would be available on the NDE website intended, “…to inform, educate, and collect input from stakeholders and the public on AQuESTT” (Nebraska Department of Education, 2014d). Following the Commissioner’s presentation on AQuESTT, the board provided a time for public
comment. For the second board meeting in a row, no one from the public commented on the developing accountability system.

The final work session agenda item included discussion of a contract for psychometrician work for the continued development of AQuESTT. With Foy sitting next to him, Commissioner Blomstedt explained that he and Foy would, “…be taking this up together,” and again took the opportunity to connect work related to data, measurement, and evaluation to the overall system he planned to connect and create under AQuESTT. “…I envision that we would actually be able to bring together around data and research, a future where that’s a very coordinated effort,” he said, and then later went on to say, “I think it’s incumbent on us to actually build a system that ties together--that doesn’t mean that we’re doing all the research” (Nebraska State Board of Education, 2014j).

The August State Board of Education discussions revealed what the future of accountability might look like in Nebraska. There were some evident gaps between the work that had been presented to the board in the first half of the year related to a NePAS 1.1 system and framework that the board approved January, the work of the NePAS 1.1 taskforce, timelines that had been presented before the board in May and AQuESTT. An explanation of from where AQuESTT had come from was missing from the public conversation. Was it developed in Accountability Committee work? Was the Commissioner the author of this vision and its six tenets? Also missing, were some familiar voices around the work of accountability. While Foy had spent the majority of the time at the microphone before the board between January and May of 2014, along with retired NDE employee Peterson, neither had been asked to present in June or
August. Foy sat beside the Commissioner but only spoke about inquiries related to data analysis and the contract for psychometric work.

Neb. Rev. Stat. §§ 79-760.06-07 (LB438) had begun its policy evolution from debated legislation, to legislative policy mandate, initial iteration of planned implementation under NePAS 1.1, to a broadened implementation plan that would go “above and beyond” what was required in statute with this nascent AQuESTT for Nebraska.

AQuESTT for Nebraska—Above and beyond

A special presentation on accountability during the State Board of Education’s September 5th business meeting began to illuminate how the work of the NePAS 1.1 taskforce and the AQuESTT accountability framework might fit together. The previous day, in their September 4th work session, Accountability Committee chair Molly O’Holleran summarized some of the committee’s work and future direction. She described AQuESTT as “a system-wide approach” that considered the “whole child” and that would evolve in the future to best “prepare these students for the 21st century” (Nebraska State Board of Education, 2014k).

AQuESTT, she said, “is going to focus on student learning, achievement, and success; it’s driven by quality and it’s also open to innovation” (Nebraska State Board of Education, 2014j). O’Holleran announced a series of upcoming policy forums intended to cultivate stakeholder feedback on AQuESTT and the potential submission of a Request for ESEA Flexibility from No Child Left Behind. “We think we need to share the vision in an application for ESEA Flexibility that might better inform the United States Department of Education and Congress and the progress to reauthorize ESEA,” she said
(Nebraska State Board of Education, 2014j). If Congress did not reauthorize ESEA, “…we are going to pose ourselves in a situation and in these policy forums to set us up to be able to apply for ESEA Flexibility” (Nebraska State Board of Education, 2014j).

O’Holleran also explained that a draft of what AQuESTT might look like would be shared the following day (in the business meeting) and underlined the collaborative nature of the work to develop Nebraska’s system.

Now, just for a moment here I want to look more closely at the draft and I want to stress that it is in draft form of AQuESTT. Because it is a shared accountability model where the Department of Ed and school districts and buildings will work in partnership to improve our education systems and outcomes (Nebraska State Board of Education, 2014j).

The system would be focused on continuous improvement as well as switching from ranking schools to classifying them into four performance levels. “[W]e’re talking about Excellent, Great, Good, and Needs Improvement,” O’Halloran said, “And in the bottom tier we have priority schools and from the priority schools” (Nebraska State Board of Education, 2014j).

O’Holleran concluded her Accountability Committee update, again highlighting the upcoming dates for policy forums and their locations across the state as well as providing an outline of the upcoming work related to AQuESTT that needed to be accomplished in order to comply with the statutory. “[W]e have to advance the complete AQuESTT in hearing draft in December. Can you believe that? This is, this December!” she exclaimed (Nebraska State Board of Education, 2014j). She went on to explain that the SBOE would need to, “…designate the three priority schools next September, a year from now in 2015 and then approve the progress plan for these priority schools in August 2016 (Nebraska State Board of Education, 2014j).
Her final comments once again connected AQuESTT to the federal accountability policy context of ESEA flexibility. “Nebraska intends to use the AQuESTT framework as the basis of application for ESEA Flexibility and is a part of the communication about ESEA reauthorization,” O’Holleran said,

However, and this is the big however, there are tenets that we will not negotiate as defined in Board policy and accountability discussions. And the Board is encouraged by the willingness of the United States Department of Ed to consider state plans that are designed by state level policymakers and in conjunction with our local school officials and leaders. And finally, we’re committed to supporting instruction in respect to local control, preparing students for college- career- and civic-life (Nebraska State Board of Education, 2014j).

O’Holleran made it clear that Nebraska would continue to move forward designing an accountability system (AQuESTT) in a collaborative way with the SBOE, the Commissioner of Education, NDE, local boards of education, districts, schools, policy partners, and other stakeholders.

It was with this backdrop, that the next day in the board’s business meeting that Commissioner Blomstedt and Board President Wise welcomed representatives of the NePAS 1.1 taskforce that had been working since February 2014 on models that could help the state move forward in meeting the requirements of Neb. Rev. Stat. §§ 79-760.06-07 (LB438). The last time that the State Board of Education had received an update on the work of the taskforce was in May 2014, when the new accountability system was still NePAS 1.1.

Foy, Director of Statewide Assessment, welcomed everyone, inviting taskforce members to introduce themselves. Sitting at the testimony table: Pam Boehle, a curriculum and assessment director from Umo n ho Nation Public Schools, one of Nebraska’s four schools on Native American reservation lands; Chad Buckendhal, a
Nebraska native, psychometrician, and national assessment and accountability consultant from Alpine Testing Solutions; John Skretta, superintendent of Norris Public Schools, a mid-sized district on the outskirts of the Lincoln city area; Leslie Lukin the assessment and evaluation director for Lincoln Public Schools; Sue Anderson, the recently hired Accountability Coordinator at NDE; and Marilyn Peterson former Federal Programs Director at NDE.

Buckendahl explained that the taskforce of around 50 people, representing all sizes and geographical locations, roles, and included other national consultants and psychometricians like Bill Auty and Brian Gong, had met a few times since February 2014 with the goal of developing a couple models that could inform the State Board of Education’s accountability system decisions. “And so you can imagine dealing with a working committee of 50 people, not a small task, and obviously a lot of perspectives,” Buckendahl explained (Nebraska State Board of Education, 2014k). He went on to explain that,

...in terms of kind of laying some of the ground rules for the committee for when they were working, we started out with letting them know, listen, you are here as policy advisors. So you are representing your schools, you are representing your districts but also you are thinking of this activity as a state level sort of perspective. And the Task Force by and large did a great job thinking of the state as a whole and not in a way that would be interpreted as self-serving to their own particular district-needs, or interests (Nebraska State Board of Education, 2014k).

The taskforce examined national and some international models of accountability, including reviewing the work around state accountability that had gone on in Massachusetts, Idaho, and Alaska. The group transitioning to looking at what Nebraska needed its system to be able to do in order to meet the state’s statutory requirements under Neb. Rev. Stat. §§ 79-760.06-.07 in order to classify all schools and districts,
identify three priority schools, and intervene in those schools. Buckendahl explained that this required a two-part discussion.

One is what might a system look like in the future? And what can a current system look like now based on what the state has now and databases that are systematically collected across districts. And for those elements that are not there, what systems would have to be put in place in order for us to include these eventually in the system over time? Like any assessment program, accountability systems tend to evolve (Nebraska State Board of Education, 2014k).

Beyond thinking about what the new state model would need to do now and in the future, Buckendahl explained that the group had also received direction from Commissioner Blomstedt that they were to be “…aware of, but not driven by whatever the federal policy might be” (Nebraska State Board of Education, 2014k).

The Dominant Profile Judgment Method the group used was developed a decade before, for a national teacher examination model, (Plake, Hambleton, & Jaeger, 1997).

This methodology, Buckendahl explained,

… asked the taskforce to develop policy descriptors around what each of these levels of performance were and then to say well, what would be the observed indicators of schools or districts at these different levels. We talked about there being four levels of performance, level 1, 2, 3, 4 (Nebraska State Board of Education, 2014k).

The methodology also allowed for a range of indicators that could be folded in together to create a single score. The taskforce worked in small, diverse groups to design potential models that included multiple indicators and strategic business rules. These decision rules, could be either conjunctive or compensatory, Buckendahl said, explaining that,

…conjunctive ultimately means that you have multiple decision points that impact an overall decision for a performance level. Think about this as the AYP model for No Child Left Behind. Each trigger is considered a conjunctive element that if you failed on any of these conjunctive elements you failed on the whole. (Nebraska State Board of Education, 2014k).
Compensatory decision rules, by contrast considered “[t]he collection of information together to form a decision and not any one piece by itself” (Nebraska State Board of Education, 2014k). Taskforce groups drafted profile recommendations for how to classify schools and districts according to elementary, middle, high school, and K-12 system-wide models. “[W]e asked them to start first kind of with a ‘what’s the relevance for each indicator,’” Buckendahl said,

And the indicators were things like student achievement, growth on achievement, change over time, things like participation, and then we also talked about sub-group performance and things like that. And we wanted them to consider how each of these indicators either looked the same or maybe played out differently for each grade configuration (Nebraska State Board of Education, 2014k).

Buckendahl acknowledged that this was a challenging task, because in developing these models, groups also wrote policy descriptors around the transition points.

What were those distinguishing characteristics, that said yeah, now this school is a level two as opposed to a level one. What distinguished level two from level three? What distinguishes three from four? And at each point, there had to be something that was unique, Buckendahl explained (Nebraska State Board of Education, 2014k).

The taskforce used authentic data in this modeling process. Task force member and superintendent of Norris Public Schools, John Skretta, described, psychometrician Bill Auty,

…sprinting around from table to table and inputting some of those parameters for looking at schools and saying this is how these classifications might break down if you carry this sort of judgment measure on accountability and applied it to Nebraska schools based on some of the current performance data (Nebraska State Board of Education, 2014k).

Groups also evaluated other group’s models and came together as a larger group for discussion, consolidation of models, and ultimately consensus around the models the taskforce brought to the board, Buckendahl explained.
This overall work, taskforce members described, was built around the culture of Nebraska and Nebraska schools, in drawing on models from other states, and in developing guiding principles around what a Nebraska system of accountability ought to look like. Skretta commented that, “I think that in this case it’s a real credit to Nebraska culture that we’ve taken our time and we’ve analyzed what else is out there and we haven’t made a rushed judgment or a rush to judge schools” (Nebraska State Board of Education, 2014k). Taskforce representatives seemed to be in agreement that while the work was challenging, they felt it was important to have Nebraska educators as a part of that work. Pam Boehle, the curriculum and assessment director from one of Nebraska’s Native American schools acknowledged the complexity of designing an equitable system for the schools across the state. “…[T]he extreme diversity of our state really posed a difficult challenge for the Taskforce in developing an accountability model that would be fair in categorizing the performance levels of all Nebraska schools and school districts, “Boehle said (Nebraska State Board of Education, 2014k). She went on to tell the SBOE and Commissioner that, “The Taskforce was very cognizant of keeping an educational balance in mind as they put together the proposals that are being brought to you today” (Nebraska State Board of Education, 2014k).

Commissioner Blomstedt followed these comments by saying that the work of the taskforce, “…helped us inform the Accountability Committee on AQuESTT…It gives us a chance to say what’s our real philosophy around this accountability system” (Nebraska State Board of Education, 2014k). The system under development, he said, …as I view it, this is truly a Nebraska, a Nebraska thing and in powerful and good way. Because we are engaging our schools and our stakeholders across the state in pretty complex issues, I will tell you, pretty complex issues. But also, as the Board is doing its work, I think it is amazing as we start to layout a vision for
what this looks like and what we’re trying to do is essentially bring that together into a very solid accountability system for the state of Nebraska (Nebraska State Board of Education, 2014k).

In the discussion that continued, board members asked about the change from a system that ranks schools (NePAS), to one that places schools in performance levels (AQuESTT). Board member Lillie Larson asked about the desirability of such a system. Assessment and evaluation director for the Lincoln Public Schools, Leslie Lukin, commented that,

…when you are rank-ordering some of the ranks are based on very, very small differences. And Chad [Buckendahl] talked about the measurement error that is inherent in any system that you are gathering data using instruments. And I think it sends a message to the public that some of these differences are really meaningful when in reality they were not. And they jump around a lot when you are talking about the middle of the rank-order where there are very, very small differences creating pretty major differences in rank. So I think anything that gets us away from that to something that is conceptually much easier to understand, and I believe is more meaningful in terms of thinking about student performance and school district and school performance just makes a lot of sense (Nebraska State Board of Education, 2014k).

Larson responded that she appreciated this thinking, as ranking had been “…a concern of mine” (Nebraska State Board of Education, 2014k). Chair of the Accountability Committee Molly O’Holleran asked a question about how Nebraska’s evolving accountability system might encourage schools to grow when including multiple indicators. Beyond the classification, O’Holleran also asked about the likelihood of schools in the Needs Improvement being stuck there, even if they,

…are doing everything they can with trying to promote early childhood, expanded learning opportunities, career pathways, but still have low status scores because gaps exist in the beginning and maybe there’s student growth but school improvement is struggling (Nebraska State Board of Education, 2014k).
Both Lukin and Skretta responded, giving examples of how multiple-metrics might be applied to schools in different situations. Lukin also talked about the three schools that, according to statute, would be identified as priority schools for intervention.

I hope that I’m not getting ahead of ourselves but when you start to talk about the persistently low-achieving schools, we’re also talking about a process that is more qualitative to identify those persistently low-achieving schools from the lowest category. And that’s important, because that’s when you start to look at all of those contextual things that need to be taken into consideration. And that’s when you are really able to identify schools that need the external support but will also be able to benefit from the external support (Nebraska State Board of Education, 2014k).

Following these remarks, the Commissioner thanked taskforce members again for their work and explained that their recommendations would go to the Accountability Committee for consideration and that the taskforce would be engaged again in future months.

The documents attached to the board work session agenda included an executive summary of the accountability taskforce’s work put together by national consultants Chad Buckendahl from Alpine Testing Solutions; Bill Auty of Education Measurement; and Brian Gong, from the National Center for Improvement of Educational Assessment. These experts’ introduction to the summary included appreciation for the staff of NDE and the members of the taskforce as well as comments about the importance of having stakeholders involved in the work of designing the accountability system.

An accountability system that is designed with input from the range of stakeholders involved in the system has a better opportunity to be viewed as having greater credibility both internally and externally… The Task Force of educators representing Nebraska schools and students were the primary contributors to the study as their expertise formed the basis for the recommendations. Specifically, they provided input on the guiding principles for the system, helped to identify indicators of school and district performance, drafted models incorporating those indicators, and revised those models following further discussion and impact data. Without their patience and efforts
during the process, there would have been no meaningful outputs. (Buckendahl, Aty & Gong, 2014, p. 2).

Beyond the presentation and the attached executive summary, the models referenced by the State Board of Education members, the Commissioner, and the taskforce members had not yet made available to the public. There were descriptions about the process used by the taskforce and references to multiple indicators that could include status scores, growth, and improvement, but the models themselves would be discussed next by the Accountability Committee and brought forward at a future meeting.

For my own part in this story, it was during the week of this September board meeting, that I received a call from Freida Lange, the Director of Accreditation and School Improvement, offering me the position of Student Achievement Coordinator at the NDE. I had interviewed two weeks before, where I met Lange, Foy, and Anderson (the new Accountability Coordinator). I began my work at NDE on September 15, 2014.

**AQuESTT for public input**

Ten days later, NDE and State Board member Molly O’Holleran hosted the first AQuESTT policy forum for Region 7, in North Platte, Nebraska. Participants were assigned to table groups with a facilitator and recorder who both guided and captured the dialogue of the evening in the policy forum structure. Table groups addressed the following questions: (1) Should future versions of the accountability system be expanded to include other indicators of a quality education system? (2) Do the AQuESTT tenets represent the key areas of investment to allow students and educators to be successful? Should there be others? (3) How can we best unite state, district, community, and business efforts to advance the mission of excellence for all educational systems,
resulting in learning, earning, and living for all Nebraskans? (Nebraska Department of Education, 2014e).

These regional forums were aligned as much as possible to area Continuous Improvement Workshops facilitated NDE and ESU staff. In my new role as Student Achievement Coordinator, I was assigned to be a facilitator. Before the forum began, Anderson, Accountability Coordinator, provided a brief training for facilitators and recorders. Sitting among NDE and ESU staff, crowded around tables in the hotel’s breakfast area, I studied the questions and introduced myself to my table recorder. As Anderson wrapped up her presentation, Commissioner Blomstedt arrived, thanking NDE and ESU staff members for serving in the important role of engaging with stakeholders in dialogue around building AQuESTT. Following these remarks, the group dispersed, returning to the hotel conference center. Lange, took me aside to introduce me to the Commissioner. I was ten days into my new job and did not yet know how much of my coming work would include aspects of AQuESTT.

A week-and-a-half after the first AQuESTT policy forum, the SBOE reconvened for its October 2014 work session and business meetings. Molly O’Holleran reported back to the full board that, “…it’s going to be fun as you go around to policy forums on AQuESTT. It’s wonderful to involve our constituents and stakeholders on what a quality education system will look like” (Nebraska State Board of Education, 2014l). The remaining five policy forums were all scheduled to take place between the October and November SBOE meetings. Commissioner Blomstedt indicated that future meetings would include much more conversation around the input from the forums across the state that were happening at the same time as the Legislature’s Education Committee was also
hosting stakeholder meetings around developing a statewide vision for education in Nebraska.

Later in the agenda, when it was time for the Accountability Committee report, chairperson O’Holleran kept her comments short, because each board member had been assigned one of the AQuESTT tenets (Positive Partnerships, Relationships, and Student Success; Transitions; Educational Opportunities and Access; Assessment; College- and Career- Ready, and Educator Effectiveness) and had done work earlier in the day with NDE staff to identify areas of rule and regulation, policy, and programs related to their assigned tenet. Before delving into these tenet reports, State Board President Rachel Wise invited any public present for the public comment portion of the agenda specific to accountability to come forward. No one from the public spoke.
Fig. 4.2: AQuESTT Tenet Framework (Nebraska Department of Education, 2014f)
Glen Flint shared about the conversations around Assessment and broadening the scope of assessment beyond the Nebraska State Assessments (NeSA) to include more formative measures and how the data from assessment ought to inform teaching.

O’Holleran described the dialogue around Positive Partnerships, Relationships, and Student Success tenet and the importance of developing strong partnerships and “centering on the whole child, not just student success in reading, writing, and math, and science, but student success in career pathways” (Nebraska State Board of Education, 2014l). O’Holleran moved beyond describing education for college- and career-readiness and shared with the Board that in her tenet group,

…we also talked about civic life. We talked a little bit about is success also about being a productive citizen when you graduate? And giving back to your community? And maybe being that person that stays there and grows your community (Nebraska State Board of Education, 2014l).

Board president Rachel Wise, shared about the work around Educator Effectiveness and that,

…one of the biggest ah-has that I had was that as a board we really don’t have policy for educator effectiveness. So think for me this particular tenet is one that we need to take a good look at what should be our policy goal. Our policy goal should frame where we move (Nebraska State Board of Education, 2014l).

Board member John Witzel shared about the tenet Transitions and how, “…sometimes we don’t see maybe the intangibles or the other aspects that are underlying supporting the students in transition” (Nebraska State Board of Education, 2014l). Pat Timm shared with her fellow board members that the bulk of the conversation in the Educational Opportunities and Access tenet was on early childhood programs and on supporting schools in connecting to the business and career world and how all of these accountability pieces should align with the accreditation rule. Lillie Larson wrapped up the reports and
shared that, in the College- and Career-Readiness tenet group, “[w]e very definitely had things that we were concerned about with career education” (Nebraska State Board of Education, 2014l). These concerns, she explained focused on how to measure accountability data that may not come from assessment, how to broaden the funding for career programming, and how to guarantee that in career and technical education courses students have access to appropriately endorsed teachers.

Following these reports, the Commissioner told Board members that,

We will be compiling the conversation from those [tenet work groups] to inform us as we continue to move forward. And we’ll continue to compile the feedback from the policy forum work. And imagine what this conversation will be like by next month! (laughter) So, we have a lot of work yet to do but I appreciate everyone’s engagement in that activity (Nebraska State Board of Education, 2014l).

While there was no clear explanation of how these tenet conversations might inform the classification models in AQuESTT, there was a general sense that the work of the State Board of Education and the Nebraska Department of Education would revolve around these “key investment” areas—with data, rule and regulation, and policy.

Commissioner Blomstedt connected the work the SBOE was doing with his vision NDE’s work. Before beginning his formal presentation on the future organization of NDE, he introduced three new staff members and explained his strategy in placing each on the Accreditation and School Improvement team as representative of how he would like to see NDE function in the future. Blomstedt moved to sit at the presentation table before the board and swiveled his chair toward the public gallery asking these new staff to stand when introduced and explained that the work of the Safety and Security Director, the Student Achievement Coordinator, and Accountability Coordinator would
support his vision of aligning accountability and continuous improvement while building a system of support for schools.

The Commissioner began introductions by saying, “I’ll start over on this side with Aprille Phillips” (Nebraska State Board of Education, 2014l). Most clearly, this is where the public narrative of AQuESTT collided with my personal reflection and self-study an employee of NDE. It continued to seem an out-of-body experience observing myself as an actor in this public policy account while at the same time remembering so clearly (and drawing upon journal-reflections) what it was like to sit in the gallery that day. I wrestled to calibrate my teacher identity with my new role as actor within an SDE engaged in complex reform.

Throughout the rest of October, NDE staff and SBOE members met with stakeholders by region. Stakeholders were presented with a brochure that explained,

The State Board has established AQuESTT as a framework for a next generation accountability system to be developed and phased in over time. It begins with the implementation of the Quality Education Accountability Act revised by the Nebraska Legislature (LB 438) that will rely on data collections available for the 2014-15 school year including student participation and performance data on statewide assessments and graduation rate (Nebraska Department of Education, 2014e).

In total, there were 252 participants and themes that emerged from those conversations included recommendations to include a broader set of indicators beyond status, growth, and improvement on assessments and to include mobility, attendance, and teacher effectiveness. While stakeholders did not suggest any new tenet—or “key investment area” be added, stakeholders asked that the State Board of Education include more Areas of Focus under each tenet, including military as a career path under College- and Career-Ready; students out of home placement in Educational Opportunities and Access; and
that early childhood be clearly “embedded throughout the tenets.” Moving forward, these stakeholders recommended that the SBOE and NDE develop a “comprehensive plan to include all stakeholders—education, business, community, policy makers” (Nebraska Request for ESEA Flexibility, 2014, p. 156).

Input from stakeholders around the tenets and indicators for accountability were much of the focus of the November SBOE meetings. In their November 7, 2014 work session, Commissioner, Blomstedt reviewed the work that had happened since the June Board Meeting. Beyond the stakeholder forums that had happened the previous month, Blomstedt asked the board to reflect back to even the end of July at the annual Administrators’ Days gathering, “[a]nd we had not yet, actually, developed AQuESTT at that point, by the way. We were still in the process of trying to get there and figuring out how these pieces needed to come together” (Nebraska State Board of Education, 2014m).

Blomstedt once again outlined guiding reform ideas borrowed from Michael Fullan around building capacity, group solutions, and leadership. “So AQuESTT matches these concepts,” he said (Nebraska State Board of Education, 2014l). “It’s accountability that actually focuses on capacity building instead of a constant focus on punishment and schools and teachers. And it’s focusing on making the right capacity or building the right capacity for the future” (Nebraska State Board of Education, 2014l). Part of that building capacity needed to include incorporating more stakeholders into the system of education in Nebraska.

I’ve learned a lot in the processes. Just how do we engage more community members? How do we really listen to our schools? How do we really share the message? And I won’t say that we did any of that perfectly so far, because I don’t think that’s necessarily the case. But we’ve learned a lot in a very short period of
time, not only about the energy around doing something different and the energy for leadership that I think you are helping to provide through our work on AQuESTT (Nebraska State Board of Education, 2014l).

The Commissioner thanked the board for their continued support and their leadership in building AQuESTT and for the discourse they had shared in the process. “We should not be afraid of having that discourse,” he told them, “but I want that discourse ultimately to be about the good of students in the state of Nebraska” (Nebraska State Board of Education, 2014l). The Commissioner transitioned from his report to reminding the Board of the most recent work around AQuESTT and introduced Accountability Coordinator Anderson to give an update on policy forums.

Anderson reminded board members that, “…the purpose of the forums was to gather and invite input from various individuals representing stakeholder groups about the AQuESTT accountability framework” (Nebraska State Board of Education, 2014l). Of the 250 participants across six locations, Anderson said,

We had a good representation of folks from education, we had individuals from community, we had a number of our service units, we had individuals representing business and industry, so we had a good cross-section of voices in the room across those forums (Nebraska State Board of Education, 2014l).

The feedback from table group discussions indicated that the accountability system ought to have more indicators than status on statewide assessments, “…so we want to look more closely at those to see how they fit into the framework,” Anderson stated (Nebraska State Board of Education, 2014l). She went on to let board members know that stakeholders attending policy forums felt like the six tenets or “key investment” areas of AQuESTT were comprehensive. Anderson reported that across all sites, there was an overwhelming response for “…communication, communication, communication, [and] suggestions for developing a comprehensive communication plan that helps all of the
stakeholders understand what this could be and why it would be so important for our students” (Nebraska State Board of Education, 2014l). Concluding her report on the forums, Anderson stated that NDE would like to hear from more people and that there was, “… a suggestion that we would possibly schedule some additional forums and target some additional stakeholder groups that maybe weren’t represented quite as much in the participant group” (Nebraska State Board of Education, 2014l). 

Both Commissioner Blomstedt and Board President Wise thanked Anderson for her work and the work of NDE and ESU staff members in facilitating and recording these forums across the state. Wise then transitioned the board to share reports about their morning work in six different tenet groups.

Since the board’s previous meeting, the Nebraska Department of Education, at the State Board members’ request had revised the AQuESTT graphic to include two domains of AQuESTT: the Student Success and Access domain and the Teaching and Learning domain.
During these conversations, members discussed indicators and data that could be considered for classification within each tenet. O’Holleran began these reports on the Positive Partnerships, Relationships, and Student Success tenet, commenting that this tenet ought to make it clear that business and industry is included in the language of the tenet. She went on to state that the indicator of attendance might fall in the tenet, as supporting student attendance would mean partnering with parents. The discussion of this tenet group also included conversation around extra-curricular activities and ELL
students, O’Halloran stated and went on to say that in imagining how these pieces might fit together,

We thought that it might be a really good idea in the individualized learning plans that are part of AQuESTT, if we had a digital portfolio bullet point that could also be an option. You could use the student learning objective in the personalized learning plans as a part of the digital portfolio and that might help that student be accountable for himself or herself. With a digital portfolio, when you graduate instead of having—oh, now I’ve got to apply for jobs, you have videos of your progress, you have a pathway, you know what your student learning objectives are, and maybe in your portfolio you show where you’ve done apprenticeships and business and industry, where you’ve had dual credit options, what your learning opportunities have been in your whole student portfolio (Nebraska State Board of Education, 2014m).

O’Holleran also indicated that some of the tenet group conversation focused on partnerships to support a safe and healthy school environment and the need to continue to partner with other stakeholder groups like NCSA and NSEA.

Witzel, reported out on the Transitions tenet. Explaining that while most of the focus of this tenet has been on early-childhood to kindergarten, elementary to middle school, middle school to high school, and high school to post-secondary, the tenant could also include transitions for students who were mobile. Indicators, for this tenet, he said should focus on mobility, the dropout rate, and whether schools develop personal learning plans.

A report on the tenet Educational Opportunities and Access rounded out the Student Support and Access side of the AQuESTT model. Timm began her report commenting on the importance of early childhood education as a key component that should be present across the tenets. “In time,” she told the Board, “that should become part of a comprehensive learning plan” (Nebraska State Board of Education, 2014m). Timm went on to talk about the opportunities available to students in expanded and
extended learning and how vital support for students’ emotional and social health is for student learning. The final piece that her tenet group discussed, she said was what,

…we are hearing from business and industry are there things that we can be doing in that comprehensive school environment of what we work with K-12 or P-12 that students would have the qualifications to go directly into the workforce. And so do we talk about apprenticeships? Do we talk about internships—that kind of thing (Nebraska State Board of Education, 2014m).

The Board transitioned their conversation to the Teaching and Learning side of the AQuESTT model, beginning with College- and Career-Readiness. Larson shared with local board members that while the name of the tenet might indicate that all students were going to college, she wanted to make it clear that the tenet included students moving directly into career following high school. “This is two separate things,” she said, “It is preparing students for college and we do agree with the tenets that help students get to college but the very same tenets help them for a career-ready employment” (Nebraska State Board of Education, 2014m). Larson reviewed some of the board’s areas of focus for the tenet, that students would master college- and career- ready standards, have opportunities to develop digital readiness, as well as career exposure and awareness. This guidance and awareness should begin early on, with elementary students thinking about future careers, she said,

…[b]ut I caution that you should be very careful to not have it set in such a way that teachers would be leading students into something and limiting. I think it’s best to say, ‘here are the options,’ to show the possibilities”(Nebraska State Board of Education, 2014m).

Larson went on to talk about high school support for students, lamenting the high student to guidance counselor ratio and encouraging the board to think about ways to track students’ post-secondary college matriculation and career placement. Indicators in the College- and Career-Readiness tenet should go beyond graduation rate and consider
“the number that actually do go into college programs as a result, post-secondary. But then how many do go into a specific career that’s not the result of a college program? It’s two different things” (Nebraska State Board of Education, 2014m).

The tenet reports then moved on to Flint’s presentation on the Assessment tenet. Flint indicated that he felt that the Assessment tenet was on the right track considering a range of assessment types like state, national, adaptive, formative, and summative. Flint shared that the group had discussed a broader notion about the tenets and the development of AQuESTT.

If you’ve identified the six tenets are what’s going to make your education system successful let’s get constant feedback on how we can improve and make it better throughout the process. So, maybe at the center of AQuESTT is data and some continuous process for improvement piece so that we’re assessing how we are doing in all these areas and trying to improve that before it’s too late for the kids to benefit (Nebraska State Board of Education, 2014m).

Wise spoke about the last AQuESTT tenet: Educator Effectiveness. Wise told her fellow board members they ought to consider ongoing growth and professional learning as a part of the AQuESTT system. Wise stated that the group felt good about the belief statements and areas of focus, but thought there ought to be some indicators related to professional learning and whether schools “…have adopted a research-based evaluation system that is tied to the Nebraska Teacher and Principal Performance Framework” (Nebraska State Board of Education, 2014m). The Nebraska Teacher and Principal Performance Framework, adopted by the State Board of Education in 2011, included key areas of effectiveness that could align to instructional models and evaluation systems developed by Marzano, Danielson, or locally developed by districts. Teacher evaluation could be tied to student achievement through the use of student-learning objectives. Wise indicated that incorporating student-learning objectives might be an important indicator
to consider in the future for accountability. As far as data that NDE currently collected, Wise talked about indicators schools reported in order to comply with Nebraska’s accreditation rule: Rule 10, related to appropriately endorsed teachers and educator stability in a school.

And this discussion on this indicator was not just focusing on longevity per say, but on stability. That when you are in a situation when you have constant turnover, in either superintendent, principal, or teachers maybe in certain subject areas, that that instability certainly can have an impact on student achievement (Nebraska State Board of Education, 2014m).

Following her comments on her AQuESTT tenet, Wise reminded the board of the AQuESTT graphic adjustment with the two AQuESTT domains or halves of a circle so that there was no sequence or ranking of the tenets (Nebraska State Board of Education, 2014m). Timm shared that in the policy forum in Lincoln, she heard concerns about the AQuESTT framework and schools wondering, “…does this mean that we’re going to throw all this stuff out?” (Nebraska State Board of Education, 2014m). Schools do continuous improvement and have standards and assessment and so while there is a new system to implement, “I think, instead of this rank order 1 through 6, but having these two areas if you will, will take away some of that” (Nebraska State Board of Education, 2014m). O’Halloran also echoed her approval saying that

I would vote to keep the circle. When you have a circle, no one’s at the top, no one’s in the middle, no one’s on the bottom. But also when we are thinking of LB438 and accountability for a quality education system we need to remember that those students and those schools that are in need of improvement, they are going to look at that circle. It’s much more visual when you look at that circle and you can say, this is the area that we see through continuous improvement, whether you are doing Framework or AdvancED, we’re going to take your plan and help you build a stronger support. So it’s not big brother coming in, it’s working with a local school district, the local school, and then visually maybe showing where their wheel needs to be repaired (Nebraska State Board of Education, 2014m).
Timm agreed and reminded fellow board members that while they had discussed priority schools that would be designated, they also needed to think about the schools that wanted to use the AQuESTT accountability system as a diagnostic tool to move up in classification. “And they’re going to say to us, we don’t want to be Great, we want to be Excellent. Now what do we do? You know, we haven’t had that conversation yet and I think we need to” (Nebraska State Board of Education, 2014m).

