

The Nebraska Assessment and Accountability System from 1998 - 2017

By

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Abstract

The Nebraska Assessment and Accountability System from 1998 - 2017

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This study provides a historical record of the Nebraska assessment and accountability system from 1998 - 2017. Through a document analysis approach, a narrative has been developed capturing the story of Nebraska's unique and evolving assessment and accountability system. The study is divided into three time periods, 1998 - 2007, 2008 - 2011, and 2012 - 2017, separated by key legislation and changes to Nebraska's assessment and accountability system. In each of the time periods, the themes of policy, people, and practices serve to anchor the chronological narrative. The theme of policy explores the connection and influence of the Nebraska Legislature and Federal Mandates on education policy in Nebraska. The theme of people focuses on the ideals of being a local-control state and the effects this label has on educators and communities. The theme of practices examines the impact changes to assessment and accountability have on the educational practices in the state. This work will not only preserve the history of the assessment and accountability system in Nebraska but also serve as a reference for policymakers and a foundation for future studies.

Dedication

This work is dedicated to:

My husband for believing in me and supporting my dreams.

My kids for motivating me to finish.

My parents for instilling in me that anything worth doing is worth doing well.

My siblings for being great cheerleaders.

My colleagues and friends for listening and offering endless kind words.

My many mentors and professors for helping me grow as an educational leader.

My fellow Nebraska educators for creating and living this story.

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Abbreviations

ACT - American College Test

ALLT - Assessment Literacy Learning Teams

AQuESTT - Accountability for a Quality Education System, Today and Tomorrow

ARRA - American Recovery and Reinvestment Act

AYP - Adequate Yearly Progress

BoE - Board of Education

C4L - Check for Learning

CAL - Computer Assisted Learning

CCSSO - Council of Chief State School Officers

CEP - Comprehensive Evaluation Project

CRT - Criterion Referenced Test

CSS - Composite Scale Score

DoE - Department of Education

DRC - Data Recognition Corp

EBA - Evidence Based Analysis

ELA - English Language Arts

ESEA - Elementary and Secondary Education Act

ESSA - Every Student Succeeds Act

ESU - Educational Service Unit

HS - High Schools

KIRIS - Kentucky Instructional Reporting and Information System

LB - Legislative Bill

L.E.A.R.N.S - Learning Educational Achievement Through Rigorous Nebraska Standards

LJS - Lincoln Journal Star

MAP - Measures of Academic Progress

McCREL - Mid-continent Research for Education and Learning

MS - Middle School

NAEP - National Assessment of Educational Progress

NAR - A Nation at Risk

NCLB - No Child Left Behind

NDE - Nebraska Department of Education

NEP - Nebraska Education Profile

NePAS - Nebraska Performance Accountability System

NeSA - Nebraska State Accountability

NeSA-M - Nebraska State Accountability for Math

NeSA-R - Nebraska State Accountability for Reading

NeSA-S - Nebraska State Accountability for Science

NRT - Norm Referenced Test

NSCAS - Nebraska Student Centered Assessment System

NSSRS - Nebraska Student and Staff Record System

NWEA - Northwest Evaluation Association

OPS - Omaha Public Schools

OWH - Omaha World Herald

PDK - Phi Delta Kappa

PLAS - Persistently Low Achieving School

QC - Quality Counts

SAA - Standards Assessment and Accountability

SPI - School Performance Index

STARS - School-based Teacher-led Assessment and Reporting System

TAC - Technical Advisory Committee

UNL - University of Nebraska - Lincoln

Chapter 1

Introduction

Visits to my grandparents house usually involve examining photo albums and listening to stories related to their extensive travels. Inevitably questions arise about the particular name of a town, the distance from “here” to “there”, or the route taken during a long ago road trip. To answer those questions my Grandma retrieves an oversized travel atlas from the closet and deposits it on the dining room table. She flips through the dog-eared pages, once the relevant page has been found, she traces the map with her finger to find the answer.

This chapter serves as the road map for this dissertation. The story of the Nebraska assessment and accountability system from 1998 - 2017 is complex. This chapter includes background information, a chapter structure outline, and a timeline to assist the reader in navigating the story.

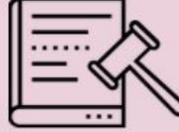
How to Read this Work

Chapters one through four are easily navigable, included in those chapters are the purpose statement, research question, methodology, and literature review. Beginning with chapter five the journey becomes a little more difficult and referencing this chapter will be helpful to ease readability.

Chapters five, six, and seven, are findings chapters and all follow the same format. The organization of these three findings chapters is by time period, related to key legislation impacting to assessment and accountability. Within each chapter the themes of policies, practices, and people are presented chronologically. Table one provides an illustration of the structure of chapters five, six, and seven.

Table 1

Organization of Chapters 5 - 7.

Nebraska Assessment & Accountability	Policies	People	Practices
Chapter 5: 1998 - 2007			
Chapter 6: 2008 - 2011			
Chapter 7: 2012 - 2017			

To better understand the structure, consider the following written description of a findings chapter. Chapter five examines the time period 1998 - 2007. Within chapter five, the findings related to the theme of policy are written about chronologically from 1998 - 2007. Then, still within chapter five, the findings related to the theme of people are written about chronologically from 1998 - 2007. The final section of chapter five is the findings related to the theme of practices are written about chronologically from 1998 - 2007. This structure, although chronological within each theme, can make the reader

momentarily feel as if they've gone back in time when transitioning from one theme to the next. Chapters six and seven follow the same format.

Using a document analysis methodology to create a narrative dissertation means including many direct quotes. The majority of the direct quotes in this work are from newspapers, they provide the point-in-time perspective of events as they were evolving and being presented to the public. The direct quotes from the newspaper articles are often excerpted, in that they are directly quoted but do not contain all of the sentences from an article.

Additionally, care was taken to not repeat content in multiple places in this dissertation, such as quotations, facts, or other findings. On occasion, the thematic and chronological structure of the work required a repetition of material in multiple sections in order to provide context or improve the ease of readability.

The Roadmap

The following is a timeline to help the reader navigate this work. The timeline serves as a reference, highlighting the basic information of events. The story of the Nebraska assessment and accountability system is much richer and deeper than just the events highlighted in this timeline. The narrative provided in the following chapters is critical to understanding the story of the Nebraska assessment and accountability system from 1998 - 2017.

Timeline for Nebraska Assessment and Accountability	
Chapter 5: 1998 - 2007	
1998	LB 1228: Quality Education Accountability Act. Mandated a statewide testing program.
1998	L.E.A.R.N.S, Leading Educational Achievement through Rigorous Nebraska Standards. Created standards for K - 1, 2 - 4, 5 - 8, 9 - 12 in reading/writing, math, science, social studies/history.
2000	LB 812 signed into law, which mandated content standards, assessment, and reporting of student achievement. Nebraska began STARS, School-based, Teacher-led, Assessment and Reporting System.
2000	Nebraska voters approved a measure to amend the Nebraska constitution to include legislative term limits of two consecutive four-year terms for state senators.
2001	First statewide writing assessment is given for grades 4 th , 8 th , and 11 th .
2001	First State of the Schools Report issued. Report included school district profiles, student performance on the standards, and statewide aggregate information.
2001	The Comprehensive Evaluation Project (CEP) began to provide an extensive annual reporting of STARS.
2002	No Child Left Behind Act (NCLB) signed into law as a reauthorization of the 1965 Elementary and Secondary Education Act.
2002	Nebraska Department of Education approved an assessment endorsement. The Nebraska Assessment Cohort through University of Nebraska - Lincoln and the Assessment Literacy Training Teams (ALLT) were programs to support teachers in improving assessment literacy.
2004	The summer 2004 issue of <i>Education Measurement</i> focused on Nebraska STARS, drawing attention on the national level to Nebraska's unique assessment and accountability system.
2005	Nebraska received a notice from the U.S. Department of Education of a "non-approval" status for NCLB compliance.

2005		Legislatively mandated closing or reorganization of Class 1 school districts in Nebraska.
2006		Nebraska received a notice from the U.S. Department of Education of an “approval pending” status for NCLB compliance.
2007		Nebraska received a notice from the U.S. Department of Education of a “non-approval” status for NCLB compliance.
2007		A Legislative Performance Audit was performed regarding the Nebraska Department of Education’s compliance with the Quality Education Accountability Act.
2007		LB 653 was signed into law moving Nebraska towards statewide standardized assessments. Disagreement about the laws intent caused the topic of assessment and accountability to be revisited in the next legislative session.

Timeline for Nebraska Assessment and Accountability		
Chapter 6: 2008 - 2011		
2008		LB 1157 was approved mandating statewide assessment and the adoption of standards. The term “locally” was removed from referencing standards and assessment development thus ending STARS in Nebraska.
2008		Data Recognition Corporation (DRC) and Computer Assisted Learning (CAL) are selected as the vendors for the new Nebraska statewide tests.
2008		Nebraska State Accountability tests (NeSA) are created with teachers as item writers.
2008		Nebraska Education Commissioner Dr. Doug Christensen resigned after serving in the position for 14 years. Dr. Marge Harouff was named as interim Deputy Commissioner of Education.
2008		The first Technical Advisory Committee meeting was held. This committee was mandated by LB 1157 for the purpose of reviewing the state assessment plan.
2009		Dr. Roger Breed began as the Nebraska Commissioner of

		Education.
2009		The first NeSA tests are given in reading, NeSA-R.
2010		Nebraska created a Persistently Low Achieving Schools (PLAS) list as mandated by the acceptance of State Fiscal Stabilization funds of the American Recovery and Reinvestment Act (ARRA). Inclusion on the list was based on student achievement and graduation rates. Schools designated as PLAS became eligible for grant funds.
2010		The first NeSA tests are given in Math, NeSA-M.
2011		The statewide writing test (NeSA-W), administered since 2001, underwent changes in scoring and administration.
2011		The first NeSA tests were given in Science, NeSA-S.

Timeline for Nebraska Assessment and Accountability		
Chapter 7: 2012 - 2017		
2012		Dr. Pat Roschewski retired after 12 years serving as the Nebraska Director of Assessment. Dr. Valorie Foy was named the new Nebraska Director of Assessment.
2012		The content standards framework was updated for Social Studies.
2012		Nebraska implemented the Nebraska Performance Accountability System (NePAS) after being without an accountability system since 2009. The system was based on student scale scores on statewide assessments. School districts were ranked in comparison to all other school districts in the state.
2013		Dr. Roger Breed retired as the Nebraska Commissioner of Education. Dr. Scott Swisher was named interim Education Commissioner.
2013		NCLB mandated all students would be proficient on state assessments.
2014		The content standards framework was updated for English.
2014		Dr. Matthew Blomstedt was named as the Nebraska

		Commissioner of Education.
2014		LB 438 was signed into law directing the Nebraska State Board of Education to create a new accountability system. The new system established performance levels to classify schools.
2015		The content standards framework was updated for mathematics.
2015		A new Nebraska accountability system was introduced, called AQuESTT, Accountability for a Quality Education System, Today and Tomorrow. Based on multiple measures called six tenets the system also used Evidence Based Analysis (EBA) in categorizing schools into performance classes. Three priority schools were designated to receive intensive assistance and intervention.
2015		ESSA, the Every Student Succeeds Act, replaced NCLB as the reauthorization of the 1965 Elementary and Secondary Education Act. ESSA provided more flexibility in state control of assessment and accountability.
2016		The statewide writing assessment (NeSA-W) ends.
2016		LB 930 mandated that the 11 th grade summative state test be a college entrance exam. The ACT was selected as the test for 11 th grade students.
2017		The content standards framework was updated for science.
2017		The contract to provide statewide tests was awarded to Northwest Evaluation Association (NWEA) with a plan to have computer adaptive tests in the future.
2017		The Nebraska Department of Education announced a new Nebraska assessment system, NSCAS, Nebraska Student Centered Assessment System. The new system reflected updated College and Career Ready content area standards and included renamed performance levels.
2017		The Nebraska Department of Education submitted the state ESSA plan which was still under review in December of 2017.

Chapter 2

“Begin at the beginning,” the King said, very gravely, “and go on till you come to the end: then stop.” Lewis Carroll, *Alice in Wonderland* (Carroll, 1920, p. 182).

Introduction of the Problem

A comprehensive accounting of the history of the Nebraska assessment and accountability system from 1998 - 2017 does not currently exist. In 2001 the Nebraska Commissioner of Education, Douglas Christensen, stated, “Decisions about whether or not students are learning should not take place in the legislature, the governor’s office, or the department of education. They should take place in the classroom, because that is where learning occurs” (Roschewski, Gallagher, & Isernhagen, 2001, p. 611). The present reality however is that decisions routinely happen at the microlevel by the practitioners which are classroom teachers and at the macrolevel by policymakers which are legislators, state board of education members, and Nebraska department of education personnel. Both practitioners and policymakers need to be well-informed about not only the current state of assessment practices in Nebraska but also the rich history of assessment and accountability in Nebraska. This study will serve as a historical record of the Nebraska assessment and accountability system from 1998 - 2017 to assist in learning from the past in order to plan for the future.

Accountability has changed over the years, the 2002 reauthorization of the Elementary and Secondary Education Act (ESEA) also known as No Child Left Behind (NCLB), required states to provide a way to measure adequate yearly progress (AYP) and provide a system for rating or ranking schools to identify low-performing schools (No

Child Left Behind, 2001). To comply with these federal mandates most states adopted or maintained a uniform standardized high-stakes testing system (Tung, 2010).

Instead of a uniform high stakes testing system Nebraska chose to develop a

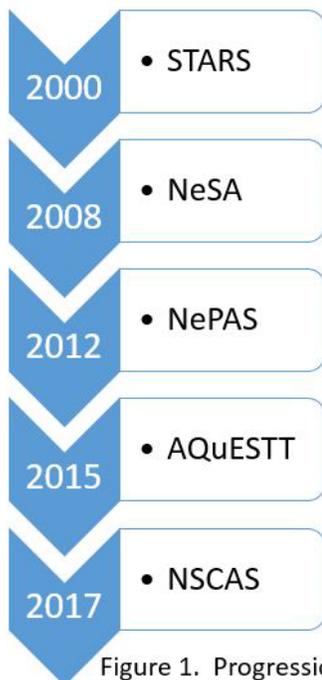


Figure 1. Progression of the Nebraska assessment and accountability system

unique, locally developed assessment system, “School-based, Teacher-led, Assessment and Reporting System” (STARS). Nebraska would be the lone maverick, holding onto a locally developed assessment system and eventual last hold-out in the country to adopt a statewide standardized assessment system. The STARS system was ended by state legislation in 2007, and replaced with a new statewide standardized assessment system. The subsequent assessment system included Nebraska State Accountability tests (NeSA) which used a statewide standardized assessment approach to test students in math, reading, and science. The

accountability system, revised in 2012, was the Nebraska Performance Accountability System (NePAS). This system ranked schools based on student test scores on statewide assessments and graduation rates. A short time later NePAS was revised to become known as Accountability for a Quality Education System, Today and Tomorrow (AQuESTT) which gave schools a categorical rating based on multiple measures.

Purpose Statement

The purpose of this pragmatic qualitative study is to tell the story of the Nebraska assessment and accountability system from 1998 - 2017. Based on preliminary research three distinct time periods exist within the Nebraska assessment and accountability system history, 1998 - 2007, 2008 - 2011, and 2012 - 2017. Within the three different time periods documents will be analyzed to create a comprehensive historical narrative.

Central Research Question

What is the history of the Nebraska assessment and accountability system from 1998 - 2017?

Operational Definitions

“In qualitative studies because of the inductive, evolving methodological design, inquirers may define few terms at the beginning. Instead, themes may emerge through data analysis” (Creswell, 2009, p. 41). The operational definition of terms were documented as data was collected and analyzed. The following are standard definitions of key terms.

Nebraska assessment and accountability system is defined by state statute created by the Nebraska legislature. The definition of the system changes as state statute changes. At the time of this dissertation, Nebraska state statute 79-757 defines §§ 79-757-762 to be known as the Quality Education Act (Legislative Bill 438, 2014). The policies and procedures outlined in the Quality Education Act constitute the Nebraska assessment and accountability system.

Assessment is defined by Nebraska state statute 79-758 as, “the process of measuring student achievement and progress on state-adopted standards” (Legislative

Bill 1157, 2008).

A norm-referenced test is a test in which the scores of individual students, or the average score of a particular class of students, may be compared to the scores on the same test administered earlier to a nationally representative sample group of students. For such tests to be valid, they must be administered under standardized conditions. For this reason they are sometimes called standardized tests. The purpose of such tests is to compare the achievement of local students to that of other students on a national or statewide scale (Nebraska Department of Education 1999, p. 71).

Criterion-referenced test is a test in which the scores of individual students, or the average scores of a particular class of students, may be compared directly to the pre-established curricular or instructional objectives of the teacher, the school or school district, or the state. This is the standard the student is expected to achieve to be successful (Nebraska Department of Education, 1999, p. 71).

Teacher (classroom) assessment, is an assessment developed by the teachers for use in many instructional-related decisions such as identifying what students have learned from the curriculum, making diagnoses regarding student strengths and weaknesses, providing feedback to students regarding student strengths and weaknesses, providing feedback to students regarding their academic progress in the curriculum content, and planning instruction. Assessment can include paper-and-pencil tests, student learning demonstrations, teacher observations, student performance evaluation, and portfolio assessments (Nebraska Department of Education, 1999, p. 71).

Significance of Study

This study will preserve the story of this one time period, 1998 - 2017, and provide a historical record upon which future studies may be built. This study will contribute to the body of knowledge surrounding the history of the Nebraska education system to serve as a critical work for reference in understanding the past to plan for the future. “Sustainable development respects, protects, preserves, and renews all that is valuable from the past and learns from it in order to build a better future” (Hargreaves & Fink, 2006, p. 226). Conducting this study at this time is important because of legislative term limits, new federal and state legislation regarding student achievement, and natural consequences of the passage of time.

Preserving institutional memory. In 2000 the voters of Nebraska approved a measure to amend the Nebraska constitution to include legislative term limits of two consecutive four-year terms (Nebraska Constitution Article III, § 12, 2000). As a result of these term limits preserving an institutional record of policies is critically important specifically for the purpose of educating state lawmakers who, by the consequence of term limits, have a shortened time-frame in which to learn the complexities and histories of policies (Dulaney, 2007). Having a comprehensive historical narrative of the Nebraska assessment and accountability system will provide a reference for legislators, state school board members, and other elected officials as a foundation from which to learn about systems that have come before, how transitions happened, and outcomes of those previous systems.

A new day. In 2015 ESEA was reauthorized and the Every Student Succeeds Act (ESSA) replaced NCLB. In comparison to NCLB, ESSA allows for more flexibility in

states' determination of goals and timelines, measures of school quality, transparency around performance, and interventions (Nebraska Department of Education, 2017a). As Nebraska develops and implements a state plan to meet the requirements of ESSA there is a need to understand previous systems that measured student achievement in Nebraska. A comprehensive historical record of the previous systems will support ongoing assessment and accountability work in Nebraska.

Time marches on. As with any event, the passage of time results in forgotten details, documents that are more difficult to find, and the loss of personal stories. This study needs to be conducted now in order to preserve the past to plan for the future. This study examines roughly twenty years of Nebraska assessment and accountability history. That amount of time is equal to approximately one generation and about half the span of a teaching career. This study will serve as a historical record of the assessment and accountability requirements experienced by students, teachers, and other stakeholders during this time period.

Positionality Statement

My interest in the topic of the Nebraska assessment and accountability system is personal and I passionately want to contribute to the preservation and further the understanding of Nebraska's education system history through my research. As the researcher in this qualitative study I am the research instrument and understanding my motivation in conducting the research is important (Savin-Baden & Major, 2013). This topic is personal, it covers my entire teaching career (2001 to present), all of it spent in Nebraska. This is my life.

My interest and involvement in the public education system of Nebraska has deep and spiraling roots. The roots are entwined with the many members of my family who also are Nebraska public school educators. The roots meander back to my youth where I made my debut into this world on a Monday in September of my dad's first year as a teacher. The roots dive down and are firmly anchored in Nebraska as I have ancestors who helped settle the state almost 150 years ago, and many were active in their local school districts as teachers or school board members.

I am proud of my role in public education, I believe it is a good system and that the vast majority of educators are dedicated, hard-working, and making a difference. I believe Nebraska has a successful public school system. I also believe in the importance of a strong public school system in making the future even better for our state, as an educated citizenry is critical to a democratic society. I have experience, both personally and professionally, with both large and small districts. I believe both urban and rural districts are extremely valuable, have something to teach, and need to have their unique strengths and needs considered when developing an assessment and accountability system.

My top five Gallup strengths are achiever, learner, ideation, input, and strategic. These strengths have been utilized, realized, and enhanced through the research and writing process in conducting this study. The use of a document analysis and historical methodology necessitated I rely upon my input strength to gather large amounts of data and records as well as utilize my strategic strength in developing a system to keep all the documents and records organized. My strength of ideation was relied upon in developing a narrative structure for this work which also conveyed the relevant information in a

chronological format. As this topic is personal to me my natural tendency to be a learner and achiever took over as I immersed myself in this important and far reaching topic.

Chapter 3

“And I thought, you know, I am a storyteller. I’m a qualitative researcher. I collect stories; that’s what I do. And maybe stories are just data with a soul” (Brown, 2010, 00:48).

Research Framework

The conceptual framework for this study draws from the Clandinin and Connelly (2000) idea of a “metaphorical three-dimensional narrative inquiry space, with temporality along one dimension, the personal and the social along a second dimension, and place along a third” (p. 50). Figure 2 shows the specific dimensions of the conceptual framework for this study as time, perspectives, and context.

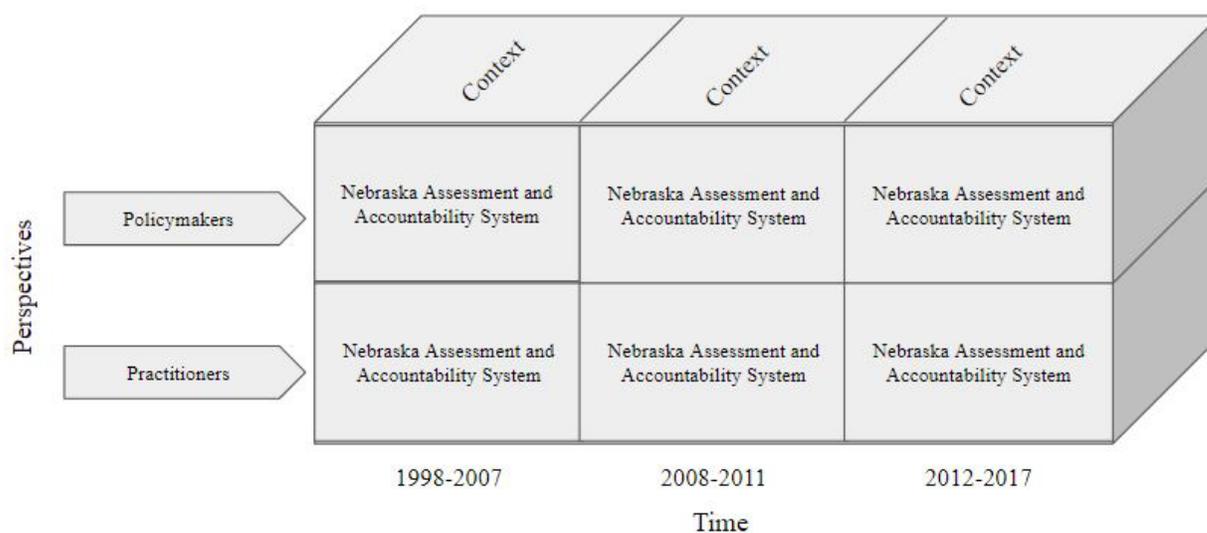


Figure 2. Conceptual framework for the study of the Nebraska assessment and accountability system from 1998 - 2017. The concept of three dimensions is based on the idea of a metaphorical three-dimensional inquiry space from Clandinin, D. J. & Connelly, F. M. (2000). *Narrative inquiry : Experience and story in qualitative research*. San Francisco: Jossey-Bass.

The first dimension of the framework for this study is time. After a preliminary review of the literature three distinct time periods emerged in relation to the history of the Nebraska assessment and accountability system. As shown in Table 2 three distinct time periods correspond with key legislation years that mandated changes to the Nebraska

assessment and accountability system. The time periods for this study are 1998 - 2007, 2008 - 2011, and 2012 - 2017.