Another piece that the board recognized it needed to have a conversation about was whether the new accountability system would be promulgated in a new Rule or whether it would be folded into the existing accreditation Rule 10. Commissioner Blomstedt outlined some of the pros and cons on either side. Hands held up he verbally weighed out each side, waving a hand and saying,

I think if we create a new rule there is the construct that you have to create around that and there are a lot of different constructs and then you have to describe all the relationships to everything else that’s going on (Nebraska State Board of Education, 2014m).

He then waved the other hand and said,

And from a school perspective, they look at Rule 10 for a large part and that’s where it is. And for the others who don’t necessarily understand the intersections between accreditation and accountability and really what we’re talking about is how this ties together with school improvement (Nebraska State Board of Education, 2014m).

The Commissioner told the Board that he would read and reflect on the feedback members had generated in their morning tenet groups before moving forward with a decision on the Rule.

Just as the Unicameral passed LB438 into law under the authority of the Nebraska Constitution, the Legislative body authorizes NDE under the leadership of the Commissioner of Education and under the authority of the SBOE, to adopt or promulgate
regulation “in order to clarify and define processes and requirements outlined in state law” (Nebraska Secretary of State, 2016). Rules and regulations have the same “force of law” and comprise the Nebraska Administrative Code (N.A.C). There is a mandatory regulation adoption process whether a rule is being created, amended, or repealed and includes a rule drafting period, a thirty-day notice of public hearing, a public hearing, submission of proposed rule to the attorney general and governor’s offices for review and approval, before being sent to the secretary of state, where rule becomes law after five days. Just as the public has a role in the lawmaking process, “[t]he purpose of the hearing and adoption process is to ensure that the public has an opportunity to participate in the rulemaking process and that the regulation is properly authorized by law” (Nebraska Secretary of State). At this point in the AQuESTT development and implementation process, the Commissioner and the SBOE needed to determine whether to create a new rule or to amend Rule 10 in order to include components of the new accountability system. The timing on this process, in light of the overall implementation timeline outlined in Neb. Rev. Stat. §§ 79-760.06-.07 and the necessity of providing a 30-day notice to the public prior to a hearing on a rule, would be both critical and tight.

The other big decision that the SBOE shared with the public in the November Board work session was that Nebraska would pursue a Request for ESEA Flexibility from the U.S. Department of Education. As O’Holleran, the chair of the Accountability Committee on the board explained, at her last National Association of State Boards of Education (NASBE) meeting in Washington D.C. she had been told that with one party controlling Congress, “…it would be two years for reauthorization. So we don’t want to
wait two more years and let our schools be in this stranglehold of No Child Left Behind sanction[s]” (Nebraska State Board of Education, 2014m).

Passing around copies of a document outlining key components of the plan, O’Holleran explained the four principles of a Request for ESEA Flexibility or waiver, with the first principle focused on college- and career-ready standards. She reminded the board that they had recently approved English Language Arts Standards that had been signed off on by college and university systems in the state as meeting college- and career-ready expectations. The second principle, she went on to explain, was a state accountability system or AQuESTT.

Now the main thing that I would ask you to remember about AQuESTT, we’ve already had affirmation from the Legislature because AQuESTT was developed in compliance with LB438. It is to address the lowest performing schools, finally have an accountability system where we have intervention and support and not just ranking and shaming or blaming schools (Nebraska State Board of Education, 2014m).

The system would continue to evolve while work on the waiver-request was developed. The third principle fit within the tenets of AQuESTT in Educator Effectiveness and focused on the Nebraska Teacher/Principal Performance Framework adopted in 2011 with evaluation. There was a bit of concern about Nebraska’s alignment with the requirements of the waiver because, “United States Department of Ed has been kind of a stickler about tying teacher evaluation to student achievement as it relates to status scores, as it relates to testing in math and language arts” (Nebraska State Board of Education, 2014m). Nebraska, she went on to say used student achievement measures but through the use of student-learning objectives. O’Halloran assured that in this principle,
We’re not promising something we can’t fulfill. And we as the Accountability Committee said, let’s do what’s best for Nebraska, let’s talk to the United States Department of Ed, but we’re not going to promise anything that’s not best for our 245 districts (Nebraska State Board of Education, 2014m).

The fourth principle focused on data systems and reducing burden and O’Halloran described a vision of a dashboard that would provide real-time information about students and teachers to inform instruction and professional development.

The development of Nebraska’s Request for ESEA Flexibility would happen between November and April, she told her fellow board members. There would be an update about conversations with the U.S. Department of Education and a review of the request’s commitments in December, a draft outline in January, draft in February, stakeholder input in March, and a submission of Nebraska’s request in April. The Board Statement on ESEA Flexibility dated November 5, 2014, and released to the public on the Board work session agenda, stated that,

Building on this strong foundation [of work on standards, assessment, accountability, and Teacher/Leader Evaluation] the State Board of Education continues to work to contribute to a ‘Nebraska’ vision for the education system. The State Board believes it important to share this vision in an application for a waiver under NCLB that might better inform the United States Department of Education and Congress in any efforts to reauthorize ESEA (Nebraska State Board of Education, 2014q).

This request, the statement said, would be consistent with Nebraska’s “initiatives, policies, and developing vision,” that would include “Nebraska’s next generation accountability model (AQuESTT) [which] is being designed to exceed minimum legislated requirements and focus on quality through investment and support for schools in need of improvement.” (Nebraska State Board of Education, 2014q).

Following this discussion, for the fourth meeting in a row, the SBOE built time into its work session or public comment following the discussion on the work of
AQuESTT and the announcement that the state would move forward with a waiver. No one from the public spoke.

The remainder of November AQuESTT moved forward with another policy forum involving students, a decision about where to incorporate AQuESTT into a rule and regulation, and the Commissioner forming a Request for ESEA Flexibility team that began the work of reviewing the state’s progress on the principles included in the waiver template.

On November 17, 2014, ten days following the Board’s November work session, my supervisor called me into her office and asked me to shut the door. She asked me, on behalf of the Commissioner, to work alongside Matt Heusman from NDE’s Data, Research, and Evaluation team, to work on Nebraska’s Request for ESEA Flexibility. She said that we would meet with the Commissioner later in the day to learn more information. Once my heart stopped pounding, I quipped that I wondered what I could have possibly done wrong to merit being asked to a closed-door meeting in her office when I had only been on the job for two months. I joked that I wasn’t sure what I was agreeing to and that writing Nebraska’s waiver might be worse.

Heusman and I walked down the twelve flights of stairs to the lobby and I asked for the largest coffee they would give me. I confessed that I didn’t know much about Requests for ESEA Flexibility and that before our meeting with the Commissioner I needed to learn what I could. Back at my computer I typed “waiver from No Child Left Behind” into the Google search field. I walked into our afternoon meeting still not fully absorbing how intense the learning curve of the next four months would be.
Also in November, SBOE President Wise facilitated a student policy forum. Wise asked students for their initial thoughts about AQuESTT, followed by questions related to characteristics of an excellent school, assessment, what college- and career-readiness means, and what advice students might give to Commissioner Blomstedt. Responses across groups included recommendations for less state testing and more portfolio and performance-based assessments; recognition and appreciation for teachers that went beyond the book, developed activities where students got to work together, and demonstrated that they “really cared;” and that the Commissioner should know that schools are more than test scores. One student in the group told Wise that, “[s]chools shouldn’t be a government but a community” (Nebraska Department of Education, 2015i, p. 164).

**AQuESTT and a Request for ESEA Flexibility**

By the time of the December 2014 SBOE meetings, it was clear that decisions regarding how to promulgate rule and regulation around state accountability for districts and schools had been made and significant work had been undertaken by teams at NDE. Discussions in the board’s work session and business meeting centered on the inclusion of AQuESTT into the standing rule for school accreditation: *Rule 10: Regulations and Procedures for the Accreditation of Schools*, Title 92, Nebraska Administrative Code (N.A.C.) Chapter 10.

Wise opened the discussion of revisions to *Rule 10* stating, “we are excited to discuss *Rule 10* today;” and Director and Accreditation and School Improvement Lange quipped back, “Aren’t we all” (Nebraska State Board of Education, 2014n). Lange referred board members to their *Rule 10* drafts and documents that outlined two different
types of revisions, dubbed the “Christmas Tree Edition.” The use of two colors to indicate revisions, Lange explained,

…was to hopefully make it easier to follow because the red elements indicate changes that have been done over the last year and a half that we have been able to—in fact, some of this has been in front of you already. We have also taken it to the State Accreditation Committee. We have been able to discuss it with superintendents, principals, and such at Administrators’ Days. So those additions, deletions, and adjustments you are probably somewhat familiar with them but we will continue to go over them today so that you know exactly where we are with the red pieces. Then the green, obviously, are specific to AQuESTT. And you’ve been hearing a little bit about that in the last few months (Nebraska State Board of Education, 2014n).

Lange described the “red-line” changes, and then was interrupted by Wise who reminded board members that the action they would take as a board in their business meeting would be different than the typical action they would take on a rule hearing draft, in that, “[w]e’re not adopting a or approving a draft that’s ready, we’re adopting a draft to give the Commissioner the authority to finalize the draft” (Nebraska State Board of Education, 2014n). For the sake of expediency, the proposed action item provided the Commissioner the authority the SBOE would typically assume in approving a rule hearing draft. The Commissioner commented that the proposed “green-line” changes before them differed from the “red-line” changes because the “red-line” had been a “work in progress” for some time. So that’s more of our traditional process of how we go through the Rule. We would run it by the Accreditation Committee and we’d have those types of conversations” (Nebraska State Board of Education, 2014n). The “green-line” proposed changes were related to AQuESTT.

Accountability Coordinator, Anderson, sitting next to Lange, guided the board page by page through the rule draft and explained each proposed “green-line” change to the Rule. These changes included incorporating definitions into the first pages of Rule 10;
the six tenets of AQuESTT into sections of the rule already related to the tenet; and implementation descriptors taken directly from the statutory language in section 10 of the Rule specific to the classification of schools, the designation of priority schools, the development of a progress plan in each priority school, the implementation of progress plans, and the annual reporting on progress to the SBOE.

Once again, Wise spoke up to tell fellow board members that their action on this agenda item the next day in the business meeting would be different than actions they typically took on approving rule hearing drafts as the ‘Christmas Tree’ Rule 10 draft may go through more revisions prior to the Commissioner approving a draft that would go to the public for a hearing.

…with this particular Rule 10, we’re granting the Commissioner the authority to adopt a hearing draft. That is based certainly on the work that committees did this morning, input that’s being given. I would make an assumption that the red probably stays the same. The green may be modified some. And we’re granting the Commissioner the authority to make those modifications for the hearing draft before it goes out. So again, I just want to make sure that we all understand the process that we’re looking at here as a part of our discussion (Nebraska State Board of Education, 2014n).

At this point in the meeting board O’Holleran asked the Commissioner to consider how to use existing resources around continuous improvement while making revisions to Rule 10, bringing up tools and resources available through “AdvancED, the regional continuous improvement plan that half of our districts use” (Nebraska State Board of Education, 2014n). O’Holleran asked Lange to describe some of the online continuous improvement planning tools available to AdvancED schools and Lange obliged, outlining the processes and modules schools use while implementing continuous improvement using AdvancED’s online tool, ASSIST. O’Holleran explained that the reason she brought up the topic was in recognition of the financial investment that would
be necessary to support schools in AQuESTT. “…I really believe in Rule 10, when we have existing resources it’s really important that we tap into them, especially if we want the changes in our Needs Improvement schools to be sustainable,” O’Halloran stated, before asking whether there had been conversations about using AdvancED tools in the priority schools. Lange replied that there had been conversations and then Commissioner Blomstedt asked the board to take a step back to look at the big picture of the support systems that would be necessary to develop along accountability in the AQuESTT system (Nebraska State Board of Education, 2014n). By incorporating accreditation, accountability, and continuous improvement, Blomstedt explained,

…we’re able to hopefully more clearly be able to identify how these systems come together ultimately to look not just at accreditation but to look at quality and accountability in our school systems. So they’re not inventing something new. We’re going to have to build a lot of support systems that help schools do this; that’s part of what we’re working on and it’s not so much building them but using the ones that exist right now and using them more effectively and efficiently for schools as they go through that process (Nebraska State Board of Education, 2014n).

Blomstedt outlined the timeline should the board grant him the authority to approve a hearing draft of proposed revisions to Rule 10. Following any final revisions, the Commissioner would approve a hearing draft, appoint a hearing official, and announce a hearing at least 30-days in advance of the scheduled hearing. The hearing would provide opportunity for public input on the draft for the board to review by the February State Board of Education meeting. Should there be significant requested changes, the Commissioner explained, “…that’s fine. I will tell you it’s a timeline crunch and we’re trying to get all the moving parts put together. We’re building the airplane in the sky is an analogy to a certain extent” (Nebraska State Board of Education, 2014n). Substantive changes would require a new draft and another hearing, the Commissioner
stated, but should the draft move forward following the hearing the board’s focus would return to details around AQuESTT implementation, the Commissioner explained, “…by March we would have to have the framework pretty well laid out so that we could actually run, do the numbers so that we can prepare to actually start to share that with schools” (Nebraska State Board of Education, 2014n).

Before moving on in the agenda, board member Flint raised some of his concerns around the language in the draft rule and questioned its lack of clarity, particularly around the term assessment and the narrow definition in the rule around statewide tests and the meaning of student achievement. “Does that [student achievement] mean just getting great test scores or success in college, career, happy citizens, health actualized and all of that?” Flint asked. “There seems to be a lot of wiggle room in the green part and I’m kind of concerned about why are we rushing into this process because it does take it so long to get it approved” (Nebraska State Board of Education, 2014n).

Wise explained again that the changes marked in green, in her mind “…may be modified or changed yet. And part of our discussion this afternoon and then our action tomorrow is to give the Commissioner the authority to make those changes we’ve been talking about” (Nebraska State Board of Education, 2014n). Wise called upon all board members to communicate with the Commissioner on any items in the rule draft that, “we didn’t quite get right,” before a hearing draft would be finalized and a hearing date set (Nebraska State Board of Education, 2014n).

The Commissioner commented about the framing of the rule by telling board members that,

Rule will be more broad than essentially what the implementation plan has to look like. And that’s often the case that we have to build something as a Rule, as a
framework. Rule is more specific than statute is. So it’s pointed us in a direction that we’re able to start to implement that (Nebraska State Board of Education, 2014n).

He went on to remind the Board that Rule10 would be a continual work in progress over time with other future iterations of AQuESTT. President Wise agreed, stating, “we could be going through a period of time that we’ll be looking at Rule 10 every year for the next couple of years because of all these changes that are happening and the direction that we’re going.” John Witzel drew the discussion about the rule to a close, reminding Wise that in discussing the ongoing changes to Rule 10, “the word you’re looking for is continuous improvement” (Nebraska State Board of Education, 2014n).

Other discussions regarding AQuESTT and its development included conversations about the student policy forum and plan to continue public dialogue around education policy in the state. Blomstedt opened the conversation on these items stating that statewide dialogue should extend and continue.

I think we’re going to be in this point in time where we are going to need to get into some more conversations with some other groups. And we talked about how we might be able to do that. And maybe one of the things and it goes into a little of what we did with the Legislative Committee to bring in partners in our efforts to have conversations in deeper way. Not just the format that we had for the forums but maybe some deeper conversations with other groups (Nebraska State Board of Education, 2014n).

The Commissioner did not go beyond these statements to describe what groups or plans might be developed for future dialogue, but transitioned the board into a review of their tenet conversations facilitated by President Wise. Tenet committee work had taken place in morning committee sessions with NDE staff and much of the reporting out focused on Rule 10 and on future indicators for consideration by tenet. Flint, working on the Assessment tenet, focused on the broader purposes and reasons for accountability and
precisely what student success or achievement means. Explained that discussion around the meaning of assessment,

… brought us to student achievement and by student achievement, exactly what do we mean? Getting good grades? Or do we mean being successful in career and college and happy citizens and I think that’s what we’re really all about. Because getting good grades on a test isn’t necessarily being successful outside. It’s a good indicator, but that’s not enough. And so just trying to define better of what we’re building (Nebraska State Board of Education, 2014n).

Following this, O’Holleran, in her report-out on the tenet of Positive Partnerships, Relationships, and Student Success, tied her conversation of accountability back to Flint’s comments of a broader definition of success, but described it using the phrase,

…the whole child, not just the related indicators of success with the learning objectives—but and not just the physically safe and healthy and secure learning environment but also the positive behavior and instructional supports as an indicator related to student success (Nebraska State Board of Education, 2014n). She followed these comments about developing the “whole child,” citing an NDE staff member who emphasized the importance of providing social-emotional support for students because, “people that don’t have social-emotional health are not employable. So, if we’re talking about student success, we need to make sure that there are some indicators related to that demographic” (Nebraska State Board of Education, 2014n).

Board members were grappling with notions of schooling for broader purposes than purely the academic, reflected in either the assessment or college-and career tenets. Even in questions around “happy citizens” raised by Flint, or the “whole child” raised by O’Holleran, however, the connections were drawn within the same statements back to employability, thus still highlighting a belief in the primary purpose for schooling as that of preparing future workers and holding schools accountable for that outcome rather than the outcome of “happy citizen.” Other board discussion, from Larson’s College- and Career-Readiness tenet’s focus on Nebraska’s Career Readiness Standards; Wise’s
Educator Effectiveness tenet’s renewed conversation about teacher longevity, stability, and evaluation systems; Witzel’s comments about the Transition tenet; or Timm’s discussion of Rule 10’s alignment to support AQuESTT, focused more concretely on indicators and metrics. They described how these measures could be considered to hold schools and districts accountable.

When board members were finished sharing their tenet committee reports and President Wise transitioned the meeting from one “huge job” to “the next huge job” (Nebraska State Board of Education, 2014n). Wise turned the meeting over to Accountability Committee chairperson O’Holleran, who outlined the rationale for Nebraska’s decision to pursue a Request for ESEA Flexibility. O’Holleran said,

We have an opportunity as a state to move from the focus of NCLB that has been on meeting AYP. Focusing on status scores, and there are some good things about it because we are charting student growth, school improvement, and graduation rates. We must say, from our Accountability Committee we still do care about raising student achievement and narrowing the gaps; that’s not going away. So, we want you to keep that in mind. However, as we move, and I’m going to call it the waiver, instead of ESEA Flexibility, as we move to the waiver, this model is going to capture robust indicators that capture deeper learning, knowledge, skills, and dispositions necessary to reach college- and career-readiness (Nebraska State Board of Education, 2014n).

She explained that, “it is in our best interests for Nebraska to proceed with a waiver request the Nebraska way” (Nebraska State Board of Education, 2014n). She introduced the two individuals selected to lead the writing effort of the waiver request: Aprille Phillips and Matt Heusman.

O’Holleran went on to describe the key components of the request, reviewing the same elements she had shared in the November State Board meeting. She then asked that Heusman and Phillips come forward to share a bit about the progress on the waiver that had occurred since the November Board Meeting. As the two came forward,
Commissioner Blomstedt described the waiver timeline, his rationale for pursuing ESEA Flexibility and the approach the writing team would take.

So the timeline would include that by February we’ll have a draft of a waiver plan ready to release for public input that we’ll be able to release and talk about those things. I think as Molly highlights, really AQuESTT is central to the effort on the waiver. Our plan is central to the effort on the waiver. And part of this is looking at what do they want on one side of the equation with the waiver application and what are we willing to do on the other. And I think it’s really critical that we design it the way that we want…[w]e’re much better designing our plan and doing what we think is appropriate and taking the powers and authorities that we currently have and using those as part of our plan and not simply responding to what they’re asking for in the waiver (Nebraska State Board of Education, 2014n).

Blomsted asked Heusman and Phillips to share a bit of the conversation they had had with the Accountability Committee the day before. Heusman began his description of the work with an introduction of how the Commissioner had approached the writing team for the work. “Matt [Commissioner Blomstedt] starts out by saying, ‘Now this seems daunting, and it is.’ (laughter). So that was maybe the first clue that we should have considered.”

Heusman described the opportunity before the state to,

…capture the story of Nebraska and do things the way that we’re doing them now and put them into the boxes that the government says are there but in a way that reflects what we’re doing and where we’re going anyway (Nebraska State Board of Education, 2014n).

He outlined the work that had gone on and the engagement across teams at NDE to contribute to the work. He explained that he looked forward to

…the opportunity to not only share our story and craft a vision around what we believe is true here in Nebraska but to be able to take that and with the waiver focus a plan and really connect the dots of the systems that we have going and working for us (Nebraska State Board of Education, 2014n).

Phillips echoed Heusman’s comments, stating
…what has been fantastic is having the opportunity to lead the effort, but it’s such a collaborative process and to hear all of the different voices and all of the amazing things that are happening, not only here at NDE, but across the state at ESUs, across the state in districts that are connecting and supporting one another, and so we feel a profound privilege and responsibility to capture the story of what’s the story of Nebraska’s education system we and where we are going, and how can we portray that in a way that we can really do justice to the students that we have and the teachers that we have here in Nebraska (Nebraska State Board of Education, 2014n).

Phillips thanked the Board members for their support and trust in the team for the work ahead.

The December SBOE meeting took place less than three weeks following the Commissioner asking Heusman and I to coordinate the work on Nebraska’s Request for ESEA Flexibility and between that date and the board meeting, we had celebrated Thanksgiving and had a few days away from the office. In three months I had transitioned from scribbling down acronyms that I then researched on the NDE website to try to figure out what the ADVISER, ESUCC, BlendED, AdvancED, C4L, TAC, NOC, SDA, CDC, SLDS, NSSRS, or AQuESTT meant and why they were important (or not-important) to staring at a detailed list of required elements that needed to be included on a state’s waiver. With less than six months to accomplish the task, the phrase “what am I doing here?” appears in my notes multiple times in these months.

In the December business meeting, the day following their discussion about the proposed revisions to Rule 10, President Wise once again told board members how a vote to grant the Commissioner the authority to adopt a hearing draft would be “…just a little unique” compared to their typical action of approving a hearing draft (Nebraska State Board of Education, 2014o). O’Holleran moved to grant the Commissioner authority and following a brief discussion where O’Holleran thanked her fellow board members for
their ongoing collaboration in building AQeSTT, and Timm shared some positive feedback from staff from Lincoln Public Schools. Wise asked for a roll-all vote to be taken. The motion passed unanimously.

I wish I could say that at these moments in December 2014, I could see how all the pieces of Nebraska statute, rule and regulation, and the SBOE’s work on accountability intersected with the broader federal work around accountability going on with discussions of ESEA reauthorization and states’ waivers from NCLB.

Incorporating the language of the state’s new accountability system into Rule 10 and the decision by the SBOE to push the progress on the rule forward with little feedback from stakeholders prior to public hearing was significant, although I didn’t realize that at the time. I had never really paid attention to policy and governance in my teacher-role. I was learning the legislative and rule and regulation promulgation processes, SBOE and Commissioner of Education responsibilities and authority because it suddenly seemed relevant; it should have always seemed relevant.

**AQeSTT’s implementation and a waiver: A state and federal slow dance**

In their first meeting of the 2015 calendar year, the SBOE continued to move the revised copy of Rule 10 forward, exercising some of legislative duties in the establishment of rule and regulation. Both Commissioner Blomstedt and Lange (the Director of Accreditation and School Improvement) updated the board on the progress since the December meeting. With a hearing draft approved by the Commissioner (which resulted from such authority granted to the Commissioner in December) before the holidays, NDE was able to provide 30 days notice and schedule a Rule 10 hearing for January 27, 2015, at six different sites spread out geographically across the state. “So that
should hopefully provide the opportunity for anyone who would want to come and verbally give testimony as to what their feelings are to the draft, they have that opportunity. In addition, they are also able to submit in writing, email, even phone calls or whatever, to the Department,” Lange explained.

The board began their discussion on Rule 10 with President Wise raising a question about whether more than one time period would be provided for public input on the draft and a concern as to whether the morning schedule hearing time should be complimented with a second evening session. Commissioner Blomstedt responded to this concern, stating that,

We discussed it and we decided to try to focus on regional distribution on that and so it may have been a little bit of an oversight. It might have been good to have one at 7 o’clock (p.m.). I don’t believe we can do that without additional notice (Nebraska State Board of Education, 2015a).

Wise indicated that without scheduling a second time for the public hearing, she would appreciate more communication about the alternate ways public would be able to provide comment and Blomstedt agreed.

Board member Flint followed up the discussion that began in the previous month with the Board granting the Commissioner authority to approve a hearing draft of Rule 10, asking “…how close is this draft to the one that we looked at in December?” (Nebraska State Board of Education, 2015a). Both Lange and Blomstedt described small changes made to the language in the rule, with Blomstedt stating that,

We tried to take comments that you all contributed I think in our AQuESTT committees at that point and put those into that as well. And there were some elements like when we went back through it there were some elements that were a little bit confusing like that type of wording that we tried to clear up (Nebraska State Board of Education, 2015a).
Blomstedt described that beyond the public hearing and the Board approving any draft, rule approval would not end there. “The other review that will happen, obviously after we go through the draft, is the opportunity for the Governor, the new Governor obviously and staff members to review it at his level and the Attorney General’s side of the equation” (Nebraska State Board of Education, 2015a). Blomstedt also reminded the board that their work in the near future would shift in focus to the specifics related to accountability indicators and measures that would not show up in the Rule 10 revisions, but that the board should anticipate trying to communicate to school districts as soon as possible.

Beyond the discussion on Nebraska’s school accountability system becoming part of rule and regulation, discussions around accountability also included federal updates on ESEA Reauthorization and the progress on Nebraska’s Request for ESEA Flexibility. Halstead, Assistant Commissioner, gave ESEA Reauthorization congressional updates, stating that both House Education Committee Chairman Klein from Minnesota and Senate Education Committee Chairman Alexander from Tennessee, …have made ESEA Reauthorization their top priority and they are already planning on starting to hold hearings. So there is a greater emphasis on reauthorization, a growing dissatisfaction with NCLB, and a realization that even the waivers or flexibility that Secretary Duncan has provided is meeting what needs to be done (Nebraska State Board of Education, 2015a).

Even with reauthorization of ESEA long overdue, Halstead told the board that, “…on Federal government level not much has happened, but this is the first time since 2009 there’s really been some suggestion that they really will reauthorize ESEA” (Nebraska State Board of Education, 2015a). This particular discussion, Halstead explained, particularly because of the influence of former Secretary of Education and current
Chairman of the Senate Education Committee Alexander, included a focus on the role of the state in accountability.

He [Alexander] has always represented that he believes that the states are in charge of education instead of the Federal government, and I think that probably fits best with this Board’s perspective, that you’re in charge along with our Legislature of setting policy. A different perspective on that so we’ll see, we’re expecting activity at least on the committee levels on hearings and work on reauthorization of ESEA (Nebraska State Board of Education, 2015a).

Commissioner Blomstedt followed Halstead’s update, commenting that it was fun to watch board members smile when Halstead reported that ESEA discussions included returning authority to states;

…we definitely feel that way. Obviously as we press forward, communicating what we want is going to be critical… it is a unique opportunity for us to actually have a voice in D.C. and so that is going to be important for us (Nebraska State Board of Education, 2015a).

The work on the waiver then, Blomstedt explained to the board, was about more than filling in the key parts of the application.

[It’s] about appropriately communicating where we are going in the state of Nebraska, everything from AQuESTT, everything from assessment, each one of our principles, each one of our tenets underneath AQuESTT has to be a part of that and should be reflected in the message that we send ultimately to D.C (Nebraska State Board of Education, 2015a).

The board work this meeting did not include the tenet committee reports, but rather, focused both on the key step of promulgating rule and regulation to include the elements of accountability from Neb. Rev. Stat. §§ 79-760.06-.07, key policy framing for Nebraska’s stance on ESEA Reauthorization, the communication of accountability plans, and AQuESTT’s theory of action through the writing of a Request of ESEA Flexibility. The Commissioner outlined an ambitious timeline for the accountability work, driven in large part by the timeline stated in statute. By February, Blomstedt promised, the board
would have Rule 10 public hearing comments to review in order to move the rule through to the next step of the rulemaking process, as well as a draft of a proposed waiver or Request for ESEA Flexibility. Beyond these key streams of work, the upcoming board work would include making decisions on accountability indicators and measures that would be used to evaluate and classify Nebraska schools and districts and designate three priority schools (Neb. Rev. Stat. §§ 79-760.06-.07). Blomstedt did not elaborate on how these considerations might influence the models already presented to the State Board by the AQuESTT Classification taskforce, once known as the NePAS 1.1. taskforce.

Beyond these elements, in their formal business meeting on January 9th, the board once again named Rachel Wise as their president and named Lillie Larson as vice-president. They also reorganized themselves into committees for the coming year that included a continuation of their smaller AQuESTT tenet committees that would come together in the two domains of AQuESTT for a Teaching and Learning committee and a Student Success and Access committee.

Blomstedt’s promises in January provided a significant direction and urgency to my work at NDE where Heusman and I continued to oversee the writing of Nebraska’s Request for ESEA Flexibility and collaborated with a broader team of colleagues on AQuESTT, facilitated by Accountability Coordinator Anderson.

The Commissioner, in his comments to the board regarding the waiver request stated that, “I have creative folks working on the waiver and writing this and they are very energized to be able to do that” (Nebraska State Board of Education, 2015b). His direction for this work, as he explained to the board was, “…to thread through [the waiver] what our principles are about where we need to go. So it will become about more
than just the waiver but about communicating and appropriately communicating where we are going in the state of Nebraska” (Nebraska State Board of Education, 2015b). Being able to communicate “where we are going in the state of Nebraska,” meant perpetual learning about where Nebraska was and the vision for where Nebraska was going related to key policy areas including standards and assessment, the ongoing development of the state’s accountability system AQuESTT, how the state would plan to intervene in what the waiver application called “focus” and “priority schools,” the “lowest performing” 10% and 5% of Title I schools respectively, as well as how the state would implement a statewide framework around teacher and principal evaluation systems (Nebraska State Board of Education, 2015b).

I came to NDE with the identity of teacher and advocate and the job I had applied for included a specific focus around developing and communicating policy recommendations for student populations that included English Learners and students coming from poverty. By the time the Commissioner provided his January 2015 update on the work of the waiver, I was just beginning to realize that I had been placed on the front row of some of Nebraska’s key policy work at a time when state and federal policies around accountability had the potential to align as they had previously not in Nebraska. It certainly took every ounce of creativity and energy that we had to pull together a draft of Nebraska’s Request for ESEA Flexibility for board by February.

By the February State Board of Education meetings, there were four key pieces related to the ongoing development of the state’s accountability system and its relationship to federal accountability. The board reviewed the public hearing comments and discussed non-substantive additional changes that had been made before being asked
to approve revisions to *Rule 10: Regulations for the Accreditation of Schools* in order to move the rule forward to the State Attorney General’s office. They heard expert testimony from Dr. Brian Gong from the Center on Assessment and members of a state taskforce on their work in developing a classification model for AQuESTT, and received an update on the progress of the state’s *Request for ESEA Flexibility* as a public draft had been made available, and discussed a policy statement on ESEA Reauthorization before making a decision on whether or not to approve such a statement in order to communicate Nebraska’s stance to policymakers in Washington D.C.

Immediately after calling the work session to order on February 5th, the Commissioner introduced Dr. Brian Gong providing an overview of his expertise and service in the Governor’s Technical Advisory Committee on Assessment and Accountability (TAC). “We’ve been, over the last several months as you know, really a year, working on state accountability systems, really thinking about that from a next-generation standpoint,” the Commissioner informed his board. “And Dr. Gong really helped work with a task force we had on that effort” (Nebraska State Board of Education, 2015c).

Commissioner Blomstedt introduced Foy as the Director of Statewide Assessment who introduced district administrators present for the meeting that had served on the task force. These representatives included Leslie Lukin, the assessment director from Lincoln Public Schools, Deeann Goeser, Director of Research, from Omaha Public Schools; Cindy Gray, an associate superintendent from a suburban district; and John Skretta, superintendent of a smaller district in the state.

Gong opened his presentation, expressing his interest in how Nebraska had
approached accountability.

One of the things that I’ve learned is that accountability systems are very sensitive to purpose. You have to know why you are doing - what you want to achieve and why you are doing them. And I was really impressed that Nebraska set out to say what those values were with the Board set its values is a very educational centered set of values that AQuESTT is comprehensive and uh not merely about uh labeling schools or looking at minimum outcomes (Nebraska State Board of Education, 2015c).

The system under development, Gong explained, would need to be deliberately developed over time. The taskforce, which had included over 50 members representing stakeholder groups across the state, began that work, developing an initial model for classification of schools and districts to present to the SBOE in order to fulfill the state’s statutory accountability requirements (Neb. Rev. Stat. §§ 79-760.06-.07). “They not only thought of great ideas, but they checked them out with each other, with their own experience that they brought as educators and community members, and with data the Department was able to run for them,” Gong stated (Nebraska State Board of Education, 2015c). He reassured the board that,

…the model they developed and presented for discussion is sound conceptually and sound empirically. When people say ‘does it work,’ the Department is very committed to saying that we have checked this out with the diversity of Nebraska schools, to say that this will actually be fair, it will be reliable, it will be valid, for the range of situations that are present in the state (Nebraska State Board of Education, 2015c).

While the taskforce had focused on the accountability indicators outlined in the statute, Gong expressed that the model was developed as a “flexible framework,” that could adjust in order to better meet the SBOE’s broader accountability components reflected in the six tenets of AQuESTT. The classification system, in this sense, would be “an improving system as well,” Gong said (Nebraska State Board of Education, 2015c).

Gong commended the board on their strong vision for accountability and
reminded them that,

Accountability systems in the worst case can become a battlefield for an ideology or prestige and things and then it can turn into a negative thing. I’ve been that happen in some states. And I don’t get any sense of that in Nebraska. The vision, the fundamentals are really sound. I’ve been happy to see this. It is really hard to make a technically sound system if people don’t agree on what it’s trying to do (Nebraska State Board of Education, 2015c).

It would be important to develop a stable system with strong empirical evidence from testing data and how indicators impact every type of school in the system and to continue the process of building the system from the ground up and including a range of stakeholder feedback in the process. “People have to say I believe in it and I’m going to take action on it,” Gong explained (Nebraska State Board of Education, 2015c). He let board members know that a survey had gone out to every school building and district in the state, there had been opportunity for public input through policy forums, and the task force had been deliberately developed to include representation of the types of schools across the state.

I think that’s the type of attention that needs to happen to make sure that this system is part of the larger AQuESTT accountability system will be seen as credible and valuable and actionable. Again, the technical parts are important, but those aspects, in order for them to cause some difference really have to be there and from what I can tell, those are being built in from the ground up (Nebraska State Board of Education, 2015c).

Following Gong’s presentation, both Commissioner Blomstedt and Board President Wise expressed their appreciation for his leadership and work with the taskforce as well as reminders to board members that this opportunity to ask questions would be important because of the upcoming work in March. Wise stated,

We will probably be coming back in March with a specific recommendation around the classification system and some of the next steps with the staff will be bringing to us in March so, we will be taking action at that point. So this is a good opportunity for any questions that you have yet, or questions that we need to be
asking between now and March (Nebraska State Board of Education, 2015c).

Board members followed with comments about Gong’s expertise and his work with 35 other states and questions related to connections of accountability, data dashboards, and competency education. Board member Timm then shifted her question to the members of the taskforce, asking them about their experience and how it shaped their ideas about accountability.

Gray, an assistant superintendent at the suburban district Elkhorn Public Schools commented that the culture of the taskforce was one where,

…everyone at the table was willing to take a broad perspective about what would be the system that would honor the needs of as many people as possible and also, what would be the system that would incentivize the right things (Nebraska State Board of Education, 2015c).

Skretta agreed, stating that,

…a big piece of the conversation and the collaboration that took place on the task force in this process was making sure that what we develop in the state accountability system and what AQuESTT offers is, it’s dynamic and it’s not deterministic…you have a system where schools can improve and schools will improve by focusing on the students who are in most in need of help and ensuring that those students continue to perform better over time (Nebraska State Board of Education, 2015c).

In response to both Gray and Skretta, assessment coordinator Lukin from Lincoln Public Schools, stated that taskforce dialogue, “…always started with students” (Nebraska State Board of Education, 2015c.) The taskforce processes, Goeser, a research director from Omaha Public Schools explained were very thoughtful and intentional. “[W]e always had a large school district, an urban, a rural, we had small school districts, but the groups were very strategic and we mixed each time and so there was that sharing of ideas,” she said (Nebraska State Board of Education, 2015c).

Board member O’Holleran commented on the evident taskforce commitment to
collaboration and sharing of ideas across districts, explaining that her hope in shifting from accountability by ranking schools to a system where, “…we can all move up in a classification by sharing best practices… I think when you talk about the collaboration and magic, I really hope that we can do that in a venue that is dynamic and sharable” (Nebraska State Board of Education, 2015c). Goeser responded to O’Holleran, explaining that the classification system the taskforce developed was a criterion-reference system and so, “…the system is set up for people to engage in improvement and they are incented to- incentives are there and in place to move forward into that next step forward into that next level” (Nebraska State Board of Education, 2015c).

O’Holleran thanked taskforce members for their work and commented that whatever the intervention models might look like in the three (priority) schools, she hoped that the overall system would be one where schools “…don’t feel like Big Brother’s going to come in and you know, punch some heads. We are coming in to provide support and intervention that can be sustainable after the Department leaves” (Nebraska State Board of Education, 2015c). President Wise thanked the group again for their commitment and leadership and once again reminded her fellow board members that the work in March would include making some decisions about the classification system.

The next key item in the work session agenda related to AQuESTT and accountability included a discussion on the adoption of Rule 10. Lange, the Director of Accreditation and School Improvement informed the board that the next day in their business meeting she would ask them to adopt the rule with the changes so that it could move into the next phase of the rule-making process and go to the attorney general’s office for review.
She also shared information with board members about the January 27th rule hearing where six sites were made available to the public across the state as well as opportunities to provide written comments on the rule draft. While there were a handful of individuals that provided testimony on the rule, most of it was focused on the teaching of CPR. According to the Hearing Officer’s summary of the Rule 10 hearing, nine individuals provided either written or verbal testimony in one of the six hearing sites across the state. Only one individual representing the NSEA commented about the new accountability system’s inclusion into the rule (Nebraska Department of Education: Summary of Hearing on Proposed Revisions to 92 NAC 10, 2015). In her comments to the board in the work session, Lange indicated her surprise at the lack of public testimony on the inclusion of AQuESTT into the rule, stating,

It was probably because the AQuESTT additions are reflective of the existing statute and so already there are elements that are a mandate or that the AQuESTT requirements have been deliberately connected to existing Rule 10 requirements so it’s not a surprise to the district (Nebraska State Board of Education, 2015c).

The next day, in their business meeting, the SBOE adopted the Rule 10 draft so that it could move on to the state attorney general’s office for review (Nebraska State Board of Education, 2015d).

The other two key policy agenda items related to accountability focused on federal policy related to state’s decision to draft a waiver or a Request for ESEA Flexibility and conversations in the House and Senate around the reauthorization of ESEA.

Commissioner Blomstedt introduced discussion on the waiver by saying that, “…the challenge is to write a waiver that’s not just about a waiver but really about our vision and where we are trying to go and trying to communicate that into the process,”
and asked Hesuman and Phillips to provide an update on their work (Nebraska State Board of Education, 2015c).

Heusman opened the presentation by reminding the board that, “Matt (Blomstedt) said starting out, it would be daunting, and he was absolutely right” (Nebraska State Board of Education, 2015c). Heusman informed the board that the presentation was a milestone in the process, because as the board’s timeline had outlined, a draft of the document had been made available to the public on the Nebraska Department of Education website (Nebraska State Board of Education, 2015c).

The writing team put a graphic on the screen depicting the horizon of the state’s major landmarks and road-signs with the requirements of the Request for ESEA Flexibility. “[I]f you look at the road you see the pieces coming together and you’ll see that we’re really talking about bringing systems together and capturing a vision for an education system across the entire state of Nebraska,” Phillips began (Nebraska State Board of Education, 2015c). She described each of the principles of the waiver in the context of the board’s ongoing work. Heusman added that the process had been both collaborative and developmental, stating that, “…every conversation that we have changes the interaction of the draft a little bit” (Nebraska State Board of Education, 2015c). With a draft ready for stakeholder feedback and a dedicated email address to begin to collect any comments, Heusman told the board,

…this is a first step for us to really put what we’ve captured out in the public arena and really seek feedback because we know that it is not a finished product but we’re comfortable that we’re going to get to a really good place by the end of March (Nebraska State Board of Education, 2015c).

Phillips added that the aim of the work was “…really trying to capture the story of education across the state” (Nebraska State Board of Education, 2015c).
Blomstedt then laid out the timeline leading to a March 31, 2015 submission of the request to the U.S. Department of Education. The work would include ongoing revisions to the draft, the incorporation of feedback from stakeholder groups, and the gathering of the required supplemental materials to support the request. Board President Wise told fellow board members,

I think that it will be important that we continue the discussion and that we come together to make that vote to submit. Before it has been a vote to pursue, put together a draft, by this timeline, which you have accomplished. And come back in [March] and talk about the draft and we have (Nebraska State Board of Education, 2015c).

Discussions around federal accountability and how federal accountability might better align with what Nebraska was in the process of developing with AQuESTT, continued the next day, in the board’s business meeting, as they took a considerable amount of time on the possibility of a long-overdue reauthorization of ESEA and Nebraska’s education policy partners’ recommendations to its lawmaking delegation in Washington D.C. President Wise invited Assistant Commissioner Halstead to come to the presentation desk and explained to the board that, “[y]esterday we ran out of time really talk about legislation… and the first order of business that we have to talk about with federal legislation is the Nebraska position statement” (Nebraska State Board of Education, 2015d). Halstead told the board that the statement, attached to their business meeting agenda incorporated language from AQuESTT and had been developed in collaboration with education policy partners including, NCSA (Nebraska Council of School Administrators), NASB (Nebraska School Boards Association), NRCSA (Nebraska Rural Community Schools Association), GNSA (Greater Nebraska schools Association), and NSEA (Nebraska State Education Association).
The draft outlined Nebraska’s key education stakeholders, who by constitution and by statute were responsible for governing education in the state, as well as the primary purposes for the state’s education system. The document stated that,

The people of Nebraska — through their Constitution, the Nebraska Legislature, the State Board of Education, the Commissioner of Education, and state policymakers — are responsible for designing Nebraska’s education system, including providing opportunities for all students to graduate ready for college and career (ESEA Reauthorization Nebraska Position Statement, 2015).

The AQuESTT system Nebraska was working to develop, according to the draft position statement, was one where,

…[p]olicymakers and practitioners collaborated to develop college and career ready standards, valid and reliable assessments to measure student progress against the standards, and, more recently, developed a balanced state accountability system relying on test scores and graduation rates as well as other valid indicators to monitor school and district performance and to prescribe interventions for persistently low-performing schools (ESEA Reauthorization Nebraska Position Statement, 2015).

The state’s policy partners, believing that, “…[t]he educational success of every Nebraska student is critical to the state’s plans for building a vibrant and economically successful future,” asked Congress to consider each state’s unique context as they discussed and drafted any bill to reauthorize ESEA (ESEA Reauthorization Nebraska Position Statement, 2015).

The position statement asked federal lawmakers to return accountability and intervention design to each state in the next reauthorization ESEA, requesting that,

… Congress and the Administration to use this opportunity to promote educational equity by moving beyond No Child Left Behind’s one-size-fits-all model and instead helping states and districts establish more meaningful and nuanced supports for students served by the nation’s lowest performing schools (ESEA Reauthorization Nebraska Position Statement, 2015).

Returning authority to states to design and implement their own interventions would
allow Nebraska to continue to develop an accountability system in AQuESTT with a disposition toward struggling schools that would, “…inspire[e] intrinsic motivation to improve by showing up to help before we show up to criticize” (ESEA Reauthorization Nebraska Position Statement, 2015).

Beyond summarizing what was in the draft position statement, Halstead updated the board on the latest progress in Washington D.C. around ESEA reauthorization and reminded them of the purpose of the position statement, saying that,

The House is looking at advancing and maybe voting on reauthorization in February. The Senate, they are going to do a markup later this month and could advance something. And at the moment we don’t have any definitive statement so it’s our best attempt working with our policy partners, working with the board Legislative Committee of trying to create a simple two-page document. And for a bill that is probably going to be at least 800 pages long, to give some guidance to our federal delegation (Nebraska State Board of Education, 2015d).

Timm thanked Halstead for keeping the draft position statement to two pages instead of 800 and went on to say that,

It looks to me like, as I read through this, you know, we’ve done a good job of saying that we’re doing these things in Nebraska. We’re doing them with input from our local educators, our local districts, and that’s how we do things (Nebraska State Board of Education, 2015d).

O’Halloran followed this comment with a motion to approve the position statement so that it could be sent to the Nebraska delegation of lawmakers. The motion which was seconded by McPherson, carried.

The work on school and district accountability in Nebraska at this point was a dance between a commitment “Nebraska way,” commitment which included local input and stakeholder engagement that had historically significantly influenced local policy implementation, a disposition to try to understand local context in “showing up to help before showing up to criticize,” and pressures in the state to stake a more aggressive and
intrusive stance on accountability and intervention (evident under NCLB).

The SBOE and NDE continued to negotiate this state and federal policy landscape as their March work session and business meetings commenced. With agenda items that included a decision related to state’s accountability model for the classification of schools and districts, updates on the developing process to designate the statutorily required three priority schools, ongoing discussions related to the likeliness of ESEA reauthorization while the NDE was also writing a Request for ESEA Flexibility (waiver) that would be submitted at the end of the month, it seemed this particular meeting would be significant in laying out Nebraska’s future direction on accountability, at least for local districts that had been waiting to learn what AQuESTT might ultimately mean for them.

One month following expert Brian Gong’s and a state taskforce’s presentation on the classification component of AQuESTT, the Director of Statewide Assessment, Foy; Director of Accreditation and School Improvement, Lange; and Accountability Coordinator, Anderson brought the classification model to the board for discussion in their Thursday work session, and for a vote in their Friday Board meeting.

Foy opened the presentation in the work session reminding board members of the previous month’s presentation and the proposed accountability system’s classification indicators had been developed through the work of the AQuESTT classification taskforce (previously called the NePaS1.1 taskforce). As AQuESTT would become the state’s first classification system, “…[w]e looked for broad representation… we wanted to make sure we took into consideration the input of all these different intricacies out in our districts, that can possibly affect what we develop as our classification component…” Foy explained (Nebraska State Board of Education, 2015e).
Foy referenced a two-page handout that outlined the key indicators that included in the proposed system, the same indicators brought forward in February by the taskforce, which, “…include the indicators of NeSA Assessments, status, improvement, growth, increase of the proficiency of non-proficient students, participation and graduation rate” (Nebraska State Board of Education, 2015e). These indicators, Foy told board members represented two of the six tenets: assessment and transitions.

She acknowledged that the board had expressed a vision for including all the tenets of AQuESTT in classification in the future in order to design an accountability system built in collaboration with NDE and districts that supported continuous improvement in schools. The taskforce, Foy explained, began their work with a discussion of indicators that would be included in an ideal accountability system. They filled three pages with their list. Some of those indicators “we see as future growth of this system,” Foy stated, but as schools “are made up of a vast number of facets that provide a picture of it,” Foy said, “[a] system that assigns a classification system bears a heavy burden to be accurate, reliable, valid, equitable” (Nebraska State Board of Education, 2015e).

In the end, Foy said, “we determined the indicators that we included. We realized this is a fine balance. We want inclusion of other tenets, but we want some consistency in our system” (Nebraska State Board of Education, 2015e). According to the proposed model, all schools and districts in the state would be classified in one of our performance levels: Excellent, Great, Good, and Needs Improvement. From the Needs Improvement performance level, up to three priority schools would be designated (Nebraska State Board of Education, 2015e).
Step 1: Identify students to be included:
- Full academic year—All students enrolled for a full academic year will be included in a school’s and district’s calculations.

Step 2: Determine initial performance level:
- Status: The current year’s assessment results are used to determine a performance level (Excellent, Great, Good, Needs Improvement).

<table>
<thead>
<tr>
<th>Status: Reading/Math/Science/Writing</th>
<th>Performance Level: 4,3,2,1</th>
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Step 3: Make adjustments to the performance level
- Improvement in elementary, middle school, high school—If the current year’s assessment results compared to the previous year’s results are equal to or greater than the cut score, increase the performance level by one.
- Growth in elementary and middle school—If students’ assessment results demonstrate growth equal to or greater than the cut score, increase the performance level by one.
- Change in non-proficient supergroup—If the current year’s measure of non-proficient students compared to the previous year shows improvement in assessment results equal to or greater than the cut score, increase the performance level by one OR if the current year’s measure does not show improvement according to the cut score, decrease the performance level by one.
- Participation rate—If the participation rate is less than the first cut score, decrease the performance level by one; if the participation rate is less than the second cut score, decrease performance level by two; If participation rate is less than the third cut score, classification level is Needs Improvement.
- Graduation rate high school—If graduation rate is equal to or less than the first cut score, the classification cannot be Excellent; if the graduation rate is equal to or less than the second cut score, the classification cannot be Excellent or Great; if graduation rate is equal to or less than the third cut score, adjust classification to Needs Improvement.

Step 4: Assign classification level
- 4 = Excellent
- 3 = Great
- 2 = Good
- 1 = Needs Improvement

Foy described each indicator and how it would function to determine a school or district’s classification. She explained that all schools would begin with a status level that would be adjusted up or down, or limited according to the other indicators. These indicators
included students’ growth from one year to another, grade level improvement, the
performance of students in the super-sub-group of non-proficient, participation rate, and
graduation rate.

Foy expounded on the task force’s rationale for the super-subgroup
recommendation stating that,

…[t]hey discussed that there are many schools in the State of Nebraska that don't have enough students for their ELL, free and reduced lunch and SPED to be included in that, even at a minimum of 25. What we did agree is that there are at risk students in every school, virtually, there are a few, but, in every school in our state, we’re at risk. They’re not proficient. They need to have the strategies used and applied in that school to help them be proficient. No matter what their category is in membership (Nebraska State Board of Education, 2015e).

This decision would allow more schools to be included with this indicator that could
move a school up or down a performance level depending on the growth or decrease of
their non-proficient student group. Foy also outlined how the indicator of graduation rate
would function as a limit for schools and districts, holding them to a performance level if
a graduation rate fell below a cut score.

Commissioner Blomstedt followed Foy’s comments saying that, “This is the first, our first base of where we're going with the AQuESTT system. It allows us to move into this very next robust conversation about other indicators that can be added” (Nebraska State Board of Education, 2015e). He thanked the task force members for their work and expressed how impressed he was with the, “…level of knowledge and detail from all of the state” that contributed to the model for consideration before the board (Nebraska State Board of Education, 2015e). Wise echoed Blomstedt’s thanks and encouraged follow board members that, “…we need to think about how we move over time, be
strategic and thoughtful in that process, and ensure that there is advance notice [for schools]” (Nebraska State Board of Education, 2015e).

The Commissioner outlined the full AQuESTT implementation timeline for the board, explaining that beyond the work around classification there would be information in coming months around priority school designation and the development of progress plans for each of the schools (Nebraska Department of Education, 2015f).

Lange reminded board members that in the midst of all of the implementation work, what made AQuESTT strong was the involvement of many voices in the process, “…whether it's the department, across the teams, whether it's in the state, from one border to the other, there's been many, many people working on it” (Nebraska State Board of Education, 2015e). Anderson went on to explain how the work ahead in designating priority schools would build upon the work of classification and would consider other data indicators that had been identified through the work of the board in tenet groups throughout the fall, the input from the policy forums, as well as the work done by the task force.
Fig. 4.4: Implementation Timeline for AQuESTT (Nebraska Department of Education, 2015e)
The board also heard an update on the progress of the state’s Request for ESEA Flexibility that would be submitted prior to their April meeting. In the work session, Heusman and Phillips described the progress that had been made in February, the assurances that were part of the application that would be submitted, and the work in the month ahead.

Phillips informed board members of the feedback that had been received from regional Educational Service Unit (ESU) staff members as well as feedback from consultants through CCSSO (Council of Chief State School Officers) and that the work moving forward would continue to be done in collaboration with Accountability Coordinator Anderson.

Together, Heusman and Phillips described each assurance aligning with components of the Request for ESEA Flexibility application from college- and career-ready standards and assessments, a differentiated system of accountability and support, and educator evaluation. They also outlined the communication plan intended to cultivate stakeholder feedback including a survey to superintendents, consultation with the Title I Committee of Practitioners, two policy forums, updated drafts of the application along with a unique email address for public to provide their input. Phillips told the board that that while the two policy forums would be held in Lincoln and Omaha, that was intentional to focus input from specific groups required by the request, and that the fall policy forums had provided the opportunity to cultivate feedback from a broader representation of the state.
The two also explained the areas of the waiver where the SBOE’s policy or NDE’s progress did not match with the requirements (as outlined) of the U.S. Department of Education. Phillips said,

First of all, the request asks us to tie our teacher evaluations to student performance, honor, state assessment, and we've really moved toward having our achievement data come from working with student learning objectives in the framework that we've outlined. There's certainly literature and support from our stakeholders that would support moving forward with that, but that does not line up with what USDoE is requesting from us (Nebraska State Board of Education, 2015e).

Heusman went on to describe another gap in the annual measurable objectives required in the waiver, explaining that the work of AQuESTT was intended to broaden how schools would be measured and that such measures should be customized to the local context. Finally, Heusman reminded board members that the Request for ESEA Flexibility required that states select a prescribed model to improve schools and that, “There's no blanket way to turn around every school in Nebraska, especially with the unique, diverse needs that we have across our state” (Nebraska State Board of Education, 2015e).

Commissioner Blomstedt told the board members following this presentation, that they had been aware of these policy gaps between what is best for Nebraska and what had been required by the U.S. Department of Education. The interactions with the leadership of the U.S. Department of Education moving forward would be to outline what Nebraska planned to develop and a rationale for why policy decisions in the state better fit for local contexts and improving schools than what might be a blanket policy at the national level. Blomstedt said,

It's really been clearly, what we've been building, saying, "Hey, look. I think this is what's going to help us with our schools." Part of as I look at this, and I look at what we're trying to do with the waiver, but I also look at what we're doing in
AQuESTT and taking that lowest category of schools. I want to focus energy and resources on those (Nebraska State Board of Education, 2015e).

O'Holleran supported the Commissioner’s statements around Nebraska’s plan for intervening in struggling schools saying,

Well, in my opinion, are going to be going to each of those, not just three buildings, but the schools in that needs improvement, and asking them what their best practices are, based on their local district plan of continuous improvement, whether it's AdvancEd or [Nebraska] Frameworks, we're going to help them turn around based on their own plan. Then, we'll provide support in the intervention and the necessary professional help (Nebraska State Board of Education, 2015e).

Flint expressed concern that should a waiver not be approved by the U.S. Department of Education and local schools facing increasing sanctions for not meeting the 100% proficiency requirement as mandated by No Child Left Behind. “I'm trying to figure out, given that this isn't going to be a shoe in, that we've got some risk here that this thing is going to be adopted, what's our plan if we fail to do that?” he asked (Nebraska State Board of Education, 2015e). Blomstedt agreed that the entire reason for submitting the Request for ESEA Flexibility was to attempt to protect schools “from having bad things happen to them” (Nebraska State Board of Education, 2015e). As one of the only states to never apply for a waiver and with the ongoing discussions around reauthorization, Nebraska had a unique opportunity. “We believe, in our conversations with them, is we can submit something and have an ongoing conversation,” Blomstedt said before going on to say, “I don't think we should just give up at the beginning of this and say they won't accept this...I think they're probably really wanting to work with us” (Nebraska State Board of Education, 2015e).

The following day in the board’s official business meeting, Flint’s questions continued, this time focused on how an approved Request for ESEA Flexibility would
change provisions provided to supplemental service providers like the tutoring group he worked for that focused on supports for students with dyslexia. Blomstedt responded that such funds were available as a result of requirements under Title I of No Child Left Behind. While those same funds would no longer be required as a set-aside under an approved waiver, Blomstedt stated that, “I think what we need to be talking about are what support systems do we need to build within the state, how we use those to actually address those types of issues” (Nebraska State Board of Education, 2015f). Flint requested that the board wait to make a decision about submitting the application and Blomstedt responded by framing the timeline given by the U.S. Department of Education, which required a submission by March 31st in order to guarantee a review.

Prior to the vote board member McPherson shared his stance on the application stating that,

I had a reluctance to pursue this when in fact it appears that it's an exercise in futility. I appreciate what the staff is doing, but it seems to me that it's a faith complete that we're not going to get this approved (Nebraska State Board of Education, 2015f).

The vote’s 6-2 outcome (with Flint and McPherson voting against) granted the Commissioner the authority to submit a completed application at the end of the month, but the split vote indicated that not all board members were supportive of what the Commissioner called the beginning of “negotiations” with the U.S. Department of Education.

The board did, however, vote unanimously in favor of approving the model for classifying schools and districts under the accountability system of AQuESTTT that Foy, Lange, and Anderson had presented the day before. This moment was especially significant because it signaled to the 245 districts and over 1000 school buildings in the
state how they would be classified according to the primary indicators. The month of
March fell in the middle of the Nebraska state assessment window and as students across
the state sat before computer screens, their results would ultimately have an impact on the
first classification of their local school and district in the following academic year.

The other key policy discussion related to accountability regarded the introduction
of HR5, the latest attempt by the U.S. House of Representatives to move forward with the
overdue reauthorization of ESEA. Assistant Commissioner Halstead briefed the board on
the progress, encouraging them that,

If you have the opportunity to have any conversations with our House members
when they’re back next week, we certainly would encourage you to tell them,
"Please ask the leadership to bring HR5 back up for a vote and get your work
done on reauthorizing ESEA (Nebraska State Board of Education, 2015f).

Halstead informed board members that in the Senate, no bill had yet been introduced
despite the ongoing work of Senator Lamar Alexander (Tennessee) in collaboration with
Senator Murray whose focus had been on generating bipartisan support for a bill.

Halstead explained that, “in the Senate, unless you've got sixty votes, which is going to
require both Republican and Democratic votes to get it done, you may not ever even get a
bill to the floor for debate,” making such progress seem unlikely (Nebraska State Board

Throughout the rest of the month March stakeholders had an opportunity to
provide feedback on the draft of the Request for ESEA Flexibility, which had become a
document intended to describe Nebraska’s progress around accountability and the
direction the state intended to go with AQuESTT under the leadership of Commissioner
Blomstedt and the SBOE. A policy forum was held in Lincoln on March 16, 2015 and in
Omaha on March 23, 2015. These meetings were advertised on the NDE website, the Omaha Public Schools website, and invitations were sent to community groups.

A survey was also sent to the superintendents of all 245 districts in the state, asking them to respond to questions related to how they ensured that students were college- and career-ready, questions or suggestions they had about the development of AQuESTT, and what support might be necessary for districts to implement an educator evaluation system that aligned with Nebraska’s *Teacher and Principal Performance Framework*. There were 80 survey responses out of the 245 that highlighted collaboration among districts and through ESUs, communication and recognition around successes, and hope that the state would set reasonable expectations in the design and implementation of the new accountability system (Nebraska ESEA Flexibility Stakeholder Input, 2014). On March 24, 2015 the Title I Committee of Practitioners for the state met and provided even more feedback for final revisions before the March 31*st* submission in order to ensure that a wide range of stakeholders had been consulted and changes had been made to the application prior to submission

**AQuESTT evolves**

Less than a week following the submission of Nebraska’s *Request for ESEA Flexibility*, the SBOE convened for its monthly meeting. Commissioner Blomstedt introduced a new graphic depicting the relationship between the waiver and the ongoing work developing AQuESTT. The image described each of the three principles required for the application along the tenets at the heart of a system built on continuous improvement, research and evaluation, support, growth, collaboration, and innovation (Nebraska Department of Education, 2015f).
Blomstedt reminded board members that,

…our conversations around the reasons that we would [submit a waiver] was number one, to try and protect our school districts from things that we thought were negative under No Child Left Behind. Number two, to really describe, really describe what we wanted in an accountability system for the future of Nebraska and then number three, to really set a course for us and be able to identify what we thought were key investments for the future (Nebraska Department of Education, 2015h).

Heusman agreed, stating that in the graphic as well as in the Request for ESEA Flexibility

…[w]e tried to tie everything to AQuESTT as the center of it all. And throughout the waiver we have the support, growth, collaboration, innovation and that’s
infused with everything we do. So really, it’s a theory of action that we’re looking at that we sent in (Nebraska Department of Education, 2015h).

Phillips elaborated that the theory of action at the core of AQuESTT according to the submitted application was a system that would make “sure that all of our schools are continuing to improve while we provide the support for our schools that really need it” (Nebraska Department of Education, 2015h).

Conversations related to AQuESTT in the board’s work session in April came from board member’s tenet group reports, which focused on revisions to Nebraska Mathematics Standards to make them college- and career-ready and statutory requirements around assessments used for national comparison. There was no direct discussion on the accountability system in the month following the board’s approval of the AQuESTT Classification Component.

The next day in their official business meeting, any discussion of accountability focused on the ongoing dialogue around ESEA reauthorization in Washington D.C. Although debate had begun in the House the last week of February, progress was halted as Congress addressed funding for Homeland Security and with the legislative body on break until the middle of April. There was hope but little progress toward making reauthorization a reality. Halstead shared that in a recent CCSSO meeting in D.C., Chairman Kline put it, ‘if we don't reauthorize ESEA, No Child Left Behind is still the law of the land, and no one is supportive of No Child Left Behind anymore as it currently exist. Doing nothing leaves it to the Secretary of Education to carry out what he wants to do under waivers' and from the House perspective that's not the route they want to go (Nebraska Department of Education, 2015i)

Halstead reminded board members that while the introduction of HR5 in the House signaled progress, that there would be a long road ahead to reach reauthorization, as the
Senate would also need to pass a bill and any differences would need to be worked out in committee, but that at least HR5 “gets the ball rolling for reauthorization” (Nebraska Department of Education, 2015i).

Halstead did offer hope, acknowledging that also in the CCSSO meeting, Senator Lamar Alexander reported that, “…he is working in a bipartisan manner with ranking minority member Murray…about creating a bipartisan bill that they hope to mark up in the Health, Education, Labor and Pension Committee when they return on April 13th” (Nebraska Department of Education, 2015i). Some of the proposed changes in both HR5 and the components of the bill Alexander and Murray were constructing would again shift the role of states. Halstead told the board that, “…[b]oth bodies believed that accountability is something state should set up and be held accountable for as opposed to the federal model that currently exist in No Child Left Behind” (Nebraska Department of Education, 2015i).

Board member O’Halloran commented that in a recent NASBE meeting also held in Washington D.C., representatives from states heard similar information about toward ESEA reauthorization. While many states expressed concern about transitioning from the systems they had developed under their approved waivers, O’Halloran stated that should reauthorization move forward and, “If we do get states rights for accountability, our plan for the waiver is a great framework for going ahead and AQuESTT” (Nebraska Department of Education, 2015i).

When President Wise asked what a timeline moving forward might look like, Commissioner Blomstedt responded that with a recent submission of the Request for ESEA Flexibility, his crystal ball “might be a little bit fuzzy,” but that he hoped for some
kind of feedback from the U.S. Department of Education before the June SBOE meeting.

Blomstedt assured the board that they would know as soon as he knew anything and that,

We're not going to back away from saying "We think this is right for Nebraska." We're not going to suddenly sign up for something that we don't think is appropriate, but we need to tell our story, we need to be able to message that, we need to make sure it's going to work for us. We'll continue to take feedback from our school districts, from our stakeholders across the state, and continue to use that to drive our future (Nebraska Department of Education, 2015i).

The future he envisioned for the state included a more cohesive and unified system that would contrast with running a state accountability system No Child Left Behind at the same time. That system would be an even broader and more realized iteration of AQuESTT.

If you really think where we're at from where we first mentioned AQuESTT to now, we're substantially changing how we operate as a Department of Education, how we operate as a State Board, but most importantly, how we operate as an education system across the state. Our goal is student achievements, every student everyday, it's actually moving us in a direction where that support systems focused on the right things (Nebraska Department of Education, 2015i).

Blomstedt did not detail what that direction or those “right things” might be, or how he would imagine the roles and relationships among the board, NDE, and local schools and districts might look like in the future.

Board member Lillie Larson inquired as to the key challenges that the Senate would encounter in drafting a bill. Halstead responded that the primary challenge was determining the federal role in school accountability for equitable access, briefly describing the origins of ESEA and its attempt to support schools serving students in poverty and going on to explain that,

They're trying to get away from the specific means that every school and every school district in this state must do because they recognize that's too much, the unique diversity of our schools, our states and everything. That's the balancing act that's going on (Nebraska Department of Education, 2015i).
O’Holleran followed this explanation with a question about the future of federal School Improvement Grants (SIG), which had distributed millions of dollars into persistently low-achieving schools across the U.S. under No Child Left Behind. Commissioner Blomstedt replied that one of the initial hopes of School Improvement grants was to gain insight into the reform efforts that would have an impact on struggling schools that could inform future policy and that in the current dialogue in D.C.,

There is some conversation that they would free up SIG grants to be applied to states by own accountability system so there would be more flexibility in how we would select schools that would be appropriate for that, which would be good for us to leverage the resources that we're getting on the state side for accountability and the school improvement (Nebraska Department of Education, 2015i).

Blomstedt went on to explain the potential opportunity if those funds fell under state’s management and how that might support schools in the AQuESTT classification system like the three priority schools required under Nebraska state law.

With so much undecided in D.C., an accountability system classification component that had been approved in the previous month’s SBOE meeting, the State Board and NDE shifted focus from policy creation to communicating policy implementation plans later in April 2015 at the first annual AQuESTT Conference (previously known as the Data Conference).

Presentations at the conference included a session on the new classification system and general information regarding the priority school designation process and the systems of support that would be necessary in order to implement interventions in those schools.

A change since the March SBOE approval of the classification component was evident in AQuESTT-related presentations. The language of these sessions described the
ongoing work of the SBOE in determining indicators for AQuESTT classification upcoming “final decisions” on the classification. These presentations outlined a timeline for implementation of AQuESTT with an upcoming prototype classification and business rules that would be released once “all indicators were complete” (“AQuESTT Classification Component”, 2015).

A week following the AQuESTT Conference, at the May 2015 SBOE work session and business meeting, discussion around the classification of schools and districts or the designation and intervention in priority schools was notably missing.

Commissioner Blomstedt gave an update on the status of Nebraska’s Request for ESEA Flexibility, sharing with the board that there was not yet information from D.C. regarding the review of the state’s application. Other discussion under the AQuESTT agenda items focused on tenet related updates, but nothing that focused on the accountability system itself.

**AQuESTT: Bolder, Broader, Better**

A month later, in the June SBOE work session however, the Commissioner gave a presentation that outlined updated elements of the AQuESTT Classification Component, Priority School Designation, implementation plan timeline, and a special AQuESTT website. He shared an overarching vision for AQuESTT extending beyond accountability. The tagline the Commissioner introduced at the beginning of his presentation was that of an AQuESTT system that would be bolder, broader, better (Nebraska State Board of Education, 2015j).