Table 2

Nebraska State Statutes Regarding Standards, Assessment, and Accountability													
State Statutes	79-757	79-758	79-759	79-760	79-760.01	79-760.02	79-760.03	79-760.04	79-760.05	79-760.06	79-760.07	79-761	79-762
Description of Statute	Designates Quality Education Accountability Act	Definition of Terms	Standard College Admission Test	Repealed	Academic Content Standards: State Board of Education Duties	Academic Content Standards: School District Duties	Statewide Assessment and Reporting System	Repealed	Statewide System for Tracking Individual Student Achievement	Accountability System, Multiple Indicators	Priority School Designation	Mentor Teacher Programs	Rules and Regulations
1998	LB1228, § 1											LB1228, § 5	LB1228, § 6
1999													
2000	LB812, § 1				LB812, § 2	LB812, § 3							
2001													
2002													
2003													
2004													
2005													
2006												LB 1208, § 3	
2007	LB653, § 1	LB653, § 2			LB653, § 5	LB653, § 6	LB653, § 4		LB653, § 8				
2008		LB1157, § 1			LB1157, § 2	LB1157, § 3	LB1157, § 4		LB1157, § 5				
2009													
2010													
2011	LB637, § 25		LB637, § 26						LB333, § 5				
2012	LB870, § 1		LB782, § 151	LB870, § 7			LB782, § 152	LB870, § 7	LB782, § 153	LB870, § 2			
2013									LB870, § 3				
2014	LB438, § 1		LB967, § 7							LB438, § 2	LB438, § 3		
2015					LB525, § 11	LB525, § 12				LB525, § 13			LB525, § 14
2016			LB930, § 2				LB930, § 3						
							LB1066, § 8						

Note. Updated May 2017.

Nebraska State Statutes Regarding Standards, Assessment, and Accountability

The second dimension in the conceptual framework is the perspectives of policymakers and practitioners. Policymakers and education practitioners are two key stakeholder groups influencing the development, implementation, and revision of the Nebraska assessment and accountability system. This study is divided into chapters based on time periods corresponding to key legislation affecting the Nebraska assessment and accountability system. Within these chapters the themes of policies, people, and practices are explored.

The third dimension of the framework is context. “Qualitative researchers look for deep meaning about local settings in context and at a particular time” (Savin-Baden & Major, 2013, p. 13). The local and national education context in which the development,

implementation, and revisions to the Nebraska assessment and accountability system happened is an important component to understanding the entirety of the story.

Literature Review

“Understanding the context is critical to understanding the meanings that individuals communicate. Qualitative researchers look for deep meaning about local settings in context and at a particular time” (Savin-Baden & Major, 2013, p.13). To develop a solid foundation for telling the story of the Nebraska assessment and accountability system, existing research and literature were examined. Three themes emerged from the literature review: mandates, perceptions, and processes. These three themes served as the basis for gathering and examining the data.

Historical context. The federal government's role in American education has increased steadily in the past 30 years. This increased involvement has been a result of more federal dollars being directed towards schools. These dollars come with expectations and federal accountability mandates. This increase in federal involvement has also resulted in more testing that happens in public schools and has been viewed as a loss of local control and local accountability. Federalization moves decisions about teaching and learning and more towards being in the hands of bureaucrats (Allington, 2003; Finn & Hess, 2004; Caillier, 2007; Seashore & Robinson, 2012).

The Elementary and Secondary Education Act (ESEA) of 1965 was the beginning of federal legislative policy having a large impact on the United State educational system. ESEA changed federal aid to education from general aid to the more specific categorical aid. A result of the changes to federal aid was linking aid to other national policy issues such as poverty, defense, and economic growth (Kessinger, 2011). ESEA increased

funds for public schools, and was intended to give disadvantaged and low-achieving students greater opportunities. A challenge with the reforms was how to measure student achievement and how to compare data over time in a valid and reliable means that would be representative of all of the nation's data (Fuller, Wright, Gesicki, & Kang, 2007). In response to this quandary, the National Assessment of Educational Progress (NAEP) was formalized by U.S Congress in 1969. The NAEP is a means to monitor the "knowledge, skills, and performance of the nation's children and youth" (Kessinger, 2011, p. 269).

The 1983 publication of *A Nation at Risk* (NAR) was a seminal reform report and pushed forward the notion that the United States education system was in disarray and in need of reform in order to properly educate a new generation of citizenry. Allington (2003) cites Chester Finn's 1991 statement as the need for a shift away from localization towards federalization,

The shortcomings of American education don't stem from malevolence...they arise from the maintenance of archaic practice...and cumbersome governance arrangements (such as entrusting decisions to fifteen thousand local school boards at a time when the entire nation is imperiled)... (p.XIV)

NAR had a significant impact on education policy and made connections between strengthening the education system of the US and improving the economy and innovation. Into the 1980's education reform efforts were not seen as successful in increasing student achievement, and NAR further stoked the flames of perceived major changes needed in the nation's education system. Both President George H.W. Bush and President Bill Clinton proposed plans, *America 2000* and *Goals 2000* respectively, that were built on the premise of America's school children getting back to basics with

explicit academic standards to increase student achievement (Finn & Hess, 2004). The national standards movement of the 1980's and 1990's led to the increased development of content standards and statewide testing although student achievement did not immediately increase as well (Terry, 2010).

“The 1980's were characterized by increased standards, such as stricter course requirements for graduation. These changes reached a plateau during the mid-to-late 1990's and were followed by 'accountability' reform, adding new measures of outcomes and direct consequences for low performance” (Harris & Herrington, 2006, p. 210).

The ESEA of 1965 and the 2002 reauthorization, also known as No Child Left Behind (NCLB), are seen as bookends in terms of education policy. ESEA in 1965 focused on funding and content standards and NCLB signaled a policy shift to measuring output, specifically student performance on state tests. NCLB legislation made a stronger tie between federal funding and state testing, included public reporting mandates, and specified harsh consequences for not improving or reaching benchmarks (Seashore & Robinson, 2012). The 1,100 page NCLB act was passed by congress in 2001. President Bush signed the act into law and it has been termed one of the most ambitious and impactful legislation of this generation. The goals for NCLB were to increase student achievement while narrowing learning gaps with an ultimate goal of 100 % student proficiency by the year 2014 (Caillier, 2007; Finn & Hess, 2004).

Mandates. In the 1990's Kentucky, Vermont, Maryland, and a handful of other states, tried implementing unique assessment systems including integrating performance

assessments into their statewide assessment system. In Kentucky, a locally scored performance assessment was included in the Kentucky Instructional Reporting and Information System, (KIRIS) from 1990 - 1999. From 1988 - 1996 Vermont, a state valuing local control much like Nebraska, utilized an assessment system that included locally developed and scored student portfolios (Tung, 2010). A pattern of stumbling blocks of these unique assessment systems of the 1990's has emerged: lack of or changed support by leadership, shifting state and national policies, technical quality issues, and logistical issues such as cost (Wei, Pecheone, & Wilczak, 2014).

The 2002 reauthorization of ESEA, known as NCLB, further created roadblocks to states offering any alternatives to a uniform statewide standardized testing system. NCLB required states to provide a way to measure adequate yearly progress (AYP) and provide a system for rating or ranking schools to identify low-performing schools (No Child Left Behind, 2001). Unique assessment systems then were phased out by states in favor of a more standardized approach for statewide compliance of federal mandates, generally this took the form of a uniform standardized high-stakes state test (Tung, 2010).

Uniquely Nebraska. As a national shift towards statewide standardized assessment systems was occurring, Nebraska chose to develop a unique, locally developed assessment system, STARS. The Nebraska Legislature debated the merits of criterion-based versus norm-referenced assessments and heard examples of assessment systems in other states before approving Legislative Bill 812 (Transcript, 2000). This bill introduced by state senators Bohlke and Stuhr included amending statute 79-760 to read:

The state board shall develop an assessment system and prescribe statewide assessments for the subject areas of reading, mathematics, science, social studies,

and history. The assessment and reporting system for each subject area, except writing, shall be based on locally developed assessments the first year.

(Transcript, 2000, p. 1)

Nebraska education leaders worked tirelessly to help the Nebraska STARS system avoid the pitfalls that thwarted unique assessment system implementations throughout the 1990's in other states. LB 812 supported the locally developed assessment system, STARS, and provided further mandates for a process where assessment experts, as determined by the Nebraska Department of Education, would rate model assessments and individual districts could then use the exemplars. STARS utilized a district assessment portfolio model, partnered with the Buros Institute to address assessment validity by developing quality assessment criteria, and used a standardized statewide writing assessment as an additional measure of assessing students.

Pressures mount. By 2006 though Nebraska was the only state not administering multiple grade and subject standardized tests (Tung, 2010). Pressure to end or revise the STARS system came in many forms. The U.S Department of Education threatened withholding Title 1 funds for non-compliance with NCLB (Borja, 2007). State lawmakers questioned the compliance of STARS in meeting Nebraska State Statute 79-760 (Legislative Audit, 2007). The *Omaha World Herald (OWH)* in an editorial stressed the critical importance of being able to compare student achievement scores at publicly funded schools, something for which the locally controlled STARS did not allow ("Policy insurrection," 2007).

Rank-ordering schools as a component of school improvement is something the STARS model did not encourage or provide for, "Our commissioner continually reminds

the media and others that, as he puts it, ‘rank-ordering schools undermines everything we want to do’” (Gallagher, 2004b, p. 358). Even with the strong words against rank-ordering schools based on STARS data there was a certain resignation to the media’s constant pursuit to report some form of rank-ordering. The issue of a lack of a mechanism within STARS to rank-order schools was a point of discussion during the debate to end STARS in 2008.

Although many changes and updates were made to the STARS process and favorable data emerged regarding teacher quality assessment knowledge (Gallagher, 2007) the STARS system was ended by state legislation in 2008 and replaced with a new system in 2009. The new system, NePAS, included standardized statewide NeSA data and graduation rates in order to rank schools. In 2014 Nebraska rolled out a revised accountability system called AQuESTT which uses six tenets of quality to give schools an overall categorical rating.

Federal mandates. Education systems in Nebraska had existed largely inside a “local-control” climate up until the federal mandates of NCLB. Nebraska school districts now had to balance both national mandates and state legislation to ensure compliance. NCLB imposed very specific mandates at the federal level tied to funding which Nebraska risked losing for non-compliance (No Child Left Behind, 2001).

NCLB was touted as increasing state accountability, providing greater school choice for students and parents, providing local education agencies flexibility in using federal education dollars, and placing an emphasis on reading skills (No Child Left Behind, 2001). At this time there was a push for public school accountability to move from local control to state control of education systems (Buckendahl, 2001).

Local control. In response to national mandates Nebraska developed specific assessment and accountability mandates through the STARS process that emphasized local control.

Unwilling to impose a model of external mandates and compliance on Nebraska's schools, to force them into a situation that narrows the curriculum and invites unethical practices, the legislation and the state board of education have agreed to invest in the professionalism and expertise of the state's educators. (Roschewski et al., 2001, p. 614)

STARS was a unique accountability system in which local control was paramount. "As the 49th state to adopt an assessment system Nebraska has learned from the challenges and problems faced by other states that have implemented single test or high-stakes accountability models" (Roschewski et al., 2001, p. 612).

Legislative Bill 812 was passed in 2000 and amended state statute 79-760, The Educational Quality Accountability Act, (Legislative Bill 812, 2000). According to the NDE STARS Update #1 in 2000, the new legislation set forth the requirements for standards, assessment, and accountability in Nebraska's public schools. By July 1, 2001 content standards had to be adopted by the state board of education for reading, writing, mathematics, science, social studies, and history in at least three grade levels and by July 1, 2003 local school districts needed to adopt measurable quality academic standards in the same areas that were equal to or exceeded the state standards (Nebraska Department of Education, 2000a).

For the record. Districts not being ranked or compared to each other is an important foundation of STARS but becomes a large stumbling block in complying with

NCLB. Beginning with the 2000 - 2001 school year school districts had to provide reports on the results of the statewide assessment of writing and on a locally developed reading assessment. The State Department of Education would then review and rate locally developed assessments in order to create four model assessments that districts could then choose to adopt or continue to use their own assessments of suitable quality (Nebraska Department of Education, 2000a).

The Comprehensive Evaluation Project (CEP), led by Dr. Chris Gallagher evaluated STARS annually beginning in 2001. A report was submitted yearly and analyzed the areas of standards, assessment, and accountability process; curriculum and instruction; school leadership; and professional development (Gallagher, 2003). Importantly one of the trends from the year two STARS report related to NCLB requirements and how the principles of STARS and requirements of NCLB would co-exist. “We acknowledge that Commissioner Christensen’s message has been clear: the state will negotiate into its system those features of NCLB that do not violate the principles of STARS” (Gallagher, 2003, p. 53). The status of Nebraska’s assessment system in those first few years of implementation is summed up in the year two STARS report by Dr. Gallagher:

Thus, STARS is, it seems fair to say, a political football. It faces considerable external pressure from a federal government that favors educational standardization and centralization and internal pressure from skeptical media outlets as well as politicians and beleaguered teachers. (Gallagher, 2003, p. 9)

Views of accountability. “Accountability systems must foster commitment not compliance. What really motivates their active participation is a combination of trust in

their professional judgment and the belief that this work will be beneficial to students” (Gallagher, 2004b, p. 357). In the time period of 2003 - 2007 the conflict between national mandates related to NCLB and Nebraska’s steadfast focus on holding onto a locally developed assessment system began to simmer, boil, and eventually boiled-over, resulting in a radical change to the Nebraska assessment system. Accountability is being used “as a wedge driving campaign” to foster mistrust among educators, policymakers, and community members (Gallagher, 2007, p. 104). “Assessment has become the surveillance device of choice” in furthering that culture of mistrust (Gallagher, 2007, p. 56).

The work of Rick Stiggins is highlighted repeatedly in the early years of STARS, “Stiggins’ (2005) vision of student involved assessment for learning enlists students as partners with their teachers in setting learning goals, monitoring their own processes, and making decisions based on information they gather about their learning ” (Gallagher, 2007, p. 67).

The importance of student involvement is also supported by the finding that students’ perceptions on the value of a task are related to their level of interest in the task (Brookhart & Bronowicz, 2003). In other words, if students see value in an assessment they have more interest in it. This was a bit of foreshadowing as student interest and motivation especially at the 11th grade level became an issue with NeSA. Eventually the state passed legislation to replace the NeSA at the 11th grade level with a college entrance exam, the ACT.

Accountability for school improvement. A foundation of STARS is “facilitative not punitive policy” in which the Nebraska Department of Education view their purpose

as “supporting the schools and helping build the capacity and grow” (Gallagher, 2007, p. 44). As 2004 began STARS was gaining interest nationally Fairtest, for instance, identified Nebraska as the only state implementing authentic accountability (Gallagher, 2002). For the first time the annual STARS report lists dealing with federal accountability as a key challenge (Gallagher, 2004a). This challenge seems to be supported by statements from the research such as this from a teacher, “I’m not too excited about the possibility of Mr. Bush coming in here and telling us how we need to assess our kids because what works in Texas may not work in Nebraska” (Gallagher, 2007, p. 98).

Throughout a series of annual reports and a comprehensive study by Dappen & Isernhagen in 2006 there is support for a continuation of STARS although challenges are recognized. One of the cornerstones of the support behind STARS is the idea that “Nebraskans recognize that while outside reformers can change schools, can restructure them for instance, only those within schools can truly improve them” (Gallagher, 2007, p. 41). Support for the continuation of the STARS system:

The STARS plan brings together the best of both worlds, student learning is foremost but public accountability is provided as well. Indeed, STARS places responsibility of teaching and learning where it belongs. (Roschewski, Gallagher, Isernhagen, 2001, p. 612)

In referencing Nebraska’s locally developed system Gallagher (2007), emphasized, “A key premise here is that assessment is an instructional tool not a policy tool” (p. 41).

Defining assessment. In February 2007, the Legislative Performance Audit Section completed an audit of STARS. One of the findings of this audit was that the

statutory requirement of selecting model assessments had not been completed (Legislative Audit, 2007). An article in the March 7, 2008 *Unicameral Update* reported State Senator and chairman of the legislative Education Committee Ron Raikes as saying, in response to the findings of the audit, “Through their words and actions they have made clear that change in the statute is necessary” (“Student Assessment Revisions,” 2008, p.1).

The end of the STARS era became heated at times as proponents of STARS pointed to a valuable increase in Nebraska educators’ knowledge of assessment and the belief that point of instruction assessments were ideal in improving instruction (Teahon, 2012). The end of STARS came then as a combination of, “inconsistencies within STARS assessments and within districts commitment to the process” (Teahon, 2012, p. 119).

After Legislative Bill 1157 passed on to second round approval by the Nebraska one-house legislature in 2008, State Education Commissioner Doug Christensen resigned. This legislative bill reversed Nebraska’s course on statewide assessments, which since 1999 had been STARS. This change in testing structure would also make Nebraska the last state in the country to adopt a statewide assessment system. The level of frustration over changing the assessment system dramatically in less than a decade was high among teachers.

Shifting gears. As STARS was ushered out a new era in Nebraska accountability began in 2009 with the implementation of a statewide standardized assessment system, NeSA. The NeSA system would put Nebraska in line with all other states in the country

in terms of assessment systems. The change met with mixed reviews, for example, in the same study one superintendent stated, “The fact that we did not have a common assessment statewide inhibited the information you could use from STARS” while another superintendent's perspective was “We were able to test what we felt was important... and the training-our staff was well trained because they helped develop the test that was used” (Teahon, 2012, p. 105).

The term balanced assessment system also seemed to take on new urgency in the context that many teachers reported not being sure what a balanced system would look like and how their school might implement one (Isom, 2012). Another administrator, in response to the transition from STARS to NeSA reported, “Our district will need to initiate more formative assessment to replace what they lost with STARS” (Teahon, 2012, p. 110). The fact that Nebraska was indeed the last state in the United States to adopt a statewide assessment system had been seen as a badge of honor in earlier studies, but now an administrator summed up his feelings, “Going from STARS to NeSA wasn't done as soon as it should have been done. No one wants to admit that Nebraska is behind all other states. I don't like jumping into new things without research, but I also don't like being last” (Teahon, 2012, p. 110).

Perceptions. “Perception is reality” commonly is used to indicate when what a person thinks about a situation is what they see as fact. In the early years of STARS, 1999-2002, positive perceptions by stakeholders were vital to a successful implementation. As a locally developed assessment system Nebraska's unique

community ideals and cultures played a role in the education assessment system. In the year one report of STARS Gallagher reports major stakeholders have given STARS a fair level of support (Gallagher, 2002). This idea of developing and utilizing assessments that are right for the type of community and the culture of the school is one of the points that continues to emerge from the literature, particularly by staunch proponents of the STARS system.

One of the challenges of an assessment system utilizing locally developed assessments is the capacity within the district to create the assessments. In 2002 STARS was moving full-speed ahead with locally developed assessments, and the year-one report from the CEP predicted Nebraska could be a national leader in assessment (Gallagher, 2002). Similar optimism was seen in a study of Nebraska teachers regarding assessment in 2000:

The commissioner of education and the state board of education in Nebraska should be encouraged by the fact that Nebraska's teachers and principals strongly supported the fundamental organizational principle underlying the design of Nebraska STARS, namely that the primary purpose of student assessment is to improve student learning. (Gilsdorf, 2000, p. 198)

Although the idea of a locally developed assessment system that bucked the trend of standardized testing was seen in an overall positive if not curious light there were difficulties with the implementation. The year-one report found teachers not yet as actively involved in the system and many taking wait and see attitude with implementation (Gallagher, 2002).

Strengths and opportunities. As early as 2003 teachers were reporting that they experienced expanded professional development opportunities related to STARS (Gallagher, 2003). This extensive and valuable access to professional development and local capacity building in assessment knowledge would be one of the lasting legacies of STARS. The NeSA test would use Nebraska teacher created questions, and the six quality criteria used in assessment development training rooted in this time period still is used in some districts today.

“We waste too much time on testing and not enough time is just staying in the classroom,” was a sentiment from a classroom teacher in the 2003 STARS report (Gallagher, 2003, p. 31). One of the elements that teachers reported on as a challenge in both the first and second year STARS CEP report was the difficulties in keeping up with the volume of tasks demanded of them in implementing STARS (Gallagher, 2002 and Gallagher, 2003). The pressure of the time commitment also led to issues with a balance of responsibility in grades where scores were reported vs. non-reporting grades (Gallagher, 2002).

Does it work? As STARS moved from the beginning implementation phase into the operational phase in the mid-2000’s questions about the effectiveness of STARS began to emerge in the literature. The perceptions of many Nebraska educators made for a muddy review of the overall effect of STARS on student achievement during the middle years of the life of STARS in Nebraska. The limitations of school to school comparison and the lack of comparable student achievement data with the local control component of STARS forced researchers to focus on perceptions in many cases to study the impact of STARS.

Improving student achievement is a fundamental goal of education. Not surprisingly during this time period there were many studies conducted on perceptions of STARS. One of the strongest statements about student achievement and STARS comes from research on assessment coordinators, “The respondents perceived student learning as better due to STARS, which is an indication that the goal of improving education, and specifically student achievement has been realized” (Boss, 2005, p. 90). A parallel study of teachers reports a more tempered result, “Teachers generally perceived STARS to be a mild success as it related to education in Nebraska” (Endorf, 2005, p. 90). Another lukewarm report stated, “There appears to be a slightly positive view that STARS has improved student achievement, expectation, and building performance” (Riibe, 2008, pg. 60). From an administrator's viewpoint the effect of STARS was not as positive “Superintendents also do not perceive that STARS has a measurable effect on high school students” (Clarke, 2005, p. 90).

These perceptions are important to the bottom-line of curriculum and instruction although Endorf found, “Teachers perceived local assessment data to more effectively gauge student learning and play an important role in both instructional decision-making and school improvement decision-making” (2005, p. 90).

A four-part study through the University of Nebraska - Lincoln was completed to gather perceptions on STARS of teachers, principals, assessment directors, and Educational Service Unit (ESU) staff developers. Key research areas looked at if assessment was connected to school improvement and how STARS has affected public education in Nebraska. The results showed “90.9% of those (principals) responding agreed that assessment was connected to school improvement” (Warrick, 2005, p. 84).

Additionally, “Staff developers (ESU) see schools as being engaged in the STARS process for the purpose of school improvement and not just to satisfy the NDE reporting mandate” (Heflebower, 2005, p. 89).

The importance of the principals’ perceptions on STARS is emphasized, “principals’ perceptions of the STARS system will filter through the rest of the staff and have an impact on the perceptions of other professionals” (Warrick, 2005, p. 88). Shifts in culture were also being seen in schools as teachers report an increased atmosphere of teachers “giving up their role as jealous patrollers of the borders of their classroom” and “taking collective ownership of school improvement” (Gallagher, 2007, p. 51).

Time for change. In transitioning from STARS to NeSA an educator commented, “We value high standards and performance and the change in testings does not affect how we evaluate our staff or students. It just changed one of the tools in the toolbox” (Isom, 2012, p. 115). The transition from STARS to NeSA was examined in several studies with an overall consensus that most educators were taking the transition in stride and as administrator curriculum responsibilities increased so did positivity towards NeSA (Isom, 2012).

A challenge with the implementation of STARS was the amount of time required to develop and administer assessments (Teahon, 2012). The challenges of the large amount of time spent developing and administering STARS seems to be replaced by the challenges of the time spent waiting for useful data to come from NeSA. “NeSA thus far has not provided timely, useable data. We do not know what a student’s weak areas are, assessed in this system, until the beginning of the next school year” (Isom, 2012, p. 129).

Unfamiliarity with NeSA questions and procedures also contributed to frustrations related to time with NeSA (Teahon, 2012).

The challenges faced by small schools was highlighted in the literature. A teacher from a small district pointed out that with STARS the data was really only useful to their district and since there was only one teacher at that grade level the teacher had discretion over how the scores were used (Isom, 2012, p. 110). Another example was given by a superintendent, “Low student numbers really limited statistical data and low scores were hard to improve” (Montgomery, 2010, p. 54).

Processes. “No longer are Nebraskans willing to settle for an assessment world steeped in mystery and illusion, intimidation, and vulnerability, and stress and anxiety” (Roschewski, Gallagher, & Isernhagen, 2001, p. 615). One of the research foundations that the Nebraska STARS model was based upon was the work of James Popham (Popham, 1999). Dr. Roschewski highlighted his work in providing justification for Nebraska’s use of locally developed assessments.

According to James Popham three primary reasons that standardized achievement tests should not be used as a single measure of educational quality. The first reason is that norm-referenced standardized tests do not match what is taught in the local curriculum. Second, because the purpose of the norm-referenced standardized achievement test is to differentiate between student score and create a score variance, items on which most students perform well are generally not included on the tests. Third, the types of test items that appear on standardized achievement tests reflect more than what is taught in schools. (Roschewski, Gallagher, & Isernhagen, 2001, p. 612)

Roschewski (2001) also gives a new perspective on what a balanced assessment system can mean “Balance must exist not only between the types of assessments used in local school districts but also between state direction and local flexibility” (p. 614). From the beginning questions arose about how quality control could be maintained in a system that allowed for locally developed assessments. In reference to Nebraska’s model, “it is possible for each district to have a different combination of norm-referenced, criterion-referenced, and other assessments as part of its plan. Each of Nebraska’s 550+ districts’ plans may be unique” (Buckendahl, Impara, & Plake, 2000, p. 5).