Blomstedt opened his presentation by saying that the would “go through this fairly quickly because I know we’ve gone through it in some detail,” indicating that board
members, presumably in committee work since the May state board meeting, had been engaged in conversations around the details outlined in his presentation (Nebraska Department of Education, 2015i).

The Nebraska state flag filled the large screen in the Board Room and online streaming as Blomstedt’s first slide of the presentation appeared and he began to describe a vision of AQuESTT and accountability as, “truly for the State of Nebraska.” He went on to state that the development of AQuESTT,

It's truly led by the State of Nebraska. It's our effort to move forward with an accountability system that is something much bigger for the State of Nebraska. So we started calling that 'Broader Bolder and Better' and we're really going to message to our stakeholders that they're part of something. That we're all part of something much bigger than we've done in the past around accountability (Nebraska Department of Education, 2015i).

Blomstedt explained that what the Legislature had outlined in the language of Neb. Rev. Stat. Sec. 79-760.06-.07 the SBOE had an opportunity to expand in developing something broader that would ultimately be for the good of “students across the state” (Nebraska Department of Education, 2015i).

This vision of AQuESTT would expand to include indicators from the six tenets of AQuESTT and would ultimately include data not currently collected by NDE or for any federal purposes. Creating an accountability profile for schools in this way would provide “a more holistic picture,” Blomstedt said. He displayed the image of a logic model that had provided the framework for this updated AQuESTT classification system saying,

…we've developed a bit of a logic concept. I'm not going to walk through this in detail but we know that there are inputs into schools, activities, outputs and outcomes. Traditional measures will be kind of highlighted with student learning and graduation (Nebraska Department of Education, 2015i).
Blomstedt explained that the SBOE would incorporate new indicators into the AQuESTT Classification Component that would extend beyond those required by Neb. Rev. Stat. Sec. 79-760.06-.07 or the recommendations made by the statewide task force initially approved by the SBOE in March.

Blomstedt told the SBOE that,

Building a system that supports every student every day is far more than the minimums required by law. I think when we said that last year we meant it. I think we really meant it. I think it's important that we continue to do our work and we hope that others are coming along with us. We can't do this on our own. We
need the support of schools and teachers, administrators and communities around the state and I think we'll be able to do that as we keep pressing forward (Nebraska State Board of Education, 2015i).

Pressing forward would include the introduction of a new data collection, the Evidence-based Analysis (EBA), a survey tool would ask schools to self-report on an items aligned to the six tenets of AQuESTT, the logic model Blomstedt had just introduced, as well elements in the state’s rule on Accreditation (Rule 10) and continuous improvement processes.

![Evidence-based Analysis](image)

Fig. 4.7: Evidence-based Analysis Example (Nebraska State Board of Education, 2015i)

This EBA, once fully developed, would not only provide data to be incorporated into the classification system, Blomstedt explained, but would serve as a tool of communication that would give schools, “…an opportunity to ask them what other supports they need from us” (Nebraska State Board of Education, 2015i). Blomstedt
stated that as the EBA was designed, “We anticipate every tenant will be recognized in the conversation” and acknowledged that with this new element and such a shift in thinking about accountability and expanding upon what a statewide task force had recommended and the State Board had approved in March (Nebraska State Board of Education, 2015i).

Blomstedt told the board, “I think we'll get some push back” (Nebraska State Board of Education, 2015i). Blomstedt encouraged the board that, “I think your bolder is a board to actually take this on because we're collecting different types of data and schools are going to have say 'we're going to have to do something more'.” Doing something more, he went on to tell the Board would also require doing things differently across the system and particularly at NDE. He acknowledged,

It's going to be work right now. It's going to be work for the Department; it's going to be some work for our schools. It's going to be work for us to communicate this well but the reality is this pushes us forward to where I think we really need to be to improve schools all over this State of Nebraska (Nebraska State Board of Education, 2015i).

Blomstedt outlined the implementation timeline moving forward and unveiled a new website [www.aquestt.com](http://www.aquestt.com) that would be used as a way to communicate about the state’s accountability system with schools and districts, as well as with a wider audience throughout the implementation.

Between this June SBOE work session and business meeting and the December (2015) work session and business meeting when the SBOE would approve the designation of three priority schools and NDE would release the first AQuEeSTT Classification, schools and districts would have an opportunity to view a prototype of
their classification using the previous year’s data and without data from the EBA. They would see a Raw Classification with 2014-2015 data but again without the EBA.

Districts and schools would submit EBAs by November 1, 2015. That data would be incorporated into a Final Classification that would be released in December 2015 along with school and district profiles. That would provide a more “holistic” look at schools than had previously been done in accountability in the state (Nebraska State Board of Education, 2015i). “The idea,” Blomstedt said is,

that schools will be able to look at where they're at, what different indicators, how they can work to get better, how we can help them initially get better… we’re looking at ways to analyze the reality of the school situation and be diagnostic about the things that they are doing and the things that they might do to get better comparing schools that are doing really well (Nebraska State Board of Education, 2015i).

Blomstedt shifted to the other required component of Neb. Rev. Stat. §79-760.06-.07, the designation of up to three priority schools and how reflection on the identification of these schools had also informed the changes in classification, stating that, “we had a theory of action about what we did” (Nebraska State Board of Education, 2015i). While he did not expand on what the theory of action beyond what had been provided in the logic model (above), he stated that the three priority schools, or those “schools most in need of assistance to improve,” would be designated based on the same indicators around inputs, activities and outputs (Nebraska State Board of Education, 2015i). The other significant element that would need to be considered, Blomstedt told the Board, was a focus on strategic communication stating that, “I don’t think we can over communicate on AQuESTT.”
By the end of July, at Administrators’ Days a year after the ideas that became AQuESTT were introduced, Commissioner Blomstedt outlined the “broader, bolder, better” AQuESTT to the more than 1,000 administrators present.

Blomstedt opened by saying, “we’re going to talk about being part of something broader, bolder, better than what was done in the past” (Nebraska Department of Education, 2015g). He explained that under No Child Left Behind, accountability for schools had been narrow and “less courageous” and that through working together “we can lead the state education system in Nebraska” (Nebraska Department of Education, 2015g).

He went on to state that despite the many challenges that the system of education faces, the system had a moral obligation to ensure equity. He highlighted three main areas: equity of access, equity of resources, and equity of opportunity. “Equity matters terribly to me for a lot of different reasons,” he said (Nebraska Department of Education, 2015g). He exhorted administrators that “…we make a different when we take each individual student and we have a chance to move them along on their own path and give them a chance to be the best they can possibly be” (Nebraska Department of Education, 2015g).

Blomstedt acknowledged that there needed to be conversations about school finance and funding and how to allocate resources in the most strategic way to support schools. He acknowledged that “it’s not just about money” but also about “…every day courage” to push and support students (Nebraska Department of Education, 2015g). He commented on addressing the achievement gap in Nebraska.

We have huge gaps for certain populations in our state by race and ethnicity, by poverty, by special education. It’s a moral imperative to look at closing that
gap…we can’t just close the gap, we have to raise the bar for everyone. (Nebraska Department of Education, 2015g).

Closing the achievement gap meant reevaluating systems to support schools, acknowledging that in recent years that system had been designed in such a way that the “burden” had been pushed down to the school.

In building a new accountability system in AQuESTT, Blomstedt said that the system he hoped to build was diagnostic, where, “…you understand the information in front of you and you’re doing something about it” (Nebraska Department of Education, 2015g). AQuESTT, as “…next generation accountability” would focus on “…the system to be working with us” and figuring out how to help each other get better (Nebraska Department of Education, 2015g).

Blomstedt described how AQuESTT was a broader, bolder, better approach to accountability. He began by explaining how the six tenets of AQuESTT would allow for “…tell[ing] the story of what is actually happening in schools” (Nebraska Department of Education, 2015g). This would mean broadening the measures used in holding schools accountable. “We’re trying to measure more. We’re trying to include more. We’re trying to tell the whole story of what’s happening in schools, instead of just a name, a title, or a score” (Nebraska Department of Education, 2015g). Blomstedt thanked the members of the State Board of Education for deciding to approach to building an accountability system as “…doing so much more” (Nebraska Department of Education, 2015g).

Ultimately, he said,

When you look at the constitution of the state of Nebraska, it’s the responsibility of the state board and the commissioner to lead in this education system. We have to take advantage of that system and make sure that we aren’t just going the minimums…We were charged with building an accountability system in a relatively short period of time (Nebraska Department of Education, 2015g).
Through their shared leadership, Blomstedt told administrators, he and the SBOE had worked to build AQuESTT while also keeping an eye on what was happening in Washington D.C. with ESEA reauthorization. He also updated the audience on the state’s waiver application, “…currently under review” which would mean that the state’s schools would continue to function under No Child Left Behind for the upcoming school year (Nebraska Department of Education, 2015g).

Contrasting No Child Left Behind with the developing state AQuESTT system, Blomstedt said that,

We’re trying to build a system that actually reinforces what you’re doing that’s right, helps support the type of things you think will make a difference in your school, and actually tell us what you need from the support system…I’m building a system that you can say what’s best and help us define that better (Nebraska Department of Education, 2015g).

Blomstedt outlined the upcoming phases of work with a final classification of all schools and districts coming in December. While districts would receive a prototype classification (2013-2014 data) and raw classification (2014-2015 data) based on the taskforce recommendations, there would be an additional piece that would influence final classification: the EBA. The EBA included survey items aligned to all six of the AQuESTT tenets and would be completed by school and district administrators.

EBA results could influence a school or district’s final classification. “With that information, you get a chance to provide a bigger picture of what’s happening in a school,” Blomstedt explained (Nebraska Department of Education, 2015g). He urged administrators to, “…be honest about your responses. We need you to actually tell us what you need to be supported, but it only has an impact of towards the positive. It’s not towards the negative” (Nebraska Department of Education, 2015g).
Final classification and the designation of priority schools would take place at the SBOE meeting in December. More details about how the EBA might influence classification would be made available following upcoming board meetings. Blomstedt told administrators,

I’m telling you, our State Board meetings are terribly important to the policy process that we have going on of building out this system. You really should pay attention to these conversations…Our role as policy leaders is more critical now at the State Board level than it’s ever been in the past (Nebraska Department of Education, 2015g).

Blomstedt said unveiled a new AQuESTT website where communication could be facilitated on the systems’ ongoing development as well as feedback through an email option on the site. He concluded his remarks by saying that,

I care about the moral imperative of our work, the system that we’re building overall is absolutely critical to that, that we actually build a system that reflects what’s happening in your schools and it gives you a chance to participate in that (Nebraska Department of Education, 2015g).

Just over a week later in the SBOE August work session, the Data and Continuous Improvement Committee along with the Commissioner, presented the broader classification model that would be used to classify schools and districts by December.

Unlike the previous classification model presented to the SBOE by a taskforce comprised of stakeholders from across the state who had worked for over a year on developing a model, this new model had been developed by staff at NDE. Chair of the Data and Continuous Improvement Committee, Timm opened discussion on classification in the work session and told her fellow board members that,

The Data and Continuous Improvement committee has met three times since our board meeting in June and have had continued conversations as we build our system for accountability. As we have stated several items, we get questions that we can't answer yet because we're still building along the way (Nebraska State Board of Education, 2015k).
Timm turned it over to Commissioner Blomstedt who gave a presentation on the progress made on AQuESTT since the June SBOE meetings, recapping information that had been shared at Administrators’ Days the previous week, and an idea of what might be included in a communication tool board members could use when sharing at regional NASB gatherings throughout the fall.

Blomstedt reviewed the classification implementation timeline with a Final Classification and Priority School Designation deadline of the December 2015 SBOE meeting. Schools would see their Raw Classification, or a preview of the classification recommended by the taskforce prior to the due date of the EBA survey instrument that would influence the Final Classification.

The survey tool included items from, “…each of the tenets and also elements that we thought were important that the board worked on to make sure that those were inclusive within the process,” Blomstedt said (Nebraska State Board of Education, 2015k). Through the EBA “…we're asking schools what type of support they want. I think that's a unique and important part of this overall,” he went on to say (Nebraska State Board of Education, 2015k). Beyond informing Final Classification, Blomstedt explained, the results of the EBA and data for classification would be used to build out a profile that would be designed and released to each school and district. “Organizing it and bringing into the profile is a critical part of that,” he said, “so that we can use it as a diagnostic tool as well” (Nebraska State Board of Education, 2015k).
Beyond classification, Neb. Rev. Stat. §79-760.06-.07 also required the designation of up to three priority schools for state support and intervention. Blomstedt briefly described the other process that would happen alongside classification throughout the fall. “A lot of our work is in prioritizing the efforts, the support systems around those places that really need additional support,” he said (Nebraska State Board of Education, 2015k). Priority school designation would include a review of expanded data elements in a profile from plans and reporting the Department of Education collected and a review of
program experts who would identify schools most in need of assistance to improve for recommendation to the SBOE.

Following designation as a priority school, each school would have an intervention that would be, “customized for each school,” Blomstedt said, “[i]n part because we want the intervention to address the issues that they have, right? Those aren't predetermined. Those will be based on what is actually happening at that level” (Nebraska State Board of Education, 2015k).
Beginning in January 2016, priority schools, in collaboration with the identified intervention team would develop progress plans to be approved by the SBOE in August 2016.

It's really clear that, within that, we'll have up to 5 years that they [priority schools] would actually try to work on the improvement plan and elevate themselves out. It could be faster, depending on how the goals are set up within that plan, Blomstedt stated (Nebraska State Board of Education, 2015k).

Blomstedt acknowledged that there was a great deal of work that would be necessary between August and December for the members of the Board and NDE in order to implement the plan he had outlined, particularly in determining the impact of the EBA on the classification distribution. This would include engaging stakeholders for feedback, he stated, including national experts as well as local educators. Part of that stakeholder engagement would take place in coming weeks as Board members participated in regional NASB meetings and gave presentations about AQuESTT in their regions.

The following day, in the SBOE business meeting, Commissioner Blomstedt gave a second presentation as a part of his annual appraisal in which he outlined the work of the previous year and outlined a vision of where he planned to lead. Blomstedt reflected on the previous year’s Administrators’ Days when, “We had not yet named an accountability system. We had not yet decided what all those pieces were going to be” (Nebraska State Board of Education, 2015l).

Blomstedt described how intimidating it was to walk up on the stage in front of a thousand Nebraska administrators, “…that really know what they're doing in our schools and really know their schools, frankly, better than we do, right? They know them better than we do but we're trying to provide leadership…” (Nebraska State Board of Education, 2015l). The theme Blomstedt presented in July 2014 was that of “Every
Student, Every Day,” and systems to support that (Nebraska Department of Education, 2014b). Blomstedt described how that theme became the foundation of the work of AQuESTT in the last year, a focus that began with the Board discussing their role in the education system in the state.

We talked about how it's designed and constitution statute, rule and regulation, how it's influenced by federal and state and local, but really driven by educator passion. If we're going to make differences in education, it's going to happen at that level (Nebraska State Board of Education, 2015l).

Blomstedt outlined how the Board had led in developing systems to support the education system in Nebraska including progress in data systems, accountability with AQuESTT, engaging stakeholders through policy forums throughout the state in the fall of 2014, and communicating with legislators in order to craft a single vision for education in the state. “That has consistently been our theme though the last year,” Blomstedt told the board, “…that consistently we believe the investing in the systems that are going to support every student every day and support ultimately what we are trying to do around accountability was critical” (Nebraska State Board of Education, 2015l).

Blomstedt described how proud he was to see how AQuESTT which, “was not a word until we invented it,” had become a part of the education conversation in the last year (Nebraska State Board of Education, 2015l). “I'll watch Twitter feeds, I can see it's popping up all over and I think that's a great thing,” he said (Nebraska State Board of Education, 2015l). Blomstedt also described the work he had done to reorganize the Nebraska Department of Education to better align with the work of the system he was building, highlighting how he had reimagined the role of the Commissioner’s office and the hiring of a new Deputy Commissioner, Dr. Deb Frison.
Blomstedt reviewed the ongoing interaction with the U.S. Department of Education and the relationship between state and federal policy with the submission of a Request for ESEA Flexibility that had described the work of AQuESTT with a vision of a single accountability system intended to best fit the needs of Nebraska. He went on to describe the interactions with education stakeholders with the AQuESTT Empowered by Data Conference, reviewing the thought that had gone into the messaging of AQuESTT in that conference.

When you think about what we're trying to build is a system that empowers our teachers to understand better what is going to make a difference in their classrooms. A system that uses data to help empower building level principles, superintendents, and us as a board, around understanding how we get better as an education system. We did that work and had that conference which was the first time we had to roll out, in large scale, that message (Nebraska State Board of Education, 2015).

He reflected on how positively he believed that this message had been received in April and how it had paved the way for the continued progress and messaging of AQuESTT at Administrators’ Days the week before and the same message he had rolled out to State Board of Education members at their June meeting—a message that each person is a part of something “broader, bolder, and better” (Nebraska State Board of Education, 2015).

Just as he had told administrators in his second Administrators’ Days, creating a system that is “broader, bolder, and better,” and focusing on “every student, every day,” meant every student in the state of Nebraska and meant equity, something Blomstedt said was a “moral imperative” for the Board and for the Nebraska Department of Education (Nebraska State Board of Education, 2015).

This is critical for education reform and I will tell you that education reform starts with us and we drive that. It should be clear that our moral imperative raises the bar, closes the gap in student learning and achievement for all children regardless of background…We have a chance to do that through our leadership in thinking
through that much broader system that supports our students in their school-settings, in their communities, and AQuESTT, I think, describes that well. (Nebraska State Board of Education, 2015).

Blomstedt reminded board members that one of the tenets of AQuESTT was Educational Opportunities and Access. He reflected on the two domains of AQuESTT and how the Teaching and Learning domain captured the “art and science of the traditional education system” He went on to describe how the domain of Student Success and Access, “…is really about the purposes that we have an education system. Thinking about how we do that and thinking about how we make sure that equity of opportunity is actually there for all of our students is a tough thing” (Nebraska State Board of Education, 2015). He described examples of the unique challenges to equity across the state, from a superintendent in a rural district facing the challenge of providing an equitable curriculum to the challenges facing schools in North Omaha. Blomstedt questioned whether or not the system of education could address all the challenges to equity but said that, “I do know that I can't sleep at night if we're not working on them. That's how I see equity.” He connected the work of equity and closing the achievement gap back to the work of AQuESTT.

We're going to start to set goals, start to do that work and be able to measure our progress and look at what's working, what's not working, and use AQuESTT and use the new accountability system to help drive those conversations. That's absolutely critical that we do that and we're all in this together (Nebraska State Board of Education, 2015).

Blomstedt concluded his presentation asking board members to consider how they might carry the message of equity to the upcoming NASB meetings in a way that might convey how success in making a difference in the system would require everyone to play
a part. He also thanked the work of his staff at the Nebraska Department of Education for their dedication in implementing the pieces of AQuESTT.

Board members expressed their appreciation and amazement of the work of the previous year. “I have one word for it: wow,” Larson told Blomstedt. “Thank you for your leadership to get us to where we are today” (Nebraska State Board of Education, 2015l). O’Halloran followed this comment by expressing her appreciation for the way Blomstedt was leading the development of the system in a way that would be sustainable, “With your systemic approach to delivering education, I am very reassured that the path that came before you is not forgotten. We are building on successes of your predecessors and we have a lot to thank those people,” she said (Nebraska State Board of Education, 2015l).

Witzel thanked Blomstedt for “having the guts to try” in pursuing a waiver and Board Rachel Wise followed up this comment by thanking the Commissioner for his “every day courage” (Nebraska State Board of Education, 2015l). Nickel expressed appreciation for how she believed teachers had been able to respond to AQuESTT.

They're believing in it. I mean, I can say years ago, we would talk about accountability and they didn't want to hear it. Today, they understand. Accountability is so important, not just for their kids, but for themselves. I believe your guidance is really going to put us in a great future for Nebraska (Nebraska State Board of Education, 2015l).

She also commented that she believed that the Commissioner’s children provided him accountability for the system he was developing.

Beyond this work of the board in August, NDE released a “for review only” EBA on the AQuESTT website: www.aquestt.com. The EBA had two versions, one for district office leadership to complete and one for each principal to complete. The survey tool
would be submitted along with each district’s *Rule 10: Accreditation Assurance Form*.

Initial guidance described how to access the survey tool from a unique email link sent directly to superintendents and principals. Previous data collections by NDE had been submitted at the district level; districts requested guidance and developed protocols for having building level administrators complete these reports by November 1, 2015.

By September, with AQuESTT Classification of schools and districts only three months away, the SBOE reviewed recommendations out of the Data and Continuous Improvement Committee chaired by board member, Pat Timm.

In the September 3rd work session, Timm reviewed the work of the Board around AQuESTT since the beginning of the year. She pointed to the revised version of *Rule 10* incorporating elements of AQuESTT such as classification and priority school designation that was adopted in February and signed by the governor in July. She reminded the Board that in March, the board had received task force recommendations about the classification process and indicators. While she did not acknowledge the action the board had taken in March to adopt the taskforce’s classification model recommendations, the report attached to the board agenda as a supporting document stated that, “[t]he full board approved the initial recommendations for classification on March 5, 2015 during the regular board meeting. The classification elements presented at that time included a four-step process and set of indicators recommended by an external task force” (Data and Continuous Improvement Committee Recommendations, 2015).

Following the March State Board of Education meeting, the board “established an ad hoc data and continuous improvement committee to review AQuESTT implementation efforts and make recommendations.” (Data and Continuous Improvement
Committee Recommendations, 2015). This committee met with staff in April and May to review AQuESTT Classification development efforts and made recommendations in both the June and August meetings. Timm explained that, “[w]e’ve reached a point where we have some more things that have been done and have recommendations for the board to adopt so that we can move on to the next steps” (Nebraska State Board of Education, 2015m). Timm turned the presentation of the proposed classification model over to Commissioner Blomstedt.

Blomstedt referred board members to supporting documents that outlined the proposed classification indicators, which had been reviewed in the August meeting as well. Blomstedt explained that what the board had seen in the previous March would become the Raw Classification. Districts would be given access to this initial classification in October as an indicator of what their final classification might be, however, Raw Classification would not include the EBA. “I think we reported back in June around EBA and the fact that we wanted to use the Evidence-based Analysis as a part of the classification,” Blomstedt said (Nebraska State Board of Education, 2015m). Blomstedt also highlighted that beyond receiving a classification, schools and districts would also see a unique profile that would synthesize data from classification and the results of the EBA.

While the Board would make their decision on the classification model in their September meeting, Blomstedt also indicated that he would like to bring the taskforce, accountability experts like those on the governor’s Technical Assistance Committee (TAC) to “make sure we’re doing our due diligence around the research at making sure that’s coming together,” Blomstedt said (Nebraska State Board of Education, 2015m).
The data and continuous improvement committee report indicated that a Commissioner established a,

…stakeholder task force to review final recommendations of the Data and Continuous Improvement Committee (made up of a group selected from previous task force, technical advisory committee, and school representatives [would] meet in late September or early October) (Data and Continuous Improvement Committee Recommendations, 2015).

Before outlining a timeline for implementation, Blomstedt discussed the action item the board would be asked to approve the next day. “We've never really actually voted and said yes, that's what's going to happen. We're asking that you go ahead and take action and ... if nothing else, it's the blessing to continue to move forward with that process,” he stated (Nebraska State Board of Education, 2015m). Blomstedt discussed the future decisions he imagined the board would need to make before classification could be made final in December, which would include the classification distribution and the rules for how the EBA would be incorporated into classification.

We may have some final pieces to apply on our November board meeting agenda, so we can ultimately implement this in December. An extremely tight timeline, but I very much appreciate all the work, the committee's work that is done. A lot of extra time on that front, staff work that's been there to make sure that we're getting this done (Nebraska State Board of Education, 2015m).

The other significant component of Neb. Rev. Stat. Sec. 79-760.06-.07 that would also include board consultation in coming month would be the process to designate up to three priority schools. Blomstedt told board members they could expect discussing this piece in November. The next day in their September business meeting, the Board voted 8-0 to approve the classification model, allowing the Commissioner and staff at NDE to move forward running data through the model in the anticipation of the November 1st EBA due date and the December classification of schools and districts.
As the board moved forward in making decisions around Nebraska’s accountability system, NDE heard from the U.S Department of Education with feedback on the state’s Request for ESEA Flexibility (waiver). Blomstedt asked project leads Heusman and Phillips to summarize what the conference call with the U.S. Department of Education (USDE).

Heusman told board members that much of the feedback was information that was discussed prior to the submission of the request, including a gap in what USDE wanted to see with teacher/principal evaluations tied to student achievement outcomes and the timing of transition to college- and career-ready standards and assessments in mathematics. Phillips explained that beyond these more prominent gaps, USDE requested more information about AQuESTT’s development and particularly how Nebraska would identify and intervene in the waiver’s priority and focus schools. “[M]any of the things are in process but there are a couple of key items where there is a distinction between where AQuESTT is going right now, and where the waiver has it’s process outlined,” Phillips said (Nebraska State Board of Education, 2015m).

Blomstedt thanked the pair for their work and reminded board members that one of the objectives in pursuing a Request for ESEA Flexibility was to develop an, “ongoing good working relationship with the U.S. Department of Education” (Nebraska State Board of Education, 2015m). Even though USDE had denied his request to skip AYP calculations in the hopes of continuing dialogue on Nebraska’s waiver, Blomstedt said that he believed that where the state planned to go with AQuESTT and the waiver application USDE personnel were “impressed with how we are trying to do our work” (Nebraska State Board of Education, 2015m).
Another objective of the waiver, Blomstedt said, was telling the Nebraska story in an effort to demonstrate the direction the state would like to see ESEA reauthorization to go. With significant gaps between Nebraska policy and what USDE would require in order to approve the request, Blomstedt told board members that, “We will have to make the decision on how much more energy and time we invest on waiver application, given the timing of ESEA” (Nebraska State Board of Education, 2015).

In October, there was not much to update the board or the public related to the development of AQuESTT. The Data and Continuous Improvement Committee did not meet between the September and October SBOE meetings and Commissioner Blomstedt told board members in the work session that the committee planned to meet following the Friday SBOE business meeting.

In the November State Board meetings, the group would need to make some decisions and recommendations regarding the distribution of schools in classification and process for priority school designation. The Commissioner indicated that the committee would be able to report out a more then.

The Policy Committee, however, anticipating policy decisions that would need to be made in coming months regarding AQuESTT and responding to reinvigorated progress toward the reauthorization of ESEA in Congress, provided an update along with a new State Board Policy regarding AQuESTT and a revised position statement on ESEA drafted in collaboration with education policy partners. Deputy Commissioner Halsted shared an update on the position statement with the full board, reminding them that they had “…adopted a statement of urging Congress to reauthorize ESEA” in the spring and
the updated draft that provided among the support documents was an update to that statement that included more specifics (Nebraska State Board of Education, 2015n).

He indicated that there had been a meeting with policy partners to “…talk about the federal legislation and their ideas,” and that he had redrafted the language according to Board and stakeholder feedback (Nebraska State Board of Education, 2015n). Halstead indicated that the board needed to make a decision on whether to adopt the Nebraska statement.

The *ESEA Reauthorization 2015 Nebraska Position Statement Updated* outlined key accountability beliefs aligned to the direction of AQuESTT, including authority to support for alignment of accountability and school improvement at the state and local level, multiple accountability measures that would ensure “balanced accountability,” and should contain a “…more sophisticated systems building approach and move beyond the more rigid approaches to accountability embedded in NCLB and the NCLB Waiver framework.” A call for more flexible rather than rigid approaches extended to how Nebraska believed school improvement and support for low-performing schools, stating:

Rather than requiring compliance with rigid school turnaround models that mandate staffing and other changes without reflecting on local circumstances and needs, the new ESEA should include support designed to ensure that our most vulnerable students have stable education environments as well as effective and supportive teachers and school building leaders. The new ESEA should call on states to have effective intervention strategies for persistently low-performing schools, but not mandate specific interventions (*ESEA Reauthorization 2015 Nebraska Position Statement Updated*).

These interventions, the position statement declared should allow states and districts to design and implement “evidence-based interventions” for struggling schools. “This approach,” according to the statement, “reflects the ESEAs historic commitment to


promoting educational equity by targeted additional federal resources to the schools and communities in greatest need of assistance” (ESEA Reauthorization 2015 Nebraska Position Statement Updated).

The following day, the SBOE voted unanimously to adopt the position statement so that lawmakers in Washington D.C. and particularly those representing the citizens of Nebraska in the House and Senate could represent the combined views of the state’s education system policy partners. The same day as the October State Board of Education work meeting, the Commissioner received a letter from Ann Whalen, the Assistant Secretary of Education for Elementary and Secondary Education at the U.S. Department of Education in regard to the state’s Request for ESEA Flexibility.

In the November State Board of Education work session, the lead writers of the state’s waiver appeared, reiterating the same information from an August conference call with the U.S. Department of Education regarding the gaps in Nebraska State Board of Education policy and what the U.S. Department of Education wanted to see revised before a waiver could be approved.

McPherson reminded his fellow board members that he had voted against the waiver and raised the question as to what further work should be done on the request considering the progress in D.C. on a House and Senate bill for the reauthorization of ESEA. Blomstedt concurred, stating that “…quite frankly, I don’t know how long the—I will call it the dance around the waiver verses watching the other side of the equation with ESEA reauthorization [will take]” and acknowledging the “holding pattern” the state was in until there was an answer regarding reauthorization (Nebraska State Board of Education, 2015o).
O’Holloran told Heusman and Phillips she was praying for reauthorization because it would “give power back to states to set up their own accountability system,” and that with the way the Request for ESEA Flexibility had been written, it provided the “Nebraska way” of “what our system will look like to advance student achievement and to narrow achievement gaps…” (Nebraska State Board of Education, 2015o). Blomstedt agreed and told the board that progress on revising the waiver would pause until there was a definitive idea of whether or not ESEA would be reauthorized before the end of 2015.

December 2015 certainly had the potential to be a significant policy moment in Nebraska with a possibility of ESEA reauthorization happening around the same time as the state’s first AQuESTT accountability classification and designation of priority schools.

In her report to the board on the progress of AQuESTT’s Classification system’s readiness for a December release, Timm, the chair of the Data and Continuous Improvement Committee, turned the presentation over to Commissioner Blomstedt. He told members that, “we need to take some action tomorrow that essentially give[s] me as a commissioner the authority to set the business rules, to actually finalize that” (Nebraska State Board of Education, 2015o). Blomstedt explained that the recommendations of the committee around classification of schools and districts included “a symmetrical distribution” among the classification levels of Needs Improvement, Good, Great, and Excellent so that those names “mean something” (Nebraska State Board of Education, 2015o).
Blomstedt summarized the committee’s discussions around the impact of the EBA in adjusting schools or districts up a classification level. Blomstedt stated,

I think one of our purposes within EBA was to do something different than what traditional accountability systems tend to find, right? The traditional accountability systems assessment scores primarily drive that, and also you tend to find that there's a correlation between, an inverse correlation between poverty and achievement and we want to be able to start to recognize and what I would call kind of identifying what I consider leading indicators. If they do something, if we're seeing behaviors at a school, they'll do better (Nebraska State Board of Education, 2015o).

He said that the next day in the business meeting he would be asking that the board, “to give me as a commissioner blessing to go ahead and get the business rules pieces done so that we can actually do the final classification on AQuESTT…and to finalize [the Priority School] process too” (Nebraska State Board of Education, 2015o).

The next day, Blomstedt introduced this AQuESTT action item; Timm moved to approve, “granting the Commissioner the authority to approve AQuESTT distribution percentages for accountability classification levels in Nebraska public schools and districts, how the Evidence-based Analysis factors into classification in Nebraska public schools and districts and the process for designating priority schools” (Nebraska State Board of Education, 2015p). Witzel seconded the motion. There was no board discussion prior to a unanimous vote of approval.

With classification and designation only one month away, the board had granted their authority as a governing board to the Commissioner to make key accountability policy decisions. There was very limited information regarding the classification or designation processes available outside board committee structures to allow the full board to engage in dialogue in the full board work session or business meeting and no supporting materials.
AQuESTT classification and designation

December 2015 was a major milestone for the implementation of AQuESTT with the classification of schools and districts and the designation of priority schools. It marked the end of the classification implementation timeline and despite the fact that there was little information available in November, by the December SBOE meetings, districts and schools had been able to preview their data.

NDE unveiled a range of resources about AQuESTT on the AQuESTT website, the Commissioner presented information in both the work session and business meeting and conducted a press conference in order to answer questions from the media and present the information to the public in a broader forum than the live-streamed State Board of Education meetings and documents made available on the NDE website.

Commissioner Blomstedt began his presentation in the December 3rd work session by thanking the Data and Continuous Improvement Committee, chaired by Timm for their work in the recent months and congratulating them for reaching a point of a release of AQuESTT classification results and priority school designation that would take place the following day immediately after the board’s business meeting. He stated that the purpose of his presentation was to provide an overview of how the work of AQuESTT had progressed in order to reach this point. He put the AQuESTT website up on the screen,

Obviously a lot of our theme has been around AQuESTT that it's broader, bolder, and better. We have a lot of our nice banners that we've used with the various public discussions of AQuESTT, and I really do want to emphasize that when we say you are part of something, it's you are part something as the communities across the state of Nebraska, the schools across the state of Nebraska, the teachers, students, parents, our businesses, our whole sense of this. (Nebraska State Board of Education, 2015q).
The collective responsibility of the AQUSTT accountability system, he said, was a moral imperative to provide equity by closing achievement gaps. Quoting Michael Fullan, Blomstedt that it was a moral imperative to “…make sure that regardless of children’s backgrounds we have an opportunity to ensure their success, and that’s what the education system’s about” (Fullan, 2011). That success, Blomstedt said, was about the “…success of the future of Nebraska (Nebraska State Board of Education, 2015q). It’s the success of our families and our economy in the state…” and everyone ought to have a stake in making sure that the system continued to work and continued to improve and the stability to do so (Nebraska State Board of Education, 2015q). AQUSTT, he said, “…is designed around stabilizing the whole system for our students…it’s about equity of access, equity of opportunities, equity of resources…” (Nebraska State Board of Education, 2015q).