Quality control. Assurances were given that the designers of the Nebraska system had considered the need for a way of measurement utilizing common criteria (Buckendahl, 2001). “The plan provides flexibility for districts in the assessment tools they use but still requires school districts to adopt standards to report annually on the success of their students on the standards and to participate in a statewide writing assessment” (Roschewski et al., 2001 p. 613). To help ensure the integrity of the assessments Nebraska partnered with the Buros Institute (Gallagher, 2007). The Buros Institute developed the Quality Criteria for the STARS assessments which included:

- 1) The assessment reflects the local or state standards.
- 2) Students have an opportunity to learn the content.
- 3) The assessments are free from bias.
- 4) The level is appropriate for the students.
- 5) There is consistency in scoring.
- 6) Mastery levels are appropriate. (Nebraska Department of Education, 2000a)

A new role. As the front line for locally developed assessments teachers were asked to take on a new role related to assessment, and support in that role came in many forms. “Instead of focusing energies and money on remote-control apparatus the state

invested heavily in ongoing teacher learning” (Gallagher, 2004b, p. 357). Teachers teaching teachers and embedded professional development were at the heart of a statewide Nebraska professional development program (Gallagher, 2007).

Studies showed that principals, assessment coordinators, ESU staff developers, and teachers all perceived their knowledge of assessment was better due to STARS (Boss, 2005, Clarke, 2005, Heflebower, 2005, Warrick, 2005). Importantly teacher involvement in the assessment process generally produced “more confidence in their teaching and a higher sense of efficacy than teachers who did not participate in those processes” (Gallagher, 2007, p. 68).

A study of superintendents’ perceptions found that “STARS has created more committee work responsibilities for high school teachers” and “they don’t generally believe that the STARS process takes so much time that it prevents teachers from helping individual students” (Clarke, 2005, p. 89). Time is seen in two different lights in a 2006 article:

Two schools in Nebraska perceive time as they teach and assess student learning. Parker school views time as fixed and sees its teaching and assessing as in perpetual conflict because there is not enough time to do both. Arbor school views time in more a fluid way allowing teaching and assessment to work simultaneously. Ultimately it is the perception of time within a school that most strongly affects how teaching, assessment, and overall school improvement are conceptualized and enacted. (Turley, 2006, p. 439).

The three-legged stool. Curriculum, instruction, and assessment are often viewed as a three-legged stool in education, where a weakness in one leg results in an unbalanced

system. The written curriculum is the taught curriculum that is the assessed curriculum, is a common mantra among educators to explain the connection between curriculum, instruction, and assessment. Not surprisingly the new assessment system quickly impacted classrooms in terms of curriculum, instruction, and assessment practices.

In the year-one STARS report from 2002 teachers were already reporting more collaboration and use of assessments to make diagnostic and instructional decisions (Gallagher, 2002). The following year the trend of adjustments in curriculum and instruction continued as the STARS year-two report includes a building administrator quoted as saying in his school they have “moved from taking two weeks out of the year and giving kids tests to looking at our curriculum and matching the components of the test to meet the curriculum” (Gallagher, 2003, p. 14).

The literature provided examples of curriculum and instruction being affected by this assessment system change, of teachers assessment knowledge being changed, and perceptions on the use of school time also being examined as part of the embedding of STARS into the local district operating procedures.

The data surrounding the effects of STARS on curriculum and instruction is not clear cut; there are subtle areas of differences between studies looking to quantify effects. The four-part study through UNL referred to earlier did find that “curricular and assessment knowledge improved due to STARS as did teachers as leaders of learning” (Boss, 2005). What impact this improvement in curriculum and assessment knowledge had is not as clear. Regarding the impact of STARS, one teacher said, “We didn’t change our curriculum and standards because our curriculum we considered sound to begin with. We didn’t find it necessary to contort, twist, or force what we teach to the standards”

(Gallagher, 2007, p. 63). Additional studies found, “instructional practices have had little change since the implementation of STARS” (Endorf, 2005, p. 91) and “The teachers at each grade level (2nd and 4th) had positive impressions that STARS had improved curriculum design” (Riibe, 2008, p. 61).

Variance in study findings continue “Overall, superintendents feel that STARS had relatively little effect on high school teachers” and even more nuanced as “The perceived effect of the STARS system differed among superintendents by district size” (Clarke, 2005, p. 88). The smallest and largest districts reported being less positive about STARS’ effect on instruction than medium sized districts of 2000 - 5000 students (Clarke, 2005, p. 94). Although the exact benefits or the extent of curriculum and instructional change proved hard to identify in the various data reported one effect was noted strongly. For the first time in many cases, teachers were having more in-depth conversations around curriculum, instruction, and assessment (Gallagher, 2007).

The process involved in developing and revising the Nebraska assessment and accountability system also reflects that connection. The literature reported some districts had fully embraced the local control model while others never fully integrated the STARS process into their districts.

The degree to which curriculum and instruction practices were affected by STARS varied among studies reported on in the literature. Consider the variance in the following two comments from administrators regarding STARS. “STARS data made sense to teachers, they used them to drive their instruction...learning became more focused” (Teahon, 2012, p. 105), versus, “The STARS process for our district was a hoop

to jump through and a goal to be met. I am actually proud to say we never altered our teaching and our practices.” (Teahon, 2012, p. 105).

Two different studies conducted in 2012 regarding the Nebraska assessment system reported that both teachers and administrators believe assessment is an important component of education (Isom, 2012; Teahon, 2012). As important as assessments are seen in schools one educator stated, “Solely using assessment to measure school success leaves out many factors” (Teahon, 2012). The need for a balanced assessment system was seen as an emerging trend in educators’ perspectives related to Nebraska’s assessment system as the second decade of the 21st century dawned (Isom, 2012). The most recent accountability system, AQuESTT, includes six tenets that give schools an overall categorical rating based on more than just test scores.

Gaps in the literature. The body of literature on Nebraska’s assessment system includes the major themes of mandates, perceptions, and processes. What is missing from the body of research is a weaving together of the factors present at the key decision points in which Nebraska’s accountability system took hold as an outlier in the world of statewide education assessment, and that is where my study is focused. Looking through a historical lens with the luxury of knowing how the story evolved over time, helped to provide a unique foundation and fresh perspective in examining how Nebraska’s one-of-kind system took hold in light of state political climate, state leadership philosophies, and federal mandates. The entirety of the time period 1998 - 2017 has not been collected into one documented narrative. Research on the remnants of STARS’ influence on subsequent assessment systems and the current state assessment and accountability climate are also areas missing from the literature and worth examining more closely.

Chapter 4

They had a great many heartbreaking and backbreaking times in their first years here, as they had very little to work with and few conveniences, but all kinds of storms and prairie fires when everyone turned out to plow fire guards, and to see that the tubs were filled with water and old sacks to fight fires. But schoolhouses were built and churches were established through all the hardships, and these staunch men and women worked and lived and died, helping to settle this beautiful state of Nebraska and we should be proud to be descendants of such sturdy pioneers. (Switzer, 1920, p. 1) Quotation from Scott McClellan “Mac” Switzer, Great - Great - Grandfather of Melanie Olson.

Research Design

A pragmatic qualitative approach was used in this study of the history of the Nebraska assessment and accountability system. “Pragmatic qualitative research is just what its name implies: an approach that draws upon the most sensible and practical methods available in order to answer a given research question” (Savin-Baden & Major, 2013, p. 171). A pragmatic qualitative approach was selected for this study based on the need to employ facets of both a case study approach and a narrative approach.

“Pragmatic qualitative research should be adopted when a researcher desires an eclectic and unique approach to understanding a phenomenon or event” (Savin-Baden & Major, 2013, p. 171). The components from case study methodology that were used in this study include utilizing a specific bounded case and emphasizing context in order to better understand the case. Tying in the case study methodology that utilizes a specific bounded case, in this situation Nebraska from 1998 - 2017, and emphasizing context in

order to better understand the case strengthen the usability of this study. The case study approach is used when there are clear boundaries and a finite number of documents to analyze as in this study. Drawing from the narrative approach this study utilized narrative literary constructs to convey a complex story and contribute to a product that is engaging to read.

Data

The specific case in this study is the Nebraska assessment and accountability system from 1998 - 2017. The study of the case was conducted as a document analysis utilizing three main types of documents: public documents, practical documents, and files (Savin-Baden & Major, 2013). Examples of the public documents are research articles, newspaper articles, and state legislature transcripts. The practical documents used were the technical manuals and procedural publications. Minutes of meetings, such as the technical advisory committee and Nebraska Board of Education meetings, as well as statistical data from the Nebraska Department of Education are examples of files that were used as data in this study.

Document analysis is a viable method with which to investigate the central research question. As the purpose of this study is to record and develop a usable historical narrative, authentic documents from the time period are vital. “The behavior that documents capture occurs in a natural setting, generally prior to the research project and generally without the intention of serving as data, so it tends to have a strong face validity. Documents tend to reveal what people do or did as well as what they value” (Savin-Baden & Major, 2013, p. 410).

Data Collection and Analysis

The data handling method used in this study included organizing documents chronologically and utilize coding when examining the data. In analyzing documents, a set protocol was used that included identifying the author, intended audience, and credibility of the document. Then the documents were read at least once to gain an overall sense of the document and to highlight relevant information. Upon subsequent readings coding was applied throughout each document. The codes were kept in a list curated as the study continued to evolve. Utilizing a method from Savin-Baden and Major (2013), categories were developed from the codes and then the categories converted into themes for analysis. The themes and sub-themes were then organized in a outline format to organize the written findings of the study.

For this study the narrative documents, such as legislative hearing testimonies and legislative floor debate transcripts, data handling and interpretation utilized the narrative research methodology of RITES (read, interrogate, thematize, expand, summarize) as a heuristic method for narrative interpretation (Leggo, 2008). This five step approach made the handling of the large number of transcript pages manageable while maintaining the quality of the study through the use of a set protocol.

The analysis and subsequent interpretation of the data was completed as thematic analysis. The themes were drawn from codes and summarizations. The findings were presented using the conceptual framework as a guide and presented in a written narrative. “It is through the process of immersion in data and considering connections and interconnections between codes, concepts and themes that an ‘aha’ moment happens” (Savin-Baden & Major, 2013, p. 441). The findings chapters of 5, 6, and 7 are separated

by time periods of key legislation; Chapter 5 is 1998 - 2007, chapter 6 is 2008 - 2011, and chapter 7 is 2012 - 2017. Those chapters the each organized around the themes of policies, people, and practices.

Strength of Claims Made

Transparency of process and a detailed account of methods, data, and data analysis procedures were used in order to support this study as being ethical and of high quality. Ethical access to data was ensured through utilizing data that is publicly available and checking the credibility of the sources. The proposal received institutional review board (IRB) approval and followed all parameters for ethical research as set forth by the University of Nebraska-Omaha. Having documents that are sufficient in scope and number in order to accurately portray the case study in context and to be able to draw accurate themes from a synthesis of the documents also contributed to the quality of this study.

Ensuring quality was done through using methodological adherence, triangulating data when possible, using a standard protocol for document organization, consistent coding, and adherence to a conceptual framework for analysis. Personal connections to the study, relevant biases, and limitations were disclosed in the study narrative to acknowledge the role of the researcher as the instrument.

Key member checking was an important part of the research design in this study. This process will involve several key stakeholders who were influential and intimately involved in the Nebraska assessment and accountability process during the time period of the study. To honor the contributions of these key members they were given the

opportunity to review a draft of the study manuscript. Their thoughts, recollections, and commentary were examined for inclusion in the findings chapters of the study.

Organization of the Study and Future Steps

This qualitative study is organized into eight chapters. Chapter one provides a timeline and a background information to assist with readability, chapter two is the overview of the problem, chapter three is the research framework and literature review, and chapter four is the methodology. Chapter five is findings from 1998 - 2007 as categorized as the themes of policies, practices, and people presented chronologically. Chapter six is findings from 2008 - 2011 as categorized as categorized as the themes of policies, practices, and people presented chronologically. Chapter seven is findings from 2012 - 2017 categorized as the themes of policies, practices, and people presented chronologically. Chapter eight is the conclusion and recommendations for further study.

Chapter one of the study is a reference chapter in order to assist in the reading of the dissertation. A basic structural explanation of the work and timeline of events is provided in this chapter. Chapter two of the study follows a traditional format including an introduction, problem statement, purpose, academic merit, research question, definitions, and a position statement. Chapter three is the research framework as well as the broad concepts of supporting literature. The fourth chapter maintains qualitative tradition by including a robust description of methodology with a clearly articulated research lens, data collection and analysis procedures.

Chapters five, six, and seven, are findings chapters all following the same format. The organization of these three findings chapters is by time period related to key legislation related to assessment and accountability. Within each chapter the themes of

policies, practices, and people were examined, and the context of the time period interwoven. The findings are centered around analyzed documents to develop a cohesive narrative of the story of the Nebraska assessment and accountability system. A summary overview of the findings related to the research question concludes each of the three findings chapters.

Chapter eight is the last chapter and provides the summary conclusion of the story of the Nebraska assessment and accountability system. Included in this chapter are the discussion of the results and recommendations for further study.

Chapter 5: 1998 - 2007

I have always the hope that something went into the ground with those pioneers that will one day come out again, something that will come out not in sturdy traits of character, but in elasticity of mind, in an honest attitude toward the realities of life, in certain qualities of feeling and imagination. It is in that great cosmopolitan country known as the Middle West that we may hope to see the hard molds of American provincialism broken up, that we may hope to find young talent which will challenge the pale proprieties, the insincere, conventional optimism of our art and thought. Quotation from Willa Cather's, *Nebraska: The End of the First Cycle*. (1923, p. 6)

Introduction

This is the story of the Nebraska assessment and accountability system from 1998 - 2017. Public schools in Nebraska serve over 315,000 students, stretch across 77,358 square miles, include 250 school districts, and span two different time zones. Nebraska has districts of less than 100 students and districts with more than 25,000 students. The pupil-to-teacher ratio varies from 4 students per teacher to more than 17 students per teacher. Schools within a few miles of each other have widely varying poverty levels. Ethnic and racial diversity varies greatly among districts, the percentage of students who are highly mobile, the percentage of students receiving English Language Learner services, and even more variables make Nebraska school districts unique places. Each of the school districts have unquestionable strengths and face great challenges. The task of developing, implementing, and sustaining an assessment and accountability system to

accurately and adequately measure academic success and accountability for these widely varying school districts has been a challenge over the last two decades.

Chapters 5, 6, and 7, each focus on a unique time period of the Nebraska assessment and accountability system. The time periods of the chapters are separated by key legislation or policy changes. Chapter 5 examines 1998 - 2007, chapter 6 looks at 2008 - 2011, and chapter 7 focuses on 2012 - 2017.

Within the three chapters the themes of policies, people, and practices are explored. Table three helps provide a visual cue as to where a section falls in the larger context of the story.

Table 3

Organization of Chapters 5 - 7.

Nebraska Assessment & Accountability	Policies	People	Practices
Chapter 5: 1998 - 2007			
Chapter 6: 2008 - 2011			
Chapter 7: 2012 - 2017			

Policies 1998 – 2007



“We must draw on both history and philosophy, which is to say that we must deal with the subject of educational history as both historians and curriculum theorists” (Null, 2008, as cited in Kessinger, 2011, p. 264).

Accountability systems “are situated within complex combinations of educational, political, and historical contexts” (Fast & Hebbler, 2004, p. 5). In 2002 the Elementary and Secondary Education Action (ESEA) was reauthorized and came to be known as No Child Left Behind (NCLB). In contrast to the 1965 ESEA reauthorization NCLB required public reporting, increased accountability, and loss of federal funding for not making adequate yearly progress (AYP) on reading and math assessments.

The push for greater accountability and standards based reform was also in full swing by the time NCLB was adopted in 2002. In 1998 a United States Department of Education (DOE) poll indicated 87% of respondents believe students should meet school-established standards before being allowed to graduate from high school (Berger, 2000). Accountability mandates, being a central component of NCLB, required a system by which states could be held accountable for student achievement and student progress towards the 100% proficiency goal. The answer to the accountability mandate was annual testing for all students in grades three through eight in reading and math and that adequate yearly progress (AYP) be calculated (Finn & Hess, 2004). States were forced to utilize accountability systems using standardized tests or face the loss of Title I funds.

Nebraska developed state standards and an assessment and accountability system in the late 1990’s. This system was based on local control. As the system was fully

operationalized in the early 2000's it came under scrutiny for not meeting NCLB mandates. Nebraska's School-based, Teacher-led, Assessment, and Reporting System (STARS) was in place from 2001 until being dismantled by state legislation in 2008. This is story of the policies of the Nebraska assessment and accountability system from 1998 - 2007.

Nebraska Legislation 1998 - 2001

“...comparing test results between schools would be like comparing oranges and motorcycles” (“Sounds like Wobegon,” 1999, p. 6).

In 1998 Nebraska statute 79-760, also known as The Educational Quality Accountability Act laid the foundation for standards, assessment and accountability in Nebraska. This act has been amended several times in the past twenty years to reflect an ever changing and evolving education system in Nebraska

State standards. In 1998 Nebraska “Leading Educational Achievement through Rigorous Nebraska Standards” (L.E.A.R.N.S) were adopted by the Nebraska State Board of Education (BoE). L.E.A.R.N.S represented standards in reading/writing, math, science, and social studies/history for grade ranges K - 1, 2 - 4, 5 - 8, and 9 - 12. L.E.A.R.N.S specified what students should know and be able to do (Nebraska Department of Education, 1999). L.E.A.R.N.S used in conjunction with students being exposed to fine arts, vocational training, technology, wellness, and foreign language make up the expectations for students in Nebraska.

These standards were voluntary for local districts to use as a guide in developing standards and assessments. The state standards were developed by Nebraska educators and stakeholders, reviewed by external experts, and ultimately revised and approved by

the Nebraska State Board of Education. The standards were distributed via the Nebraska Department of Education (NDE) website and through a media blast. In August of 1998 they were published in a special insert in the *Omaha World Herald (OWH)* and other local newspapers. Educational Service Units (ESU's) supported school districts in providing professional development and an alignment review of state and local standards.

August 23, 1998, *Omaha World Herald (OWH)*:

“Standards Aim to Make a Difference.” The state's new guidelines for education will help local districts set goals. To make sure as many Nebraskans as possible see them, the standards are being distributed Monday and Tuesday as a supplement in the state's daily newspapers. Officials with districts large and small say the standards will show the public that schools are trying to be more accountable, something that has become increasingly important considering the statewide concerns over property taxes and school spending. [Governor] Nelson is urging schools, teachers and parents to use the standards to improve education in Nebraska. “We want to raise expectations,” Christensen [Education Commissioner] said. “We felt without question that kids could learn more.” Criticism persists that the standards will erode local control in schools. The standards spell out what students should know and be able to do by the end of grades one, four, eight, and twelfth in math, reading, science, and social studies. Even though the standards are voluntary, there are two measures in place to encourage schools to use them. The Nebraska Board of Education will require districts in 1999 - 2000 to begin reporting to the state their scores on standardized tests as a measure of whether students are meeting the standards. An annual report

card would show scores of districts statewide. State legislation passed last spring provides \$1.6 million in lottery money for districts that adopt the state standards or adopt local standards that are generally tougher than the state's. (O'Connor, 1998b, p. 1b)

A goal to make Nebraska's schools the best in the country is spelled out in the 1999 Nebraska Planning Guide. A commitment is given to raising the bar of effort and achievement related to students knowledge and skills. The goals for students as they leave K - 12 education were to have the knowledge and skills to:

Listen, speak, read, and write effectively.

Learn and apply mathematical, scientific, and technological principles.

Learn and apply knowledge of the past in order to understand the present and plan for the future.

Think and express creatively and react to the creative work of others. (Nebraska Department of Education, 1999, p.13)

January 8, 1999, *OWH*:

State education officials have praised Nebraska's new academic standards, but a nationwide report card on public education says that the state has work to do before it can pride itself in a top-notch school improvement system. The report, released Thursday by a national education newspaper, gives Nebraska a C- for standards. Nebraska and Iowa's grades for standards were based in part on the fact that they are the only states without a statewide test to measure student achievement and are among 14 states that don't grade their schools. Nebraska Education Commissioner Doug Christensen agreed with the reports position that

his state has work ahead of it. He disagreed though, with some of the criteria on which the reports grades were based, including whether or not states penalized schools that produce low-achieving students. “That's too heavy-handed,” Christensen said, “We don't need more state regulations.” (O’Connor & Matczak, 1999, p. 1)

The Unicameral

Nebraska is the only state in the union to operate the legislative branch as a unicameral. The system was proposed by George Norris and implemented in 1937. A unicameral is designed to be non-partisan, and the current legislature has 49 state senators. The Unicameral, Supreme Court, and Governor all serve to maintain a system of checks and balances in the state.

December 30, 1999, *Lincoln Journal Star (LJS)*:

The largest crowd ever to greet a new legislative session in Nebraska, jammed the former house chamber Tuesday noon, packed the aisles and all available floor space at the rear and sides, as well as the galleries, and thronged behind and around every doorway. News photographers and radio broadcasters were there, training their batteries on everybody with Senator Norris a favorite target.

Presence of Senator Norris, father of the unicameral, added a fillip to the occasion, with the promise that he would speak briefly as the new legislature came into being. (“Unicameral Opens 1st,” 1999, p. 1)

Introduction of LB 144 and LB 812. Debate was held on the legislative floor in the spring of 1999 over legislative bill (LB) 144 and LB 812. Confusion was expressed by legislators over what a mandated state test as outlined in LB 144 would look like and

how much it would cost. The proposal was to have districts choose from multiple tests or testing combinations to best assess student achievement. Senator Bohlke shared on the legislative floor in a May 12, 1999, transcript, “The commissioners said that we would lead the nation, we are the only state that would be doing this, but that they thought that other states may actually model and follow along” (Transcript, 1999, p. 6400).

Ultimately LB 812 was shelved until the next legislative session. In the interim the Nebraska Department of Education (NDE) was advised to develop a more clearly defined assessment plan as well as address the financial costs of developing locally normed tests and training teachers on assessment development.

February 10, 1999, *Grand Island Independent*:

An \$11 million proposal to help school districts pay for academic standards testing and implementation could face a rocky road in the Legislature because it is not included in the governor's proposed budget. Education leaders say the bill is needed because, without the testing, standards are worthless. The bill (LB812) allows for school districts to develop their own localized test or purchase a test, to assess the standards in conjunction with a standardized test. It makes little sense to have standards if there is no money to pay for tests to make sure they are working, said Sen. Ardyce Bohlke of Hastings. “Standards are worthless without assessment,” said Brad Cabrera, [Superintendent of Sutton public schools and co-chairman of Nebraska Rural Community Schools Association]. The standards are voluntary, but beginning in the 1999 - 2000 school year, districts will be required to report districtwide scores for grades four, eight, and eleven, including by race, gender, and income. The bill (LB812) before the Education Committee allows for

school districts to develop their own localized tests, or purchase a test, to assess the standards in conjunction with a standardized test. The test results should not be tied to state aid, become a competition between schools or result in punitive damages, Christensen said. (“Bill Provides Money,” 1999, n.p.)

This article from the *Omaha World-Herald*, gives an overview of the state of education policy in 1999 and the proposed changes in LB 812. The legislation did mandate statewide assessments the year before but did not follow-up on implementation as no money was actually allocated. An alignment study found tests available for purchase only had a 40% match to standards rate for the Nebraska state standards.

March 8, 1999, *OWH*:

It might be easier and even cheaper, for Nebraska to use one standardized test to measure students progress against state academic standards, said State Education Commissioner Doug Christensen, but it could harm education. Christensen and the State Board of Education have asked State lawmakers to lift last year's mandate to begin administering a single test statewide in the fall of 2000. State education officials came back to the legislature after learning that commonly used standardized achievement tests do not match Nebraska's academic standards.

Analysis conducted by the Buros Center for Testing at the University of Nebraska - Lincoln showed that only about 40% of Nebraska standards are covered by the tests. Nebraska could solve the problem by developing its own test to meet the standards, Christensen acknowledge. That strategy would have its own problems, including the possible doubling of the cost now estimated to be about \$2.5 million but Christensen's biggest misgiving is that a common test would establish scores

by which schools could readily be compared and ranked. He said such rankings are meaningless, that they do not measure what's truly important which is how many students are mastering the standards. "One test would result in one score," he said. "What we've planned to do eliminates the severe problems that (ranking) would create. We don't want them to look good or bad. We want to know how many kids are meeting the standards." The request for multiple tests has confounded some lawmakers who thought they had decided the issue last year. They questioned whether Christensen's approach would lead to the "Lake Wobegon" phenomenon described by Minnesota humorist Garrison Keillor: All the students are above average. "If we had a rotten school and it set rotten standards for itself, it would make magnificent progress and it would be a wonderful school," said State Senator George Coordsen of Hebron. Senator Ardyce Bohlke of Hastings, chairwoman of the Legislature's Education Committee, said that while she has some questions, she's willing to consider Christensen's proposal. She introduced the new testing proposal LB 812, on the Education Department's behalf. "When we started in to do this I thought it would be very confusing to not have a single test," she said. "However, I do recognize that Commissioner Christensen knows a great deal more about testing than I do." (Reed, 1999a, p. 9)

An article from the *Lincoln Journal Star*, March 21, 1999 was highly critical of the flexibility allowed local school districts in testing students as proposed under LB 812: "Sounds like Wobegon Scheme to Us." The state Department of Education wants so much flexibility in testing that comparing test results between schools would

be like comparing oranges and motorcycles. Under its proposals school districts would be permitted to use any of five standardized national tests. When questions on those tests don't address the standards each school district could make up its own questions. As things stand now current state law requires a single test statewide. The move to change the requirements to permit flexibility apparently will come in the form of an amendment to LB 812, which would provide funding for statewide testing. State Education Commissioner Douglas Christensen contends that a single test could lead to a "horrible" narrowing of curriculum like that in Texas. The *Lincoln Journal Star* shares the state Education Department's misgivings about making a single test the sole determinant of how good a job a school is doing. But the proposed system seems unnecessarily complicated. The state Education Department contends that the system will still allow schools to be grouped roughly according to performance but discourage misleading top-to-bottom rankings. In this newspapers view the standardized tests are the best reality check in the process. Since schools are allowed to come up with their own questions for many of the standards there is an incentive to make the questions as easy as possible. However, if students did well on the district's own questions but poorly on standardized questions, in comparison to other schools it would raise a red flag. Permitting five different standardized tests allows too much latitude and reduces their usefulness. The danger of the Wobegon scheme for testing on state academic standards is that it's so flexible it might allow every school district in the state to claim it is above average. ("Sounds like Wobegon," 1999, p. 6)

Attorney general's involvement. At the end of the 1999 legislative session a decision about statewide testing was put on hold because of questions and controversies. A central question in the development of a statewide assessment system was, can state tests cover standards that are not mandatory? The Nebraska attorney general became involved in this question and weighed in with an official opinion. The following article from the *OWH* gives a detailed account of the issue.

February 16, 2000, *OWH*:

State Education Commissioner Douglas Christensen said Tuesday that he still thinks Nebraska can require schools to test students without requiring them to adopt academic standards, even though an attorney general's opinion indicates that the approach is unconstitutional. Christensen said the State Board of Education has been aware of the legal tension between voluntary standards and mandatory testing for more than four years. State Board of Education member Kathryn Piller requested the opinion from the attorney general last November. In an interview Tuesday she said she long has held a minority viewpoint on the board that the state ought to make academic standards mandatory. She also said the academic standards need to be rewritten because they are too vague. In the opinion released Monday the Attorney General's office concluded that the Department of Education could not circumvent the voluntary nature of the academic standards by forcing school districts to test students on them.

Christensen however said the opinion assumed the state would penalize school districts if they failed to comply with the testing mandate. "You can mandate

testing on voluntary standards as long as you don't reward or punish schools for their participation," the education commissioner said. (Reed, 2000, p. 1)

A few weeks later the issue is further resolved by an opinion from the State Attorney General's office that reporting scores was not punitive and that the state standards could not be used for testing because they were unconstitutionally vague. Christensen said that would apply to the current legislation which includes a statewide test but would not apply in the case of the proposed legislation LB 812 which proposes a different assessment system. Christensen said the ruling is good news and it's "full steam ahead" (O'Connor, 2000, p. 15).

A STAR is Born

After several years of work and debate LB 812 was passed by the Nebraska legislature setting the stage for Nebraska to have one of the most unique assessment and accountability systems in the country. Approved by the governor on April 10, 2000, LB 812 amended Nebraska state statute 79-760 requiring each public school district to, "adopt measurable quality academic standards in reading, writing, mathematics, science, social studies, and history that are the same as, equal to, or exceeding in rigor, the state standards" (Nebraska Department of Education, 2000b, p. 2). From STARS Update #1, (Nebraska Department of Education, 2000a), requirements for academic content standards:

By July 1, 2001, the State Board of Education shall adopt measurable model academic content standards for at least three grade levels. The standards shall cover reading, writing, mathematics, science, social studies and history.

By July 1, 2003, each school district shall adopt measurable quality academic content standards for reading, writing, mathematics, science, social studies and history. Local school district standards may be the same as, equal to, or exceed in rigor, the state standards. (p. 1.1)

Also included in LB 812 are guidelines for assessment and reporting to begin in 2000 - 2001, which include:

- A local assessment of reading including speaking and listening
- Participation in a statewide writing assessment
- Submission of local assessment models to NDE to be reviewed and rated by independent assessment experts
- Report of results of local assessments on a building basis to Nebraska Department of Education. (Nebraska Department of Education, 2000b, pp. 2 - 3)

In LB 812 statute 79-760.4 the purposes of the assessment and reporting system are to:

- (a) Determine how well public schools are performing in terms of achievement of public school students related to the model state academic content standards;
- (b) Report the performance of public schools based upon the results of the assessment;
- (c) Provide information for the public and policymakers on the performance of public schools; and

(d) Provide for the comparison of Nebraska public schools to their peers and to school systems of other states and other countries. (Legislative Bill 812, 2000, p. 2)

In the spring of 2000 Nebraska's assessment and accountability system was taking shape. April 7, 2000, *OWH*:

With Nebraska Legislatures final approval Thursday of a bill calling for one statewide writing test and district chosen tests on the other subjects, Christensen said, the path was cleared for the Board of Education to revise its rules to reflect the change in the state testing law, which previously called for one statewide test to be administered. The State Board of Education, which met Thursday night to discuss testing issues, opposed the original one-test approach, saying districts should be allowed to develop their own assessments. Some argued that a single statewide test would better measure schools. The bill given final approval Thursday represented a compromise. Reading and writing assessments are to begin in the spring of 2001, Christensen said. And school districts already have planned to have teachers on duty this summer to prepare assessments. ("Bill's Approval Sets Tasks," 2000, p. 14)

What is STARS? The Nebraska system for standards implementation, assessment and reporting that took shape as a result of LB 812 was called STARS (School-based, Teacher-led, Assessment and Reporting System).

Nebraska was one of two states that did not have a comprehensive, state-mandated, single-test system. But that has changed. Now Nebraska's plan for

assessment and accountability is state-mandated, but it is based on a foundation of formative classroom or school-based assessments. (Christensen, 2001, p. 1)

According to the STARS Update #2 (2000) the purpose of STARS is:

To improve learning for all Nebraska students

To provide information to assist classroom teachers with instruction

To increase the quality of local assessment

To provide information for local and state policy leaders. (Nebraska Department of Education, 2000b, p. 2)

In the, summer 2004, issue of *Educational Measurement*, Pat Roschewski,

Nebraska director of assessment gave a brief history of Nebraska STARS:

Although Nebraska's original legislation for statewide accountability in 1998 mandated a single state test, Christensen argued successfully on behalf of a system that would allow local control of testing. In his speech to the education committee of the legislature and to the educators in Nebraska, Christensen (2000), stated that while every school within the state had room for improvement, the "Decisions about whether or not students are learning should not take place in the legislature, the governor's office, or the department of education. They should take place in the classroom because that is where learning occurs." The policymakers did agree to include a statewide writing assessment system as part of the statewide assessment system. The writing assessment was included to serve as a political compromise between those legislators who preferred a single state test and those who were adamant about local control. (Roschewski, 2004, p. 9)

Nebraska schools were advised to do the following to implement STARS. A local assessment plan needed to be developed and submitted to NDE. This needed to include how the school planned to use the “Quality Indicators” for assessment. Local assessment of standards needed to occur sometime during the 2000 - 2001 school year and that assessment could include local criterion-referenced assessments plus norm-referenced assessments (Nebraska Department of Education, 2000b).

Both norm-referenced (NRT) and criterion-referenced assessments (CRT) needed to be administered by school districts to determine student achievement. Districts had to develop an assessment plan which included a NRT. This test was selected from one of the list approved by the state. Not all the standards were met by the NRT though. Only about 35% of standards were met by the NRT options according to an alignment conducted by the Buros Institute (Christensen, 2001).

The original timeline for implementation of assessments was reading in 2000 - 2001, mathematics in 2001 - 2002, social studies/history in 2002 - 2003, and science 2003 - 2004. The NRT could be selected from a list which included specific forms of the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, Terra Nova, and Metropolitan Achievement Test (Nebraska Department of Education, 2000d).

Guidance on assessments and special populations was clarified in the STARS Update #1, 2000. In regard to special populations the directive was that all students participate in the district assessment system. The majority of students would be assessed on the local and state standards, a small percentage of students would take the alternative assessment. Students in Title I programs were expected to take the assessments as

regular participants. Students with 504 accommodations would take the assessments with accommodations. Non-English speaking students may or may not take the assessment in which case they would take the alternate assessment (Nebraska Department of Education, 2000a).

The CRT's were used for the assessment of standards not assessed by the NRT's. Local districts could develop their own CRT's or purchase assessments that met their needs. Assessments that included observations, portfolios, or rubrics were acceptable as a part of a criterion referenced assessment (Nebraska Department of Education, 1999). Performance levels would be reported and used as way to measure student progress. NRT's used percentile scores and criterion-referenced tests would have defined performance standards. The suggestion for performance levels from the 1999 Nebraska Planning Guide were beginning, progressing, proficient, and advanced.

Schools also needed to participate in the statewide writing assessment that included students in grades 4, 8, and 11. Finally each district was required by statute 79-760 to submit model assessments which would then be reviewed, rated, and four models selected as state models. One of the four state models could be adopted by local schools or they could use/adapt their own local model if it was highly rated. This requirement of submitting model assessments and the details included in this early STARS update are important as the issue of four statewide model assessments would be pivotal in the debate that ensued as STARS was ended in 2007 - 2008.

Accountability. Policymakers in Nebraska were pleased with Nebraska's consistently high scores in reports from the NAEP (National Assessment of Educational Progress) and ACT (American College Test), but there was a nagging issue of being no

real way to gather information about how to improve student learning and school improvement.

"The STARS plan also includes using external benchmarks of statewide results in ACT scores and NAEP (National Assessment of Education Progress), to verify the aggregate results of the statewide reporting of local assessment results" (Christensen, 2001, p. 3). The published school district profile included the percentage of students deemed proficient, quality of the district assessments, and demographic information. Schools had to report scores at the 4th, 8th, and 11th grade level in order to be accredited.

With regard to student performance and how schools are judged according to that performance, we assume that local people armed with information about how their schools and the students in them are doing will spur local efforts to remedy any problems. In Nebraska, schools and communities are tightly connected.

Citizens will put pressure on the local leadership and policymakers to fix areas of low performance. (Christensen, 2001, p. 3)

Six quality criteria. With the newly developed assessment and accountability system, STARS, districts were tasked with developing their own criterion referenced assessments. The assessments needed to assess state standards as well as be of high quality. Each district would submit an assessment plan and samples of its assessments to the state in the form of an assessment portfolio.

To assist districts in developing and self-reflecting on their locally developed assessments, a guide was developed by the Buros Institute for testing at the University of Nebraska - Lincoln which gave six factors for Quality Criteria for local assessments.

The six Quality Criteria:

1. The assessment reflects the local or state standards.
2. Students have an opportunity to learn the content.
3. The assessments are free from bias.
4. The level is appropriate for the students.
5. There is consistency in scoring.
6. Mastery levels are appropriate. (Nebraska Department of Education, 2000d, p. 3.2)

Each district's local assessment plan needed to include evidence or an explanation for how the district met the Quality Criteria in assessments. A checklist was provided to help guide the process. The initial district assessment plans were due by September 30, 2000. The plans needed to cover assessments developed to assess reading, speaking, listening, and two writing standards (Nebraska Department of Education, 1999; Nebraska Department of Education, 2000a; Nebraska Department of Education, 2000d).

Assessment plan. Nebraska had a one-of-a-kind assessment and accountability system, therefore the procedures for each component of STARS had to be developed.

From STARS Update #1, Local Assessment Plan:

The assessment "plan" describes the intended purpose, grade levels, subject areas, and types of assessments being used in the district. It provides information for the local staff and board regarding why, when, and how student progress is measured. The assessment 'model' provides instruments (or examples of instruments, rubrics, etc.) and procedures for the actual assessment of each required subject at the specified grade levels. It documents how the district assures quality. The model for reading, speaking, listening will be submitted at

the end of the 2000 - 2001 school year. (Nebraska Department of Education, 2000a, p. 3.1)

The requirement of LB 812 for model assessments would be a point of contention in 2007 - 2008 as STARS was being scrutinized and eventually replaced with a different system. Model assessment requirements STARS update #1 (2000):

LB 812 requires that Nebraska school districts submit their assessment process for review at the conclusion of the first year of assessment for each subject area.

Therefore: at the end of the 2000 - 2001 school year, districts will submit the assessment “model” used for the assessment of reading, speaking, and listening standards.

The model assessment should indicate how the school actually fulfilled the quality criteria, should provide information with regard to instruments, procedures and process, and additional information.

From the highest rated locally developed assessments, the Department shall select four models. Districts may either adopt one of the four models or adapt their local assessment to be as highly rated as one of the models. (Nebraska Department of Education, 2000a, p. 3.2)

Assessment portfolio. The assessment portfolio was an important part of the district assessment plan. It served as a form of checks and balances with the local school district and NDE.

Districts needed to prepare an updated assessment chart showing which assessments were actually used and how those assessments met the six Quality Criteria. A sampling of actual assessments was to be included as well. Districts that used

standards approved as equal to or more rigorous than state standards were to submit documentation of assessments at the grade levels they had selected. Accommodations for students also needed to be explained. The portfolio was reviewed by a team and written feedback was provided to districts (Nebraska Department of Education, 2000a).

Nebraska Writing Assessment

The Nebraska Writing Assessment, mandated by LB 812 in 2000, required that “The state board shall prescribe statewide assessments of writing that rely on writing samples beginning in the spring of 2001 with students in each three grades selected by the state board,” (Nebraska Department of Education, 2000a, p. 6.1).

The purpose of the Statewide Writing Assessment was to determine the progress of students in meeting state or local standards for writing. Teachers used the information from the writing assessment at the classroom level, each local district reported the progress, and a representative sample was used to determine statewide progress. The writing assessment was meant to be conducted as a “regular classroom activity” (Nebraska Department of Education, 2000c, p.1) and not an addition to the instructional program.

The statewide writing assessment was scored either locally or regionally by trained scorers. The local scoring was viewed as an opportunity to help district staff with professional development on the writing assessment process. The representative sample was scored by an out-of-state agency.

The initial statewide writing assessment could be completed on two consecutive days between February 5 and February 23, 2001. On the first day students generated initial drafts based on a prompt and the final copy was completed on the second day. The

genres for the first year were: 4th grade narrative, 8th grade descriptive, and 11th grade persuasive (Nebraska Department of Education, 2000d).

The following are the State Board of Education policy guidelines for the Statewide Writing Assessment:

Determining how well students are able to write requires a combination of a knowledge test (norm referenced) and an actual sample (skills assessment) of student writing.

Actual samples of student writing must be produced under controlled conditions:

Each student writes on the same topic.

Each student is given a prompt (topic) to establish the context for his/her writing.

Each student is given the same amount of time to complete the task.

Each student is scored against a uniform set of criteria based on the common traits found in writing.

A statewide determination of how well students in grades 4, 8, and 11 are meeting the Nebraska writing standards will be achieved by collecting a random sample of student writings and having them scored by an outside agency. (Nebraska Department of Education, 2001a, p. 1)

Nebraska State of the Schools Report

Starting in 1989, Nebraska Rule 10 required Nebraska school districts to provide an annual report to residents of the district (Nebraska Department of Education, 1999). The reports were to provide accountability, assist in policy making, and support school improvement efforts. As a result of LB 144, Nebraska issued a State of the Schools

Report starting in 2001. The report included school district profiles, student performance on the standards, and statewide aggregated information.

The Nebraska Planning Guide (1999) proposed that districts use a suggested school performance index (SPI) formula to calculate a district rating. This formula took into account assessment quality, percentage of students achieving standards, and a challenge index to compute a rating. Assessment quality was rated 1 - 10, student achievement data was calculated by the district for students in grades 4, 8, and 11, and the challenge index took into account variances among districts. The challenge index was a calculated number between 1 - 5 which took into account students with disabilities, student mobility, students of low socio-economic status, and students with limited English proficiency (Nebraska Department of Education, 1999).

As each of Nebraska's 550 districts had a different combination of assessments to meet the requirements, the Nebraska accountability plan was unique from any other state. This uniqueness of STARS garnered interest from many researchers. One of the first pieces of research completed was documented in a 2000 paper presented by Buckendahl, Impara, and Plake at the Large Scale Assessment Conference. The purpose of this paper was to share Nebraska's unique accountability model which was not based on common instruments. The model used a Composite Scale Score (CSS) which was used to develop a School Performance Rating (SPR). The research presented by Buckendahl, Impara, and Plake (2000) followed this SPI or SPR formula and examined it more in-depth.

August 23, 1999, *OWH*:

“Report Card will Grade State Education System.” Today, state education officials unveiled a prototype for the first-ever State Report Card. The card to be

released in the fall of 2000 will grade Nebraska's system of public education in seven key subjects: student achievement, graduation rates, student attendance, teacher attendance, teacher qualifications, graduate follow-up, and school funding. The state's overall performance will be graded. Scores will not be released by individual districts. In 2001, Christensen said, the Department of Education will follow up the first "State of the Schools" report. The report will include profiles of each Nebraska school district along with a statewide report. (Reed, 1999b, p. 9)

The State of the Schools report in 2001 included district profiles with the following information: description of district, improvement goals, student characteristics, student performance on reading, speaking and listening for grades 4, 8, and 11 (writing is not included yet). Additional information in the district profile included assessment quality, graduation rates, ACT information, school finance, teacher qualifications and salaries, and student attendance (Nebraska Department of Education, 2001b).

The No Child Left Behind Act of 2001

The No Child Left Behind Act (NCLB) included increases in accountability, greater parent choice, more flexibility with federal education dollars, and early reading emphasis. Title I accountability increased through NCLB with states needing to implement statewide accountability systems. "NCLB act gives states and school districts unprecedented flexibility in the use of Federal education funds in exchange for strong accountability for results" (No Child Left Behind, 2001, p. 2).

An important component of NCLB is that student achievement and progress needed to be disaggregated. Adequate Yearly Progress (AYP) had to be demonstrated or

school districts were “subject to improvement, corrective action, and restructuring measures aimed at getting them back on course to meet state standards,” (No Child Left Behind, 2001, p.1). With STARS, Nebraska did not have a way to easily disaggregate student achievement data on a common measure, compare district performance, or support corrective action for district deemed to not meet standards.

As the new millennium got underway a letter from the U.S Department of Education (DoE) arrived at the Nebraska Department of Education addressed to the Honorable Douglas Christensen, Commissioner of Education. The tone of the letter was cordial, thanking Commissioner Christensen and his staff for the cooperative spirit they had demonstrated in working with the U.S. DoE in a review of Nebraska’s Title I assessment system. A statute outlining Title I assessment requirements was adopted in 1994 and required challenging content and performance standards, aligned assessment, and accountability for all students by the 2000 - 20001 school year. With Nebraska’s STARS system the standards and assessment requirements were not completed within the 2000 - 2001 school year, thus requiring Nebraska to submit a waiver (Cohen, 2001).

In the letter from the U.S. DoE, alignment and technical quality were also called into question as the requirements of Title I state that final assessments be aligned with standards in at least math and reading/language arts. The norm-referenced tests that Nebraska schools could choose from did not demonstrate that alignment. Nebraska’s partnership with the Buros Center for Testing was noted and the process and reports needed to be submitted to the U.S. Department of Education Title I office. Reporting details were also questioned with Title I requiring states gather individual student achievement (Cohen, 2001).

The U.S. DoE letter (2001) continued by stating, Nebraska's process for collecting student data did not allow for disaggregation of student performance data based on the required six categories in the Title I statute. Nor did Nebraska's system allow for an easy method of aggregation of student data among different levels. The letter ended on a positive tone, "We will work with you and your staff to support and monitor the implementation of your plan" (Cohen, 2001, n.p).

Nebraska Legislation 2002 - 2007

During the legislative sessions from 2002 through 2007 education funding and statewide assessment were undoubtedly on the radar for state lawmakers. This time period, though, could be considered the 'calm before the storm' as to come were a tumultuous two years regarding economics and state assessment.

The Nebraska State Board of Education submitted a resolution to Governor Mike Johanns on March 7, 2003, that acknowledged the downturn in the economy resulting in budget restriction but also acknowledges that state aid reductions would harm student learning.

Whereas the State Board of Education: ...

Declares its commitment to continue to work with the Nebraska Department of Education, Educational Service Units and Nebraska's 517 public school districts on statewide School Improvement leading to increased levels of student achievement.

Applauds Nebraska's 517 public school districts for making our School Improvement Initiative successful by aligning their local curriculum to state standards and by being publicly accountable for achievement.

Expresses deep appreciation to our 517 public school districts and Educational Service Units for their leadership and participation in the state's school improvement initiative: School-based Teacher-led Assessment and Reporting system...

Be it resolved: The State Board of Education calls upon Governor Mike Johanns, the State Legislature and Nebraska public schools to protect our students and their schools by reducing spending, if necessary, in areas that would least affect the quality of classroom education. (Nebraska State Board of Education, 2003a, n.p.)

Another resolution on April 4, 2003, from the Nebraska State Board of Education to the legislature, governor, local school boards, superintendents, and education policy partners, asks that the practice of the lottery funds being diverted to other entities other than preK - 12 education be stopped. On that same day a resolution was sent to the same group of people from the Nebraska State Board of Education calling on the legislature and governor to support a study examining the organization and funding of public schools and educational service units. The goal of which would be to focus on providing an essential education to every child (Nebraska State Board of Education, 2003b).

March 3, 2005, *OWH*:

[Governor] Heineman and State Senator Ron Raikes of Lincoln announced a three-point plan to improve Nebraska's high schools on Sunday at the conclusion of a two-day education summit on high schools in Washington, DC. Their plan calls for increased academic rigor in high school, particularly in math and science, increase parental involvement; and greater cooperation between high schools and

colleges on college preparation. Christensen told a *Lincoln Journal Star* reporter Sunday he was disturbed that he hadn't been consulted. (Reed, 2005, p. 1B)

Term limits. In 2000 the voters of Nebraska approved a measure to amend the Nebraska constitution to include legislative term limits of two consecutive four-year terms (Nebraska Constitutional Article III, § 12, 2000). As the 2007 - 2008 legislative session began, the issue of term limits was critically important as many state senators would be leaving the unicameral due to term limits. Those term limited state senators would be taking with them a piece of the institutional memory of the development of STARS.

In a 2014 interview for a study by Wei, Pecheone, and Wilczak on Performance Assessments, Dr. Christensen shared his thoughts on the the downfall of STARS in 2007 - 2008. He surmised the state legislators who were new had a lack of understanding of STARS, while veteran legislators were most concerned with ranking schools and federal accountability requirements (Wei, Pecheone, & Wilczak, 2014).

STARS in Practice

The Comprehensive Evaluation Project (CEP), initially led by Dr. Chris Gallagher and in later years led by Dr. Jody Isernhagen, evaluated STARS annually beginning in 2001. A report was submitted yearly and analyzed the areas of: standards, assessment, and accountability process; curriculum and instruction; school leadership; and professional development (Gallagher, 2003). NCLB was addressed early on in the evaluation project with the year two report noting how NCLB requirements and the principles of STARS would co-exist. “We acknowledge that Commissioner Christensen’s message has been clear: the state will negotiate into its system those

features of NCLB that do not violate the principles of STARS” (Gallagher, 2003, p. 53).

The status of Nebraska’s assessment system in those first few years of implementation was summed up in the year two STARS report by Dr. Gallagher:

Thus, STARS is, it seems fair to say, a political football. It faces considerable external pressure from a federal government that favors educational standardization and centralization, and internal pressure from skeptical media outlets as well as politicians and beleaguered teachers. (Gallagher, 2003, p. 9)

“The challenges of building a local assessment system are many. This local process is one of complex change within school districts” (Roschewski, 2002, p. 164).

One of the research foundations that the Nebraska STARS model was based upon was the work of James Popham. Dr. Roschewski highlighted his work in providing justification for Nebraska’s use of locally developed assessments.