He assured board members that there was much to be proud about in Nebraska’s education system and one of those things was, “…that we’re honest with ourselves about where we need to do our work” (Nebraska State Board of Education, 2015q). If there is one Needs Improvement school then the entire system needed to respond to improve, he explained, “it can’t just be pushed down to the classroom level…we’re all in this together…” (Nebraska State Board of Education, 2015q). Blomstedt stated that AQUSTT is about accountability and a quality system and although he knew he was “preaching to the choir,” that building that system on the tenets helped to define what would matter to the system (Nebraska State Board of Education, 2015q).
The design of the accountability system had been developed keeping this larger system improvement in mind. Blomstedt reminded board members that they started the classification process with Raw Classification, “…essentially traditional measures in accountability,” and that the board had decided that metrics coming from assessment measures and graduation rates “was not enough” (Nebraska State Board of Education, 2015q). Blomstedt agreed that the board had been right to think about other types of measures because relying on assessment data by itself is simply a correlation to “poverty and other things” (Nebraska State Board of Education, 2015q). It was for this reason the board had decided to include the Evidence-based Analysis in order to examine “things that are happening in schools that we think will make a difference in the long run to our students” (Nebraska State Board of Education, 2015q). The EBA had been developed beginning in June 2015 from a logic model put together by NDE staff, outlining the inputs, activities, outputs, and outcomes in a school or district that aligned to all six tenets in AQuESTT.

Fig. 4.10: AQuESTT Logic Modeling Process (Nebraska State Board of Education 2015q)
Blomstedt acknowledged the initial implementation of the survey had not been perfect, but that it had been a step in building a framework for future improvement. Ultimately, the Raw Classification measures were combined with the results of the EBA for Final Classification, placing every school and district in the state in one of four performance levels (Excellent, Great, Good, and Needs Improvement).

![Fig. 4.11: Classification Distribution (Nebraska State Board of Education 2015q)](image)

When discussing the schools identified as Needs Improvement in the AQuESTT Classification Blomstedt said,

…if you walk around the state of Nebraska and walk into any school I would dare you to say that school’s not a good place. In fact, I’ve been in many of the schools that are going to end up landing in Needs Improvement, and I struggle with this myself because you can stand in a hallway and watch children lining up. You go, ‘This is a Needs Improvement school?’ They’re doing remarkable work, and I do
not want to undermine that work in an accountability system (Nebraska State Board of Education, 2015q).

He explained that he wanted an accountability system that focused on supporting schools and “shared responsibility with them” (Nebraska State Board of Education, 2015q).

Among those Needs Improvement schools, Blomstedt said, “…we have to identify three priority schools as a requirement of LB438…” (Nebraska State Board of Education, 2015q). The task of designating three priority schools, he explained, included a range of data submitted to NDE, an examination of the programs and conditions among the Needs Improvement schools. The designation, he said, “it’s pretty weighty…[because] it’s our opportunity to really think about building capacity for the future for all of our students” (Nebraska State Board of Education, 2015q).

The role of the SBOE and NDE included understanding the dynamics in the Needs Improvement Schools because, “I really think it’s those places that need support for improvement ultimately,” Blomstedt said (Nebraska State Board of Education, 2015q). He challenged the notion that “we know what Needs Improvement schools look like,” and that among the Needs Improvement schools that would be released the following day, there were four primary themes: Native American communities, demographically transitioning communities, small communities with declining population, and urban or metro school communities (Nebraska State Board of Education, 2015q).

Blomstedt concluded his presentation once again outlining the release of classification and the designation of priority schools that would occur the following day in the board’s official business meeting.
The next day in their business meeting, Blomstedt reviewed some of his previous day’s presentation about AQuESTT. Blomstedt described a connection between the state’s accountability system and the dialogue going on in Washington D.C. around the reauthorization of ESEA.

It seems like our plan fits in what is happening at the national level, and what Congress is even looking at, allowing this type of accountability system to fit into that perspective. Even underneath the Every Student Succeeds Act language, they’re asking for additional measures in accountability systems from states (Nebraska State Board of Education, 2015r).
AQuESTT Classification incorporated both traditional measures as well as the EBA.

Blomstedt marked the significance of the milestone, placing a timeline graphic of the initial implementation of AQuESTT on the screen.

We’re right here, December 2015. This is what we set out several, several months back, that we would accomplish by this point in time and that we’d make ultimately, the classification process available to the public. That goes 20 minutes from now, roughly. I’ll have a press conference around the classification system and the priority school designation. The reality for us is we’ve done this. We’ve done that work; Excellent, Great, Good, Needs Improvement. Out of Needs Improvement schools we’ve identified, I’m going to recommend to you three priority schools (Nebraska State Board of Education, 2015r).

Fig. 4.13: AQuESTT Roadmap (Nebraska State Board of Education 2015r)
The priority schools would become the first schools in which NDE and the SBOE would have state authority through accountability to intervene. “These priority schools are schools that I view need the most support for improvement for their futures, but it is actually representative of several other things” (Nebraska State Board of Education, 2015r).

The support for the priority schools, Blomstedt explained, would provide knowledge as to how the system of education in Nebraska might be able to support all struggling schools.

I would tell you three priority schools is not enough to be working in. We actually have to find ways that all of our work is starting to support all of those "needs improvement" schools, and then we're aligning our programs and services and aligning our work. This is why it's important to have ESU structure there, that we're aligning the system of education in Nebraska, our districts, our schools, our ESUs and the department to make sure that we're supporting all of those needs across the state (Nebraska State Board of Education, 2015r).

Part of that support would include analyzing the themes among the schools in Needs Improvement he had described the day before with schools primarily falling into four categories: demographically transitioning communities, rural schools with declining enrollment, Native American schools, and urban schools and recognizing the important role ESUs would plan in providing support for these schools.

Blomstedt then identified the three named priority schools: Loup County Elementary in Taylor, Nebraska; Druid Hill Elementary in Omaha Public Schools; and Santee Middle School in Santee, Nebraska on the Santee Sioux Reservation.
Beyond these designation comments on the three schools, Blomstedt told the board that, “I believe honestly that we’re missing something in this priority school designation. I don’t address those demographically changing communities as I would like” (Nebraska State Board of Education, 2015r). President Wise asked if there was a
motion to adopt the recommendations the Commissioner had made for the three named priority schools. Nickel made the motion, Flint seconded and the SBOE voted unanimously to approve the schools.

Immediately following the SBOE meeting, Commissioner Blomstedt provided comments in a press conference regarding both AQuESTT Classification and the designation or priority schools. I remember sitting at my desk knowing that the Commissioner was making his remarks to the press in the state board room. My eyes felt gritty as I blinked back tears and my shoulders ached; it felt like I had just crossed the finish-line of a marathon.

Two nights before, I had sat at my dinning room until the early hours of the morning looking through the list of Needs Improvement schools and districts, looking for any common themes among the schools beyond their poverty percentages. I contemplated the short-list of schools the Commissioner was considering recommending to the SBOE for priority school designation. I traded emails throughout the evening with the Commissioner as he was also studying the complex range of factors under consideration to determine designation. I couldn’t sleep, thinking about what a priority school designation would mean for the educators in those buildings and the families and children who called each building their school.

On the board’s work session day, I spent the morning with the Commissioner and the Data and Continuous Improvement committee as he presented his thinking around the priority schools. I explained some of the potential themes present among the schools in Needs Improvement. I worked with an AQuESTT core team to examine documents that would be released the next day with final classification and designation. On the business
meeting morning, I got to the office before the lights turned on across the floor. I sat in the semi-darkness and pondered the day ahead. I knew that the Commissioner and Deputy Commissioner Frison had visited Druid Hill Elementary in Omaha and I also knew that the Commissioner had been in communication with Santee’s leadership.

I wondered what it would be like to be teaching on a Friday and to find out that your school was one of three in the state named as a priority school. Part of me wondered whether those in the building would even know; maybe this classification and designation really didn’t mean much on the ground. I spent the early morning hours calculating the percentages of schools that fell into each of the four identified themes in the Needs Improvement Classification and emailed back and forth with the Director of Communications to make sure that the data shared with the press would be accurate for each priority school.

Just as the SBOE business meeting began that Friday morning, I received an email asking me to call the leadership at Loup County, to let them know that the Commissioner was announcing them as one of the three priority schools as the Commissioner had not been able to get in touch with the superintendent. My stomach clenched.

I grabbed my cordless phone and school directory and stepped into a conference room. I managed to get ahold of the superintendent as he drove between the two districts he served. He was surprised and understandably upset. He asked how he should be prepared to talk with the media. He asked how he should communicate with his board and staff. He asked what this would mean for his district that was already struggling to remain open with the dwindling population. It is one thing to make policy decisions. It is
quite another to feel as if a policy decision is being done to you. I hung up the phone and cried. I felt as if I had just been an actor in education policy hit-and-run. The beginning of the priority school work, at least in Loup County and at least in my opinion that day, hardly felt like support.

Just over a week following the December board meetings, I attended a work day sponsored by CCSSO (Council of Chief State School Officers) for Nebraska to review its Equity Plan that had been submitted to the U.S. Department of Education. That day, sitting among a small team of my colleagues, I watched President Obama sign the *Every Succeeds Act* into law, reauthorizing the *Elementary and Secondary Education Act*. Following a transition year, for the first time in my career as an educator, I would not only work under a new federal education law, but I would have an opportunity to have proximity to the state policy decisions that would shape Nebraska’s ESSA Plan and attempt to align federal and state accountability systems into one system.

On December 17, 2015, following classification and designation, representatives from NDE presented the EBA questionnaires and a draft of EBA technical report to the Governor’s Technical Advisory Committee (TAC). TAC members, including national experts who had helped lead the initial Classification task force whose initial recommendations were approved by the State Board of Education in March 2015, prior to the development of the EBA, “…reviewed the questionnaire items and provided favorable responses as to the comprehensive nature of EBA items and their relationship to issues of school quality and student success” (EBA Technical Report, 2015). They also made suggestions for future changes to the questionnaire and how it might influence future classification models, including “…ways to strengthen the reliability of responses
in future administrations of the EBA” (EBA Technical Report, 2015). TAC members also recommended that the Nebraska Department of Education “Use data currently collected by the NDE (e.g., program evaluation plans, grants reports, and school improvement plans) as supporting evidence for how schools and districts implement policies, practices, and procedures related to the AQuESTT tenets” (EBA Technical Report, 2015). In the weeks between the December SBOE meeting and the start of 2016, NDE made the AQuESTT Classification Business Rules and Evidence-based Analysis Technical Report available on the AQuESTT website.

Priority school intervention

The three named priority schools, now a significant part of AQuESTT’s implementation framed their selection with their local boards and communities. In their December school newsletter, Santee Community School informed stakeholders about their priority school designation stating that,

This is something that is to be looked at as a positive for our district and shared accordingly with students, parents and members of the community. We all want what is best for the students and will look at this as an opportunity to do just that” (Santee Community Schools, 2015).

Santee’s perspective was particularly relevant to me, as between the December State Board of Education meetings and Christmas, I was summoned to Deputy Commissioner Frison’s office along with Accountability Coordinator Anderson; Director of Teaching and Learning, Cory Epler; and Matt Heusman, my writing partner from the Request for ESEA Flexibility. Dr. Frison folded her hands and looked across her desk. She asked Cory, Matt, and I to be a part of a priority school team that she would lead with Cory serving as a liaison to Druid Hill, Matt serving as a liaison to Loup County, and me serving as the liaison to Santee. There was silence. There was general joking about that
silence and then a statement that should anyone say no, we would only be asked again. I said I was terrified, but that I would support Santee any way I could.

On January 4th, I took my first trip to Santee in this liaison role. As I turned off Hwy 12 on to the Santee spur, the landscape was a frosted winter wonderland, glowing pink in the morning sunrise. The horizon opened before me and across the river, I could see bluffs rising on the South Dakota side, before I dipped down into the village of Santee, on the Santee Dakota Sioux reservation.

I have heard others describe the village of Santee as a sad place, with boarded and blanket-covered windows, sagging homes, and trash-strewn properties. While the school provides teacher-housing across the street from the school, the majority of the staff drives in from surrounding communities. I drove slowly through town, parked my car and walked into the building. I waved across the open atrium to the front desk staff before turning into a conference room, where I met with school and ESU staff. The school was currently without a superintendent (who had been removed part-way through the semester). The first-year principal greeted me and introduced me to the school steering committee. Immediately after introductions, one of the teachers turned to me and asked, “So, what’s this really going to look like?”

I sat there for a moment. And then I told her that unlike the experience the school had under a federal School Improvement Grant, the progress plan would be tailored to the needs of each of the three schools. “Whatever the process is,” I said, “it will vary.” I told them that as much as I wish I could give them a step-by-step structure of what to expect, that it would be built in coming months through a collaborative process with NDE, the ESU, and the school. That same knot from December reappeared in my stomach, thinking
about the unknown of what was ahead and feeling self-doubt about my role in the intervention. I struggled with my agent of the state identity; one who seemingly was viewed more as adversary rather than ally. I still viewed myself so much as teacher and fellow practitioner and when entering the conference room that morning with a group of concerned educators, I am hyper-aware of the tone, position, expression, and feel of the space. While I viewed myself as partner and collaborator, I became cognizant that in Santee, staff was waiting for me to pull out a knapsack of regulatory hammers.

In the January SBOE meetings, the new year began with a brief update on the progress of the priority school work. Commissioner Blomstedt informed the board that in the next month the priority school teams, “…will be working pretty intensely with them” (Nebraska State Board of Education, 2016a). He reminded board members of the timeline ahead with priority school progress plan development occurring between January and submission of plans for State Board approval in August 2016. Blomstedt assured the board that “We will work closely with you so by the time we get to August it won’t be a surprise of what’s in their plans” (Nebraska State Board of Education, 2016a).

The initial phase of intervention in each school Blomstedt said, would include a focus on building “appropriate relationships with these schools,” with the mindset that “…in doing this work we are trying to support all of the Needs Improvement schools…it’s an impressive level of burden I would say especially as we think about impacting kids lives in schools all over the state” (Nebraska State Board of Education, 2016a). Getting to know the contexts of each school and the individuals working in each site would allow priority teams to “…do the right things, organize the right talents and
resources and capacity…” for the progress plans and implementation of those plans (Nebraska State Board of Education, 2016a).

Board member McPherson asked for clarification, “…have you had contact with the superintendents of these three schools?” (Nebraska State Board of Education, 2016a). Blomstedt responded that, “Yeah, in all cases we’ve done that, yes” (Nebraska State Board of Education, 2016a). Board member Nickel requested further clarification asking, “So it would be my understanding that the NDE team or someone from NDE will be making an initial visit to these three priority schools in January?” (Nebraska State Board of Education, 2016a). Blomstedt agreed that indeed, “…we were just working on that yesterday so I believe so” (Nebraska State Board of Education, 2016a).

Board member O’Holleran, whose district included one of the three schools, Loup County Elementary, requested that the Commissioner invite board members when initiating work with the priority schools, “…because I think that shows support for their local policy makers” (Nebraska State Board of Education, 2016a). The Commissioner said that he would have Dr. Frison, Deputy Commissioner leading the priority school work, “take note of that,” while also acknowledging that board member participation, like his own interaction in the schools may not be included in the “first steps” in those schools (Nebraska State Board of Education, 2016a). O’Holleran said that she had already been invited to visit Loup County since its designation and wanted to make sure that anything she did would be in line with the priority school work.

President Wise who represented the region that included Santee Community Middle School interjected that she “…would prefer that if we were to go with the staff and make sure that we are speaking the bullet points that are supportive, that are endorsed
by NDE” (Nebraska State Board of Education, 2016a). O’Holleran agreed, asking the Commissioner to, “Please let us know how we can support you,” before moving on to a second question about the relationship between the priority school work and the expectations around school improvement included in the newly reauthorized *Elementary and Secondary Education Act* (ESEA, the *Every Student Succeeds Act* (ESSA) (Nebraska State Board of Education, 2016a). The Commissioner reassured her that there would be ongoing work to align AQuESTT and ESSA as more information was made available from the U.S Department of Education.

Witzel, the third board member representing a priority school, Druid Hill in Omaha Public Schools, informed the board that he had talked with superintendent Mark Evans, “…and they’re really anxious to join up with their staff and the NDE with regards to getting the process rolling. Look like the, everybody knows it’s going to be a co-op effort” (Nebraska State Board of Education, 2016a). Commissioner Blomstedt agreed, stating that he had also been in conversations with Evans and that while,

…it’s a challenge for them to be in this position and what we’re trying to do is really make sure that ultimately the improvement of those places…we go in somewhat humble in that but also with a theory and a plan of what we think logically should take place (Nebraska State Board of Education, 2016a).

With another SBOE update planned for their February meeting, Blomstedt assured the board that they would be kept apprised of the ongoing work in all three priority schools.

The Commissioner, however, did not have an update on the priority school intervention in the February SBOE work session or business meeting. AQuESTT-related conversations were focused more broadly on what was available to states about the federal *Every Student Succeeds Act* and how the provisions of the new law might align with the state’s accountability system, and particularly the intervention work in the
priority schools. Deputy Commissioner Halstead, in his board presentation outlining ESSA and the similarities and differences to NCLB as well as the alignment to AQuESTT, informed the board that with the new legislation the federal government was recognizing that the state education agencies and local education agencies should be leading, a shift from the federal oversight in *No Child Left Behind*.

The conversation transitioned from a broader notion of a shift in the role of the SBOE and local education agencies as a result of ESSA to the impact on NDE’s capacity in supporting the 5% of schools that would need support to develop comprehensive improvement plans. While Halstead cautioned board members to wait for regulations to come from the U.S. Department of Education (USDE) before NDE would move forward in developing a state plan in collaboration of policy partners to be submitted to USDE for approval. Halstead explained, “…it’s really going to be your plan that goes to the secretary of education about how in Nebraska we will do that in the process” (Nebraska State Board of Education, 2016b).

Despite the decisions ahead, Halstead also assured the board that,

> I think ESSA really fits well inside AQuESTT…There’s work to do, but the fact of the matter the work starts here and then goes to D.C. as opposed to No Child Left Behind where it started in D.C. and we were told we shall comply (Nebraska State Board of Education, 2016b).

Commissioner Blomstedt extended Halstead’s remarks, describing the relationship between the ongoing implementation of AQuESTT, particularly with his vision for the work in the three priority schools. He began with the broad recognition that with changes made in the accreditation rule, Rule 10, in August 2015, the State Board of Education, with approval from the Governor had incorporated the AQuESTT accountability system so that “every school is working on their improvement plan” in such a way that system
comes together, “so we don’t have to create something different from schools, that what is laid out in accountability is aligned to school improvement (Nebraska State Board of Education, 2016b).

O’Holleran then inquired whether moving forward with alignment of accountability (state and federal) and school improvement would require schools using either state accreditation (Frameworks) processes or regional accreditation (AdvancED) to have “two different tiers of continuous improvement” (Nebraska State Board of Education, 2016b). President Wise immediately interjected that should the processes schools have in place, whether that be Frameworks or AdvancED not demonstrate effectiveness according to the accountability classification, “something needs to change. I think that’ part of the intervention team’s role…to come out and help provide some of that guidance and input to see that the continuous plan that’s in place…is going to have some positive results” (Nebraska State Board of Education, 2016b).

O’Holleran agreed that support for continuous improvement, particularly in places like Loup County, the priority school designated in her region, might be necessary, that the disposition of the SBOE and the intervention team “…is not there to punish, or to say ‘you’re doing it all wrong, or you put this on the shelf,’ but that we’re there to work with them and listen to them” (Nebraska State Board of Education, 2016b). O’Holleran acknowledged that in the coming months as the intervention team worked with each priority school and then as each school implemented its progress plan,

…other schools that are in the Needs Improvement category are going to be watching how we treat and how we intervene…I just hope that we go in with the respect for what they are doing and seeing if they’re following through on the advice of the last visiting team (Nebraska State Board of Education, 2016b).
Wise disagreed, stating that, “it goes beyond that,” and as board members, there was a need to understand the different roles of the board members as compared to the department staff (Nebraska State Board of Education, 2016b). Wise began,

Our role is going to be to approve those plans… when it comes to us, do we feel confident that the plan is going to have an impact. I think at some point we’ll probably have to have more discussion bout how we as board members are engaged in the process at our board level different than the staff level, because we ultimately approve the plan (Nebraska State Board of Education, 2016b).

Commissioner Blomstedt added that once the board approved the progress plans, to keep in mind that the overarching goal of the intervention work would be to create “…models that we’re evaluation on whether or not they’re going to work in other places as well…The process is almost like an action research environment right now, but we’re going to learn from that and try to scale” (Nebraska State Board of Education, 2016b). The priority work, like AQuESTT, would go far above and beyond what was included in statute. “We’re actually trying to build something that accommodates school improvement for a broader set of schools, not just three places,” Blomstedt said before going on to remind the board of the map of Nebraska dotted with all the Needs Improvement schools and that each time, “…we walk in one of those priority schools, we’re not just there to help them, but to also think what does this represent in helping the other schools as well” (Nebraska State Board of Education, 2016b).

Throughout the rest of February, I made two visits to Santee, once on my own for a staff professional development day and the other along with the priority school team. The priority school liaisons, Accountability Coordinator Anderson, and Deputy Commissioner Frison made visits to all three priority schools.
On February 12th, I made the drive to Santee along a ribbon of glazed highway. I couldn’t tell if my tension was from the grip on the steering wheel, or replaying the previous evening’s conversation with the Commissioner and Deputy Commissioner, both of whom expressed concerns for how things were going in the school.

I was told to “…be prepared and jump in if necessary.” I didn’t really know what any of that would mean for the day ahead. I parked in front of the school, greeted a school employee who was shoveling snow from the sidewalk, and made my way into the school. I was greeted by an NDE contractor who spent two days a week acting as superintendent to support the principal, set down my bag, and greeted staff members I was coming to know. The focus of the day was on building culture and overall school improvement, knowing that NDE would be working with the school to develop a progress plan that would come the school’s school improvement plan.

Staff were asked to describe the school using the following sentence frame: “Our school is like __________ because we behave like ____________.” The principal invited staff members to share-out and phrases like, “our school is like a merry-go-round because we keep going in circles,” and “our school is like the wild west, because each classroom has its own sheriff,” were among those shared with the whole staff. The principal then facilitated a discussion about some of the toxic elements in the building culture and challenged staff to use the day to brainstorm and be open about where key areas of growth and improvement needed to be moving forward.

The school’s steering committee divided the staff into small groups of about 6-8 across grade levels and groups spent time brainstorming and writing their ideas on poster paper. When groups had completed the task, they put their posters in the front of the
room. Themes that emerged included the staff’s desire for consistency—through policies and procedures, with behavior management, induction program for new staff, a common language of instruction; curriculum vertical alignment and an understanding of what textbooks and materials teachers are using; collaboration for staff in order to plan and to have time to implement projects; stronger communication; and parent and community engagement. With these items on the wall, and what seemed like a moment of collective agreement about what the problems are, I couldn’t help but notice a couple staff with folded arms or doubtful expressions on their faces. I wanted to seek out these thoughts—what was lurking behind the body language? Later, when debriefing with the principal, he said he was nervous going into the activity and encouraged by the staff’s openness. “We named the problems and we agree about what they are,” he said, “and hopefully now we can do something about it.”

In the two weeks between this professional learning day and a visit from the priority school team, Deputy Commissioner Frison and Accountability Coordinator Sue Anderson called another meeting of the priority school liaisons, announcing that there would be a contract issued to Dr. Kathy Kennedy to complete a diagnostic review of Santee Community School and Loup County Public School.

Kennedy had worked the previous year in Druid Hill, the other priority school, under a contract with Omaha Public Schools (OPS). Frison mentioned that she had also worked with Kennedy in the past through a principal training Kennedy had conducted when Frison was still a principal in OPS. Frison informed us that Kennedy would join us on our visits to the three priority schools and would return in March to conduct a needs assessment or diagnostic review of each school. She also handed each of us a book by
Paul Bambrick-Santoyo titled *Leverage Leadership*, which Kennedy was currently using as a book study with the Druid Hill administration and that we would be expected to read as well. The book, written by the Managing Director of Uncommon Schools, a non-profit charter school management organization, according to an introduction written my Doug Lemov, was “…a guide you will return to over and over again for guidance, insight, and strategy that can help you and the educators with whom you work to achieve the greatest possible success—to build outstanding educational organizations and to make the greatest difference in the lives of your students” (Bambrick-Santoyo, 2012, Loc 475).

On February 25th, the priority school team made a visit to Santee with the purpose of establishing a positive working relationship that would support the development and implementation of a progress plan. When we arrived, the principal directed us to sign in and get our nametags for the day. We met in the conference room around a square table. Deputy Commissioner Frison opened the meeting welcoming everyone and sharing how glad she was to have everyone in the room to talk about Santee and the priority school work ahead. Around the table sat Frison, Anderson, Kennedy the Santee principal, director of student services, contractor who had served in a part-time superintendent role in the past month, two representatives from the ESU, Heusman, and me.

There were no introductions; Frison immediately asked the principal to describe his experiences in the school during the year. He talked about the range of programs and grants in the school and that his biggest fear would be not having a good superintendent hire the next year. He outlined some of the toxic culture challenges and the disconnect between the school and community, all of which he said resulted from the string of administrators that preceded him. He talked about wanting to put the “Santee DNA—the
school and community” into whatever the progress plan might be. Kennedy asked the principal how often he was in classroom observing instruction, what professional learning staff had been provided throughout the school year so far, and what his vision for the school would look like in the next couple of years. He replied that he would like to see higher test scores, higher graduation rate, no teachers leaving, and an increase in community involvement.

The principal divided the group and brought in a handful of students who gave tours of the building. The students were nervous, although when asked about some of the Native American student-artwork in display cases in the hallway, one student seemed to relax as he described that the pieces were examples of student artwork and that a visiting native artist comes in each year and does work with the students. He positively became animated when we entered the science classroom where he told us about planting some tomato plants with water that cycles through that the students are hoping to get to the appropriate pH balance to have fish in the bottom tanks. We returned from the tour and the Santee principal encouraged us to stay for lunch. Frison told him thank you, but that the team would be leaving before lunch, but that Kennedy would be returning in March for a diagnostic review, along with Heusman and me.

A week later, in the March SBOE work session, Commissioner Blomstedt updated the board on the work in the priority schools, sharing with them that representatives from NDE had traveled to all three schools, despite some necessary rescheduling due to a snow storm. The initial visits, he explained, were so that teams could, “…begin identifying and working with and building necessary relationships with the school district, the administration, and the board.” Beyond these initial team visits,
Blomstedt shared that he and Frison had made a visit to the Loup County school board meeting where

…it’s not necessarily a sense of pride they take in this, and it probably shouldn’t be. By the way, I’ll tell you it’s not a sense of pride for us. However, when we walk into these schools, our intent is to very much be there to begin looking and to be honest about the opportunities for us to work together to improve the education for those students (Nebraska State Board of Education, 2016c).

Board member Molly O’Holleran, whose region included Loup County, shared that it was an honor to visit with the board members for the school along with Blomstedt and Frison. She reminded board members that the work ahead in the priority schools would depend so much on the approach to the intervention work—that both Frison and Blomstedt “…really approached it from we are here to provide support, we are not here to tell you the way it is” (Nebraska State Board of Education, 2016c). She stated that she appreciated that “humility” that also kept in mind that “we cannot ignore problems either” (Nebraska State Board of Education, 2016c). The work in the schools would take bravery, but was the right work to do.

Repeating his mantra, every student, every day, Blomstedt stated that, the students in the priority schools deserve the very best. He reiterated that AQuESTT and the work in the priority schools and the processes developed, “…will be applied more broadly for schools that are representative…” (Nebraska State Board of Education, 2016c). With 87 schools in AQuESTT classification falling in Needs Improvement, Blomstedt stated, the strategic plan and the work of NDE would need to focus on developing a system of support and improvement for all schools. Blomstedt acknowledged that the initial rollout of classification and the inclusion of the EBA in classification had not been perfect that,
“…we have a lot of work to continue to improve, but guess what, we’ve learned a lot from the EBA” (Nebraska State Board of Education, 2016c).

Discussion of the work in the priority schools did to extend beyond this brief update, but in the board’s supporting documents a contract was listed extending from February 4, 2016 through February 26, 2016 for KLK Consulting, Inc., for $18,000. The description of this contractor’s scope of services included “Work with the three priority schools determined through a review of data and schools’ responses to an Evidence-Based Analysis (EBA.)” (Nebraska State Board of Education, 2016c). This document highlights, perhaps, the sparse nature of the description of the ongoing work in the priority schools in the actual board meetings. Beyond sharing that a team had visited each of the three schools, nothing was shared about who made up this team, whether those team members were representatives from NDE, contractors, or other stakeholders.

On March 10th, Heusman and I picked up Kennedy from the airport in Omaha for a two-day trip to Loup County and Santee. We made the drive to Grand Island, Nebraska, checked into our hotel, and gathered in the breakfast eating area where the Commissioner and Deputy Commissioner Frison joined us. Frison introduced the Commissioner to Kennedy, who outlined her diagnostic review plan for each school, which would include classroom visits, conversations with the administrative team, and a process to gather input from a cross-section of teachers, community members, and students. She would compile her findings into a report for each school that would be submitted to NDE.

For the next two days, Heusman and I asked as recorders, documenting responses from key stakeholders and participating in the classroom visits. Following each 5-10 minute classroom visit, Kennedy facilitated a brief conversation with the administrators,
the ESU staff member on site. She asked what they saw happening in each room and what coaching feedback might be offered to improve instruction. As we logged miles between schools and on our way back to Omaha, Kennedy shared some of her experiences working as a trainer for Dr. Larry Lazotte and Kagan Cooperative Learning, as well as her experience as a principal and assistant superintendent in Moore County North Carolina. Kennedy described how she had met an assistant superintendent from Omaha Public Schools at an ASCD conference, which led to the consulting contracts her KLK Consulting Inc. had had in the district for the previous few years. Kennedy provided the NDE with her Diagnostic Review reports before the end of March.

In their work session discussion of AQuESTT on April 8th, the SBOE heard a presentation from the Commissioner, where he previewed for them what he planned to share at the upcoming AQuESTT Conference. While his presentation and the subsequent presentation detailing initial data from the EBA did not focus on the work in the priority schools, he did chronicle the broader role of accountability in the system of education and the opportunity ahead to redefine the state’s role in accountability ad complex school reform following the passage of ESSA.

He opened his comments by “grounding us where we’ve been” (Nebraska State Board of Education, 2016d). While initial accountability for schools began, Blomstedt said, in the 1960s under requirements for accreditation, it had evolved throughout recent decades bring Nebraska, under the direction of the SBOE and the Commissioner to the current “next generation of accountability”: AQuESTT—a system that goes beyond past accountability, assessment, or student assessment as sole measures, but focuses on “the
investments that are critical for us in the future,” and that is built upon a “theory of action” (Nebraska State Board of Education, 2016d).

Blomstedt described the opportunity ahead for the SBOE with the reauthorization of the Elementary and Secondary Education Act, with the passage of the Every Student Succeeds Act to bring alignment to the accountability and support systems provided for the state’s districts and schools. This systems’ work, Blomstedt reminded the board, must go beyond accountability and that in developing AQuESTT, the board had done something unique, tying together accreditation, assessment, accountability, and support systems together. “It’s hard work,” he acknowledged, “to think about the connections between all those pieces, but developing that really gives us this system approach that we’ve talked about for the last couple of years” (Nebraska State Board of Education, 2016d).

AQuESTT in its next implementation, he stated, must continue to be “a collective effort” among communities, administrators, and teachers focused on growth and continuous improvement and that as the Commissioner, he and the Board ought to think about, “…how we do that efficiently and effectively...” to build a system “…that actually works. That works for the benefit of our students, and our schools, and all those that participate across the state in what I think is a remarkable system” (Nebraska State Board of Education, 2016d).

Following this presentation focused on the broader vision of AQuESTT moving forward under ESSA, Blomstedt transitioned to some of the data that had come from the initial implementation of the EBA. He invited Accountability Coordinator Anderson, and Data, Research, and Evaluation Administrator Matt Hastings to present initial findings
from school and district responses to the survey. Anderson opened her remarks stating that both she and Hastings had shared some of the information in the presentation with board committees earlier in the day and explained that the presentation to the full board would focus on the requests for support gathered from the EBA.

In the EBA instrument, Anderson said, schools and districts “…had the options of professional development, support, technical support, and an other category…[where] they could tell us specifically what that would be. The support items on the EBA were directly related to the activities items that they completed” (Nebraska State Board of Education, 2016d). As they shared an initial graph outlining the EBA items and requests for support, Hastings interjected that,

…it is important to highlight we’re presenting some information to you here today about the support side of the EBA. Of course, there was another side of the EBA, the activities side, which is the piece of the EBA that has, I think, probably gotten the most attention from people because it was a minority influencer on the classification system, AQuESTT classification system. However, what people sometimes forget…is the fact that more than half of the EBA was designed to systematically collect information bout how the Department and our partner entities like ESUs and others can actually organize ourselves to provide meaningful support in a systematic way for schools (Nebraska State Board of Education, 2016d).

Hastings then went on to share with the board that the upcoming AQuESTT Conference had been designed around areas where schools and districts had indicated they desired support. At this point, President Wise stated that what Hastings had shared, …is a really important piece how we’re transforming your work as an agency but our work as aboard to be very strategic and thoughtful around how we are providing the kids of supports to schools to really make a difference in student achievement, and to be responsible in our share of the process of ensuring that achievement gaps are being closed (Nebraska State Board of Education, 2016d).