According to James Popham there are three primary reasons that standardized achievement tests should not be used as a single measure of educational quality. The first reason is that norm-referenced standardized tests do not match what is taught in the local curriculum. Second, because the purpose of the norm-referenced standardized achievement test is to differentiate between student score and create a score variance, items on which most students perform well are generally not included on the tests. Third, the types of test items that appear on standardized achievement tests reflect more than what is taught in schools. (Roschewski, Gallagher, & Isernhagen, 2001, p. 612)

The STARS Booklet June 2006, *What are the Next Steps for the School-based Teacher led Assessment and Reporting System in Nebraska?*, outlined what schools can

do to enhance STARS effectiveness in their school. Data analysis was an important part of STARS. Schools can utilize the three suggested questions:

What does the data tell us? (factual)

What might this data mean? (hypothesis)

What are the implications? (next steps)

Local school districts have been involving their staff members in these local conversations in an attempt to determine the strengths and weaknesses of the student performance in their districts. Further, once those strengths and weaknesses have been identified, a discussion takes place about the reasons behind those observations. Then the conversation continues in order to determine how to best address those needs. Matching appropriate instructional strategies and intervention with those identified needs has been a significant step forward.

(Nebraska Department of Education, 2006b, n.p)

Nebraska and NCLB

Nebraska's STARS and NCLB requirements were at odds on both practical and philosophical levels. STARS did periodically meet NCLB requirements through the years, at least partially, but then a new review or a new set of procedures would seem to nullify that alignment.

January 19, 2003, *OWH*:

Nebraska Education Commissioner Doug Christensen has steered the state and its schools into the vortex of a national fight over President Bush's plan to test student achievement in every public school in the nation. In Washington, Christensen's prickly critiques of Bush's No Child Left Behind education policy

are winning him a reputation- fairly or not- as a leading dissident of a testing and accountability system championed by Bush and signed into law last year by congress. "It will absolutely overload the school's," Christiansen said of Bush's plan to administer uniform achievement tests to every student in grades three through eight. At worst, failure to satisfy Bush's Department of Education could mean a loss of federal funding for Nebraska schools. At the White House earlier this month, Bush reiterated his demand that schools test students every year and demonstrate annual improvement within every racial, ethnic, and socioeconomic group. Behind the speeches and philosophical fighting Christensen has been working with Department of Education officials to find compromise. Both sides say they're confident a deal can be reached, and no one believes Nebraska stands in peril of actually losing funds. Christiansen said he was encouraged by a December meeting in Washington where state educators explained aspects of the state's school accountability system, a testing regime unlike any other in the nation. "We could not have had a better meeting," Christensen said. But Nebraska, along with Kentucky and Maine, is among a small group of states raising challenges to Bush's policy. (Kelley, 2003, p. 1a)

Challenges to STARS. Nebraska and the U.S Department of Education were in regular contact trying to sort out how STARS would fulfill the requirements of NCLB and AYP. As of 2006, the federal government was seen as being strict when it came to involvement and oversight of the NCLB act. As a result of NCLB requirements state departments of education were more involved at a local level in school districts. There were increased financial burdens put on the state and local school districts without

additional funding being adequate (Jennings & Rentner, 2006). Worth noting is that in 2002, at the start of NCLB, “19 states had annual reading and mathematics tests in grades 3 - 8 and once in high school; by 2006, every state had such testing” (Harris & Herrington, 2006, p. 111).

NDE and U.S. DoE, 2005. December 9, 2005, letter to Doug Christensen from U.S. Department of Education. After the evaluation by peer reviewers and DoE staff of the materials submitted by Nebraska, the evidence showed Nebraska was not meeting the statutory and regulatory requirements of Section 1111(b)(3) of ESEA. The status of Nebraska in meeting NCLB was “Final Review Pending”. As a result of this designation Nebraska had to demonstrate that it could; support districts in the NCLB requirements for standards and assessment, review all districts for compliance with NCLB requirements using “professional recognized standards and practices for assuring assessment alignment with standards, validity and reliability” (Johnson, 2005, n.p), and approve high quality local district standards and assessments. The letter outlined seven areas of deficiency in the Nebraska system.

The areas of deficiency were as follows. Issue one, academic content standards requirement has been met at the state level but not at the local level as it cannot be assured all districts adopted the standards. Issue two, academic achievement standards is a requirement not met as a result of an independent analysis which shows the four performance levels adopted by Nebraska are not accurately reported. Issue three, the requirement for a full assessment system in grades 3 - 8 for reading/language arts and mathematics was not met. The requirement for writing was met. Issue four, technical quality requirements is not met as the six Quality Criteria are not enough to determine

district assessments validity, reliability, and bias. Issue five, alignment of standards and assessment is not met as the six Quality Criteria are not sufficiently rigorous enough to show assessment and standards alignment. Issue six, requirements for inclusion of students in the reading/language arts and writing assessments are not met. Issue seven, reporting of students using three performance levels has not been met. (Johnson, 2005, n.p)

NDE and U.S. DoE, summer 2006. “Sometimes being a maverick comes with a price” (Borja, 2007, p.1). Nebraska was given a “non approval” rating in June, 2006 from the U.S. DoE for its assessment system failing to meet the requirements of NCLB. Unless the system was found to be in compliance, the Federal Education Department could withhold 25% of the administrative Title I funds. The assessment system did not show alignment with academic standards and other NCLB requirements such as technical reliability.

Nebraska Education Commissioner Doug Christensen, “We don’t give a damn about ranking schools” (Borja, 2007, p.1). The state would not be adopting a statewide standardized test he said. Christensen expressed his frustration in a memo addressed to “all Nebraskans”. “I cannot recall a professional issue in my over 40 years as an educator over which I have been so disappointed. We feel blindsided” (Borja, 2007, p. 2). Supporters of the Nebraska system mailed over 150 letters to the federal Education Department. To move out of non-compliance Nebraska was given a list of tasks to do including peer reviews of all district standards and assessments and identifying sanctions for districts not meeting NCLB compliance.

A letter to Doug Christensen from DoE, dated June 30, 2006, delivered the news of Nebraska's status in meeting NCLB requirements:

At the outset, it is important to emphasize that the Department fully supports local assessment models as allowed in both the statute and regulations. However, the statute and regulations also require that we hold these local assessment systems to the same rigorous standards as statewide assessments. (Johnson, 2006a, n.p.)

The letter also thanked Nebraska for hosting DoE representatives in April to observe the local assessment system at work. As a result of two peer reviews and the understanding of the DoE of the Nebraska system, the status is non-approved:

Nebraska has a number of fundamental components that warrant the designation of Non-approved. Specifically, the Department cannot approve Nebraska's standards and assessment system due to outstanding concerns regarding whether all local assessment systems meet the requirements of academic content standards in reading and mathematics in grades 3 - 8 and high school, academic achievement standards including at least three performance levels, technical quality including validity and reliability, alignment of the assessments to academic content standards, inclusion of all students in the assessment system, and reports of student achievement. (Johnson, 2006a, n.p.)

As a result of Nebraska's non-approval status the state must enter into a Compliance Agreement with the DoE. The agreement allowed Nebraska to continue receiving all the Title I funds while a plan for bringing the system into compliance was being met. The DoE could withhold \$126,741 which is 25 percent of the states Title I, Part A grant (Johnson, 2006a).

From the *New York Times*, July 25, 2006:

Douglas D. Christensen, the Nebraska Education Commissioner, has accused Ms. Spellings and her subordinates of treating Nebraska in a “mean-spirited, arbitrary and heavy-handed way” after their announcement on June 30 that the state’s testing system was “non approved” and that they intended to withhold \$127,000 in federal money. At the end of June, Henry L. Johnson, an assistant secretary of education...rejected the testing programs in Maine and Nebraska. Nebraska is the only state allowed to meet the testing requirements with separate exams written by teachers in its 250 districts rather than with one statewide test. Dr. Johnson’s letter to Nebraska said that although locally written tests were permissible, the state had not shown it was holding all districts to a high standard. Before announcing that decision, Dr. Johnson visited the Papillion-La Vista School District, south of Omaha. Harlan H. Metschke, Papillion’s superintendent, said he had told Mr. Johnson that Nebraska’s tests helped teachers focus on students’ learning needs, unlike standardized tests, which compared students from one school with another. (Dillon, 2006, n.p.)

NDE and U.S. DoE, fall 2006. “By maintaining a decentralized system of standards-setting while NCLB increased centralization, Nebraskans assuredly understood they were adopting a contrarian posture” (Heise, 2007, p. 136). Nebraska was in a long-term conflict with the U.S. Department of Education over the assessment and accountability system. Christensen noted that the federal government contributed 9% of funding but wants to leverage 100% of accountability.

To move out of non-compliance Nebraska was given a list of tasks to do including peer reviews of all district standards and assessments and identifying sanctions for districts not meeting NCLB compliance. Nebraska made progress on those tasks and the status was changed to “approval pending.” Nebraska had until June 15, 2007 to show that the peer review has been completed. Nebraska trained 110 educators to validate the assessments in the 264 districts (Borja, 2007).

September 15, 2006, letter to Doug Christensen from U.S. DoE. Follow up to July 28, 2006, letter sent from Dr. Christensen to DoE. As indicated by the June 30, 2006, letter from DoE the status of Nebraska’s system was non-approved. The decision was based on two peer reviews and because of the scope and significance of the areas that were not in compliance DoE planned to withhold a portion of Title I funds. On July 28, 2006, Nebraska submitted additional evidence to show compliance. The evidence included a revised implementation timeline and a commitment to review each district’s assessment system using a peer review process by the end of 2006 - 2007 (Johnson, 2006b).

Letter from the U.S. Department of Education gave an updated status for Nebraska and outlined additional requirements for Nebraska. As Nebraska has made a commitment to be in compliance by the end of the 2006-2007 school year the status of Nebraska’s system is now Approval Pending. This also means the DoE will not withhold a portion of Title I funds. As an Approval Pending system Nebraska had additional conditions placed upon it including the requirement to submit bi-monthly reports on progress. The list of requirements Nebraska needed to meet to fulfill the requirements of ESEA include: conducting peer reviews of the standard and assessment system at each

district, describe sanctions that will be imposed on non-compliant districts, provide examples of sanctions that have been enforced, and provide a plan for responding to districts that receive low ratings on standards and assessments. An additional requirement is that evidence is provided that the assessment for English Language Learners (ELLs) meets the requirements of ESEA (Johnson, 2006b).

September 24, 2006, *OWH*, Public Pulse letter:

It comes as no surprise to those of us who support the efforts of Nebraska Education Commissioner Doug Christensen and his dedicated staff that on Sept. 15th U.S. Department of Education gave an “approval pending” designation to the Nebraska STARS (School-based, Teacher-led, Assessment and Reporting System) for compatibility with the No Child Left Behind Act. I applaud our commissioner and his staff for standing fast against the political onslaught that resulted from the “non-approved” designation and for taking steps toward compliance that do not deviate from the original plan. More importantly these steps were taken not because of the potential loss of \$126,741 in federal funds but because it was the right thing to do. Lisa Smith, Hastings, Nebraska. (Public Pulse, 2006, p. 10B)

NDE and U.S. DoE, summer 2007. June 29, 2007, letter to Doug Christensen from U.S. DoE. In a letter September 15, 2006, the DoE outlined two pieces Nebraska needed to correct to meet the requirements of ESEA, in addition to needing some changes to technical issues. Two issues were comparability of reading assessments for limited English proficient students and the Nebraska peer review process for determination of district assessments meeting ESEA requirements. As Nebraska had submitted

information for the peer review an approval status was not being assigned until the peer review process was complete (Briggs, 2007a).

August 9, 2007, letter to Doug Christensen, Commissioner from U.S. DoE. “The Department supports Nebraska’s right to use local assessments” (Briggs, 2007b, n.p.). After a peer review of Nebraska’s standards and assessment system it was determined Nebraska did not meet the requirements of ESEA with its current system. Nebraska received a directive from the DoE September 15, 2006 that all districts standards and assessments be reviewed by the end of the 2006 -2007 school year. The evidence submitted by Nebraska shows this was not done fully with technical quality and alignment specifically not being submitted. Nebraska also failed to show that an alternate assessment was adequately administered and validated. If Nebraska could not show the district review process happened before August 31, 2007, then the DoE intended to withhold 25 percent of Nebraska’s 2007 Title I, Part A Administrative funds.

Table 4

Nebraska’s Compliance with NCLB Requirements 2005 - 2007

Status of Nebraska’s Compliance with NCLB Requirements	
December 2005	Final Review Pending
June 2006	Non-approval
September 2006	Approval Pending
August 2007	Non-approval

Nebraska Legislative Performance Audit

In 2007 a Legislative Performance Audit was requested by Senator Ron Raikes regarding NDE’s compliance with state statute 79-760, the Quality Education

Accountability Act. The Act required model assessments in reading, mathematics, science, social studies, and history be developed through the following three steps.

Step one, assessments were to be developed at the local level. Step two, a consultant was to be selected to review and select up to four of the model assessments. Step three, each school district was to choose one of the model assessments to use. Instead of selecting the model assessments the finding from the Legislative Audit was that the Department worked with a consultant to develop model practices which were not specified in the Act and therefore that meant the Department was not in compliance with statutory requirement (Legislative Audit, 2007).

The definition of assessment was not agreed upon between the Section and the Department. The Section defined assessment as test and therefore the Department did not meet the requirement of having four model assessments. The recommendations from the Committee was that the four model assessments be identified and if that cannot be accomplished then legislation needed to be introduced to change the law (Legislative Audit, 2007).

Defining assessment. During the course of this audit, it became evident that our interpretation of the word ‘assessment’ differed substantially from that posited by the Department. We believe that the Legislature intended the use of the word “assessment” throughout the Act to denote an actual test. Conversely, the Department maintains that, in the field of education, the word ‘assessment’ is a term of art, signifying one or more methods of evaluating performance. The Department argues adamantly that, in both common and professional usage, the words “assessment” and “test” have distinct meanings that preclude their being

used interchangeably. (Legislative Audit, 2007, p. 6)

The findings were based on the Act using the term “testing students” and that in both the floor debate and education committee hearings on LB 812 the term assessment and test were used interchangeably. The difference in interpretation of the term between the Department and audit committee was further broken down. The Department contended that a test is measured with paper and pencil usually done one time where as an assessment is more of a system which can have multiple formats. The audit committee relied on a rule of statutory interpretation which is that the “plain and ordinary meaning” be used when interpreting statutes (Legislative Audit, 2007, p. 7).

The Committee therefore believed that LB 812 intended assessment to be an actual test. The Department disagreed. The Attorney General issued a opinion:

We believe that state statute 79-760(1) clearly directs school districts to adopt one of the model assessments identified by the assessment experts as receiving the highest rating. The sentence [in statute]... states that the assessment experts shall identify up to four model assessments, and then the following sentence states that school districts shall thereafter adopt one of the four model assessments.

(Legislative Audit, 2007, p. 9)

An official response from NDE about the audit. The term assessment was not ambiguous, it did not mean the same thing as test and the term test was not used in the statute. “We selected models of practice and models of assessment. We did not select models of testing” in partnership with the Buros institute (Legislative Audit, 2007, p.4).

Statement regarding comparisons:

Until the playing field is level across districts, the comparison of one district to another is not a policy of equity. This is especially true of comparisons using rankings. As long as key demographics point to major differences across districts in terms of the challenges with which each district does their work and as long as resource equity does not match the challenges, ranking represent at best a meaningless comparison and at worst a false comparison. (Legislative Audit, 2007, p. 8)

Nebraska Legislation Proposed

LB 653: Background. In 2007 Senator Raikes proposed LB 653 which would change Nebraska's one of a kind student assessment system.

Nebraska's system of assessment made state and national headlines last year when it became one of only two states to have its assessment system designated as "not approved" by the U.S. Department of Education. The U.S. Department of Education eventually reversed course and approved Nebraska's system for assessing whether students are meeting state curriculums standards. Most of the other 49 states accomplish that task by having a single statewide test that students must take to show their academic proficiency. (Reutter, 2007, n.p.)

LB 653 addressed an issue raised by the legislative audit in which the definition of assessment was a point of disagreement between the legislature and NDE.

A series of articles in the *OWH* supported changing to a more transparent system that could more easily provide comparisons between schools.

April 12, 2007 *OWH*, an editorial:

The best interests of students are served by routinely evaluating them against the uniform set of academic standards. State education officials say a belief in the value of individualized instruction and assessment is what led Nebraska to develop its complicated and comparison-defying system of testing: the School-based, Teacher-led, Assessment and Reporting System or STARS. Mincing no words the Nebraska system of testing the academic achievement and progress of public school students is more than broken. It is ineffective in the remediation of individual student shortcomings and poorly designed for all that skirting federal guidelines for education accountability. Nebraska Commissioner of Education Doug Christensen argues that the flexibility of the current testing system enables classroom teachers to build tests around the curricula they intend to teach instead of building curricula based on what an arbitrary test will evaluate. Christensen says that Nebraska's approach provides teachers with more useful information on individual student shortcomings in a more timely manner than other tests. Every state but one is answering the calls from the U.S. Department of Education for greater transparency and standardization in student testing. A more streamlined, standardized, comparable process would get educators out of the disjointed business of test-making and test-taking and get them back to focusing on the business of student achievement. The department argues that such tests may provide an initial burst of improvement in disadvantaged urban districts due to increased public scrutiny and a poorer baseline of numerical performance. However, they assert the tests do not account for the societal ills at the root of most education challenges: concentrations of poverty non-native English speakers

and children with transit families. But tests should measure academic progress, not societal ills. (“Testing Patience,” 2007, p. 6B)

May 11, 2007, *OWH*:

Thursday, the Legislature's Education Committee endorsed the plan to establish new statewide tests in reading and math shifting from an accountability system that differs from district to district. The committee still must vote the proposal LB 653, to the full legislature for debate. Nebraska's current system has been called progressive by some and problematic by others. He (Education Commissioner Doug Christensen] has been credited with developing a useful alternative to states administering a single test at all schools. But the system makes it difficult to compare scores among different school districts. Earlier this year the Legislative Audit and research office concluded that the system does not meet the requirements of the academic accountability law that the Legislature passed in 2000. (Robb, 2007a, p. 1A)

May 13, 2007, *OWH*, editorial:

The current testing system is flawed in more ways than most. Its biggest success has more to do with skirting Federal accountability than helping children. Parents want proof of learning. Taxpayers want return on their dollars. Comparison allows for analysis, public pressure, and innovation. One strength of moving toward more standard statewide testing is the savings of time and resources such an effort could afford to local administrators and teachers. (“A Better Test,” 2007, p. 10B)

LB 653: Education committee hearing. Spring had not arrived in Nebraska as of March 5, 2007. Almost a half-inch of snow fell a few days earlier and temperatures were only in the 20's. Nevertheless many Nebraska educators showed up to the state capitol and filed into the hearing room as LB 653 was on the agenda for open testimony.

Senator Raikes began the Education Committee hearing on LB 653 by giving some history of the assessment and accountability system in Nebraska. In 1998, a bill was enacted to require a statewide test, funding for the test was vetoed by the Governor. A proposal came back to the legislature the following year and was eventually passed as a compromise of a statewide test in writing and a classroom-based assessment system. The first year districts would develop and administer the tests in reading, math, science, and social studies, submit assessments to the state, and a panel of experts would narrow down the best assessments into four model tests that schools could then choose from to administer (Transcript, 2007).

Senator Raikes quotes from Senator Boehlke's description of the process of developing the assessment and accountability system:

Every school district would be allowed to develop their own assessment in reading. At the end of the year, all those reading exams would be turned into a national institute that does testing. They would review those, and they would come back with a recommendation of the four tests in the state that would be the best tests. From thence forward, schools would select one of those tests so there would no longer be the possibility of 150 - 200 tests or exams, there would be the possibility of four. (Transcript, 2007, p.3)

As plenty of time for implementation of this system had passed, Senator Raikes, said he requested a legislative performance audit to look at statutory requirement versus actual practice and to see whether the Nebraska system met NCLB requirements. Based on the findings of the legislative audit he would agree that there is confusion as to what the terms assessment, test, and model actually mean. He also stated he thinks the system has been very effective in terms of teacher professional development on testing procedures and state standards. Comparability is an issue. There is not an easy way for parents or other taxpayers to easily compare student performance between schools.

A single proponent of LB 653, Andrew Rikli director of assessment for Westside Community schools, spoke at the hearing. He shared the viewpoint that STARS redeeming qualities were the positive impact on staff development and school improvement. He also contended there were three issues with the STARS accountability model; rigor with districts establishing different proficiency ratings, cost in terms of time and money, and consistency of results. Regarding time, “in our opinion teachers’ time is better spent in analyzing student data rather than using their time to make sure the tests meet arcane statistical standards” (Transcript, 2007, p. 11).

Dr. Rikli continued:

There are those who will say that this great cry of resistance that I suspect we will hear comes not from student welfare but from a fear of greater accountability.

Let’s send our state, our country, and most importantly our students a very clear message. We are not afraid of greater accountability in the state of Nebraska.

(Transcript, 2007, p. 11)

Opponents of LB 653 were given the floor next, and opposition testimony continued for several hours. The testimony included educators from across the state representing many different education roles and entities.

Leslie Lukin, direction of assessment, evaluation and research for ESU #18 testified in opposition to LB 653. When asked about teachers opposing LB 653 as a matter of being opposed to change, her response was the following.

I think that what schools have done over the past two or three or four years has involved a tremendous amount of second order change, and to say that there is a resistance to change and a desire to maintain the status quo in the face of reality that they have had to make tremendous changes over the last few years to actually implement a more classroom-based assessment system really doesn't completely make sense to me, I suppose. So I don't see this resistance of change because I think they have already embraced quite a bit of change. I see it as trying to focus on the purpose of supporting and maintaining student learning as opposed to simply looking at test scores. (Transcript, 2007, p. 17)

The next person to testify in opposition was Maddie Fennell, a teacher with Omaha Public schools. Her opposition focused on using a narrow definition of assessment and giving norm-referenced tests that essentially rank students but give limited useful information. She was also pressed by Senator Adams about feedback he received regarding the extensive amount of time STARS takes to develop and administer. She responded with the following:

...you asked are we going to see a revolution, or are we going to get teachers back to the classroom with their kids? I think what we are having is a revolution in

assessment, and Nebraska is leading that revolution in assessment. But because nobody else is doing it, it is really hard right now because we are blazing the path for everybody else to be able to do this better later. And it is taking more time and I agree with you. (Transcript, 2007, p. 25)

Karen Wolken, teacher at Johnson-Brock also testified in opposition to LB 653, as she shared her viewpoint on how STARS has changed over the past six years:

I began an amazing journey into what has now progressed into our current assessment and accountability system. Back in 2000 when we gathered with dozens of other language arts teachers in our area to understand this process, we were very skeptical. The idea was so new and its far-reaching implication seems so obscure. But now almost seven years later I can tell you that the STARS system has benefited every teacher, every student and every district that has been involved with the process. Teachers are better at their jobs. I am a better teacher today than I was six years ago and my students learn more in my classroom because of STARS. (Transcript, 2007, p. 29)

Teacher after teacher testified in opposition to the bill citing the relevance of STARS assessments to their classroom and the direct effect using those assessments has on teaching and learning. They also highlighted the growth that has happened in individual teacher knowledge of assessment but also in collaboration and dialogue between colleagues. They emphasized the importance of having a curriculum that is aligned to Nebraska standards and an assessment developed locally that can involve many stakeholders including community members. The testimony stretched on for over three hours regarding LB 653.

Lisa Smith representing staff development specialists from ESU's:

...we have been willing over the past seven years to stand up in front of people who didn't want to do this process...In the end we have moved on this road, seven years later we have long, long lists of people who sat in that place and who moved from that place. It has been difficult. It is not a comparison system. We don't have the four particular models that you reference in this legislation. What we have is something far beyond what we ever expected to have seven years ago. I chose to come here to be a part of it having no idea that it would be so amazing, that I would learn so much and that I would watch so many educators learn about it as well, passionately, passionately. We are just to the state, we are just to the point where we have critical mass. We have enough people now that we can truly analyze data and take it into even more meaningful instructional practices.

(Transcript, 2007, p. 42)

Jay Sears, representing the Nebraska State Education Association testifying in opposition to LB 653:

I would urge you as a committee to come up with legislation that allows in statute what we are doing now. What we found in the journey on assessments is we found a better mousetrap, we found a better way to do assessment and it is paying big dividends in our students' ability to learn. (Transcript, 2007, p. 44)

Both Jody Isernhagen and Chris Gallagher, principle investigators on the CEP annual reports, testified in opposition of LB 653. Dr. Isernhagen cited research that shows increases in student achievement is best impacted by changes in classroom

instruction. She also shared, assessment must give information to teachers in a timely and meaningful way to affect changing instruction. Dr. Gallagher testified in opposition:

The information about performance on standards, which is what we are talking about under STARS, is based on the informed judgment that trained teachers make about learning. So I feel confident as a parent about those judgements because I know the teachers, the people who after all spend their days with my kids, they have been involved in building valid and reliable assessments. I trust that judgement before I would trust some testing company half way across the country. (Transcript, 2007, p. 47)

Fred Meyer, president of the State Board of Education, testified in opposition of LB 653. Mr. Meyers highlighted the importance of teachers in the STARS process:

The state board fully supports the STARS process and voted unanimously to continue the support. A state test would bring everything towards the middle and take away ownership that teachers feel towards STARS assessments. Teachers are able to make adjustments in teaching and reteach based on timely information received from the STARS tests, with a single test given at the end of a school year that couldn't happen. Teachers have experienced tremendous growth in assessment knowledge as a result of professional development directly prompted by STARS. I am just humbled by the way that classroom teachers have transformed teaching and learning in Nebraska to something that is truly at the cutting edge of what happens all over the world. I am just struck by the professionalism and the ownership and the understanding that these classroom teachers have of assessing, and that would not have happened without the impetus

of the STARS program in Nebraska. Is it a lot of work? Absolutely. But I guess my parents taught me a long time ago that anything that is really worthwhile is a lot of work. And I am so proud of the teachers in Nebraska that have done this hard work, and I ask of you, please don't take that away from them. (Transcript, 2007, p. 52 - 53)

Doug Christensen, Nebraska Education Commissioner, continued the testimony in opposition to LB 653:

One test is simply too simple, too easy, and too seductive to be good state policy. It will shift the policy and practice to the inevitable things that are going on in other states. We are talking about helping teachers to teach differently because they begin teaching knowing what is it kids know and should be able to do and that is the standards, and then they have in mind exactly what they want to see from their students as evidence that they have learned. And when you begin to teach with those two things in mind, you teach differently than simply covering content in a book. We assess them until they master. Those scores are high because we simply work at it one kid at a time, time after time, however many times it takes until they reach mastery. I think our kids deserve that. I think our state policy should be exactly what that is as opposed to a one-time snapshot that will become over time a high-stakes thing. (Transcript, 2007, p. 54 - 56)

After several hours of testimony regarding LB 653 Senator Raikes concluded the hearing on LB 653 with the following clarifying comments:

It seems to me that you have been led to believe that somehow this is going to destroy the teaching techniques that have come, I think, as a result of STARS and

other good development programs we have had in the state. We are not talking about a high-stakes test. What we are suggesting here is that instead of every classroom teacher developing their own test, which I think the fact is they don't do now. They don't do it for good reason because it is too much, too time consuming, and they have discovered that there are more efficient and appropriate way to do it. (Transcript, 2007, p. 58)

LB 653 was moved on from the education committee and onto the full legislature for approval. Governor Heineman approved LB 653, May 31, 2007.

LB 653: Implementation. June 1, 2007, *OWH*, editorial:

“The Right Road on Testing.” The Nebraska legislature took another positive step Thursday toward improving the educational assessment of individual public school students when it passed Legislative Bill 653. Gov. Dave Heineman signed the measure in short order. While imperfect, the bill makes several significant improvements to a statewide academic assessment system that had left Nebraska poorly positioned to assess individual student progress and school accountability. Chief among the changes more useful and uniform tests to evaluate student progress in mathematics and reading. The current process has resulted in thousands of variations of tests, none of which could easily be compared or analyzed for meaningful data. With LB 653 more teachers and administrators can focus on teaching the basics not creating more tests. Another important step is the requirement that Nebraska Department of Education establish uniform standards for proficiency in various subject areas such as math and reading. The state has been allowing individual districts to assess the proficiency of their own students

thereby encouraging a phenomenon similar to grade inflation. Nebraska Department of Education Commissioner Doug Christensen has argued often that the status quo was preferable indicating that regular people lack the sophistication of educators to understand the undeniable reality that different schools face different challenges. He is dead wrong. With the shift towards more comparable tests members of the public can more easily engage with the school district that their tax dollars fund. (“The Right Road,” 2007, p. 6B)

June 3, 2007, *OWH*:

Educators disagree on whether new statewide reading and math tests replace the district-by-district system or just add to it. A new law retooling Nebraska's academic accountability system is meeting instant disagreement about what it will mean for testing in schools. By 2009 - 2010, Nebraska will have a new statewide reading test, followed the year after by a new state math test. That will allow the public to compare test results among school districts something lacking now in an accountability system that differs from district to district. Does the new law change the old system or add another layer of testing? State Senator Ron Raikes, chairman of the Education Committee, said any district assessments in reading and math will supplement the new statewide test which he sees as becoming the primary indicator of Nebraska's academic progress. State Education Commissioner, Christensen said Nebraska's current assessment system remains intact. Anything new, he said, is intended to complement that. Christensen said a lot of the work ahead is figuring out what the new law means. But he said he fears the new test could become redundant and unnecessary. “We're not going to

destroy STARS,” Christensen said. The testing bill passed just as Nebraska was winning praise for pushing against the national tide of standardized testing. *Time* reported last week that Nebraska's unusual system was attracting attention from scholars and those on Capitol Hill. (Robb, 2007b, p. 1B)

On the last day of the legislative session LB 653 was finalized making Nebraska the last state in the country to meet NCLB requirements through a uniform statewide assessment system. How STARS fit into the new system was not clear. A need for comparability, and the time required to administer STARS assessments, were stated as reasons supporting a policy change.

The following are excerpts from articles in the *OWH* regarding LB 653 and the changing of the Nebraska assessment and accountability system.

July 6, 2007, *OWH* editorial:

“End the Skirmishing.” Legislatures changes in student testing method need to be respected. A state government department with a reputation of stubbornness has stepped forward to rein in an outsider who dared question its approach to state law mandated changes to student testing and assessment. Christensen and members of his constitutionally separate department, strongly disagree with the new law that changes their unique but misguided testing traditions. They dislike even the modest steps the Legislature took this year in Legislative Bill 653. Chief among its changes are the creation of more useful and uniform tests to evaluate student progress in mathematics and reading. The scariest proof of the system's ineptitude is that national partisans and educational bureaucrats prefer STARS to the flawed but substantive model of testing called for under the federal No Child

Left Behind Act. What an irony it is that the Nebraska system of testing, the Legislature saw fit to change this year, is now being hailed in Washington as a potential savior from the evils of education accountability. That should be reason enough to suspect STARS, given the influence of teachers unions and bureaucrats knee-jerk fears of national standards. The only reason a new law was needed at all is because the department incorrectly interpreted: whether their action was purposeful or not: the legislative intent of the bill that created the STARS system. (“End the Skirmishing,” 2007, p. 6B)

October 7, 2007, *OWH*, editorial:

“Policy Insurrection.” State Education board wrong to take testing fight to classrooms, it should change course. Five members of this cocksure board have decided the laws that apply to ordinary Nebraskans can be selectively ignored when they infringe on its assumed prerogative in managing public education. The actions of this defiant board and its Education Commissioner Doug Christensen, fly in the face of needed, reasonable efforts by the Nebraska Legislature to rein in a runaway system of locally generated tests, replacing them with vetted valid statewide exams. (“Policy Insurrection, 2007, p. 12B)

November 8, 2007, *OWH*, editorial:

The commissioner, it seems is girding for another fight with state lawmakers over his legal teams’ creative, convenient, survivalist, and wrong-headed interpretation of the changes to state student testing passed last session by the Legislature. Yet the Department aims to protect its only-one-in-the-nation system that among its various ills, allows the school districts to be measured by tests that are different

for each school system in the state. Such discrepancies in student testing allow people to question the validity of good news reports like that the department released this week. It would better serve all involved if Christensen and his department focused more on building public support for its best ideas about the future of public education in Nebraska and replaced the flawed system of student testing. (“Due Credit,” 2007, p. 6B)

Accountability Revisited

The policy of accountability was at the center of debate with the passage of LB 653. The question remained, how could STARS, designed to be free from rankings and punitive comparability, be used for accountability purposes in a way that satisfied lawmakers and other stakeholders? “The policy makers who define problems and devise remedies are rarely the ultimate problem solvers. They depend on the very people and organizations that have or are the problem to solve it” (Cohen, Moffitt, & Goldin, 2007, p. 522). “Although ambiguity can enable policy, it inhibits the capability that practitioners need if they are to respond in ways that are consistent with policy aims” (Cohen et al. 2007, p. 529).

“We intend to be accountable. That is very different than to be held accountable,” said Doug Christensen, Nebraska Education Commissioner (Roschewski, 2004, p.11). “At its political core, accountability is about ensuring public tax dollars are spent wisely and that schools are meeting expectations of performance” (Cobb, 2004, p. 76).

Accountability and performance. The issue of school accountability continued to grow in the early 2000’s at both the state and federal levels. NCLB introduced greatly expanded federal accountability mandates. In a survey by Council of Chief State School

Officers (CCSSO) most states indicated they had developed one accountability system to meet NCLB compliance and state requirements (Perie, Park, & Klau 2007). Nebraska struggled to find its way with an accountability system that would meet both federal accountability requirements and adhere to a local control philosophy.

Dr. Chris Gallagher, in *Reclaiming Assessment* (2007), poetically described the relationship between school and community regarding accountability.

In other words, the problem here is not that accountability asks too much of this school; it's that it asks too little. The relationship between this school and this community is not defined by a trade of tax dollars for test scores. It is defined by reciprocity and a mutually responsible partnership. Educators and community members alike demand more than a number on a spreadsheet; instead, they ask the students, "What can you really do?" And they show up to hear, deliberate on, and evaluate the answer... By focusing the attention of educators and communities on bottom line numbers rather than human relationships, accountability reduces schooling to a spectator sport. It leaves non educators unsure about how to participate in the schools in their communities and it leaves schools unsure about how to invite that participation. Indeed, its cold metrics often promote mutual distrust, driving a wedge between school and their communities. (Gallagher, 2007, p. 18 - 19)

Under STARS accountability was an internally motivating construct. The assessments used for STARS provided data for classroom use and to drive school improvement, not merely for compliance to a system (Gallagher, 2004b).

"Accountability systems must foster commitment not compliance. What really motivates

their active participation is a combination of trust in their professional judgment and the belief that this work will be beneficial to students” (Gallagher, 2004b, p. 357). The work of Rick Stiggins was highlighted repeatedly in the early years of STARS, “Stiggins (2005) vision of student involved assessment for learning enlists students as partners with their teachers in setting learning goals, monitoring their own processes, and making decisions based on information they gather about their learning ” (Gallagher, 2007b, p. 67).

STARS did not provide an easy way to compare student performance among districts. This issue found its way into accountability discussions. Instead of being able to compare student data on a standard statewide assessment, STARS used the results of CRT’s, NRT’s, NAEP, and ACT as a form of checks and balances for accountability purposes. “Because the results of local assessment systems have been validated by the national tests and by the statewide writing assessment results, Nebraskans can say with some confidence that the results are all moving in the same direction- up” (Roschewski, Isernhagen, & Dappen, 2006, p. 437).

The NAEP assessment had been touted as being a part of a checks and balances assessment system in Nebraska. The following information highlighted a disconnect between STARS data and NAEP scores.

To take results from the most recent school year for which there are data (2004 - 2005), while more than 84 percent of Nebraska fourth graders met or exceeded state reading standards, only 33 percent of those same fourth graders performed at the “proficient” or above level on the NAEP reading test. A similar gap emerged in math. While more than 87 percent of students met or exceeded NE state

standards, only 36 percent performed proficiently on the NAEP test. (Heise, 2007, p. 136)

People 1998 - 2007**People****1998 - 2007**

August 2001

My First Day of School

I did not know in a few weeks I would be trying to explain the events of September 11, 2001 to a classroom of twelve year olds. I did not know a sea-change in education was taking place with NCLB legislation rushing towards me, my classroom, and my students in a tidal wave of federalism. I had taken care to use bright colored markers on the glaringly smooth surface of the brand new whiteboard. With a flourish I finished writing the “s” in the inspirational quote encouraging my students to “Follow Your Dreams.” I rubbed my damp hands together nervously, smoothed my long purple skirt, and turned towards the empty classroom. I quickly marched towards the front row, straightened a chair, and then picked up the Kodak disposable camera to take a few snapshots of my pristine new classroom. The shrill sound of the wall phone broke through the hum in the air. A friendly voice on the other end requested I come to the office as there was a delivery for me. In a bit of a nervous daze I hustled to the office to find a cheerful flower arrangement waiting for me. I admired the orange tiger lilies and purple chrysanthemums as I briskly returned to my classroom. Curious about this bouquet I ripped open the envelope, the tiny card read, “This is the day you’ve been waiting for, we’re so proud of you. Mom and Dad.” Yes, indeed this was the day I had been waiting for, my first day of school as a new teacher. I took a deep breath and wildly smiled as my new students filed into my classroom. In

August 2001 I bravely, enthusiastically, and naively stepped into my new teaching career. Reflections on my first day of school by Melanie Olson.

Introduction

In the time period 1998 - 2007 Nebraskans showcased local control through STARS, the unique structure for assessments and accountability in Nebraska. Each of Nebraska's school districts put together a system of NRT's and locally developed CRT's to assess student achievement based on standards equal to or more rigorous than state standards. A statewide writing exam, NAEP, ACT, Quality Criteria, assessment portfolios, and public reporting provided a checks and balances for the system's validity and reliability.

During this time period local control often meant individual schools establishing assessments that best met the needs of students in the community as determined by members of that community.

From a Pat Roschewski article, "History and Background of Nebraska's School-based, Teacher-led, Assessment and Reporting System (STARS)" (2004):

In the early 1990's Deputy Commissioner of Education in Nebraska, Doug Christensen, developed the "High Performance Learning Model." This model formed a triangle including three concepts: quality learning, equity, and accountability. At the base of the triangle were schools, communities, and families. The model included teaching and learning, instructional strategies, and local planning for school improvement. The High Performance Learning Model became the philosophical basis of all education policy in the state of Nebraska including STARS. (Roschewski, 2004, p. 9)

Legislative Bill 812 was passed in 2000 and amended state statute 79-760, The Educational Quality Accountability Act (Legislative Bill 812, 2000). According to the NDE STARS Update #1, “This new legislation establishes the requirement and general procedures for implementation of standards, assessment, and accountability reporting for public school districts in Nebraska” (Nebraska Department of Education, 2000a, p. 1.1). By July 1, 2001, content standards had to be adopted by the State Board of Education for reading, writing, mathematics, science, social studies, and history in at least three grade levels, and by July 1, 2003, local school districts needed to adopt measurable quality academic standards, in the same areas, that were equal to or exceeded the state standards (Nebraska Department of Education, 2000a).

As this time period progressed the positives of increased teacher professional development and increased educator assessment knowledge were tempered by increasing federal regulations related to AYP and by the development of a low-achieving schools list called persistently low-achieving schools (PLAS). This is the story of the people of the Nebraska assessment and accountability system in 1998 - 2007.

Local Control

“In a nation where accountability is state driven, Nebraska maintains a pioneering spirit, trying a most unique approach. Those educators are involved in a pioneer movement, similar to the spirit of those who settled this state,” stated Pat Roschewski, Nebraska director of statewide assessment (Crisco, 2000, p. 4). “The assessment of student academic performance is a local responsibility” (Nebraska Department of Education, 1999, p. 72), from the State Board of Education Assessment Policy approved October 1, 1999. Local assessment has the purpose of aiding in classroom instruction,

assisting in placement of students, and monitoring progress of students and programs (Nebraska Department of Education, 1999).

Students in 1998 did not have smartphones or wireless internet access; however by 1998 the use of the internet was becoming more common in K - 12 classrooms. The increasing accessibility of personal computers, expanded internet availability, and interest in technology companies coalesced into a technology boom that would shape how and what information students were able to access.

Access to the greater world through the internet had an effect on communities across Nebraska. Locally developed assessments assessing locally developed standards took on a new context as students in Nebraska could more easily jump on the internet and connect with people and places globally. In a now famous 2005, *New York Times* article Thomas Friedman described this access to people and information and the globalization of the economy as a flattening of the world (Rose, 2005). The question remained, how would Nebraska's locally developed assessment and accountability system fare in an ever flattening world?

Call Nebraska backward. Call it slow. Or, as some observers do, call it an emerging leader in assessment and education reform. Its unique, local-control approach to school renewal may emerge from a deeply conservative tradition, but make no mistake: compared to what we are seeing in other states, Nebraska is a veritable hotbed of progressive educational activity. (Gallagher, 2004b, p. 355)

Local control is seen as a strength, and using the Nebraska standards as guidelines, the decisions about local standards, local accountability, and local assessment are to be made by the local policy-making body (Nebraska Planning Guide, 1999). The

following criteria set the stage for Nebraska having a unique locally controlled assessment system that would be both praised and condoned in the coming years. The State Board of Education policies on assessment and accountability reporting include:

The assessment policy emphasizes that assessment of student academic performance is a local responsibility that should primarily serve to improve instruction and increase learning in the classroom. Since each assessment process or instrument has different strengths, no single one can adequately achieve all purposes. Multiple assessment measures are needed to provide complete information for teachers, parents, and policy makers. (Nebraska Department of Education, 1999, p. 33)

Power of local control. “Decisions about whether or not students are learning should not take place in the Legislature, the Governor’s Office, or in the Department of Education. They should take place in the classroom because that is where learning occurs,” quote from Doug Christensen, Nebraska Education Commissioner, (Crisko, 2000, p. 6).

Local assessments put teachers in control over student learning and classroom goals according to feedback from the Goals 2000 project. Assessment practices were taught to students and they were better able to understand self-evaluation and goals. The process of assessing did not just take place in one teacher’s classroom but allowed for collaboration and interdisciplinary experiences for students.

The state of Nebraska is currently on the cutting edge of assessment because the Nebraska Department of Education has chosen to privilege local control. Local control suggests that teachers are authorities on student learning. With

assessment being practiced at the local level, with teachers in classrooms, students have a better opportunity to show what they know. (Crisco, 2000, p. 5)

Feedback from the Goals 2000 project continued. Teachers were seen as experts and their work was affirmed as important. A teacher reflected further, “state standards need not drive curriculum” (Crisco, 2000, p. 8). By using criterion-referenced locally developed assessments the local community could be utilized and the assessment could take on many forms.

"For the STARS plan to succeed, the leadership and effort must come at the local level with guidance and support from the state" (Christensen, 2001, p. 2). STARS provided Nebraska educators and community members a great deal of local control in the development, implementation, and use of assessment data. “No longer are Nebraskans willing to settle for an assessment world steeped in mystery and illusion, intimidation, and vulnerability, and stress and anxiety” (Roschewski, Gallagher, & Isernhagen, 2001, p. 615). Roschewski also gave a new perspective on what a balanced assessment system could mean, “Balance must exist not only between the types of assessments used in local school districts but also between state direction and local flexibility” (p. 614).

Local response to information about student and school performance will spur local efforts for school improvement, according to Education Commissioner Christensen. In terms of sanctions for low performance, Christensen explained, “In Nebraska, schools and communities are tightly connected. Citizens will put pressure on the local leadership and policymakers to fix areas of low performance” (Christensen, 2001, p. 30). “Strong support for community based and locally controlled schools is a hallmark of the Nebraska

education system, and this undoubtedly contributed to the feasibility of STARS” (Bandalos, 2004a, p.7).

As a locally developed assessment system, Nebraska’s varied community ideals and cultures played a role in the education assessment system. The Comprehensive Evaluation Project (CEP), initially led by Dr. Chris Gallagher and in later years led by Dr. Jody Isernhagen evaluated STARS annually beginning in 2001. A report was submitted yearly and analyzed in the areas of: standards, assessment, and accountability process; curriculum and instruction; school leadership; and professional development (Gallagher, 2003). This annual report on STARS highlights feedback from teachers and administrators on the first year of STARS implementation, “STARS enjoys a fair level of support from its major stakeholders including teachers, administrators, the media, the legislature, and community members” (Gallagher, 2002, executive summary, p. 1). In that same summary though there was the recommendation that “STARS would also benefit from the richer engagement of community members and higher education” (Gallagher, 2002 executive summary p. 2).

Also in the year one, CEP, *Charting STARS* report, the integration of STARS into school improvement was also noted as something many districts had not begun as of yet at this early stage of STARS implementation (Gallagher, 2002, executive summary, p. 2). “In fact we need a clearer understanding of schools as a part of their communities as members of their local, regional, and state communities” (Gallagher, 2000, p. 505). This idea of developing and utilizing assessments that are right for the type of community and the culture of the school was one of the points that continued to emerge, particularly by staunch proponents of the STARS system.

STARS as a viable option. Nebraska was different from the 49 other states that used statewide standardized tests to comply with NCLB.

STARS is firmly grounded in the belief that decisions about student learning should be standards-based and should be based upon classroom knowledge of the student. This process relies upon the professional expertise of Nebraska educators and has been built up on a statewide initiative to develop educator capacity in assessment design and the use of assessment data for improved instruction. The requirements of the federal NCLB act have been integrated into the accountability requirements. (Nebraska Department of Education, 2004, p. 5)

Although the state's localized system is not admired by everyone, there are some who looked to it as an option for performance accountability (Borja, 2007). Christensen described the Nebraska system as being concentric circles with teachers as the instructional leaders in the center. This was in juxtaposition to most state school systems, which were pyramids with state officials at the top and teachers at the bottom. "Our system is classroom-centered," he said "It's got to come from the classroom up, not the capital down" (Borja, 2007, p. 34).

STARS received praise from the National Council of Measurement in Education and the National Center for Fair and Open Testing. Sen. Edward Kennedy also met with state officials as part of deliberations on revising NCLB. "Nebraska is a place where the concepts of family and community still work," Christensen said. "Our public schools are embedded in those communities and those families. So why wouldn't we first trust those folks?" (Steptoe, 2007, p. 2).

Professional Development

In Nebraska funding went to professional development of teachers developing quality assessments instead of to a vendor developing a test (Tung, 2010). “Teacher leadership in Nebraska is a practice, not a condition, position, or achievement” (Gallagher, 2007, p. 50).

As the front line for locally developed assessments, teachers were asked to take on a new role related to assessment, and support in that role came in many forms. “Instead of focusing energies and money on remote-control apparatus, the state invested heavily in ongoing teacher learning” (Gallagher, 2004b, p. 357).

Statewide professional development was critical to the success of STARS. Teachers teaching teachers and embedded professional development were at the heart of a statewide Nebraska professional development program (Gallagher, 2007). Teachers needed professional development in assessment literacy and developing a standards-based classroom. Administrators were also asked to take on the role of instructional leader in order to identify high quality assessments and lead the interpretation and analysis of collected assessment data (Roschewski, Gallagher, & Isernhagen, 2001; Gallagher, 2007).

In order to develop assessments, a “learning team” model was developed in Nebraska. All regions of Nebraska had trained “learning teams” made up of teachers, ESU staff, higher education representatives and others who were provided specialized training from Richard Stiggins of the Assessment Training Institute, centered on assessment literacy (Roschewski, Gallagher, & Isernhagen, 2001).

Support was given in terms of time, training, and funds from the Nebraska Department of Education to local ESU's and school districts for assessment development, delivery, scoring, and leadership development. Nebraska ESU's supported districts in the process of aligning local curriculum with state standards based on the questions of what do we expect our students to know and be able to do and how will we know if our students know these things (Roschewski, Gallagher, & Isernhagen, 2001).

June 7, 2000, *Fremont Tribune*. More than 240 educators were trained over the summer at ESU #2 in Fremont on the new state standards. Pat Roschewski, Nebraska Department of Education Administrator said, "It's a really big affirmation of what you're doing. It's honoring your local curriculum and what you're doing really well" ("Workshop Focuses", 2007, n.p.).

Skyrocketing assessment literacy. Professional development focused on assessment literacy was a key component to STARS in Nebraska. "What we've got that no one else has is a cadre of teachers in the state who are as assessment literate as any educators on the face of the earth" Doug Christensen (Steptoe, 2007, p. 2).

The Nebraska Assessment Cohort through the University of Nebraska-Lincoln (UNL) was designed to train teacher leaders to be assessment leaders in their districts and regions. In July 2002, NDE approved an assessment endorsement with completion of the program through UNL. The Assessment Literacy Learning Teams (ALLT) was a program also designed to support assessment literacy but through a more informal setting. This was done through the Assessment Training Institute of Portland, Oregon. Pre-service teachers were also provided assessment training as an extension of the ALLT program. Early feedback on STARS and the surrounding professional development

indicated that teacher assessment knowledge in Nebraska was increasing (Lukin, Bandalos, Tckhout, & Mickelson, 2004).

Professional development focused on assessment literacy was a key component of STARS success. As of 2002 assessment literacy teams had been established and a third of Nebraska's teachers were involved. One Nebraska teacher shared:

I have never worked so hard in my life but I have learned so much, I am a better teacher because the assessment data make a connection directly to the way I teach. I have changed what I do in my classroom. (Roschewski, Isernhagen, and Dappen, 2006, p. 434)

Studies showed that principals, assessment coordinators, ESU staff developers, and teachers all perceived their knowledge of assessment was better due to STARS (Boss, 2005, Clarke, 2005, Heflebower, 2005, Warrick, 2005). Importantly, involvement in the assessment process by teachers generally produced, "more confidence in their teaching and a higher sense of efficacy than teachers who did not participate in those processes" (Gallagher, 2007, p. 68).