Hastings went on to provide some descriptive analyses of the EBA across AQuESTT classification levels with more schools in Excellent and Great requesting support around
“…career awareness, exploration, and preparation instruction,” and Needs Improvement schools requesting, “…support around formative classroom based assessments” (Nebraska State Board of Education, 2016d).

This overview of the EBA provided the groundwork for board members to share out about their morning committee work by AQuESTT Tenet, where they each considered revisions that ought to be made to the EBA before its next implementation. Blomstedt introduced this agenda item, explaining that, “…pretty much across the board for our [AQuESTT] domains that every tenet pretty much settled on the notion and the need for rubrics—rubrics around the EBA to improve that” (Nebraska State Board of Education, 2016d). The tenet committee recommendations would go to the board Data and Continuous Improvement Committee with a “…release of those draft rubrics really at the May meetings…” Blomstedt said (Nebraska State Board of Education, 2016d). This timeline would allow for conversations with schools prior to the next release. “We really want that practitioner feedback around those processes as well,” Blomstedt stated. “It’s really critical to make sure that when folks answer the EBA that they understand how the information is being used… what the best answer…and the most appropriate answer is. Those rubrics would be designed with that in mind,” he explained (Nebraska State Board of Education, 2016d).

Following a discussion around each of the tenets in the two domains, where the State Board spent a significant chunk of their time discussing the future of assessment in Nebraska with transitions to college- and career-readiness assessments to align with standards coming up for English Language Arts and Mathematics, and a bill in the Legislature that could change that high school statewide assessment to a college entrance
exam like the ACT or SAT. The Commissioner reminded the Board that with updates to AQuESTT, transition from NCLB to ESSA, possible shifts in assessment systems, and progress toward providing a data dashboard, that their work developing a strategic plan would be invaluable both to tie together the work systematically and to communicate the work ahead across all stakeholder groups.

…I think really important that May through September, probably longer frankly, but throughout as we're going that we're really detailing what the vision in for the future, and engaging our stakeholders across the state, and being active, and making sure that they feel not only well informed, but a part of the process as well (Nebraska State Board of Education, 2015d).

The focus of the April SBOE work session focused on this parallel work around improving AQuESTT for its next implementation rather than the ongoing work happening in the priority schools. The only reference to the work in the priority schools was in a contract among the contracts issued from NDE for a “Liaison to Santee Community Schools,” Mr. Fred Boelter, in the amount of $20,500 (Nebraska Department of Education, 2016d). Boelter had worked in a superintendency role supporting the Santee principal throughout February and March.

At the end of April, two public artifacts around the priority school work were developed by Commissioner Blomstedt: a school newsletter article for Loup County Public School and a local school board report for Santee Community School. Both documents expressed appreciation for the partnership developing among NDE, the local boards, and the administration and a commitment for support in the development and implementation of progress plans that would go before the SBOE in August.

In his newsletter article for Loup County, Blomstedt described how when he first walked into Loup County he, “…walked back in time, back to my school days…” where
he also attended a rural school facing similar challenges to Loup County, “…in meeting all the demands other schools have while ensuring that their students realize their full potential” (Loup County Public School Newsletter, 2016, p. 1). Blomstedt explained how Loup County had been selected as one of the state’s three priority schools just as their local school board members had when he and Frison, and SBOE member O’Holleran met with them earlier in the month. Blomstedt highlighted that in selecting Loup County, the SBOE hoped to, “…develop support systems through our work with the priority schools” that could help “serve as an effective model for rural community schools across the state” (Loup County Public School Newsletter, 2016, p. 1). Blomstedt assured stakeholders that,

The goal is for those individuals assigned to work with your district team to become ONE team—ONE team that will work to guide the improvement for your school for years to come. The team will build a plan to support and improve your school—a plan that your school and community will own as we move forward (Loup County Public School Newsletter, 2016).

Blomstedt echoed these sentiments in his “Commissioner’s Report of Priority School Activities for the Santee Community Schools: Preliminary Efforts, Findings, and Next Steps” presented to the Santee Community School Board on April 28, 2016. He wrote that since the time Santee Middle School was designated as a priority school he had assigned an initial team to support the district in developing their progress plan that would ensure improved educational outcomes for students in Santee. Blomstedt described the members on the team consisting of, “…staff from the Nebraska Department of Education, Educational Service Unit #1 (ESU 1), Mr. Fred Boelter (superintendent/administration support), and Dr. Kathy Kennedy of KLK Consulting” (Commissioner’s Report of Priority School Activities, 2016, p. 1). He went on to describe
how both he and Frison, “…took an active role in the process as it was recognized that providing administrative leadership support was an immediate need” (Commissioner’s Report of Priority School Activities, 2016, p. 1).

With Mr. Fred Boelter filling an administrative leadership support role under contract with the NDE in place, Blomstedt explained that the team assigned to work with Santee has worked to understand the challenges the district faces.

There have been multiple visits, meetings, and conversations to establish a base of information important to establishing the next steps. The process has included opportunities to observe and interview staff and students in the school as well as opportunities to interact with the school board. All of these have provided valuable insights. Additionally, Dr. Kennedy provided a thorough summary as part of a “diagnostic review” process. This information and other data gathered are still being organized to share with the full board, staff, and community as part of the planning effort (Commissioner’s Report of Priority School Activities, 2016, p. 1).

Findings coming out of Kennedy’s review would be organized around her categories of improvement: Clear and Compelling Direction, School Culture, and Instructional Capacity (Commissioner’s Report of Priority School Activities, 2016, p. 2). Blomstedt explained that the progress plan would be developed from Kennedy’s findings and organized to areas for improvement for the school. “Over the next few weeks the collaborative team will be working to establish priorities for an improvement plan with a special focus on immediate efforts to be accomplished over summer and before the beginning of the next school year,” (Commissioner’s Report of Priority School Activities, p. 2).

These artifacts help to outline some of the priority school implementation work: Teams had been organized around initial work in at least Loup County and Santee, the Commissioner was communicating with at least two of the schools, a SBOE member had
been involved in at least the case of Loup County, and at least some basic information around the purpose for the contracts for KLK Consulting Inc. and Fred Boelter had been included in board agendas. The Commissioner’s communications with Santee and Loup County highlight the “support” role of the intervention team with Blomstedt describing the future work in Loup County as the team from NDE and the local district becoming “ONE team,” (Loup County Public Schools Newsletter, 2016) and the work in Santee focused on the work of a “collaborative team [that] will be working to establish priorities for an improvement plan…” (Commissioner’s Report of Priority School Activities, p. 2).

The communication to Santee School Board also foreshadowed the way Kennedy’s levers of improvement (clear and compelling direction, school culture, and instructional capacity) would shape the work in each priority school in the future.

The SBOE’s May work session included a brief update on the work in the priority schools. Blomstedt opened priority school remarks calling forward NDE employees Lange, Accreditation and School Improvement Administrator; Anderson, Accountability Coordinator; and Epler, Teaching and Learning Administrator and liaison to Druid Hill (one of the three priority schools). Blomstedt acknowledged that liaisons to both Loup County (Heusman) and Santee (Phillips) and NDE’s leader of the priority school work, Dr. Deb Frison, were away from NDE for other work.

Blomstedt informed board members that he wanted to give a sense of the work that had gone in recent months, which included, “…opportunities to meet with either board members and certainly the administration, even with teachers. We’ve been visible and present in the school settings in each place in different ways” (Nebraska State Board of Education, 2015e). Blomstedt went on to explain that an element of the state’s work in
each school had included a “diagnostic review” where a contractor (Kennedy) reviewed each school, “…through a process where we had the observations of what’s happening, what’s working, what’s not” (Nebraska State Board of Education, 2015e).

The review, Blomstedt said, supported the work of AQuESTT and enabling each of the three priority schools to work toward improvement with progress plans aligned to the six tenets. Each of the plans, however, Blomstedt told board members would be tailored to the “unique circumstances” present in each of the three schools and that in June, more information would be shared around the progress plan drafts in anticipation of the statutory requirement that the State Board approve plans in their August meeting. He reiterated the importance of the work in the priority schools and the lessons learned that could inform how NDE might support schools across AQuESTT classifications in the future. “Never before, in the department of education’s history,” Blomstedt said, “have we had a process like where our intention is to go in and actually provide that level of thoughtful input, support, direction and guidance in a very different way…” (Nebraska State Board of Education, 2015e).

Board member McPherson followed the Commissioner’s description of the work with a comment about the other 84 schools outside of the priority schools that classified as Needs Improvement according to AQuESTT.

…I hope we learn a lot from it and I hope we’re successful there but I think it’s very important for us to aggressively address those needs improvement schools. I think we’ve got to be very aggressive in formulating a way to work with those schools, and that should be built into our strategic plan…we’ve obviously got our charge by the legislature for the priority schools. When you’ve got a number of schools like we do have, that come under the Needs Improvement category, I think it’s incumbent upon this board in this organization to address those in a very aggressive way. I hope we’ll be able to do that (Nebraska State Board of Education, 2015e).
Blomstedt responded to McPherson’s comments stating that, “I actually really concur,” and the future conversations and decisions that would be necessary to support Needs Improvement schools should also be designed to meet the needs of the themes of schools across the Needs Improvement classification, every Native American school, our traditional rural declining enrollments, our urban schools, our demographically shifting ones “…[i]f we did nothing as a department of education but support our 87 needs improvement schools for their improvement, we would be the best department of education in the country.” (Nebraska State Board of Education, 2015e).

The future work of the SBOE, the Commissioner, and NDE would be shaped through the development of the State Board’s strategic plan initiative, the state’s development of a plan to meet the requirements of the Every Student Succeeds Act. President Wise also commented on McPherson’s comments stating that,

Pat, I think you bring up a good point and I think that’s where we’re really at a crossroads as we move forward…as we learn more deeply about some things with ESSA and start to think about it, it gives us that opportunity to think about how we prioritize the Needs Improvement schools and how we learn from this first step of the action plans (Nebraska State Board of Education, 2015e).

Wise then asked Blomstedt and the NDE staff whether the board might expect to see draft action plans for each school and what the timeline between May and August’s approval might look like. Blomstedt responded that the board could expect to see drafts of each school’s action plan and the similarities and unique components for each school.

In one case, with Druid Hill, we’re working very closely with Omaha Public Schools as a district, that’s a unique relationship for the department so we’ll present how we’re doing that with Druid Hill. We’ll talk about how it’s working in Loup County. Loup County has a certain set of circumstances: their rural-ness, their size, their scale, the perception of what accountability means and what accreditation means in that setting. It looks a bit different and Santee has it’s very unique circumstances (Nebraska State Board of Education, 2015e).
Blomstedt acknowledged that some of the specific pieces at the “granular level” may be too sensitive to present in a particular plan in June and asked Accountability Coordinator Anderson to describe how the plans would align with AQuESTT.

Anderson explained how she had developed a template similar to what other states who had priority schools (according to the Federal definition under Requests for ESEA Flexibility) used, including goal-areas for improvement, strategies, resources, and timelines intended to keep improvements moving forward. Using some of these templates, Anderson explained, she had developed how such a plan might align with the tenets of AQuESTT, “…so that it would be easy to see not only what the school would be doing and how it would be doing those things, but how those activities and actions are aligned to our system for AQuESTT” (Nebraska State Board of Education, 2015e).

Wise thanked Anderson and the Commissioner for these descriptions, stating that in June it would be important for board members to understand the plans that would come to them in August and the role of the State Board of Education. Wise made the suggestion that in June it

..would be very helpful to give sample school ‘A’, here’s what a plan may look like if we’re not actually reviewing the plans until August and then we’re also approving the plans, so I think it would be advantageous to make sure that we all have a good understanding of what we’re going to be looking at… (Nebraska State Board of Education, 2015e).

Board member Witzel followed Wise’s suggestion with a question about how the timelines outlined in the plan would describe the future work and whether those timelines would be limited to a single year. Accreditation and School Improvement Administrator Lange replied that “…I think it’s important to realize that these plans will reflect more
than just the next 12 months, that some of these improvements will take longer than
maybe one year to accomplish…” (Nebraska State Board of Education, 2015e).

O’Holleran explained how she envisioned the timelines and the plan as
representing a “hypothesis” of improvement and that with feedback “…then the next year
they’ll do an update…will there be any intermediate plan adjustments?” O’Halloran
inquired (Nebraska State Board of Education, 2015e). Wise answered her, “I’m sure that
there will be” (Nebraska State Board of Education, 2015e). Following this dialogue from
board members, Commissioner Blomstedt thanked NDE employees for their work, and
the meeting transitioned on to the next item on the agenda.

The information provided limited information about the work that had been done
in each school, the format and expectations that might be outlined in each school’s plan,
and how each plan would address the unique contexts Blomstedt acknowledged each
represented.

**AQuESST and ESSA**

While the board’s May business meeting did not directly address AQuESTT’s
implementation or the work in the three priority schools, the board did hear a presentation
from the Foresight Law + Policy group, a national policy advising organization about the
*Every Student Succeeds Act* (ESSA).

Policy advisors Reg Leichty and Amy Starzynski, both familiar to the
Commissioner and the SBOE because of their previous work advising the state prior to
the decision to submit a *Request for ESEA Flexibility* the year before described the key
pillars of ESSA. They explained how the role of the SBOE, NDE, and Local Education
Agencies (LEAs) would shift under the new law. Blomstedt reminded the board that
Leichty was a Nebraska native who had grown up down the road in Milford. With ongoing work around the board’s strategic plan, the newly implemented AQuESTT, and ESSA, Blomstedt reaffirmed the importance of understanding “…the context of what’s happening at the federal level” (Nebraska State Board of Education, 2015e).

Leichty opened the presentation by telling the board that although there would be a number of important decisions to be made over the course of the implementation process, that with the transition time provided by Congress, those decisions did not have to be made immediately, but could be carefully considered. It would be important for the state board to understand some of the “…really awesome, interesting opportunities for state leadership built into the new law that were absent under No Child Left Behind” (Nebraska State Board of Education, 2016e). With new authority given to states to support the work happening in local districts, “particularly your most underperforming schools,” the state board would have an opportunity to consider the work of AQuESTT and how it was well positioned with the Every Student Succeeds Act (Nebraska State Board of Education, 2016e).

Starzynski shared her reflections when she was in a state agency when No Child Left Behind was enacted and how it “…required a c-change in terms of the way we thought about the work and infrastructure we had to put in place.” When looking at ESSA, however, she explained how the “core pillars of the law are really the same” (Nebraska State Board of Education, 2016e). The big change, Starzynski told board members would be the, “…very different approach to the relationship between federal to state, to district…[Congress] made it clear that they wanted a very different relationship and a lot of the authority returned to states” (Nebraska State Board of Education, 2016e).
It might be a challenge for states to respond to their newly defined roles to think about support and interventions to schools that might fall outside the “prescriptive world” of *No Child Left Behind*. “You’ve been given a blank slate in some areas,” Leichty told the board, and it might be a challenge to determine what policy Nebraska may need to put in place to meet the requirements of ESSA, “…because we are very accustomed, I think in this space to look to federal system to fill in all of the blanks” (Nebraska State Board of Education, 2016e).

Leichty went on to describe some of the other complexities that would influence the implementation, including the change in President and the current leadership at the U.S. Department of Education.

Currently the federal Department of Education is working [sic] developing regulations that will be put out for public comment over the course of the next couple of months…that rule making will probably curate well into the fall. That is to say we don’t expect a final rule around those major issues to be published probably until a November-December timeline (Nebraska State Board of Education, 2016e).

Another piece that could be delayed would be the financial support provided through the fiscal year 2017-2018 budget that would need to be debated and approved in Congress.

The two described the key pillars present in the law and their alignment with what had been in place under *No Child Left Behind*, outlining the focus on college- and career-ready standards, aligned statewide assessments, with a change in whether states can elect a single summative assessment or to incorporate interim assessments into their plans but the requirement to disaggregate by student group remaining in place.

President Wise interjected at this point, to tell Leichty and Starzynski that with the passage of LB930, Nebraska would be transitioning to a national college entrance exam like the SAT or ACT instead of a state test in 11th grade. With an initial implementation
of that assessment happening in the 2016-2017 school year, there would be an
opportunity to “…explore with the board and with our stakeholders, so that we gather
some input over the next year to see what our assessment system should really like from
2017 and beyond” (Nebraska State Board of Education, 2016e). Board member Timm
agreed, broadening the conversation to include an overall alignment between the state’s
AQuESTT accountability system and what Nebraska would put in place to meet the
requirements of ESSA.

I see it [AQuESTT and ESSA] moving together…I think that this will give us a
real point of contact to then go back to our stakeholders, because we do need to
go back to our stakeholders, and say, Where do we go from here? What’s going to
be best for you? How can we work on this together (Nebraska State Board of
Education, 2015e).

Leichty explained to the board that under ESSA, state’s accountability systems
could incorporate additional measures, but would require that states have a system that,
“…is continually measuring the progress of your schools. It has to continue to identify
those schools that are most underperforming in the system” (Nebraska State Board of
Education, 2015e). These schools would be identified in two categories, similar to what
was required in state’s waivers from NCLB: Comprehensive Support and Improvement
schools (CSI) and Targeted Support and Improvement Schools (TSI). Leichty explained
that the focus “…is very heavily on underperforming subgroups and in fact, a distinction
between comprehensive support and targeted support turns in part on how subgroup
performance is measured relative to other components of the system” (Nebraska State
Board of Education, 2015e).

With a change in the role of the state in supporting the improvement of these
schools, Starzynski added, “the state is going to have to be responsible for the
improvement of their schools in a more direct way” (Nebraska State Board of Education, 2015e). The work of AQuESTT and the identification of Needs Improvement schools as well as the model(s) for intervening in schools as required by ESSA, would need to align as well, Blomstedt said.

Like we talked yesterday, we’re trying to think about also how we provide supports for that broader set [of Needs Improvement schools] which is closer to 10% of schools across the state…it’s kind of a good time for us to organize our thinking and alignment with this based on our strategic plan and based on where we think we’re going to need resources or reestablish resources around these schools (Nebraska State Board of Education, 2015e).

Before determining the support necessary, however, Nebraska would have work to do in outlining the performance goals that would replace Annual Yearly Progress (AYP) from No Child Left Behind. Starzynski told board members,

You’ve got a great freedom now to say for Nebraska what is the right goal in each of those areas, for each of those measures, and for performance overall…to have some interim targets that really mean something and guide the system and makes sure your identifying the right schools….Ideally though, I think you use this new flexibility to align those as closely as you can to have one [accountability] system (Nebraska State Board of Education, 2015e).

At this point, board member Flint asked Leichty and Starzynski about the rationale for always having a lowest percentage of schools that would have to be identified for support, “…let’s say they all get getter, that’s going to move the bell curve to the right. The same schools potentially year after year are going to wind up in this same place…it just seems wrong to me to do that” (Nebraska State Board of Education, 2015e). Leichty responded that there were a couple things to consider in response to that concern. The first piece was a focus on deep achievement gaps and, “…that bell curve has got to move an awful long way before you have them in a place where you really feel
like you’re serving those kids well” (Nebraska State Board of Education, 2015e). The second component of that, Leichty stated was, “…not to think of it as a punitive system…” (Nebraska State Board of Education, 2015e).

Unlike in the past, Starzynski explained, the interventions provided to the identified schools would be designed at the district and state level, enabling states to “…set a new tone around continuous improvement” (Nebraska State Board of Education, 2015e). While schools and districts would be responsible for developing their plans, the state would be responsible for approving plans. Leichty said, “I think those are the levers by which the state exercises pressure in appropriate places to ensure that those schools are being addressed properly through this system…I think you’ve got to push them on your priorities to make sure those plans are solid” (Nebraska State Board of Education, 2015e).

When asked if he had any advice for how the board should approach support and intervention for identified schools, Leichty stated, “There should be a very thorough needs assessment of these schools once they’re identified, so that the interventions that you appropriately raise are targeted to meet whatever the needs of that particular school” (Nebraska State Board of Education, 2015e). The State Board would then need to consider and outline processes for monitoring and reviewing schools and establishing exit criteria. Leichty pointed out that this would include thinking about the timelines schools should have in order to demonstrate their improvement and that it can take more than 3-4 years to truly demonstrate improvement.

President Wise brought the discussions around intervention, continuous improvement, and accountability into context for the board, asking members to think
about ESSA not as an isolated system, but to consider how Nebraska might move forward with an integrated system of accountability that would meet both state and federal requirements.

**Priority Schools: Developing progress plans**

As the school year came to a close, Accountability Coordinator, Dr. Sue Anderson worked with Deputy Commissioner Frison and Kennedy (who would be hired to coordinate the priority school progress plans) to coordinate a process and dates to work on developing draft progress plans in each of the priority schools.

Anderson and I made a trip to Santee on May 18th, in order to share a summary of Kennedy’s diagnostic review with the staff before the end of the school year. Prior to the meeting, we met with the principal and two representatives from the ESU to discuss placing a hold on some of the school’s plans for the following year until the progress plan was drafted and concerns around administrative hires for the following year. The Commissioner and Frison had indicated to the local board that they wanted to be involved in the hire of the superintendent and any other administrators.

Staff gathered in the library after school; it was clear that word had already spread about the pause NDE had placed on planning for the next year. Faces were set, gazes were narrowed; it was a rough meeting. Following Anderson’s presentation on the key findings of Kennedy’s review and her recommendations around clear and compelling Direction, staff and student culture, and instructional leadership capacity, I tried to draw connections between what Kennedy recommended and what the staff themselves had identified as improvement goals and areas in April.
Questions following the presentation were not related to the summary of the diagnostic review directed toward NDE’s decision to halt Santee’s planning until the progress plan was developed. Comments ranged from frustration about not having a school calendar to know when classes would resume in August to not having a superintendent hired for the next year. Staff members left the room in silence. One came forward and said, “I know you were just the messenger, but this is hard to swallow.” I drove the three-and-a-half hours home in silence, feeling every bit an agent of the state.

On May 24th, Kennedy spent the day at NDE working with the three priority school liaisons, Anderson, and the Administrator of Accreditation and School Improvement, Lange. Kennedy reviewed her findings from the diagnostic reviews for Loup County and Santee and the goals from Druid Hill that were part of her work from the previous year in the school.

Anderson had developed a plan template that resembled a school improvement plan with goals, evidence/artifacts, activities/strategies, individuals responsible, and timelines. We sat in a conference room all day, a draft progress plan projected on a screen, writing mock goals, actions, and strategies that aligned with Kennedy’s levers for improvement. Kennedy commented on the goals that should be part of each school’s plan and directed Anderson on how to facilitate dialogue with the school teams, as Kennedy would not be able to be on site in either Santee or Loup County. Anderson developed a collaborative process to work with the handful of staff that had been identified to work on the progress plans. The plans would be drafted and then shared with the full staff of each school with a message that draft plans were for review, but significant changes would not be made.
Two days later, Anderson returned to Santee. We left our hotel rooms early to pick up food for breakfast and lunch before driving the hour-and-a-half to the school. We met Santee’s principal, two representatives from the ESU, and three Santee teachers—our collaborators for the day. We sat in the same conference room where I had sat on my first visit to Santee in January and again when the NDE priority school team made its first visit to the school in February. Six months later, I looked around the table at the familiar faces around me and hoped that we would somehow represent the voices of teachers, students, and community of Santee in whatever we wrote.

As promised, the June SBOE work session included an update on the work in the priority schools. The Commissioner, after making a couple remarks about the need to support improvement in the priority schools rather than thinking about continuous improvement, which may or may not have been happening in each of the priority schools, immediately turned it over to Kennedy and Anderson, the Accountability Coordinator.

When introducing Kennedy, Commissioner Blomstedt stated that, “I think she does a very nice job of outlining our main themes of our diagnostic work within these schools” (Nebraska Department of Education, 2016f). Kennedy began her presentation, thanking NDE staff for their, “…passion and helpfulness,” congratulating the members of the board for, “…having the right people at the table to do this work that I think will pay big dividends to you as a state board in the long run” (Nebraska Department of Education, 2016f). Before describing her work in more detail, Kennedy explained that the goal would be to, “…learn from the processes that we create so that we can replicate those other places” (Nebraska Department of Education, 2016f). Kennedy explained that she began her work in Druid Hill the previous fall before the school was identified as a
priority school with a diagnostic review of the school using a model focused on three areas: clear and compelling direction, staff and student culture, and instructional leadership capacity.

The area of clear and compelling direction, Kennedy explained, “…really focuses on the vision of the school—the core values, the mission, and no just having a sense of mission” (Nebraska Department of Education, 2016f). The sense of the school’s purpose, she explained, should be present across all stakeholders from the local board of education, to students and families, and teachers and administrators. “It’s beyond just test scores,” Kennedy told the board. “It’s really looking at overall direction of how the school prepares the students for the world of work, to pursue college education, or serve in the military” (Nebraska Department of Education, 2016f).

The second area in her diagnostic review model, Kennedy explained, was an examination of staff and student culture, “to determine if the schools were places where students wanted to attend” (Nebraska Department of Education, 2016f). She looked at whether or not, “…the staff wanted to be there to teach the students and have that sense of urgency around educating students and meeting the needs of the children there” (Nebraska Department of Education, 2016f). Finally, Kennedy explained, an element of the culture in the building was also related to whether the school, “…is a place where parents want to send their students to learn and they feel safe in doing so” (Nebraska Department of Education, 2016f).

Kennedy then described the third and final component of her diagnostic review: instructional leadership capacity. Citing Kati Heycock’s work on teacher efficacy, Kennedy stated that, “…if teachers feel good about their role in the school and what
they’re doing in the school, that student achievement soars” (Nebraska Department of Education, 2016f). The support that would be provided in each of the school, Kennedy explained would be focused on

…developing the talents of teachers…providing support to them with curriculum alignment to the Nebraska state standards, also their lesson planning processes [and] are they adding rigor to the curriculum and differentiating instruction for students who need it most on both ends of the spectrum…[and] most importantly getting students ready for the next level of learning (Nebraska Department of Education, 2016f).

Her diagnostic review, Kennedy explained was one piece of the data that would inform the development of each school’s progress plan. She described her review as

…more of a qualitative review, because I interviewed staff members. I interviewed students, had wonderful conversations with elementary, middle, and high school students in two of the schools and elementary students at Druid Hill. Also interviewed parents, community members, board members, anybody that we could get in to come talk to us…we wanted to hear those voices of the stakeholders (Nebraska Department of Education, 2016f).

In addition to these interviews, Kennedy explained that the time in each school was also spent visiting classrooms along with administrators and then walking out into the hallway to talk about how, “…to coach this teacher who may have deficiencies, but how are we going to coach those talents that teachers bring to the table to help them be even more successful with students to build their capacity” (Nebraska Department of Education, 2016f). The information included in the diagnostic review report for each school would inform the progress planning and ensuring that goals are “attainable” and “specific” in order to, “help them get out of priority status quickly” (Nebraska Department of Education, 2016f).

Following Kennedy’s overview of her process, Anderson described the next steps for each school and what the board could expect in August. She explained that each
school was in the early stages of drafting their progress plans with, “initial drafts of improvement goals, and improvement strategies for each of the three schools” (Nebraska Department of Education, 2016f). Kennedy and NDE staff would continue to communicate and work with each school to finalize their plans, “…so that they feel they are informed and still have their voice around the table as we are working out the best plans for each of those schools” (Nebraska Department of Education, 2016f).

In August, the board would review each school’s plan. Anderson reminded board members that they had reviewed an example plan in the template they could expect to see. She also informed the full board that, “as we discussed in one of the domain meetings this morning, [we are] building into the plans some steps for bringing some regular updates to you throughout the year so that you can be informed about exactly what’s happening in the schools and what progress they are making” (Nebraska Department of Education, 2016f).

President Wise then opened the floor for questions about the priority school work. Larson asked how the plan would be financially supported, indicating that the plan template did not describe the financial resource support for action items. Kennedy responded that, “[o]ne of the things that the Commissioner has asked us to do is to look at goals for the local boards as well. Financial components, certain goals for finances would be in that particular realm of the progress plan” (Nebraska Department of Education, 2016f). Blomstedt then asked, “Can I address that to a certain extent?” He went on to describe that,

…as we’ve kind of tried to build a model of how we work with priority schools, I spend time with the elected boards and the administration…[w]hen things are surfacing that are around resources, sometimes it’s not just about more, but how
we decide to deploy resources within the schools and offering that as recommendations (Nebraska Department of Education, 2016f).

He explained that in looking at each of the priority schools there were elements, “where systems aren’t working…[and] when it doesn’t work right, that has a negative impact on the students’ ability to perform in a regular academic setting” (Nebraska Department of Education, 2016f). He stated that he was proud to see all the pieces coming together, stating that, “I think it’s a quite remarkable process. I don’t know if you see these types of things nationally. Kathy, I know works nationally. The fact of the matter is, we’re trying to build a model that helps these three schools” (Nebraska Department of Education, 2016f). The work would inform how the state should approach supporting improvement in Needs Improvement schools by providing, “…a road map for how schools generally get their improvement strategies done…it’s a unique time because we’re doing that work from a state level” (Nebraska Department of Education, 2016f).

Blomstedt thanked Anderson, Kennedy, and Dr. Frison for their intense involvement in the priority school work and acknowledged Tony Hoffman, the Santee Community Schools principal sitting in the gallery.

Board member McPherson wrapped up the discussion with a comment directed at Kennedy, thanking her for the updates and responsiveness to suggestions from the board. “I had a couple of thoughts that I shared with you,” he said,” that you seemed very willing to adapt to. I think you’re off to a great start, so thank you.” Kennedy replied back, “Thank you! Keep them coming” (Nebraska Department of Education, 2016f).

While not discussed in either the board’s work session or business meeting, among the supporting documents where all contracts issued from the Nebraska Department of Education where a contract in the amount of $18,000 to KLK Consulting,
Inc. was included. The scope of the work would include developing a progress plan template and assist with the development of the Priority School Progress Plans between May 24th and July 31st bringing the consulting services contracts for Kathy Kennedy’s consulting work to $36,000 in total.

While the board did not meet between June and August, the development of progress plans and staff development continued in each school. Two weeks following the June SBOE meetings, I received the news that the Commissioner and Deputy Commissioner Frison had recommended a superintendent hire for Santee, my colleague and Multicultural Education Director at the Nebraska Department of Education, Carol Rempp. Within days, Anderson and I met with Rempp in order to share the draft progress plan and summer schedule for the Santee staff. Rempp had a long history at the NDE and thus, a long history working with Santee. Only a few weeks before, following a presentation to a committee of administrators about the work in the priority schools, I had leaned over to her to tell her how strange it felt that I was the one sharing the update on Santee, not her. It was only days following Rempp’s hire, that Santee, along with help from the Commissioner’s office and Kennedy, hired an elementary principal and part-time instructional coach who both came recommended through the ESU. Both had worked for an intermediate service agency in South Dakota and I felt anxious to meet them in the weeks ahead.

In the last week in June, I made the trip to Santee once again, this time driving through the green expanse dotted with grazing cattle and buffalo, the closer I got to the turn-off to Santee. Staff gathered for three days of classroom management training the district had scheduled. I introduced myself to the newly hired staff and chose a seat
among a row of paraprofessionals. While Rempp and the newly hired principal and instructional facilitator had not been able to attend, staff asked about each of them.

On the last day of training, Anderson joined us in Santee in order to share the draft of the progress plan that would be presented to the SBOE in August. I found her sitting in a chair outside the main office looking through her notes. Since the Santee writing team had met in June, the progress plans had been reviewed by Kennedy who made suggestions and ensured that the plan aligned with the language in her diagnostic review. I wondered if anyone would notice the changes. I took a deep breath and expelled it in a loud sigh. Anderson smiled at me and commented, “ever forward, backward never.” It was the first time the two of us would stand before the staff since the meeting in May when we had delivered unpopular news.

We stood before the assembled staff and passed around paper copies of the draft plans. Anderson explained the format of each plan and the alignment to clear and compelling direction, staff and student culture, and instructional leadership capacity as well as how the plans had been developed, with the collaboration of some teachers sitting among them and asked those teachers to make any comments about the rationale for each goal. One of those teachers reminded the staff that those teachers who had been able to work on the writing team had asked for staff members’ ideas and concerns prior to the drafting meeting in May. She asked staff, as they reviewed the plans now, to think about whether or not their ideas were included. At the end of three long days of training, staff had few questions. One teacher, prior to departing, commented to me that “it remains to be seen; we’ve been through this before, you know.” That comment hung with me for the drive back to Omaha.
A week later, Anderson and I were together again, this time in Lincoln with the Commissioner, members of the Santee Community school board, and the Santee leadership team (which now included Rempp, the new superintendent, two principals and the instructional facilitator). The purpose of this meeting was to examine the progress plan goals, as Kennedy had drafted aligned goals for both the superintendent and the local school board. In the afternoon, the Commissioner and Anderson met with the board while I worked alongside an ESU colleague with the Santee leadership team. They reviewed the strategies and outcomes for each goal, discussed the calendar and schedule for the upcoming year, and started a long list of “to-dos” that needed to be accomplished before the beginning of school, which was only six weeks away. These six weeks until new teachers would show up in Santee would also include a teacher evaluation meeting, a two-day training with Kennedy, and Administrators’ Days. Despite the short-timeline and long list of things to accomplish, I immediately felt the spark of excitement in the hotel conference room and the energy among the newly formed team, as they began to learn about one another’s strengths and philosophies about working with students.