Nebraska's STARS used a strong professional development model to support teachers' professional growth and dialogue between stakeholders at all levels in the process (Gallagher, 2008).

Unwilling to impose a model of external mandates and compliance on Nebraska's schools, to force them into a situation that narrows the curriculum and invites unethical practices, the legislature and the State Board of Education have agreed to invest in the professionalism and expertise of the state's educators.

(Roschewski, Gallagher, & Isernhagen, 2001, p. 614)

Building capacity. Extensive and valuable access to professional development and local capacity building in assessment knowledge would be one of the lasting legacies of STARS. A challenge in creating a locally developed assessment system was capacity within the district to develop the assessments. Gallagher pronounced, “Teachers can and must become the assessors, the assessment experts” (2000, p. 504). As early as 2003 teachers were reporting that they were given access to attend any training they wanted to as long as they could “provide a good rationale for going” (Gallagher, 2003, p. 43).

In order to support teachers in developing assessments and in order to evaluate locally developed assessments, Nebraska partnered with the Buros Institute to develop six Quality Criteria. The Quality Criteria would prove foundational for the development of STARS tests and the echoes of the teacher knowledge of Quality Criteria remain today as seen in NeSA test questions and locally developed classroom assessments.

The six Quality Criteria for assessments are as follows:

1. The assessment reflects the local or state standards.
2. Students have an opportunity to learn the content.
3. The assessments are free from bias.
4. The level is appropriate for the students.
5. There is consistency in scoring.
6. Mastery levels are appropriate. (Nebraska Department of Education, 2000d, p. 3.2)

Added benefits. In the CEP report, *Charting STARS* (2008), teachers reported that in addition to learning more about assessment and curriculum alignment, there was an increase in seeking out and using best instructional practices. Leadership at the building

level had also changed with many teachers taking on more building leadership with the classroom based assessment process. “Teachers and leaders have grown in the process together, with teacher involvement and collective collaboration being one of the essential pieces of the journey for the past six years” (Isernhagen & Mills, 2008, p. 31).

Increased teacher collaboration and increased assessment knowledge by both teachers and administrators (Isom, 2012) was seen throughout the studies on STARS going back to year one of the CEP, *Charting STARS* report. A teacher shared thoughts on the increase in educator confidence due to STARS, “I feel more confident about giving the assessments. I don’t feel intimidated by giving assessments, and I feel I am definitely a better assessor” (Isernhagen & Mills, 2009, p. 37).

Being a Maverick

During the time period of 1998 - 2007 Nebraska educators were thrust into the spotlight because of the unique assessment and accountability system called STARS. The headlines generated during this time period give a sense that Nebraska had earned it’s ‘maverick’ moniker.

“Turning the Accountability Tables: Ten Progressive Lessons from One ‘Backwards’ State” (Gallagher, 2004b).

“How Nebraska Leaves No Child Behind” (Steptoe, 2007).

“Nebraska Tangles with U.S. over Testing” (Borja, 2007).

“The Road Less Traveled” (Gallagher & Ratzlaff, 2008).

“Nebraskans Reach for the STARS” (Roschewski et al., 2001).

Leadership. During the time period 1998 - 2007 Dr. Doug Christensen was a strong leader as the Nebraska commissioner of education and chief proponent of STARS.

In 2003 he was the Governing Public Officials honoree of the year. The article accompanying his award paints the following picture of his leadership, *Bucking the Test System: Nebraska Keeps Student Assessments Under Local Control*. “He has such powerful political structures arrayed against him - the federal government wielding all that money, and a Department of Education that everyone else is bowing to,” says Rick Stiggins, president of the Assessment Training Institute in Portland, Oregon. “But see, that’s his strength. He doesn’t care. He’s saying this isn’t the right thing to do.” Regarding the “F” Nebraska received from *Education Weeks*, Quality Counts (QC) report, Christensen is not bothered by it, “I’ve never been so pleased to get an ‘F’ because they’re using the wrong criteria” (Greenblatt, 2003, n.p).

Christensen’s strength of convictions also put him at odds with the State Board of Education and with legislators over his tenure. In 2008 the final conflict would come as STARS was legislatively dismantled and Christensen would leave his education post. The following are articles giving a small glimpse into his interactions with the State Board of Education during the time period 1998 - 2007,

June 7, 1996, *OWH*:

State Education Commissioner Doug Christensen could face another narrow vote today when the Nebraska State Board of Education decides whether to extend his contract. The vote was 5 - 3 last year and membership of the board has not changed. He has been the commissioner since December 1994. Christensen's position on several issues over the past year has clashed with some board members - mostly Ms. Midler, Ms. McCallister, and Mrs. Wilmot. (O’Connor, 1996, p. 15sf)

June 13, 1998, *OWH*:

State Education Commissioner Doug Christensen received a strong endorsement Friday from the Nebraska Board of Education: a new three year contract, a pay hike, and praise for his work on statewide standards. The board voted 6 - 2 to award the contract. Even the two who voted no, Kathy Wilmont of Beaver City and Rick Savage of Bellevue, said Christensen is a solid administrator who does a good job running the Department of Education. (O'Connor, 1998a, p. 11sf)

January 9, 2002, *OWH*:

Doug Christensen would remain Nebraska's education commissioner under a three year contract that the State Board of Education will consider this week. State president Scherr said people are satisfied with the three year agreement. Christiansen has been the point man on a number of controversial issues, including setting state standards for public school students, testing and student fees. But Bone [Board member] said annual rollovers would make it hard for future boards to get rid of Christensen if he fell out of favor. "Who knows? There might be someone out there who can do better?" (Goodsell & Nygren, 2002, p. 1b)

January 11, 2002, *OWH*:

While Doug Christensen is expected to win the votes today to keep his job as Nebraska's top educator, some of his bosses are trying to alter the terms of his contract. Three members expressed concerns that certain provisions, some of which are in Christensen's current contract, gives the commissioner more authority than the board has. (Nygren, 2002a, p. 3b)

January 12, 2002, *OWH*:

“School Chief’s Contract Renewed, Long Debate Before Christensen Vote.”

Amid a sometimes contentious debate the Nebraska Board of Education voted 6 - 2 Friday to renew its contract with veteran Education Commissioner Doug Christensen. This time the Board went into closed session with a representative from the Attorney General’s office to seek legal advice on certain provisions. The contract given to Christensen Friday says his duties will be dictated by state law, job standards, the boards goals and the commissioners “performance plan.”

(Nygren, 2002b, p. 1b)

Data, community, and telling your story. In 2001 the first State of the Schools report provided information to the public on all schools across the state. Suggestions were given to districts, from NDE, on how to share information with their community about student achievement information in the State of the Schools Report. Some of the suggestions for messages were:

Nebraska students have continued the long-standing tradition of excellence by performing at the top on national tests as well as on rigorous state standards.

All of Nebraska’s schools including (local school) contributed to this outstanding performance compared to other states in the nation.

We are pleased to have this data because the information provides us with another effective tool to improve instruction for every child.

The challenge for all schools is to use this baseline data to show improvement over time. (Nebraska Department of Education, 2001b, p. 25)

A six step process for telling a district's story was also outlined in STARS Update #6, 2001. The steps included examining local data and looking at that data in relation to other state information, not comparing with other districts. Looking for strengths and areas of needed improvement in data then communicating key messages about the strengths and areas of needed improvement. STARS Update #6 (2001) also urged schools to be proactive in communicating both internally and externally and be ready for questions (Nebraska Department of Education, 2001b).

Challenges for School Districts

In addition to the stress on the people in the trenches developing and administering STARS, there was a major change to the structure of Nebraska schools during the time period of 1998 - 2007. When STARS began there were over 500 local school districts and seven years later, when STARS ended, there were around 250 local school districts. The forced closing or assimilation of Class 1 school districts had an affect on many communities and undoubtedly is tied to the time period in the minds of many educators. The issue of accountability is one of the ideas used to support the closing of the small Class 1 school districts, although simply classifying the closing of the districts as an accountability issues does not do the complexities of the issue justice.

February 4, 2004, *OWH*:

State Education Commissioner Doug Christensen and the State Board of Education are calling for the end of elementary only school districts in Nebraska. They said the uniform use of the K - 12 structure would bolster accountability and standards in Nebraska schools. Nearly 200 people turned out for a hearing Tuesday before the Legislature's Education Committee most opposed legislative

Bill 1048. The proposal from State Sen. Ron Raikes of Lincoln to eliminate or restructure 181 school districts in Nebraska, all of them in Class 1. (Reed, 2004, p. 1a)

No one has it easy. Both small and large, urban and rural school districts face unique challenges related to assessment and accountability. The challenges of 100% proficiency and AYP look different in small or large districts. When a district may only have 20 students at a grade level the results of one or two students can wildly affect the district's overall percent proficient. At the same time, a district with thousands of students at a grade level may have to make a herculean effort just to raise the overall percent proficient by a small amount. Both situations are uniquely challenging.

Another issue to consider in assessment practices are resources. A small district may not have as many resources in terms of time or human capital for developing assessments. On the other end of the spectrum larger districts face challenges in managing district wide standards and cross-disciplinary activities with large numbers of teachers. Although challenging, the conclusion was that this collaboration work could still be done in larger districts as modeled in smaller districts, the documentation and intentionality may have to be done on a larger scale and involve more communication (Crisco, 2000).

The strategies outlined to meet the NCLB goal of 100% proficiency by 2013 - 2014 gave both special education and rural practitioners concerns. NCLB required highly qualified teachers which meant full credentialing in both content and pedagogy. Rural schools often face a shortage of teachers to begin with and having special education

teachers who qualify as highly qualified is an additional difficulty (Kossar, Mitchem & Ludlow, 2005).

Practices 1998 - 2007



1998 - 2007

The curse of presentism. “When we interpret history from the vantage of present-day values and concepts, we fail to understand the past in its own historical context” (Shepard, 2016, p. 112).

Examining a topic such as the Nebraska assessment and accountability system in 1998 - 2007 from the comfort of a decade later can easily lead to second guessing decisions made at the time. The reality is that when making decisions all the information that is available is all the information that is available at that time. Without clairvoyance there is no way to tell if education policy or practice decisions one day may be rendered obsolete or in contradiction with policies or practices that will come along at a later point.

One of the best examples of presentism is Y2K. Almost two decades later a shrug and a sheepish grin happen when Y2K is mentioned. It is easy to dismiss the uncertainty and worry that happened in 1999 when the turning of the century was reported to possibly have catastrophic effects on computer systems that had not been designed to recognize the year 00. As the new year rang in uneventfully, the angst was for naught and the world moved on. When reading and studying about education decisions made decades earlier it is hard not to apply the same sense of presentism and cast judgements about events that happened. The people making the decisions at the time had only the information available to them at the time and not the luxury of knowing how the story would play out and ultimately end.

The practices during the time period 1998 - 2007 centered on the development, implementation, and fine-tuning of STARS. As Nebraska educators worked to avoid the downfalls that had thwarted other unique assessment and accountability systems, there were many details and procedures to learn about the new system. The issue of time was brought up in many contexts during STARS as well as questions about quality control. All these themes are explored as this is the story of the practices related to the Nebraska assessment and accountability system from 1998 - 2007.

What is STARS in Practice?

“In the spirit typical of independent and hardworking Nebraskans, policy makers and educators are collaboratively building an assessment system that has not been attempted in any other state” (Roschewski, Gallagher, & Isernhagen, 2001, p. 611). Lessons learned from other states that implemented single test accountability systems helped Nebraska as the 49th state to adopt an assessment system that avoided the challenges faced by other states.

“The goal of assessment is to improve teaching and learning and thereby improve student achievement” (Christensen, 2001, p. 27). Assessments built in the classroom are better integrated into curriculum and instruction. Teachers can make more timely decisions on student learning.

The implementation of STARS set Nebraska apart as being one of only two states not having a statewide single-test system for accountability and assessment. The Nebraska plan was based on locally developed assessments with guidance from the NDE. “STARS provides accountability for reporting how well students are doing against the

standards while protecting the local curriculum and ensuring that the teachers have the power to decide how they will assess their students' learning" (Christensen, 2001, p. 27).

The assessment plan that local districts developed had two parts. Districts selected a NRT from a list of approved tests. Around 30% of the Nebraska standards were addressed in any one of the NRT's. The other 70% of standards to be assessed were done through locally developed assessments. Those assessments were included in a district assessment portfolio which was reviewed and judged by outside representatives using six assessment criteria (Christensen, 2001).

The state supported local school districts through the use of trained point people at each educational service unit, professional development workshops for teachers, and leadership support for administrators. Each district submitted a yearly assessment portfolio that was judged by experts on the alignment to six Quality Criteria. Student performance on these locally developed tests was then reported to the state as a percent of students proficient in grades 4, 8, and 11. This information, coupled with the results of the districts NRT, as well as ACT and NAEP data, can all be examined to measure consistency in reporting of student performance.

Nebraska was very different from any other state when, in 2000, legislation was passed that required assessment of state standards based on a locally developed assessment system. Although, in 2003, Nebraska was singled out in the *Education Weeks* Quality Counts report as lagging behind, Nebraska had made the decision to use a different type of accountability system that leads instead of lags. This system "builds assessment literacy among educators and enhances student performance through the use of a high-quality locally developed assessment system" (Roschewski, Isernhagen,

Dappen, 2006, p. 434). Nebraska educators faced the challenge of developing high-quality assessments but also of collecting, analyzing, and utilizing the data from those assessments.

The question of comparability and validity came up when examining locally developed assessments and performance assessments. Nebraska used a peer review process and common rubrics. “Valid comparison across districts is achieved through external validation checks such as the statewide writing assessment, the ACT, and other commonly administered standardized tests (Wood, Darling-Hammond, Neill, Roschewski, 2007, p. 7).

Standards in practice. As standards needed to be in place before students could be tested on them and before those test results could be used for accountability purposes, standards really were the first step in developing STARS. Nebraska had begun the process of developing statewide standards as part of Goals 2000. September 16, 1995, *OWH*:

The proposal to eliminate funding in 1996 for the federal Goals 2000 program will not affect an effort to develop education goals and standards for Nebraska, Education Commissioner Doug Christensen said Friday. He said the group will have made its recommendations on standards and goals to the Nebraska Board of Education before its 1995 funding runs out. Nebraska received about \$500,000 in federal money this year to fund Nebraska 2000. Opponents have said Goals 2000 is an attempt by the federal government to wrestle control away from local school boards. (O’Connor, 1995, p. 25sf)

Learning Educational Achievement Through Rigorous Nebraska Standards (L.E.A.R.N.S) served as a Nebraska's foundation upon which local standards, curriculum, and assessment would be built in STARS. As of 2007 a Legislative Audit found the school districts using locally developed standards all lay in the eastern half of the state and included: Elgin, Nebraska Unified District #1, Leigh, Fremont, Millard, Omaha, Ralston, Beatrice, Grand Island, Lincoln, Madison, Norfolk, Pierce, Bellevue, Papillion-LaVista, Milford, and Stanton (Legislative Audit, 2007).

Getting started. As part of Nebraska's new assessment and accountability system, STARS, a yearly report, CEP, was commissioned by NDE. This CEP report was called, *Charting STARS*, and was conducted annually through the end of STARS in 2009. This annual report provides a wealth of information about various aspects of STARS from teacher and administrator perceptions to studies regarding assessment development and reporting. These reports provide a valuable time capsule view into the perceptions, practices, and evolution of STARS.

Not surprisingly the new assessment system quickly impacted the classroom in terms of curriculum, instruction, and assessment practices. Findings from the year one report of *Charting STARS* (Gallagher, 2002), although there was support for STARS by stakeholders there was also some trepidation about the system causing some people to "wait and see." Professional development opportunities had been reported positively as increasing collaboration among teachers. In the year-one STARS report from 2002 teachers were already reporting, "improved communication and collaboration on curriculum design and more focus on key curricular areas such as writing. They also

reported using assessment to identify and address students strengths and weaknesses as learners” (Gallagher, 2002, executive summary).

In 2002 STARS was moving full-speed ahead with locally developed assessments. The year-one report from the CEP stated, “We believe Nebraska stands a good chance of becoming a national leader in assessment and school renewal generally; STARS is already receiving significant national attention” (Gallagher, 2002, p. 2).

Similar optimism was seen in a study of Nebraska teachers regarding assessment in 2000:

The commissioner of education and the State Board of Education in Nebraska should be encouraged by the fact that Nebraska’s teachers and principals strongly supported the fundamental organizational principle underlying the design of Nebraska STARS, namely that the primary purpose of student assessment is to improve student learning. (Gilsdorf, 2000, p. 198)

Although the idea of a locally developed assessment system bucking the trend of standardized testing was seen in an overall positive, if not curious, light there were difficulties with the implementation. The year-one report found, “Teachers are not as actively involved throughout different phases of STARS as they should be in a teacher led system” (Gallagher, 2002, executive summary). This lack of involvement could be related to another finding of the study that, “Many stakeholders are taking a wait and see attitude and look upon this unique system with considerable skepticism” (Gallagher, 2002, executive summary).

The *Charting STARS* year one report (Gallagher, 2002) goes on to highlight a key finding: teachers in the reporting levels of 4th, 8th and 11th grade were bearing the majority of the assessment weight. Teachers were also not as involved in the entire

assessment process of planning, creating, aligning, and reporting as may be expected at this point (Gallagher, 2002). Recommendations from the first year of the *Charting STARS* 2002 study were:

Stay the course

Carefully monitor pressure, especially with regard to time

Recognize, celebrate, and reward teachers' professionalism

Focus on building teacher commitment

Focus on local values and local investment

Promote widely shared responsibility for STARS

Help districts and schools integrate STARS and school improvement

Enhance community engagement efforts

Enhance alliance with higher education beyond teacher education. (Gallagher, 2002, executive summary)

One of the elements that teachers reported on as a challenge in both the first and second year STARS CEP report was the difficulty in keeping up with the volume of tasks demanded of them in implementing STARS (Gallagher, 2002; Gallagher, 2003). The pressure of the time commitment also led to issues with a balance of responsibility in grades where scores were reported vs. non-reporting grades. "At present far too much responsibility for assessment and reporting is falling on the shoulders of these reporting grade teachers" (Gallagher, 2002, executive summary). The limits of time were echoed by a comment from a teacher in the 2003 STARS report, "We waste too much time on testing and not enough time is just staying in the classroom" (Gallagher, 2003, p. 31).

Classroom impact. The following year, 2003, the trend of adjustments in curriculum and instruction continued as the STARS year-two report quoted a building administrator as saying in his school they had “moved from taking two weeks out of the year and giving kids tests to looking at our curriculum and matching the components of the test to meet the curriculum” (Gallagher, 2003, p. 14). Another study in that same time period supported these assessment changes suggesting that students, “do not make neat distinctions between formative and summative assessment but use assessment in a variety of integrated ways” (Brookhart, 2001, p. 168).

In the STARS system, one issue highlighted the previous year was a concern in the year two report as well, “Too much of the burden for assessment and reporting is falling on the shoulders of reporting-grade teachers” (Gallagher, 2004b, p. 358). Staff buy-in was high, though, because of the opportunities for collaboration and school improvement that involve all staff.

As STARS was developed and implemented schools began to make curriculum and instruction changes based on STARS data. Article from the *North Platte Telegraph*, December 8, 2004. Rick Elsasser, principal of Hershey High School, “We’re looking at our instructional strategies. We’ve already identified some intervention projects we’re putting into place, and hopefully we’ll see scores rise in those areas” (Jergenson, 2004, n.p). The district was considering purchasing a new math curriculum. Elsasser said, “It’s really state-of-the-art. It’s research-based, more hands-on” (Jergenson, 2004, n.p). The district was also using more data-driven strategies instead of basing things on instinct.

Perceptions

As STARS became embedded in Nebraska's education system perceptions about how the process worked in practice garnered mixed reviews. The issue of time, effectiveness, and how it could drive school improvement were all relevant during this time period.

Time limits. Time, either a lack of it or a misuse of it, was a common refrain that was heard throughout the life of STARS. Although nationally there was a reported narrowing of focus on math and reading with other subject areas being edged out because of the need for standardized assessment preparation there was also an issue of time in Nebraska schools that were not exclusively using a standardized assessment system for accountability. Criticism was centered around the time it took to create and administer these assessments which Christensen contends was time well-spent in the long run because the assessments were more effective in determining what students know and providing information to teachers. Teacher and administrator assessment knowledge development was also increasing in this system (Christensen, 2001).

The results of a national Phi Delta Kappa (PDK) survey on NCLB conducted with administrators and department of education officials showed math and reading instruction time had increased in elementary schools while less time was spent on other content areas. Data and curriculum alignment usage had increased (Jennings, Stark, & Rentner, 2006). That same year in a study of Nebraska educators regarding STARS, teachers reported the amount of time spent preparing the assessments was an issue even though the process of creating those assessments did increase understanding of proficiency and deepen understanding of curriculum goals (Lane, 2006).

Time continued to be a theme during 2004 - 2008. A study on superintendents' perceptions found that "STARS has created more committee work responsibilities for high school teachers" and "they don't generally believe that the STARS process takes so much time that it prevents teachers from helping individual students" (Clarke, 2005, p. 89). Time is viewed from two different perspectives in a 2006 article:

Two schools in Nebraska perceive time as they teach and assess student learning. Parker school views time as fixed and sees its teaching and assessing as in perpetual conflict because there is not enough time to do both. Arbor school views time in more a fluid way allowing teaching and assessment to work simultaneously. Ultimately it is the perception of time within a school that most strongly affects how teaching, assessment, and overall school improvement are conceptualized and enacted. (Turley, 2006, p. 439)

At one of the schools, the assessments were developed as part of a consortium so consequently the school was at the mercy of the consortium and ESU as to when the assessments would be made available. Teachers needed to incorporate the assessment into their existing curriculum or align their curriculum with the standards. That took time. Another model outlined in the article was where teachers created the assessments as a regular part of their planning so it was not seen as something that was being done outside of the regular planning or instruction time period (Turley, 2006).

Time spent on developing assessments related to a specific community culture was also seen in two different ways. "Time spent raising standardized test scores would mean less time for cultural studies and activities" (Gallagher, 2007, pg. 18) and "It takes too much time to develop assessments to match those community based projects, we've

lost some of that neat stuff that we were doing” (Gallagher, 2007, p. 65). The perceived value of assessment data within some communities is summed up, “The community expects more than an exchange of taxes for scores on a spreadsheet, it wants to know what you can do” (Gallagher, 2007, p. 18).

Time was seen differently in schools and consequently assessment was seen fitting into that time differently. Some schools saw additional testing as simply taking more time and some schools saw assessment as being tied closely to instruction so the time was interwoven.

Effectiveness and school improvement. Nebraska gained national attention for the unique assessment and accountability system STARS. A legitimate question surrounding STARS was, “Does it work?” During this time period, 1998 - 2007, there were many studies conducted on perceptions of STARS. A four-part study was conducted through University of Nebraska-Lincoln which looked at perceptions of various stakeholders related to STARS.

A four-part study through the University of Nebraska - Lincoln was completed to gather perceptions on STARS of teachers, principals, assessment directors, and Educational Service Unit (ESU) staff developers. Key research areas looked at whether or not assessment was connected to school improvement and how STARS had affected public education in Nebraska. The results showed, “90.9% of those (principals) responding agreed that assessment was connected to school improvement” (Warrick, 2005, p. 84). Additionally, “Staff developers (ESU) see schools as being engaged in the STARS process for the purpose of school improvement and not just to satisfy the NDE reporting mandate” (Heflebower, 2005, p. 89).

The importance of the principals' perceptions on STARS is emphasized, "Principals' perceptions of the STARS system will filter through the rest of the staff and have an impact on the perceptions of other professionals" (Warrick, 2005, p. 88).

One of the strongest statements about student achievement and STARS comes from research on assessment coordinators, "The respondents perceived student learning as better due to STARS, which is an indication that the goal of improving education, and specifically student achievement, has been realized" (Boss, 2005, p. 90).

A parallel study of teachers reports a more tempered result. "Teachers generally perceived STARS to be a mild success as it related to education in Nebraska" (Endorf, 2005, p. 90). Another lukewarm report stated, "There appears to be a slightly positive view that STARS has improved student achievement, expectation, and building performance" (Riibe, 2008, pg. 60). From an administrator's viewpoint the effect of STARS was not as positive, "Superintendents also do not perceived that STARS has a measurable effect on high school students" (Clarke, 2005, p. 90).

One of those studies found that "curricular and assessment knowledge improved due to STARS as did teachers as leaders of learning" (Boss, 2005). What impact this improvement in knowledge had was not as clear. A quote from a teacher regarding the impact of STARS, "We didn't change our curriculum and standards because our curriculum we considered sound to begin with. We didn't find it necessary to contort, twist, or force what we teach to the standards" (Gallagher, 2007, p. 63).

Shifts in culture were also being seen in schools as teachers report an increased atmosphere of teachers "giving up their role as jealous patrollers of the borders of their classroom" and "taking collective ownership of school improvement" (Gallagher, 2007,

p. 51). Endorf found, “Teachers perceived local assessment data to more effectively gauge student learning and play an important role in both instructional decision-making and school improvement decision-making” (2005, p. 90).