Only two weeks later, I was gathered with the same Santee leadership team and ESU representative, but this time in a small conference room at an ESU in Omaha. Anderson joined us for the two-day training facilitated by Kennedy and her other consultant who would work in the three priority schools in the upcoming year, Dr. Lisa Troutman. Kennedy used a powerpoint to walk us through each of her “high-leverage areas,” outlined the book study the administrative team would take on throughout the year from *Leverage Leadership*, and discussed the instructional coaching model she had implemented in Druid Hill the year before. The model included both 30-second and 5-
minute feedback to teachers based on a folded brochure of strategies she had collected from various instructional researchers (i.e., Hattie, Marzano). Troutman supported Kennedy’s training through short breaks where she facilitated short Kagan strategies to review key elements in the power point.

On the second day, we practiced writing short feedback notes to teachers based on what we observed in short-clips of instruction. I looked around the table, realizing how many of the people who surrounded me had worked for many years conducting professional learning that included imbedded instructional coaching or facilitation. I wondered how they felt as we each received feedback on our sticky notes and how well they matched the model frame we had been provided.

At the end of the second day, Kennedy wanted to hear an update from the Santee leadership team on their progress on key items that included the staff handbook and the schedule for each of the staff days prior to the start of school. Kennedy and Troutman shared a calendar of which three days in each month they planned to be in Santee in the upcoming school year. Kennedy would spend one day a month in the building and Troutman would be there two days in order to walk the staff through their instructional coaching model as well as to check on the work in the progress plan.

Another week later, all but Kennedy and Troutman were gathered at Administrators’ Days. On the drive out to Kearney, Nebraska, I reflected on how much had changed since I had taken my position at NDE. Two years ago, AQuESTT had not existed. A year ago, schools were waiting to see what the classification model would look like and how they would be classified into one of four performance levels. Only six months earlier, I had made my first drive to Santee following its designation as a priority
school. Only five months ago, I had met Kennedy for the first time. I wondered what would happen in the year ahead.

On the second night we were in Kearney, the Santee team met for dinner. I sat near the middle of the long table in the loud restaurant and looked around at each person, again, reflecting on the previous six months of the priority school implementation journey that in a very real sense had not yet even begun.

There were colleagues from the ESU who had been there each step of the way since Santee’s designation, the new administrative team, the steering committee of teachers and support staff, Anderson, and me. Over way too much barbeque, we talked about a new engagement and wedding plans, cattle sales, fishing on Lewis and Clark Lake, the new fence around the basketball court, and summer graduate classes. As servers were clearing the table, a Santee staff member leaned over to me and said, “We needed this.” I couldn’t have agreed more. I needed this. A week later, as the progress plans went before the SBOE, I hung on to the memory of barbeque and the educators and students who would be showing up for school in Santee very soon.

August’s SBOE work session and business meeting agendas contained discussion and action items related to priority school progress plans and contracts to support the intervention work, particularly in Santee Community School, one of the three priority schools. With SBOE approval of the progress plans, the first implementation of LB438 was complete—beyond having a school released from priority school status or the state taking a more significant intervention role after five years.

In opening the priority school discussion in Thursday’s SBOE work session, President Wise expressed her appreciation to the guests representing the three schools
who were assembled in the public gallery. Commissioner Blomstedt then asked Accountability Coordinator Anderson and contracted consultant, Kennedy to come to the front table to guide the discussion regarding the work in the priority schools and the progress plans that the board would act upon the next day in their work session.

As they moved to sit at the table before the board, Blomstedt told board members that it was, “…a monumental point in time for us to look at priority schools [and how] our role as an agency is changing” (Nebraska Department of Education, 2016g). According to Anderson, board members reviewed and discussed each of the three progress plans in their morning committee work with the guidance of both herself and Kennedy. “We are not going to review all those details that we shared with you this morning,” before the full board in their work session, she stated, but did want to take time to acknowledge the individuals representing the three priority schools who had worked through a process in the previous months in order to develop their plans (Nebraska Department of Education, 2016g).

This work, Anderson stated, had been ongoing through multiple meetings and interactions and reflected the collaborative work of local boards, administration, teachers, parents, ESUs, and NDE staff members. “Then of course,” Anderson went on this work had included, “…our work with Dr. Kennedy through KLK Educational Consulting, and I think you’ll recall from when she was here in June she was able to share information with you all about her work up to that point” (Nebraska Department of Education, 2016g). Anderson also expressed appreciation for the State Board of Education, “…you all have been very supportive of our processes and our work along the way and we’ve
tried to listen and incorporate your input as much as possible into these progress plans” (Nebraska Department of Education, 2016g).

Following this extended recognition of the individuals who had played roles in the initial work in each priority school, Anderson transitioned to Kennedy to present the progress plans. Kennedy thanked Anderson and opened the presentation of progress plans in the work session by telling board members that, “[o]ne of the things we know in education is that the voice of the customer is extremely important as we begin to develop any type of planning process” (Nebraska Department of Education, 2016g). The customer voices included representation from the collaborators Anderson had mentioned. Above and beyond all, Kennedy explained, “We are accountable to you as a state board as a result of legislation but also because it’s the right thing to do for children” (Nebraska Department of Education, 2016g).

Just as she had in June, Kennedy, described the “levers” of her process, in addition to the six tenets of AQuESTT, that provided the framework for the goals in each school’s progress plan: clear, compelling direction, staff and student culture, and instructional leadership. “We looked at those three levers and then created a format or framework for school improvement,” Kennedy said (Nebraska Department of Education, 2016g). In each progress plan, she explained, the voices of a range of stakeholder groups came together with a small team working together and sending

…many hours, many, many hours creating the plans that they have submitted for your approval…we also have strategies and then there is an accountability process where we intend to report back to you as well as their local boards, as well as their superintendent and teachers how we’re doing with these particular strategies within each one of these goals (Nebraska Department of Education, 2016g).
Each of the three school’s plans were unique, “based on the needs that they have within their community and within their school district,” as board members had been seen in their morning committee meetings, Kennedy stated (Nebraska Department of Education, 2016g).

Responding to request from President Wise, Kennedy outlined key components of each school’s progress plan goals reflecting her three levers of school improvement. Each plan contained three sections containing aligned goals for the school, the superintendent, and the local board of education. Kennedy began her overview with Druid Hill, the Omaha Public School elementary school where she had worked the previous academic year as an OPS contracted consultant. “Their plan is somewhat different than the other two plans as far as their goals are concerned. Their goals are really centered around instructional goals in the areas of mathematics…as well as reading, as well as writing,” Kennedy began (Nebraska Department of Education, 2016g). The focus in Druid Hill would be a “…common language and continuity in those subject areas,” she explained (Nebraska Department of Education, 2016g).

The focus of the Loup County plan, she went would be on the levers of clear and compelling direction, and instructional leadership, because “…it’s really important that you know as a Board of Education that Loup County is probably the super star of culture as far as the schools that I have ever visited (Nebraska Department of Education, 2016g). They have culture down pat” (Nebraska Department of Education, 2016g). The main goal under clear and compelling direction would be, “…to bring more of their students into their school so that they can continue to thrive as learners and their teachers can continue to teach them” (Nebraska Department of Education, 2016g). An area of focus under
instructional leadership included making sure, “…that teachers have the time they need to invest in instructional planning” (Nebraska Department of Education, 2016g).

The plan for Santee Community schools included goals aligned to Kennedy’s levers. As a result of the administrative instability and teacher turnover in Santee in recent years, one of the primary goals of the school’s plan was to, “…establish, implement, and communicate a climate of high expectations for everybody in their building and outside of their building that supports the school” (Nebraska Department of Education, 2016g). The plan also recognized that a key component of the school’s work would need to incorporate the Dakota language and Santee Sioux culture. The intervention in Santee had included significant investment from the Commissioner and Deputy Commissioner who had “…done a lot of work creating a leadership team that’s going to be collaborative to ensure that this plan is carried out and successful” (Nebraska Department of Education, 2016g).

Kennedy wrapped up her overview by telling the board that,

I can’t tell you the number of hours…that I have be in about how we can continue to support and partner with the three schools that you see behind us. I think they’re ready for it. They’re excited about it. They see it as an opportunity to provide an exceptional education for the students that they serve. Thank you for letting us be servant leaders to help provide these opportunities for the schools and the students (Nebraska Department of Education, 2016g).

Anderson then followed these comments from Kennedy stating that, “We know there’s a lot of information to digest and maybe some of you will be able to [look at] it over the next several hours because tomorrow I’ll be coming forward to formally present the plans for your approval…” (Nebraska Department of Education, 2016g).

Wise opened the floor for any questions from board members. Flint asked whether or not NDE should have selected Druid Hill Elementary as one of the three
priority schools, considering that OPS had identified the school for supplemental support, which included Dr. Kennedy’s instructional leadership and coaching support.

Commissioner Blomstedt reminded board members that one of the purposes of identifying each of the schools was to learn from each context in order to develop a model that might impact the other Needs Improvement schools. When considering Druid Hill in particular, was to “understand a bit of what the strategy is in Omaha Public Schools,” because there were twenty-eight other schools classified as Needs Improvement in the district and “…so it’s actually in building the shared capacities with Omaha Public Schools different than just simply working with Druid Hill” (Nebraska Department of Education, 2016g). This same type of approach was evident with the other two priority schools as well, Blomstedt explained,

You see that even with Loup County. It’s been a part of that that we have our small declining in enrollment schools that I worry about that we don't provide the support and level of service that we need so I see it there. Obviously, with Santee as well that we want to be there as a support system not just for Santee but really for all our Native American communities. We missed that one category if you remember. We only had three. We kind of ended up identifying a fourth category of our demographically shifting communities across the state, those that are experiencing changes in English language learner populations or other demographic shifts that change the makeup of the school needs and community (Nebraska Department of Education, 2016g).

Before leaving this discussion item and going to a break, Wise provided some reflective commentary about the journey of accountability in Nebraska, the leadership of the Commissioner, and the role of the State Board of Education in that process.

What's exciting about where we're at today in Nebraska and I think over the next years as we're moving away from a concept that was federally mandated of pointing fingers and negativity and talking about failures as opposed to talking about successes…I think as a part of the process we have a responsibility as state board members to be a part of this process so we're not here saying you know that we have issues and concerns and any of those kinds of things. We're here to say we're partners in this process and that we will learn from you. We will be
supportive and certainly the leadership of the Commissioner will move us and the
staff in that direction that it's not about pointing fingers. It's about creating that
system support that can help us to continually improve and provide more
opportunities for young people in Nebraska that all of us believe are very
important and well intended to do (Nebraska Department of Education, 2016g).

With no other comments or questions, the board went into a break, allowing members to
briefly greet and converse with representatives of each of the schools.

Throughout this presentation, I sat in the public gallery in the state board room
directly behind the Santee Community School administrative team (the secondary
principal who had also covered the responsibilities of the superintendent the year before,
the newly hired elementary principal, and the newly hired superintendent who had until
two months prior had been the Director of Multicultural Education and my neighboring
cubicle colleague at NDE). I watched my colleague Anderson take her seat next to
Kennedy and was surprised to see the lead role Kennedy took in presenting the progress
plans to the board. Anderson and Kennedy had presented the plans in two board
committee meetings during the morning; only Druid Hill’s priority liaison was invited to
attend.

Kennedy described the many, many hours she had spent on developing the
progress plans and I wondered how the school representatives around me felt as they
listened to the discussion of their schools, their staff members, and their students,
knowing that in at least two of these schools, Kennedy had spent a total of a day and a
half in each building. I made eye contact with one of the ESU administrators present to
support the priority school in his region and smiled in appreciation. The previous eight
months had been had its share of challenging moments. It seemed surreal that we had
made it to August and that the next day the board, in all likelihood would approve all
three plans. Even as Anderson took the time to recognize and thank the various stakeholders who had shared the journey with us, I knew she was counting down the days until her last day at NDE.

During the break, I stood in the back of the board room with the other two priority school liaisons, observing the priority school staff and state board member interactions. We each had a sign-off sheet we had been directed to make sure each administrator signed for inclusion in the progress plans prior to their departure. As we waited, Deputy Commissioner Frison broke away from a conversation with a priority school administrator and walked toward us, instructing us to make sure that school representatives should exit the board room, sign their sheets, and then were free to leave because it was preferred that they were not present for the next discussion item on the agenda: the contracts with KLK Consulting Inc., to assist the priority schools.

Following their break and with the priority school representatives no longer in the public gallery, Commissioner Blomstedt and Deputy Commissioner Frison expressed appreciation for Anderson’s work in coordinating the priority school plans. “We have come,” Frison said, “so very far” (Nebraska Department of Education, 2016g). She went on to state that,

The whole term of relationships needs to be reiterated because in the beginning the priority schools thought of themselves with a designation of Needs Improvement, which was synonymous in their minds to failing, and just to work through relationships to get to a point of support, collaboration, took some convincing, took some time, took some work, and took some beliefs after continuing and continuing and continuing to work with. Just appreciating the process to get to today, to see the excitement of everybody to continue with what's being done, so that would be what I would bring to the process (Nebraska Department of Education, 2016g).
Board member Flint asked whether or not there was an exit-criteria in the plan and Frison responded that, “I don’t think there is exit criteria in the plan and I would almost emphasize the fact that the plan is so to speak, fluid” (Nebraska Department of Education, 2016g).

Board member McPherson was not satisfied with this response, asking, “[w]ouldn’t it make sense though, to have some kind of tangible exit criteria goals for these schools so that, you know…they know what they’ve got to achieve in order to get off the list?” (Nebraska Department of Education, 2016g). Before Frison could respond, President Wise interjected, “…that we have some work to do as we think about where we are with classification…if we have a school that ends up being classified outside Needs Improvement…and they’re still a priority school, I do think that would be problematic” (Nebraska Department of Education, 2016g). Commissioner Blomstedt reminded the board that each school is, “…a priority school until this body says that they’re not…” (Nebraska Department of Education, 2016g). The progress plans, Blomstedt said, would last for one year and in that time, “…it gives us a chance to kind of dissect that, and by next year…we make judgment about where they’re at in those plans…” (Nebraska Department of Education, 2016g).

Without any more comments or questions about the plans, Board President Wise transitioned the board into discussing the contracts with KLK Consulting, Inc. to assist the priority schools. Commissioner Blomstedt told board members that he wanted consistency across how each progress plan was implemented and to develop...a specialized type of approach to how we think about turnaround in schools, how we do that work, and so, right now, we’re trying to use Kathy’s work to help us actually in the long run build capacity to do that work—whether at the department, whether ESUs, or sometimes even specifically at the school district
level…Kathy brings a special level of expertise to get that work accomplished…We learned a lot, in the, you know, time since engaging her and feeling like she’s the right person to carry out that work over the next year)

Nebraska Department of Education, 2016g).

Board member Flint posed the first question regarding Kennedy’s contract. “I was just wondering, it is quite a chunk of money, it’s like $256,000. Is she bidding hours? Does she have a bio or what other schools she’s helped out or something?” (Nebraska Department of Education, 2016g). Blomstedt replied that the contract would be for a number of days and asked that Frison provide some information on the work Kennedy planned to do as a part of the contract for each school. Before Frison had moved to the front table before the board, Wise interjected, “I would just like to say, it’s not just her. I don’t know, we didn’t introduce, but she’s got, I don’t know how many associates or who all works with her” (Nebraska Department of Education, 2016g). Blomstedt repeated Wise, “Yeah, we got more than one. She’s got team members” (Nebraska Department of Education, 2016g).

By this time, Frison had taken a seat before the board and explained that Kennedy had provided a schedule for the days she would work in Santee, Loup County, and Druid Hill. “At a minimum, three days a month she [or her associate] would be there [in each school] just coaching the staff in classrooms…[t]here’s so many things foundationally that had to be addressed with each of the districts in different kinds of ways, so it’s kind of an all-inclusive kind of thing to get these schools where we want them to be” (Nebraska Department of Education, 2016g). Board member Larson inquired about the length of the contract and Frison responded that the contract was for the 2016-2017 school year.
With no further questions regarding the contract with KLK Consulting, Inc., President Wise moved on to the next discussion item, a proposed contract with ESU1 to provide an instructional coach for Santee Community School. Before discussing the proposed contract, Commissioner Blomstedt described the administrative churn Santee had experienced in recent years and the decision to ask NDE employee Carol Rempp to consider serving as Santee’s superintendent. Beyond Rempp, and the work of Kennedy.

“We really have to look at a way to ensure that we the staff on the right page,” Blomstedt said (Nebraska Department of Education, 2016g). Echoing Kennedy’s lever of staff and student culture, Blomstedt went on to explain that in working with Santee’s local board he had learned that,

…there’s a perception that the teachers don’t somehow care about what is happening to students, like the teachers that come from outside [the reservation]. I don’t believe that’s the case at all, but in the absence of leadership for a period of years…we knew that we could not leave them without the capacity to be successful in getting that done [making sure instruction really matters] (Nebraska Department of Education, 2016g).

As a result, he had asked ESU1 to contract with an instructional coach for a contracted amount of up to $60,000 according to the supporting contract rationale. While the Santee Community School board had hired the administrative team, which included Rempp, the new superintendent; a new elementary principal; and the retained secondary principal, NDE (through the budget allotted by the Legislature for the implementation of LB438) would support Santee by funding an instructional facilitator.

Deputy Commissioner Frison supported the Commissioner’s comments, stating that contracting with an instructional coach would provide Santee with the support necessary to move the school forward, explaining that, “Santee hasn’t had some things that we know would be critical to success of teachers: pacing guides, curriculum guides,
some order to lesson plans, targets or lesson objectives” (Nebraska Department of Education, 2016g).

Board member McPherson inquired about the community-wide needs in Santee, “…you’ve got fetal-alcoholism that affects a lot of children,” he said, “you’ve got diabetes that is rampant, you know. As we go through this process are we dealing with those issues as well?” (Nebraska Department of Education, 2016g). Frison responded that, “Yes, those issues are there, but I think I have no doubt that they couldn’t be addressed as much as they will be able to be addressed with a larger capacity of a leadership team” (Nebraska Department of Education, 2016g). Wise commented that the work of ESU1 with all four of Nebraska’s Native American school districts addressed special education services and the unique needs of students including those with fetal-alcohol syndrome, going on to say that, “…they’re the unsung heroes, already…I think there’s some real positive possibilities here” (Nebraska Department of Education, 2016g). With that and a couple final comments from Commissioner Blomstedt about the important work ahead and the relationships that had already been forged, the board wrapped up their discussions on priority school related items they would face as action items on their business meeting agenda the following day.

The board agenda included supporting documents related to the priority school work beyond each school’s progress plan, two intent to contract rationales with KLK Consulting, Inc. and another intent to contract with ESU1 for the instructional coach for Santee. There was an action item rational to “Grant the Commissioner the authority to approve a one-year leave of absence for Carol Rempp” so that she could take the position of Superintendent of Santee Community Schools (Proposed Agenda Item Rationale,
2016). Among list of contracts was another contract for KLK Consulting, Inc. for $18,000 with a scope of services to “Provide training for the Santee Community Schools, Loup County Public Schools, ESU1 and ESU10 staff on strategies for instructional coaching,” between July 18, 2016 and August 31, 2016 (Monthly List of Contracts $10,000 to $25,000, August 2016). This contract (not included in the board discussion of Kennedy’s work with the priority schools), would bring the total amount of her contracts to $300,000 between March 2016, through the 2016-2017 school-year should her contracts be approved the next day.

The following day, in the State Board’s business meeting, they approved all three priority schools’ progress plans without discussion. With a motion for the contracts for KLK Consulting, Inc. on the table, board member Molly O’Holleran commented,

I just wanted to say that Kathleen Kennedy seems really pretty amazing, and I was very reassured yesterday that those plans that are being presented for our three priority schools will be set as models for other school districts with similar situations. And I just wanted to reassure people across the state that these are going to be models for future excellence…And I think Nebraska’s really done it right. Because we have partnered with them [the schools], and it’s not something that we’re doing to them (Nebraska Department of Education, 2016h).

Witzel agreed, stating that, “…these plans will also be templates for the future, to be used for other schools and other situations around the state…” (Nebraska Department of Education, 2016h). Nickel added, “…this sets the model which can provide a guideline for how other schools can improve,” and asked about the length of the contract (Nebraska Department of Education, 2016h). Commissioner Blomstedt responded that the contract would be in place for the 2016-2017 school year, to which board member McPherson clarified that the money used to pay KLK Consulting Inc. would come from the accountability funds allocated by the Legislature, stating that, “…it’s a lot of money
we’re spending here,” but that the work would be a template, “…not just for the future priority schools I think, but for the other 85 or whatever schools are Needs Improvement so with that said, I’m sure going to vote for this” (Nebraska Department of Education, 2016h).

Prior to the vote, however, Glen Flint raised a question about the additional $18,000 contract listed among the consent agenda and Blomstedt replied that,

…we had engaged with KLK Consulting Inc. for some work in building the plans in advance and that’s…actually some of that work from throughout the summer that we were working with them and actually, probably since February in training and other things that we’ve done throughout the summer to get to this point” (Nebraska Department of Education, 2016h).

Following this, the board voted unanimously to approve the two contracts. In their next action item, the board considered a contract for ESU1 to hire an instructional coach for Santee Community School. With a motion and a second on the table, O’Holleran thanked the Commissioner for his leadership in working with the Educational Service Units, “…providing a systemic approach for support, and hopefully this instructional model will be able to be replicated throughout other districts that have schools with Needs Improvement” (Nebraska Department of Education, 2016h). Blomstedt expressed his appreciation and reminded board members that, “…as we build these models we are going to be heavily reliant on the issues to build a structure to help with all our needs improvement schools, and so, they kind of tie the pieces together” (Nebraska Department of Education, 2016h). The board unanimously approved the contract for the instructional coach in Santee and Carol Rempp’s year-long leave of absence from NDE to become Santee’s superintendent.

“Our” education system
When through the action items in the agenda, the Commissioner gave his annual presentation to the SBOE as a part of his evaluation. Blomstedt directed the board members to look at his written report attached to the agenda and then proceeded to begin his power point presentation, telling them that, “We wouldn’t be there as a system if it wasn’t for your efforts and your work to really re-think and set our direction and our course and chart our future right” (Nebraska Department of Education, 2016h). He went on to outline the use of the possessive pronoun “our” to refer to the board, “our state board,” explaining that, “I think that the agency (NDE) will probably refer to you that way…but I wanted to make that clear also to administrators that it’s their board as well” (Nebraska Department of Education, 2016h). Blomstedt acknowledged that in a recent legislative session there were questions about whether or not a state board ought to exist in Nebraska (LB952). “We had a constitutional amendment proposed, I think within the first month that I started this job,” he said. “I remember that we took a position on that and I walked in and opposed that bill, but I did some historical context of why this is our board in Nebraska” (Nebraska Department of Education, 2016h). Blomstedt shared a summary of the state’s education governance history, beginning with the election of a State Superintendent of Public Instruction and how these men, “…envisioned the future that included a state board, and eventually was passed in a constitutional amendment in 1952, largely as it exists now, and to establish a Commissioner of Education” (Nebraska Department of Education, 2016h). Blomstedt acknowledged that while a wonderful partnership, “I don’t know we’ve always maximized that partnership” (Nebraska Department of Education, 2016h).
He explained that criticisms regarding the role of the board, Commissioner, or NDE were largely rooted in “our ability [or lack thereof] to provide leadership and direction…And I think that’s what we’re doing now” (Nebraska Department of Education, 2016h). Blomstedt said that he was proud to tell senators from the legislature, “…or anyone who may question the role of the State Board, the importance of my role,” of the work going on and the direction moving forward in the current political context in Nebraska with term-limits in the Unicameral (Nebraska Department of Education, 2016h). Blomstedt described a recent all staff meeting held in the George Norris chambers of the capitol where he had talked with the staff about change,

And I thought it’s important for us to go over into that chamber and think about our role and our relationship with legislatures, with the governor, with one another, with other agencies. That we need to think not just our NDE team but our team across state government, that we think about our responsibilities as a team and that what we accomplish is really important (Nebraska Department of Education, 2016h).

He went on to detail the leadership structure he had put in place with a Deputy Commissioner team comprised of four different deputies responsible for different components of the work at the agency along with a newly created Chief Information Officer position that would also play a leadership role across the department.

This new leadership structure, according to Blomstedt, would support the changes he envisioned as necessary across the agency. Stating that, “[c]hange is part of what we have to accomplish,” Blomstedt said, “…when I look at where we need to go in this model of priority schools and shaping accreditation for the future and shaping our work for the future and thinking about our support systems—that’s a lot of change” (Nebraska Department of Education, 2016h). Blomstedt acknowledged the challenges ahead to “convince” people that the change would be “valuable and important.” And while stating
that “survival seems dramatic,” in the current global context of education, he said that, “I don’t know that survival is a dramatic conversation. I think we need a very solid system in Nebraska to ensure we’re doing the right things for our students and our clients everyday” (Nebraska Department of Education, 2016h).

Describing how the state had changed demographically and how AQeSTT would address how to support the type of schools across the Needs Improvement classification, Blomstedt told board members that as leaders they had a “moral imperative” to address the achievement gap. Pointing to data on Native American and African American achievement on statewide assessments, he said that, “[w]e have certain roles we can play in that…I want others to recognize that it’s not just a state responsibility for every student, everyday, it’s obviously all across the system and so, I want folks to think about that” (Nebraska Department of Education, 2016h). With no questions from the board following his presentation, President Wise moved on to the next item on the agenda, thanking the Commissioner for “inspir[ing] us to think differently about what our role is and to really work with you and with the department in making a difference in the state of Nebraska” (Nebraska Department of Education, 2016h).

The evening following the approval of priority school plans, I met a small group for comfort food and conversation. I sat across the table from Anderson—Sue, with whom we had walked through the development of the classification model as well as the progress plan development. She told us through tears that she had set her final date at the employment and that she would announce her resignation the following week. She reflected upon the challenges we had faced in previous months and also what she saw as evidence of success as we had built relationships with the building leaders and staff in
each priority school. Anderson acknowledged that while she was not leaving NDE in the
timeframe in which she had hoped, that she felt as if she had seen AQuESTT through its
initial statutory requirements with board approval of the three priority schools’ progress plans.

That night, I drove home and sat once again at my dining room table late into the
evening. I emailed the Santee leadership team, expressing my appreciation for each of
them making the trip to Lincoln for the board meeting. I emailed our ESU partners,
thanking them as well. I knew that while the events of the day were indeed a milestone in
the AQuESTT implementation that would only continue to unfold in upcoming months.
In less than a week, new teachers would show up for their orientation and in just a couple
weeks, the doors would open and another year of school would begin along the banks of
the river, far away from the chambers of the Legislature or the meeting room of the State
Board of Education.

**Conclusion:**

Nearly a year since the conclusion of this study I sit once again at my dining room
table, reflecting not only on the journey described here (in Chapter 4) but also in the
sensemaking which has taken since. In the discussion that follows (in Chapter 5), I
describe the themes that emerged across the 2.5 years from the time LB438 was
developed in the Unicameral through the initial implementation of what came to be
known as AQuESTT. I include both empirical and theoretical implications for the SDE’s
role in policymaking, policy mediation, and policy implementation—and particularly the
SDE’s commitment to equity and serious democracy.
CHAPTER 5: DISCUSSION

Introduction

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms (Brown v. Board of Education, 1954).

Six decades after Chief Justice Warren penned these words in the Supreme Court Brown v. Board decision, in an era when resegregation is occurring across the nation’s schools, when neoliberal education policy threatens the democratic institution of public schooling, and when rhetoric continues to point to schools as failing in an impossible role to mediate society’s ills, crafting policy that advances equity along the intersections of education and democracy is as important now as it was then.

If we are truly about equity, then a commitment to education policy and implementation that both illuminates and dismantles hegemonic structures and systems, policy that reflects Freire’s (1998) notion of serious democracy is requisite. This raises questions about whether representative governance can advance equity through ‘serious democracy.’ The AQuESTT case in Nebraska underscores the challenging nature of complex school reform and the role of the SDE in advancing equity in real and meaningful ways.

Extending Lusi: The role of the state in complex school reform
Like Lusi’s (1997) study of two SDEs engaged in complex school reform, the study of Nebraska’s AQuEST examines the role of the state in legislated school reform that extends Lusi’s work into 21st century.

Lusi chronicled both Kentucky and Vermont’s SDEs as they adapted, shifting from sites of regulation or compliance to support, a narrative that also plays out throughout the initial development and implementation of AQuEST. While SDEs in the mid-nineties were grappling with their roles as intermediaries, this case chronicles an SDE grappling with legislated policy and a new federal policy context requiring the SDE to assume yet a new role. NDE grappled (and continued to grapple at the end of this study) making sense of making policy practice—reaching across the system (intermediate service agencies and districts) into schools and classrooms with the intent of shifting practice at the local level.

Much like Lusi’s cases, even while LB438 was being crafted and debated in the Unicameral, the disposition toward accountability in the rhetoric was that of support for improvement rather than punitive sanctions (Education Committee Hearing, February 2013; Floor debate 103rd Legislative Session, February 2014). This way of thinking about accountability was held in contrast to NCLB. O’Holleran described AQuEST as the “…carrot of accountability rather than the stick” (State Board of Education meeting, December 2013). Policymakers touted tailoring solutions and support for the unique contexts in communities and schools rather than prescribing a “one size fits all” and pointing fingers (Nebraska Department of Education, February 2015).

Implementing accountability alongside systems of support became a primary stated role of the SDE in this complex reform narrative. In the April 2014 SBOE work
session, which took place the day following the passage of LB438, Commissioner Blomstedt reaffirmed this disposition of support when he described a vision of accountability where, “...we are trying to build a system of support that’s in addition to the system of accountability…” (Nebraska State Board of Education, 2014i). While there was prescribed support provided for priority schools, the SDE would also be focused on developing “systems of support” for all schools. This commitment to systems of support undergirded the rationale for the development of the EBA survey tool announced in June 2015 and incorporated into the classification system to identify best practices that could be shared as well as areas to “prioritize state resources toward AQuESTT Systems of Support” (School Evidence-based Analysis, July 2015).

Where this study departs from Lusi’s and extends her work is the role of the SDE in reaching across the system, into local classroom intervention in the three priority schools. For the first time in Nebraska’s history, the SDE assumed the role of prescribing local interventions. NDE’s “intervention” to the “classroom level” contrasted with the long-history of local elected school board control of districts. In the name of accountability, policymakers in Lincoln usurped local governance.

Prior to the passage of LB438, the discourse about priority schools focused on the “...spin that it’s a good thing to be a priority school...it’s not a bad thing to be designated, but it’s a helpful thing,” (John Bonaiuto, Education Committee Hearing, 2013), which stood in contrast to the “failing school” narrative. Two months after LB438 became law (Neb. Rev. Stat. Sec 79-760.06-07) board member O’Holleran described designating priority schools as “…not about punishing or embarrassing, or shaming,” (State Board of Education work session, June 2014) and in his first Administrators’ Days
address in July 2014, Commissioner Blomstedt defined the priority schools as “…schools that are most in need of assistance to improve.” In initial discussions about what the intervention model for the priority schools might look like, O’Holleran described it as a system where schools would feel supported and where improvement could be sustained (Nebraska Department of Education work session, February 2015).

President Wise, in the January 2016 work session, took a stronger stance about the intervention, stating that if a school was designated it was obvious “…something needed to change,” to which O’Holleran responded that as other schools would be watching how the State Board of Education decided to intervene in these schools, she hoped that, “…we go in with respect for what they are doing.” Wise disagreed, stating that the board would need to be certain that any plan they would approve would have impact as they had been granted a higher level of authority to intervene than in the past.

While the process of engaging and initially intervening in the priority schools has been somewhat captured in the public narrative of this study, the information is limited. What is evident is that the SBOE and Commissioner’s office determined to use outside expertise to facilitate implementation. KLK Consulting, Inc., conducted a needs assessment, led the intervention process and the discourse around priority school intervention. The notion to leverage someone “…trained in a model or models of school reform,” as a part of the accountability system was raised by Sen. Kolowski in an Education Committee hearing on LB438 as early as 2013. Sen. Adams, the sponsor of the bill, made it clear in each floor debate on the bill that the decisions about who might serve on the intervention teams outlined in statute would be left to the authority of the SBOE.
Accountability Coordinator, Dr. Sue Anderson, was hired in August 2014, in order to coordinate NDE’s efforts around classification, priority school designation and intervention. She developed a draft intervention model she described briefly at Administrators’ Days in July 2015. By March 2016, however, an initial contract was offered to KLK Consulting, Inc., the first indication that an outside consultant had been engaged for work in the priority schools. In this way, elected policymakers (not necessarily the education experts) relied on an external expert to tell NDE how to “turnaround” the three identified “struggling schools.”

This intervention work was described in more detail to the local board of Santee Community School in an April 28, 2016 report from the Commissioner. It was shared later with the SBOE in May where Blomstedt described Kennedy’s needs assessment or diagnostic review process. Kennedy’s KLK Consulting Inc. was then offered contracts to support the development of each of the priority school’s progress plans and to provide training for Santee Community School and Loup County Public School administrators, “…to develop leadership skills that will inspire teachers, staff, and students to reach great highs of performance and success…” (Nebraska Department of Education Contract Rationale, August 2016). Kennedy presented alongside Anderson at both the June and August SBOE meetings where it was evident that she had provided more extensive presentations for board members in their committee structures outside of the public meeting forum.

KLK Consulting Inc. was offered a contract to support the first year’s progress plan implementation in the three priority schools (for the 2016-2017 school year). Information about Kennedy’s intervention model included descriptions of her diagnostic
review process (classroom observations and interviews with teachers, administrators, parents, and community members) and the “levers” of improvement around which she organized her review and the progress plans: clear, compelling direction; student and staff culture; instructional leadership.

Her contract, discussed by board members in the August 2016 SBOE business meeting outlined at least three days a month that Kennedy or her associate, Dr. Lisa Troutman, would be in each of the three schools—for a total of nine days each month during the 2016-2017 school year (which extended beyond the official data-collection period for this study). Kennedy and Troutman’s coaching in each building included the implementation of “high-probability instructional strategies,” a compilation of strategies from Marzano et al. (2001), Kagan (1985), and book studies from charter school gurus Lemov (2010) and Bambrick-Santoyo (2010). Despite the SBOE’s significant investment in KLK Consulting Inc.’s work, no formal inquiry into the model, or external evaluation of the first-year’s implementation of each school’s progress plan was included as a part of the SDE’s intervention plan. At the conclusion of this study, priority school exit criteria remained an unanswered question.

Throughout AQuESTT’s initial implementation (beyond the intervention support provided directly for the three identified priority schools) there was limited SDE response to provide promised support throughout the state’s education system. NDE employee Matt Hastings described the only concrete example of support in the design of the annual AQuESTT Conference sessions, which aligned with the areas schools and districts requested additional support in their EBA responses. Beyond that the study included a reference to coming professional development support and systems that would be
included in the SBOE’s strategic plan (not yet released at the conclusion of this study) and the emerging model for intensive school improvement process that would come out of the intervention work in the priority schools mentioned in both the May and August 2016 SBOE meetings.

Just as in the cases in Vermont and Kentucky, the historical role of the state department of education in has an effect on the implementation of complex education reform. In Nebraska’s case, the “Nebraska Way,” and the tradition of including practitioners in the design and implementation of education policy certainly played a role in how AQuESTT initially took shape. The shifting role of the SBOE and NDE under Commissioner Blomstedt’s leadership was also influential throughout the implementation of the accountability system. Just as Lusi described the reality that “…legislation, no matter how thoughtfully written, cannot possibly foresee all of the problems and challenges that will arise during an implementation,” and as a result the state department of education must adapt, respond, and redesign throughout the implementation process, the employees of NDE were called upon to (1) find a way to implement the recommendations of the task force and (2) to carry out the decisions made by the SBOE. While Lusi also concluded that local districts were looking for greater involvement from the SDE’s in both contexts, in Nebraska, the impact of AQuESTT on local schools and districts remains yet to be seen.

I would, however, raise the following questions about the state’s role in AQuESTT’s initial development and implementation: (1) Who gets to define what support is and what it looks like in practice? (2) What is the semiotic potency of labels like “priority” or “struggling” school? The hegemonic construct in AQuESTT’s policy
development and initial implementation is evident in both the labels and interventions that were bestowed (or imposed) by those furthest away from the local schools and communities (which in the case of the priority school contracted interventionists, KLK Consulting, Inc., meant flying in from North Carolina each month).

**AQuESTT’s policy culture and democracy**

The ubiquitous school reform narrative (since the release of *A Nation at Risk* in 1983) continues to be that the education system was failing children and thus, failing a nation that needed a competitive future workforce. In 2001, following a decade of state and local reform movements, legislators in Washington D.C., in a bipartisan effort, passed NCLB, elevating “accountability” for schools and districts and framing it as a federal responsibility for the sake of ensuring equity for student sub-groups and rising proficiencies on high-stakes assessments (Cuban, 2003; Elmore, 2003; Vinovskis, 2003). “Accountability” under NCLB reaffirmed the narrative of *A Nation at Risk*, insisting that schools must be held accountability if the U.S. were to maintain its economic dominance increased market-based neoliberal philosophies imported from business and industry (Weiner, 2007).

LB438 was crafted in a neoliberal, national education reform context (i.e., charter schools, vouchers). Neoliberalism with its focus on the purpose of schooling for economic growth and applying principals from business to education stands at odds with the dispositions necessary for democracy (Carr & Hartnett, 1996; Nussbaum, 2010)—privileging the interests of the private sector rather than the public good. While Nebraska policymakers at the time were advocating for similar reforms in the state, what ultimately became the state’s accountability system did not explicitly include these reforms, but
reflected other reform tropes initially put in place following NCLB (i.e., accountability, standards-reform, external “turnaround” for “failing schools”).

Those asserting the “failing education system” narrative included Dick Clark, Executive Director of the Platte Institute, a conservative “think-tank,” cited Nebraska’s lackluster ranking “49th out of 50 for educational policy and performance,” (Government, Military, and Veterans Affairs Committee Hearing, 2013) in Education Week—a publication ranks states based largely on national neoliberal reform assumptions where states earn points on indicators that included teacher evaluation and the implementation of commons standards and assessments (“About the State Highlights Reports-Education Week”, 2013). Sen. Lautenbaugh expressed his concern about access to a quality education, citing number of students graduating from high school and needing remedial coursework when going to college, stating that, “At some districts, diplomas have become participation certificates, not meaningful diplomas. You get them just by showing up” (Nebraska 103rd Legislature 2nd Sess., Floor Debate, 2014b). Bills introduced in response to this narrative included LB972, which would have allowed charter schools into Omaha metro-area and LB952, which called for an accountability system that would grade schools A-F and require schools to retain students in third grade who did not score ‘proficient’ on 3rd grade English language arts assessment. Not only should schools be the focus of reform, according to this narrative, but so was the structure of the system itself and thus, advocates like Sen. Harr (LR 305) and Sen. Lautenbaugh (LR 421) called for an examination and perhaps a reconfiguration of the education governance in the state that would eliminate the State Board of Education and move the governor into a position of direct governance, transitioning the commissioner of
education into the governor’s cabinet in order to streamline (and I would argue politicize to a greater degree) education policy and implementation.

Conversely, those who rejected the “failing education system” narrative like Sen. Adams, cited the state’s high school graduation rate, Nebraska students’ continued growth on statewide assessments (NeSA), consistent performance on the National Assessment for Academic Progress, and percentage of student participation and performance on the ACT (Nebraska 103rd Legislature 2nd Sess., Floor Debate, 2014b). Despite rejecting the “failing education system” narrative, I would argue, legislators in large part had adopted the narrative that there were “failing schools,” and thus policy prescriptions should be fashioned to support the system in addressing these schools needs.

At the conclusion of this study, Nebraska was only seven states without charter schools in the country. Despite strong advocacy for public schools (i.e., Nebraska Loves Public Schools—an organization that publishes documentaries about public schools) the acceptance of a “failing school” narrative among legislators is evidence of a neoliberal effort to undermine the public’s belief in Nebraska’s system. Just as the “failing school” narrative set the groundwork for the “school choice,” “voucher,” an charter school movements that position the private sector as the “panacea: for an education system that is “incapable of reforming itself” (Ravitch, 2010, p. 118). Privatization turns schools into a marketplace for profit—benefiting entrepreneurs and transforming a public good to a private one (Labaree, 2010). This type of education reform privileges competition and profit over the relationship between school and society (Ravitch, 2013). Nebraska managed to avoid much of the private sector’s encroachment under NCLB, however, the
language of AQuESTT (i.e., turnaround, priority school, intervention) and the decision to contract with an external private consultant from North Carolina reflect the ways in which neoliberal discourse has become part of the vernacular of both the Unicameral and NDE. Organizations like the Platte Institute, a conservative “think tank,” with a connection on the State Policy Network (whose first Director and President at the organization’s inception in 2008 (“Platte Institute Unveiled”, 2008) was Pete Ricketts—governor of the State of Nebraska at the conclusion of this study) will continue to launch an offensive against public education (among other public services) in an effort to advance privatization policies that will include charter schools and vouchers.

Nebraska, like many states, has a long history of local control or the privileging of local governance and in the initial development of AQuESTT, it appeared that the state would continue the broad and inclusive collaboration in policy implementation described throughout the study as the “Nebraska Way.” Commissioner Blomstedt in his July 2014 presentation to superintendents and principals at the Administrators’ Days conference, raised a question that Sen. Harr initially raised in a 2013 Government, Military and Veteran’s Affair Committee hearing regarding LR305 which studied the educational governance structure in the state: Who is ultimately responsible for education in Nebraska? Speaking to a room full of the state’s principals and superintendents, Blomstedt contended that, “...it’s all of us working together.” The State Board of Education concurred and in their August 2014 introduction of AQuESTT as the accountability system that would meet the requirements of Neb. Rev. Stat. Sec. 79-790.06-.07, indicated that the design of the system would be, “…dependent on and driven
by local boards of education, administrators, teachers, parents, communities and students” (Nebraska Department of Education, 2014c, p. 2).

A year later, at the July 2015 Administrators’ Days, Blomstedt continued to state that as a “Bolder, Broader, Better,” system of accountability, AQuESTT belonged to everyone in the state of Nebraska, however when it came to state’s constitution, “…it’s the responsibility of the state board and the commissioner to lead this education system.” Thus, a role of the state agency became a role to take on a stronger role of leadership, driving reform efforts and inviting stakeholders to participate rather than the collaborative and co-constructive reform implementation of the most recent past (e.g., NePAS, revisions of Nebraska state content standards, STARS).

This was even more evident in Blomstedt’s August 2016 presentation to the SBOE where he described how past criticisms of the SBOE, Commissioner, and NDE, “…was largely rooted in our ability or lack thereof to provide leadership and direction,” which contrasted with what he argued the state agency was doing now and how he had reorganized the agency in order implement the changes he saw necessary for the future of education in Nebraska and to “convince” people that such change was not only necessary but important for the children in the state. Thus, the enacted policy culture concentrated decision-making at the SBOE and Commissioner level, contracted external expertise, and convinced stakeholders throughout the system to follow the state-directed implementation.

**Democracy and AQuESTT**

This concentration of decision-making contrasted with legislative rhetoric throughout the crafting of LB438, which included references to the tension policymakers
felt as more schools were labeled as “failing” under NCLB and the opportunity the bill would provide to do things the “Nebraska Way.” The “Nebraska Way,” which comes up many times throughout the study, I define as inclusive and collaborative policymaking design and implementation that takes the entire education system into account throughout the policy process, recognizing the knowledge and contributions of its range of stakeholders. Perhaps a legacy of the state’s Unicameral system and citizen’s desire for engagement and transparency in policymaking and implementation, the Nebraska Way was maintained in a number of education policy reforms (i.e., STARS, practitioners’ engagement in writing state standards and assessments).

As a result, there has historically been a great deal of trust between stakeholders and NDE that policymakers provide avenues for participation and opportunities for citizen voice as well as listen and respond. Nebraska, unlike many states, has sustained a public engagement and belief in its public school system. Board member O’Holleran, in the 2014 State Board of Education meeting described this as listening to Nebraskans’ request for education policy that, “…fits into our resolutions and belief system,” and that Nebraskans would continue to develop what fits Nebraska children, on “our terms,” rather than adopting anyone else’s way of doing things (Nebraska State Board of Education, 2014a).

When considering the intersections of democracy AQeSTT, democratic engagement ranged from dialogue and deliberation in the tradition of the “Nebraska Way,” which included more inclusive spaces for conversation among individuals throughout the system as well as opportunities for direct participation in the design and

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4 Since the conclusion of this study, the “Nebraska Way” has become increasingly endangered as (a) a traditionally non-partisan Unicameral began to demonstrate partisan fractures.
development of the system to democracy carried out through representative-decision-making at the SBOE and Commissioner of Education sphere of the system.

Prior to LB438 becoming law or the naming of the accountability system as AQuESTT, the introduced copy of LB438 included a clause related to the establishment of a “community operating council,” at least for any school designated as a priority school (103rd Nebraska Legislature, 2013). The purpose of this proposed advisory council, according to bill sponsor Sen. Greg Adams, would have been to ensure “…local buy-in from the people that are right there whose kids go to that building or maybe they own the store right down the street, but they’re part of that attendance area, that want to see that school improve” (Education Committee Hearing, 2013). While the operating councils were eventually eliminated through Amendment 1240, through compromise largely not included in the public record, beyond a comment made by Sen. Davis in a comment made in the Education Committee in February 2013 that such operating councils, which had been attempted following the closure of Class I schools in the state “became barriers to any modification or attempted change” (Education Committee Hearing, 2013), the councils would have reflected more serious democracy and represented the nearly mythic representation of the “Nebraska Way.”

The NePAS/AQuESTT Classification taskforce and policy forums

Following LB438’s passage and codification into Nebraska Revised Statute Section 79-760.06-.07, the accountability system’s initial design and development occurred through the collaborative work of a taskforce with representation of education stakeholders and the voices of citizens from who participated in forums policy across the state. Made up of between 50-60 members from across the state, including representation
from Nebraska’s regional Educational Service Units, local district administrators, and employees of the Nebraska Department of Education the taskforce began its work in February 2014 and continued through its recommendation of an initial model to classify schools and districts presented to the State Board of Education in March 2015. Throughout this process, reports of their progress were shared in the State Board of Education’s monthly meetings (Nebraska State Board of Education, 2014g; 2014i; 2014k; 2015d; 2015e).

While this process while not inclusive of the entire system, from the community to the capital, represented a broader notion of the “common talk,” “common judgment,” and “common action” Barber (1984) described as representative of a more participatory democracy. The taskforce’s work was also reflected the “Nebraska Way,” as described by Nebraska’s Director of Assessment, Valorie Foy in her April 2014 presentation to the board,

…this is a process that is pretty typical of what we do in Nebraska, in that we go to educators, we use state department expertise, we work with our State Board communities, and eventually we move that to a process where we are able to adopt that (Nebraska State Board of Education, 2014g).

This history of gathering a range of diverse perspectives and voices representative of the individuals for whom policy would have the greatest impact, and including those individuals in the deliberation and decision-making process in order to provide a recommendation to the elected representatives of the State Board of education demonstrated a profound trust and respect for the expertise and knowledge of practitioners. It is reflective of the co-constructed reform implementation that “…relies on a relational sense of context in which part and whole shape each other,” that Datnow, Hubbard and Mehan (2002) describe, and I would argue, also representative of a more
serious democracy. Following the taskforce’s recommendation of the classification model in March 2015, Director of Accreditation and School Improvement at Nebraska Department of Education, Freida Lange, reminded board members that the strength of AQuESTT was strong involvement of many voices from “one border [of the state] to the other, there’s been many, many people working on it” (Nebraska State Board of Education, 2015e).

Policy forums

The broader public, beyond those education stakeholders participating in the AQuESTT taskforce, had opportunities to engage in conversations about the developing accountability system through policy forums held throughout the state in September through November 2014. Through facilitated round-table discussions with assigned recorders to capture the voices of individuals participating, this structure (while facilitated) provided the opportunity for “common talk,” that State Board of Education representatives could include in their decision-making and action (Barber, 1984, p. 261). The 252 policy forum participants expressed some common recommendations for the board to consider, which included broadening the set of indicators for classification to include measures like mobility, attendance, and teacher effectiveness. Putnam (2000) described these as the “real conversations,” those that allow for democratic problem solving (p. 341) and Allen (2004) posited that such public gatherings for the purpose of dialogue and deliberation also guard against “…patterns of domination that precipitate distrust” and cultivates “political friendship” (p. 171). I argue that such the cultivation of political friendship and trust among community members and representatives only occurs
when public meetings are conducted with a sincere desire to deliberate and consider incorporating input. It is undermined when elected officials engage the public

The State Board’s engagement with the public:

The structure of Nebraska State Board of Education meetings included a formalized framework for dialogue consisting of a scheduled public comment period for the board to hear from the public and open meetings law, which invited the public into any meeting of quorum of the full-board, allowing them to be informed about the issues the State Board was considering.

Throughout the development of AQuESTT, State Board of Education work session and business meetings contained updates along with specific public comment related to the accountability system. The table below outlines the months where the board provided updates with bolded months indicating special public comment agenda items related to AQuESTT:

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<th>State Board of Education AQuESTT Updates:</th>
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Table 5.1: SBOE AQuESTT updates (public comment months bolded)

Discouraging, is that in these public comment periods, no one from the public provided comment. Whether the result of this lack of public participation or a shift in the board’s
working structure and decision-making, these specific opportunities for public voice related to school accountability disappeared from board agendas after 2014 through the end of the study.

**AQuESTT: Bolder, Broader, Better**

Following the Board’s approval of the classification model in March 2015, two months passed without updates on the accountability system. In the Board’s June meeting, Commissioner Blomstedt introduced a “Bolder, Broader, Better” accountability system, unveiling a marketing campaign that included a new contracted website (www.aquestt.com) and large posters with the faces of children (not Nebraska students, but purchased stock-photos) and each of the taglines.

The “bolder” system included an Evidence-based Analysis survey tool that was developed over the summer and disseminated to school and district administrators in August. Blomstedt commended the Board for their decision to “go beyond the minimums” in order to have a “broader” system—one that would be “better” than what had been done in the past with either NCLB or NePAS (Nebraska State Board of Education, 2015j). The rationale for the board’s decision, Blomstedt explained to administrators in July 2015 (where the giant posters were ubiquitous and participants received an AQuESTT notebook and pen), was to, “tell the whole story of what’s happening in schools, instead of just a name, a title, or a score” (Nebraska Department of Education, 2015g). Blomstedt acknowledged despite any decision that he or the State Board might make, the success of the AQuESTT system was dependent on the support of educators in the field. He said, “We need the support of schools and teachers,
administrators and communities around the state…” (Nebraska State Board of Education, 2015i).

With the advent of AQuESTT: Bolder, Broader, Better the range of voices and input included in the implementation design and decision-making shifted to the State Board of Education and Commissioner of Education strata of the system and away from the processes of gathering, synthesizing, and inclusion of a range of stakeholder voices cultivated from across the system. Two-way dialogue that facilitated through the statewide policy forums or the more formalized structure of public comment specific to accountability provided in State Board of Education meetings was replaced with nearly one-way communication coming from the Nebraska Department of Education through the AQuESTT website and marketing pieces tailored for key stakeholders throughout the system. While Blomstedt stated in August and November 2015 that the Nebraska Department of Education would engage educators and accountability experts for feedback, it was not until December 17, 2015 that the Technical Advisory Committee (TAC), a group of national assessment and accountability experts, met to review changes to the AQuESTT system (a week following the classification of schools and districts).

In the weeks following the classification of schools and districts, this process of decision-making continued. While State Board of Education members described the continued implementation of AQuESTT as collaborative, or as Blomstedt described, something that, “must continue to be a collective effort among communities, administrators, and teachers…” the public record did not include evidence of broad stakeholder engagement (i.e., educators, students, parents, community members) when the study concluded.
The structure of as well as the content of SBOE meetings evolved. Beginning August 2016, the design of SBOE committee structures and work session and business meeting agendas were revised and organized around AQuESTT domains and tenets. More detailed reports and updates on work session and business meeting discussion and agenda items occurred in board AQuESTT domain committees not open to the public. The role of board members then transformed as each board member became the spokesperson for a tenet-aligned segment of the agenda, shifting the responsibility of reporting on discussion or action items from expert NDE staff members who had traditionally reported to the board according to their expertise. In this way, full-board meetings became a public performance (Butler, 1997) or political spectacle “in front of the curtain” while the most substantial and consequential discussion occurred “behind the curtain” (Edelman, 1988), similar to the “decide, announce, defend” model Kretchmar (2011) described in her policy analysis study in New York City. The consequences of moving the public further away from expert testimony provided by NDE staff and relocating these more robust conversations into committee sessions rather than work sessions or business meetings subject to open meeting law (Nebraska State Board of Education, 2015i; 2015p; 2016f; 2016h) remains yet to be seen. However, it is disconcerting to consider these reforms through the lens of democracy if we acknowledge to the public’s right to be informed so that they might participate more meaningfully as individuals in the democratic system and so that they might assiduously hold their elected representatives accountable.

**Authentically involve broader stakeholder voices representative of the system.**
A “representative public,” according to Fishkin (2009) would be the equivalent to a random sample of the whole public rather than an “issue public,” or a self-selected group that “become engaged in their areas of special interest” (p. 8). Sustaining the participatory democratic tradition of the “Nebraska Way” in the future ought to include a commitment to involving of a “representative public” in the future development and implementation iterations of AQuESTT. A representative public would include education practitioners as well as parents, teachers, students, and community members from across the state of Nebraska. Capturing this broader representative set of voices, may require developing innovative ways to engage the public, as evidenced by the silence in public comment periods provided for AQuESTT in 2014.

Creating spaces and process to engage across the diversity in a representative public is a challenge, but certainly required effort if we are going to create more than rhetorical reforms (Apple, 2004). What is encouraging, however, is the array of tools available for democratic innovation, which may provide even substantial ways to consult the public (Fishkin, 2009). Whatever the method, the dialogue and deliberation must be sincere and meaningful. Kretchmar (2011) described policy decisions made in New York City where this broader public played, “a token role in decision making, despite research and federal policy that has illuminated the ways in which they are integral to school change” (p. 8). Finally, there should be effort to ensure an informed public able to hold their democratically elected representatives accountable for decision-making (Gutmann, 1999; Kretchmar, 2011).

**Serious democracy**
Serious democratic policymaking and implementation requires both participatory and deliberative democratic opportunities that include a wide range of ideas, an authentic disposition of listening with mutual respect and a shared aim of understanding. (Greene, 1985; Noddings, 2013). With fewer voices participating in dialogue and deliberation, according to Putnam (2000), the deliberation that does exist is increasingly polarized and shrill and according to Wood (1993), an “…individual notion of freedom” becomes the privileged voice. The formalized structures of dialogue implemented by the SBOE, Commissioner of Education, and NDE since March 2015 has shifted away from the “proper climate for dialogue” Freire described, which happens in the open spaces of common life (2005, p. 21).

Democracy that truly embodies “serious democracy” (Freire, 1998, p. 66) must extend beyond the dialogue of the “Nebraska Way,” and embody a commitment to equity that challenges structures of power. Philosopher and democratic theorist Amy Gutmann (1999) stated that a democracy is ‘not deliberative’ to the extent that, “…it treats people as objects of legislation, as passive subjects to be ruled, rather than as citizens who take part in governance…” (Gutmann, 1999, p. xii).

If equity is going to be advanced through AQuESTT, it is necessary that the policy culture (Stein, 2004) in Nebraska evolve in its commitment to equity through “purposeful work on the cultural dimensions of schooling, [that] address[es] complex considerations of students’ strengths and needs” (p. 24-5), rather than pointing to “policy beneficiaries as deviant” (Stein, 2004, p. 17) and invoking external SDE intervention as the corrective ‘fix,’ where “…deficiencies will be corrected, and policy subjects will
acquire the skills and tools, thus enabling them to partake in the promise of freedom and prosperity” (Stein, 2004, p. 19).

**Anthropology of education and “studying up”**

This study owes a debt to Laura Nader (1972) both for her recommendation to study the “culture of power rather than the culture of the powerless,” (p. 289) as well as her claim that,

...anthropologists would be surprisingly good at applying their descriptive and analytic tools to a major problem: How can a citizenry function in a democracy when that citizenry is woefully ignorant about how the society works and doesn’t work, of how a citizen can “plug in” as a citizen, of what would happen should citizens begin to exercise rights other than voting as a way to make the “system” work for them? But first, as we know, we have to describe the bureaucracy and its culture (pp. 294-295).

Nader’s recommendations are just as appropriate now (and maybe even more-so) than they were in 1972. Academia has an opportunity as well as a duty, I would argue, to “study up,” –to uncover the policy cultures and ways of decision-making that determine the course of education policy and implementation at all levels of the system. As this study demonstrates, research of this sort, in “describing the bureaucracy and its culture,” provides insight into functions of democracy for citizens. Another application of this type of inquiry includes the implications that can potentially influence the structures and institutions in a democracy.

**My own sensemaking quest**

The public account of AQuESTT’s implementation was documented alongside my own narrative. My decision to systematically collect my reflections resulted from my own need to make sense of the policy story unfolding around me. Madsen (1994) in her reflective study a complex school reform implementation in Wisconsin, where she too had worked as an employee of the state department of education, described the challenge
of detaching her “…feelings from the events that occurred” (p. 7). In my telling, I chose to examine AQuESTT’s development and initial implementation through the public accounting in order to consider how such a telling intersected with democracy as well as reconciled with my own sensemaking of decisions and events that occurred throughout the process.

What began with questions of “what,” moved on to questions of “how,” and ultimately, “why.” As I began to unpack AQuESTT and what it meant, early on, those questions expanded to include questions about the relationships between Nebraska’s state accountability and the broader federal conversations around accountability with No Child Left Behind, Requests for ESEA Flexibility, and the reauthorization of ESEA. The “what” included learning the acronyms, the programs, and the policy decision-history in order to even begin to take on the tasks I had been assigned—like co-facilitating the writing of Nebraska’s Request for ESEA Flexibility. I wondered what I was doing in my position and struggled to subscribe to an identity outside of teacher or practitioner; my responses to decisions were often framed through this lens. I began to ask how—how would schools be classified, how would the Evidence-based analysis be included, how would priority schools be designated? How would intervention teams work? And very quickly, I was asking why. As a teacher, I got a rush when engaging my students in the why—I believed in constructing a rationale for teaching and learning decisions and deliberating about those reasons across multiple perspectives. Initially, I viewed the state agency policy space as a place for deliberation; over time, my ‘whys’ felt less welcome. This occurred as the questions I felt compelled to address in the complex reform
implementation felt more immediate, as I began to work with one of the named priority schools.

Levinson and Sutton (2001) described not only the objects of policy reform, but also the subjects or “authorized formulators and purveyors” as cultural beings participating in a policy culture in which their “values, beliefs, and identities” become part of the policy process (p. 2). Throughout the formulation and implementation of a complex reform initiative, there will be policy appropriation in which policy actors or agents (like myself) take in policy elements and make it their own (Levinson & Sutton, 2001). Thus, as deliberation and decision-making related to AQuESTT transitioned into State Board of Education committee, as a decision to contract the coordination of priority school progress plan implementation with an external consultant, and as I felt unsure about my own role working with one of the priority schools, my sense of internal conflict grew.

Lusi (1997) observed a similar phenomenon in both Kentucky and Vermont as their state departments of education (SDE) took on complex reform initiatives intended to influence the entire educational system, to the classroom level. Lusi expected that a SDE taking on a complex reform initiative would flatten the hierarchy of the organization, provide greater flexibility and collaboration, communicate a clear sense of vision and direction, empower employees to make decisions, foster a culture would promote risk-taking and responsibility (p. 20). In the August 2016 State Board of Education meeting (in the last month of data collection in this study) Commissioner Blomstedt acknowledged the challenge of the change ahead and the need to “convince” people that the change would be “valuable and important” (Nebraska Department of Education,
2016h). My personal hope is that whatever process is used to “convince” that it includes open dialogue, deliberation, and decision-making that includes a range of voices and perspectives that represent all elements of the system. If I have learned nothing else from my time as a policy actor within the state education agency, I lived the reality that policy development and implementation is a messy business. It is hardly linear or straightforward (Lusi, 1997), and as it involves the interaction of individuals who claim multiple identities and who cross nuanced school and system cultures that make up the broader statewide system, it is also personal and emotional even if on paper it appears rational and dispassionate.

Conclusion

This study examined the development and initial implementation of Nebraska’s AQuESTT. I italicize initial because there remains a policy narrative ahead as the state continues its intervention in priority schools and refines the accountability system, aligning AQuESTT with federal policy coming from the Every Student Succeeds Act. Although a single case, the development and initial implementation of AQuESTT provides a glimpse into that which is generalizable: “…the range of patterns in thought and behavior and ways in which the culture of policy takes shape in different contexts” (Stein, 2004, p. 162). The study of AQuESTT illuminates:

- A legislated shifting role of an SDE, intervening in local classrooms in a way that extends Lusi’s (1997) case studies the SDE’s role in Kentucky and Vermont. Such a shift may become more prevalent in other states as SDEs craft plans in response to ESSA.

- A policy culture that reflected:
A national, neoliberal policy currents in the language embedded in AQuESTT (i.e., “turnaround,” “priority school,” “failing school,” “intervention”) and the SDE’s decision to contract with an external consultant (KLK Consulting, Inc.), opening the education marketplace in the state in a new way.

A move away from the “Nebraska Way” with a marketed accountability system that was, “bolder, broader, better” where according to the Commissioner of Education, “…the responsibility of the state board and the commissioner to lead this education system”—a departure from local control and SDE’s reliance on local expertise for the improvement of schools and the construction and implementation of state education policy.

- An increasing distance between policymakers and the public they represented with concentrated decision-making, fewer engagements for dialogue, and less transparency in public meetings.
- The ever-present need for “studying up” (Nader, 1972) in order to better understand and the culture of power.

**Future study**

Future study should include an evaluation of the priority school intervention process, including the intervention model described in State Board of Education meetings, its impact on each of the three schools and their communities. As the Nebraska Department of Education aligns AQuESTT and ESSA, in the hope of providing a coherent, single accountability system and reporting requirements for local districts,
another area for future study ought to include not only the process of developing coherence, but also the participation of actors throughout the system in its development.

More broadly, future study ought to include (1) an examination of democracy and education policy, including the potential consequences of not engaging broader and representative publics in deliberation and decision-making (Fishkin, 2009; Kretchmar, 2011), (2) the continued influence of neoliberal reform in public education, and (3) education policy that reflects what Freire’s (1998) ‘serious democracy’ might look like. Finally, if an aim of this type of ethnographically-informed exploratory policy study is to demystify the structure of the bureaucracy so that citizens know how to “plug in” (Nader, 1972), there needs to be a commitment within the “academy” to be informed and to apprise a broader public in ways that are both accessible and timely.

Sixty-three years following the Brown v. Board of Education ruling, Chief Warren’s words hold true:

In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms (Brown v. Board of Education, 1954).

The role of education in advancing equity is a public responsibility—a responsibility that requires a restored trust in the demos, commitment to social justice, and persistence. Serious democracy, “which implies radically changing the societal structures, reorienting the politics of production and development, reinventing power, doing justice to everyone, and abolishing the unjust and immoral gains of the all-powerful,” does not happen in a representative democracy if those in power (i.e. state legislator, or state board member) cannot truly hear the voice of the poor or marginalized and continues to employ deficit frames, positioning the government as the “corrective force” (Stein, 2004, p. 19).
EPILOGUE – (May 2017)

Since the conclusion of this study, the education policy landscape both nationally and in Nebraska has changed dramatically and in ways that threaten public education. The U.S. Department of Education, under the leadership of Secretary of Education Betsy DeVos (appointed by President Trump), championed neoliberal “choice” and charter school movements (in Michigan) prior to taking her role and has continued her cause in her first 100 days as Secretary. DeVos, confirmed by the slimiest of margins in the Senate on February 2, 2017, has never attended, worked in, or sent her children to a public school (Deruy, 2017). The billionaire, who has invested millions in the private education marketplace (i.e., a student-loan refinancing company, textbook vendors and online education), is a staunch supporter of “school choice.” Her varied financial and personal interests make it difficult for her to “untangle herself” from any “conflicts of interest” (Deruy, 2017).

In Nebraska, Governor Ricketts, a proponent of the privatization of education, actively promotes neoliberal education policy in the state. He declared January 22-28, 2017 as “School Choice Week” where he gave a press conference in the Capitol rotunda on January 28th (Reist, 2017). From my office window at NDE I could see school children bundled against the cold in yellow scarves getting off school buses for the morning’s rally.

The 2017 legislative session also saw a new Chair of the Education Committee. Sen. Groene, a retired salesman, “…led a statewide petition to limit government spending that was opposed by the state’s teachers union” in 2006, sent emails describing teachers as “lazy” and “second rate” in 2015 (Hammel, 2017). Freshman senator Lou Ann
Linehan stepped into the charter school advocate role in the Unicameral left vacant by Sen. Lautenbaugh. Linehan’s introduced bills during the session included LB 651, The Reading Improvement Act, which would retain third graders not scoring proficient on statewide assessments; LB 608, the Parental Choice Scholarship Program Act, proposing that vouchers be introduced in the state; LB 630, the Independent Public Schools Act (which she co-sponsored with Sen. Larson), a charter school bill; and LB662, which would revise Neb. Rev. Stat. § 79-760.06 (AQuESTT) to require an A-F rating scale and legislate the metrics for a new classification system (Pluhacek & Reist, 2017).

On the sixth floor of the State Office Building, changes have continued at NDE. A second classification of schools and districts was delayed in order to provide NDE time to align AQuESTT with new ESSA requirements. There has been continued conversation about reconvening a taskforce (like the NePAS 1.1 group) to support NDE in the design of the next classification of AQuESTT; it has not yet happened, although it was included in the job description for the new Accountability Director whose work will begin in the summer of 2017.

The administrative structures at NDE have changed also, with the naming of an additional deputy commissioner and the promotion of two team leaders into the roles of Chief Information Officer (CIO) and Chief Academic Officer (CAO). A communications team has been established to continue to support the marketing and messaging to the public. Following Dr. Anderson’s departure, KLK Consulting, Inc. assumed the primary responsibility for priority school interventions. Of the three “priority school liaisons,” only one (Epler, the new CAO) will remain at NDE by the beginning of the second year of intervention.
In Santee, since January, seven teachers (nearly ¼ of the certified staff) have submitted their resignations. For the second straight year, the district went part of the year without a superintendent after Rempp was placed on administrative leave in January (Santee Community School Board, 2017a) and submitted her formal letter of resignation in April (Santee Community School Board, 2017c). A short-term superintendent identified by the Commissioner of Education was put in place on a 60-day contract in March (Santee Community School Board, 2017b). An interview was conducted for an interim superintendent in May (Santee Community School Board, 2017d).

The current political and policymaking climate in Nebraska and at the federal level threatens the vitality and the future of the institution of public education in the United States. Decisions made on legislative chambers and board rooms impact teachers, students, and families in classrooms like those in Santee in significant ways. In this particular policy window, as states craft ESSA plans and respond to state and national policy currents that continue to emphasize education as a private commodity rather than a public good—a public good central to advancing equity, narratives like the one outlined here with AQuESTT, are crucial. Also crucial is how we as academics, educators, and citizens respond.
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