These perceptions made for a muddy review of the overall effect of STARS on student achievement and school improvement. One of the philosophical underpinnings of STARS was that districts not be compared or ranked. As a result, quantifiable answers as to the effectiveness of STARS related to student achievement and school improvement proved enigmatic.

Embedding assessment. In Nebraska teachers described being able to use a learning for understanding model for student mastery instead of being focused on rushing through material in time for a test. With Nebraska’s assessment model, schools are not in competition with each other and educators have become extremely assessment literate (Gallagher & Ratzlaff, 2007).

“What we embarked upon was a massive mindset change. It’s not a test piled on top of your curriculum. The system is woven into your curriculum. It’s part of your culture” said Renee Jacobsen, Plattsmouth Superintendent of Schools (Borja, 2007, p. 32-33). An example of what this type of assessment looks like and the reflection and modification process comes from a peek inside a fourth grade classroom in Elkhorn, Nebraska. Students were assessed using an embedded performance assessment in which students had to build a model to demonstrate understanding of physics principles. After reflection on the assessment, the teachers realized students were able to see other models that worked better than their own and copied those models. The teachers were considering developing other types of assessments as it was not feasible to test one

student at a time on each performance expectation. These reflections and modifications to the assessment were possible because the assessment was developed locally by the same teachers charged with administering the test.

The interconnectedness of Nebraska teachers as assessment developers, implementers, and evaluators under STARS was highlighted in a CCSSO paper regarding accountability models (Perie, Park, & Klau, 2007). The article highlights Nebraska's providing professional development to support the assessment and accountability work. The assessment results were provided quickly back to teachers and the embedded improvement activities were valuable components of the Nebraska system. One Nebraska teacher commented about her local accountability system,

I guess I think it's made me a better teacher. And I think after teaching for a number of years, we tend to get in a rut and sometimes think we've got it all down; we know what we're doing and I think we need to be reminded that there's always room for us to learn. (Perie, Park, & Klau, 2007, p. 45)

Another teacher shared her perspective of incorporating the test objectives into the curriculum under STARS:

Our staff is light years ahead of where they used to be. I think they think more about planning backwards. In other words, they say, what are we assessing and then how do we get our students to that? I think they're more concerned with what they're assessing and how students are progressing. (Perie, Park, Klau, 2007, p. 45)

A Proud Outlier

“Under the courageous leadership of Commissioner Douglas Christensen Nebraska is carefully balancing federal demands with state needs and goals” (Gallagher, 2004b, p. 355). During the first decade of the 2000’s Nebraska implemented a statewide system of district level assessments, this made it an outlier where other states had single statewide test system. “There are numerous advantages of having a decentralized system for this type of assessment including better alignment with curriculum, more teacher buy-in, and better use of assessment results (Lukin et al., 2004, p. 26).

In the 2004 *Education Week’s* annual Quality Counts (QC) report. Nebraska scored an “F” in “standards and accountability” category. This rating was not met with chagrin though as Nebraska was seen as bucking the trend of ineffective education accountability. According to Gallagher (2004b) part of the formula for calculating the QC rating involved more tests equaling more points and higher stakes equaling more points. Effective accountability models helped to develop the professionals such as teachers and administrators instead of developing more controls (Gallagher, 2004b).

Federal accountability challenges. “I’m not too excited about the possibility of Mr. Bush coming in here and telling us how we need to assess our kids because what works in Texas may not work in Nebraska” (Gallagher, 2004a, p. 98), feedback from a teacher in the *Charting STARS* 2004 report.

For the first time the 2004 annual STARS report included dealing with federal accountability as a key challenge (Gallagher, 2004a, executive summary). This realization of a present and most-likely expanding challenge of STARS meeting NCLB requirement seemed to be emerging. Support for the continuation of the STARS system

in light of NCLB pressures came in many forms over the years. STARS was even seen as a possible model for the nation for a time.

The STARS plan brings together the best of both worlds, student learning is foremost but public accountability is provided as well. Indeed, STARS places responsibility of teaching and learning where it belongs. (Roschewski, Gallagher, Isernhagen, 2001, p. 612)

In referencing the difference in the Nebraska locally developed system versus the trend in other states of standardized statewide tests, “A key premise here is that assessment is an instructional tool not a policy tool” (Gallagher, 2007, p. 41).

September 22, 2006, *OWH*:

“State System of Testing Called Model for Nation.” Nebraska’s homegrown student evaluation system could be a model for American schools, a national testing expert said Thursday. Monte Neill executive director of the National Center for Fair and Open Testing, or Fair Test said a drawback of those often high stakes tests is that students “don’t get that self-reflective awareness of themselves as learners.” That [Nebraska] system is the focus of a conference that concludes today at the Hilton Omaha. The conference drew more than 300 participants from Nebraska and seven other states. Neill challenged Nebraskans to make sure Congress knows about its method before the reauthorization of the No Child Left Behind Act is to begin in 2007. (Saunders, 2006, p. 38)

Performance based assessments provide opportunities for students to more accurately show what they know and can do. They also support teaching of higher order skills, engage students, and provide feedback in a more timely fashion. Most states rely

on standardized assessments that use mostly lower-level skills for federal reporting purposes (Wood, Darling-Hammond, Neill, Roschewski, 2007).

“But since the penalty for defying the law is loss of federal funds, most treat NCLB’s prescriptives like bitter medicine they can’t afford to spit out. All, that is, except the iconoclasts who run the public schools in Nebraska” (Steptoe, 2007, p.1).

Nebraska Statewide Writing Test in Practice

Although Nebraska purposefully did not use a standardized assessment approach for the majority of the testing of student achievement, there was a standardized statewide component to the accountability system. The Statewide Writing Test was given starting in 2001 and was a systematic way to compare student achievement in districts across the state in terms of writing. The following are articles throughout the time period of 2001 - 2003 which give a glimpse into the practices and perceptions of results from the statewide writing test.

February 28, 2001, *OWH*:

“Teacher's Task Scoring 65,000 Writing Tests.” Nebraska students can breathe a big sigh of relief now that the first Statewide writing assessment is behind them. But work lies ahead for teachers across the state who volunteered to score the 65,000 papers. During the past three weeks classroom teachers administered the two-day test to public school students in grades 4, 8 and 11. Each piece of writing will be read and scored by two teachers. The teachers or their schools will be paid a stipend for their work. The teachers will use the scoring guide based on what some educators consider the six traits of good writing such as word choice and sentence fluency. In addition to the work at the regional site 7,000 papers will be

sent to an independent scoring agency to come up with a Statewide score for each grade level tested. Christensen said parents can compare the Statewide results to their local scores to determine how their schools are performing. (Maczak, 2001a, p. 16)

May 10, 2001, *OWH*:

The vast majority of Nebraska's public school children met the states writing standards as measured by the results of the first Statewide test. "Teachers in Nebraska still teach good writing" Education Commissioner Doug Christensen said. Still, he said, room for improvement remains. And at the eighth grade level about one-third of the test takers score below the minimum level. Statewide 78% of fourth graders scored at the minimum passing level meaning they met or exceeded the writing standards. 64% of eighth graders and 72% of eleventh graders met the standards. Nebraska educators scored the test at three regional sites. Schools were also given the option of scoring their own test this year although the majority sent their papers to the regional sites. Two people read each paper and judged the writing against a specific set of criteria. Each gave the paper a score anywhere from 1 to 4 for a total that range from 2 to 8. Last week each school district received an extensive summary of its test results including scores for each grade level, building and student. (Maczak, 2001b, p. 1)

August 1, 2001, *OWH*:

Wednesday's report marks the first time that the vast majority of Nebraska Public Schools can be compared on a single assessment. A snapshot approach the Statewide writing test is just one measure of how well students completed a

specific assignments. Demographics results may reflect differences in student make up rather than school quality. (Goodsell, 2001, p. 2)

September 6, 2003, *OWH*:

Some good news goes unreported if every 8th grader in a district scored proficient on the writing test, privacy laws prevented release of the information. The Nebraska Department of Education couldn't release Pawnee City's scores because by reporting that every student was proficient people would know how individual students performed. And the state is prohibited from releasing such specific information on students. The state said twenty-one Nebraska school districts had 100 percent of their 8th grade proficient. (Glissmann, 2003, p. 1a)

Quality Control

From the beginning, questions arose about how quality control could be maintained in a system that allowed for locally developed assessments. In reference to Nebraska's model, "it is possible for each district to have a different combination of norm-referenced, criterion-referenced, and other assessments as part of its plan. Each of Nebraska's 550+ districts plans may be unique" (Buckendahl et al., 2000, p. 5).

Assurances were given that the designers of the Nebraska system had considered the need for a way of measurement utilizing common criteria (Buckendahl, 2001). "The plan provides flexibility for districts in the assessment tools they use but still requires school districts to adopt standards to report annually on the success of their students on the standards and to participate in a statewide writing assessment" (Roschewski et al., 2001 p. 613).

To help ensure the integrity of the assessments, Nebraska partnered with the Buros Institute to develop the Quality Criteria for the STARS assessments which included:

- 1) The assessment reflects the local or state standards.
- 2) Students have an opportunity to learn the content.
- 3) The assessments are free from bias.
- 4) The level is appropriate for the students.
- 5) There is consistency in scoring.
- 6) Mastery levels are appropriate. (Nebraska Department of Education, 2000d, p. 3.2)

As Nebraska did not have a single statewide assessment for accountability and each district could develop its own system of assessments, the psychometric soundness of the assessments must be measured by the schools. “If districts were only asked to provide student performance estimates without some assurance that the strategies or instruments they are using to measure performance meet technical standards, it would be difficult to meaningfully interpret the results” (Buckendahl et al., 2000, p. 6).

Trusting the test. “Because STARS requires the inclusion of a state-approved, norm-referenced test in the local assessment plan, any inconsistency between the results of the local curriculum-based assessments and the standardized tests raises a red flag” (Christensen, 2001, p. 30).

A study was published in April of 2003 regarding the cut-score setting process used by some Nebraska schools with the STARS math assessments. The study detailed the modified contrasting groups method which was used differently in different districts based on the locally developed assessments. Findings were that that using this method may contribute to a “mismatch between teacher and cut score classification of student”

(Giraud, Buckendahl, & Lucus, 2003, p. 15). One issue is that with locally developed assessments there may be assessment quality deficiencies in which there is not enough item difficulty diversity. For Nebraska to have defensible cut scores, the study authors suggest that the modified contrasting group method not be considered.

Assessment portfolio review. Nebraska's unique assessment and accountability system which utilizes locally developed assessments and a combination of norm and criterion referenced assessments did not allow for ranking of districts. With schools developing their own CRT's a rating of assessment quality was necessary. An external evaluation team was used to review districts assessments based on the six Quality Criteria as outlined by the Buros Center for Testing. The results of the assessment technical quality rating were used as part of the districts public reporting.

Assessment portfolio review process: STARS Update #6, 2001. Sixteen external evaluators reviewed the district portfolios. The external evaluators worked from July 2001 to October 2001. A National Advisory Team then reviewed the work of the external evaluators and assigned ratings based on adherence to the six quality assessment criteria. The portfolios were rated by grade level with one of the five ratings of exemplary, very good, good, acceptable-needs improvement, or unacceptable. Results from portfolio reviews on school year 2000 - 2001. 15% exemplary, 50% very good, 4% good, 29% acceptable but needs improvement, and 8% unacceptable (Gallagher, 2002).

Increasing achievement. The question of impact had been lingering related to the effectiveness of STARS and the answer was, "Nebraska STARS makes a positive difference in the learning of Nebraska students" (Roschewski, Isernhagen, and Dappen, 2006, p. 435). Student achievement was found to increase as measured as a percentage of

students proficient in math and reading. Nebraska administered a statewide writing assessment, which also saw student gains.

Student achievement on locally developed assessments undoubtedly rose during STARS. Questions were raised though as to if those assessment scores translated into achievement on other measures. State officials were confident in the students scores despite the NAEP assessment results that indicated scores more than 50 points lower than the reported statewide proficiency scores (Steptoe, 2007).

Unique assessment systems have high demands on time, cost, and teachers. “Teacher-led assessment systems appear to be both possible and effective in developing benefits such as increased assessment literacy and positive impacts on classroom instruction. However, such benefits may come at a cost of greater teacher stress and burnout, if adequate training, time, and compensation are not provided to teachers” (Bandalos, 2004b, p. 40).

Summary Chapter 5

The themes of policies, people, and practices provided the foundation from which to view the story of the Nebraska assessment and accountability system during the time period from 1998 - 2007. When Nebraska started developing its unique assessment system, STARS, other states were also conducting alternative assessment systems. By 2006, though, Nebraska was the only state not administering multiple grade and subject standardized tests (Tung, 2010).

State Education Commissioner Doug Christensen was a proponent of the STARS system which did not create a high stakes environment. His contention was that the STARS system better allowed teachers to assess students strengths and weaknesses and

the system supported a continuous improvement model. Critics of STARS pointed to the challenge of time to develop and administer the tests and the uncertainty of assessment quality among all districts.

Threatened by the U.S. DoE with withholding of Title I funds for non-compliance with NCLB (Borja, 2007), coupled with questions from state lawmakers regarding the compliance of STARS with Nebraska State Statute 79-760 (Legislative Audit, 2007), added to the call for an end of the STARS system. Although many changes and updates were made to the STARS process and favorable data emerged regarding teacher quality assessment knowledge (Gallagher, 2007). The STARS system was ended by state legislation in 2008. Nebraska State Accountability (NeSA) tests replaced STARS assessments and the Nebraska Performance Accountability System (NePAS) was implemented in 2012.

Chapter 6: 2008 - 2011

The Dance

And now I'm glad I didn't know

The way it all would end the way it all would go

Our lives are better left to chance, I could have missed the pain

But I'd have to miss the dance. (Arrata, 1989).

Performed by Garth Brooks.

Introduction

“Nebraska needs a simplified student measurement system for comparing school district performance. The goal is better testing not more testing,” from Governor Heineman’s 2008 State of the State address (Heineman, 2008).

On January 15, 2008 Governor Dave Heineman gave his State of the State address in front of the legislative chambers. In addition to speaking about economic expansion and property tax relief, education was a key component in the Governor's message. In his 15 minute message he spent over a third of the time speaking about the need for accountability in the Nebraska education system, closing the achievement gap, fully funding education, and working with higher education so support opportunities for more students (Heineman, 2008).

Governor Heineman noted education is the ‘great equalizer’ and Nebraska needs a system that is accountable. District leaders need to focus time and energy on closing the achievement gap, more rigorous standards are needed, and stable and predictable state aid to schools is needed. He emphasized, Nebraska has a good K - 12 education system that we need to make even better into the future. With Governor Heineman’s pointed remarks

about assessment and accountability the stage was set for the upcoming showdown regarding accountability policy for Nebraska schools

The federal government's role into state education continued during this time period, 2008 - 2011. The NCLB and AYP mandates of 100% proficiency by 2013 - 2014 loomed on the horizon. The issue of whether or not Nebraska would apply for a waiver from the NCLB requirements surfaced, and the state's application for Race to the Top grant funds was also met with scrutiny. During this time period STARS ended and the Nebraska State Accountability tests (NeSA) and Nebraska Performance Accountability System (NePAS) began.

Chapters 5, 6, and 7, each focus on a unique time period of the Nebraska assessment and accountability system. The time periods of the chapters are separated by key legislation or policy changes. Chapter 5 examines 1998 - 2007, chapter 6 looks at 2008 - 2011, and chapter 7 focuses on 2012 - 2017. Within the three chapters the themes of policies, people, and practices are explored. Table five helps provide a visual cue as to where a section falls in the larger context of the story.

Table 5

Organization of Chapter 5 - 7

Nebraska Assessment & Accountability	Policies	People	Practices
Chapter 5: 1998 - 2007			
Chapter 6: 2008 - 2011			
Chapter 7: 2012 - 2017			

Policies 2008 - 2011



In a focus on policy during the time period of 2008 - 2011 the major themes that arise are the shift from School-based, Teacher-led, Assessment, and Reporting System (STARS) to Nebraska State Accountability (NeSA) tests, the Persistently Low-achieving Schools (PLAS) designations, more federal involvement with No Child Left Behind (NCLB), and a new accountability system proposal.

The shift from STARS to NeSA occurred from a policy standpoint and was also wrapped up in the emotions and process of change. The designation of PLAS (Persistently low achieving school) was tied to the state's acceptance of stimulus funds and although it came with grant money to support struggling schools, there was fall-out from individual school districts that felt the weight of being designated as "persistently low achieving." This chapter tells the story of policy in the Nebraska assessment and accountability system from 2008 - 2011.

Nebraska Legislation 2008 - 2011

LB 987: Quality education accountability commission. With education accountability clearly and bluntly being spoken of during Governor Heineman's 2008 State of the State address, it is not a surprise that the legislature would soon debate legislation related to Nebraska assessment and accountability.

During the 2007 legislative session, LB 653 was passed that changed the state's assessment and accountability system, the actual interpretation of the bill proved problematic. NDE interpreted the bill to mean that STARS would continue with a few

modifications or additional testing would be added. State legislators contended that was not the intent of the bill, and so in 2008 new legislation was proposed to clarify the intent of the change in statute.

January 17, 2008, *LJS*:

“Bill will Change Testing Oversight.” Raikes wants a new state commission to take over planning of statewide testing for public schools. A bill (LB 987) introduced by Lincoln Senator Ron Raikes, would create the Quality Education Accountability Commission to ensure statewide testing, reporting, upgrading of standards and tracking of student achievement put into law last year. It also would create a quality education accountability office that would be under the auspices of the governor. Raikes and Christensen [Nebraska Education Commissioner] have had opposing views on statewide testing. “My position is we would no longer have STARS in reading, math and writing,” Raikes said. Last year, the Legislative Performance Audit Committee made up of seven state senators, said in a report that the education department had not implemented portions of the assessment system in the way the Legislature intended. Not true, Christiansen said at the time. It was “following the law to the letter.” Christensen said he is not delaying the process, waiting for Raikes to leave office after this year or waiting for potential changes in No Child Left Behind laws when President Bush leaves office. “I can't get a good explanation of LB653,” he [Christensen] said. Raikes said his office has responded to every inquiry Christensen has made. “It's not always the answer he wanted,” he [Raikes] said. Christensen said he had not seen the bill introduced Tuesday, but taking the

implementation of assessment away from the Department would ensure it wouldn't be in the hands of local educators. The five-member commission that would be created by Raikes bill would adopt a plan for statewide testing and reporting which the State Board of Education would implement. Members of the commission would be appointed by the governor and confirmed by the Legislature. The State Board of Education could have up to three ex officio members. The commission would hire a director. (Young, 2008a, p. 1 - 2)

State Senator Raikes introduced LB 987, which would create a Quality Education Accountability Commission and a Quality Education Accountability Office. On January 28, 2008, an education committee hearing was held on LB 987. The issue raised with this bill was where control of school assessment policy should be located. Should control be under the control of the State Board of Education and the Commissioner of Education or under another entity? (Transcript, 2008a).

Nebraska Education Commissioner Christensen and Senator Raikes disagreed about how LB 653, a bill passed last year, was to be implemented. "I do not want to waste time or resources by continuing to burden our districts and teachers with the type of peer review necessary to meet NCLB requirements for local assessments" (Transcript, 2008a, p. 6). This bill would not be needed if assurances can be made that locally based assessments used for state reporting would be eliminated and statewide assessments in reading, math, and science would be implemented. The Education Commissioner and Nebraska State Board of Education did not agree with these two things. Raikes still encouraged local districts to use its local assessment process at the district level just not for statewide accountability.

LB 1157: New assessment system.

In the early days of the 2008 legislative session LB 987, which was initially seen as the bill to clarify assessment and accountability statute in Nebraska, was replaced with LB 1157, which would be the focus of the efforts to change the assessment and accountability process in Nebraska.

February 28, 2008, *LJS*:

The Legislature's Education Committee is going forward with a bill (LB1157) that would clarify statewide testing and create an oversight panel. The committee voted Wednesday to advance the bill to the full Legislature, it would allow the state Board of Education to adopt a plan for testing, reporting and implementing a statewide test. The board would submit it annually to the governor and Education Committee chairperson. It also would require the governor to appoint a technical advisory committee to review the plan and tests. The oversight panel would include several nationally-recognized assessment experts. The state board would not be allowed to require school districts to administer other tests. Education Committee member Greg Adams of York named LB1157 his priority bill. The Education Committee, state Board of Education, and Nebraska Education Commissioner Doug Christensen have been meeting this month to iron out the differences on who should plan and implement statewide testing. Because Education Committee members were frustrated with what they saw as the department dragging its feet on implementing statewide testing, they introduced a bill that would transfer responsibility to a commission in the governor's office. That bill (LB987) was not moved out of committee. The department continues to

interpret a statewide testing law passed last year as one in which districts can continue to use STARS (School-based Teacher-led Assessment Reporting System)-plus. That would mean, Raikes said, that local districts would be burdened with both local and statewide testing. “The system is too burdensome for students and districts, and does not make best use of teachers’ time,” he said. Christensen reiterated the department values local leadership and decision-making. (Young, 2008b, p.1-2)

LB 1157: Education committee hearing. February 26, 2008 dawned as a typical Nebraska winter day, cold and windy with a high of 31 degrees in Lincoln, Nebraska. As people walked into the state capitol for an education committee hearing on LB 1157, they had to contend with the quarter inch of snow that fell the day before and wind gusts of up to 26 mph. At stake in the hearing on LB 1157 was if Nebraska’s STARS system would continue with modifications or if a new system of assessment and accountability would be legislatively mandated. The process of changing the assessment and accountability system had begun the previous year with LB 653 mandating some changes to the system but the actual interpretation of the law was not clear.

The legislatures education committee met at 1:30 p.m. on Tuesday, February 26, in room 1524 of the Nebraska State Capitol. This would be the last hearing of the session. Senator Raikes contended LB 653, which was passed last year was being misinterpreted by Education Commissioner Christensen to mean STARS-plus or burdening districts with local assessment reporting and statewide assessment reporting. “At this point is it clear the department will not interpret LB 653 as we intended” (Transcript, 2008b, p. 49).

Components of the proposed LB 1157 would include eliminating assessment portfolios and implementing statewide assessments for reading, math and science. Assessments would be given in reading and math for grades 3 through 8, and once in high school. Science assessments would be given only once in elementary, once in middle school, and once in high school. A technical advisory panel would be appointed to provide oversight of the assessment plan (Transcript, 2008b).

The time commitment of administering STARS has proven to be as much an impetus for narrowing curriculum as any statewide tests may do. Raikes said, “The idea that teachers love STARS is actually an overstatement” (Transcript, 2008b, p. 50). Raikes continues, “The state needs to take responsibility for state and federal accountability rather than passing it down to local school districts” (Transcript, 2008b, p. 50).

The hearing began with proponent testimony for LB 117 given by Andrew Rikli, administrator Westside Public schools.

We support the adoption of uniform statewide tests in lieu of using local assessments for accountability purposes. It has been argued that large-scale statewide tests have limited value in terms of directly improving classroom instruction. That is probably true to a point. It is our assertion that it is equally true that using local tests, which measure widely different academic standards, proficiency definitions, and passing scores, is probably equally unsuitable for accountability purposes. (Transcript, 2008b, p. 51)

Additional proponent testimony was given by Fred Meyer, President of the Nebraska State Board of Education. He testified the State Board of Education has long

held the policy position that accountability should improve teaching and learning. Test-based accountability is one component of education policy but did not outweigh the overall goal of improving learning (Transcript, 2008b).

Opponent testimony to LB 1157 was given by Jay Sears representing the Nebraska State Education association.

Our teachers worked real hard and found a way to make assessment for learning and correcting and changing instruction. It will be a little foreign as we do in 2009 the first statewide test of reading, but we'll make it work. Nebraskans always make it work. That's why the teachers in the state of Nebraska stay here. They're proud people. They work hard. (Transcript, 2008b, p. 54)

In response to a clarifying question asked by Senator Avery about honoring the work of Nebraska teachers, Jay Sears gave the following response:

Every time teachers have worked hard and done something that's good and useful, we go to something else and we don't honor what has been done, even if it's something that needs to take place that is different. And I think what you're saying to a number of teachers who have worked for the last eight years to develop the best formative assessment in the classroom, have put in their work, their time, their sweat, and their tears—some getting paid for it, some doing it on their own time—to develop an assessment system that they could believe in, needs to be honored in the assessment system and accountability system we develop for this state also. And our teachers have learned something about that process, but they're also very tired. Please honor the teachers that have worked for the last eight years to develop a system because we've gotten into a match of

who's right and who's wrong, and nobody is right and nobody is wrong. We're all in it for kids. (Transcript, 2008b, p. 55)

Senator Avery's response was a question about how to best honor the teacher's work, and Jay Sears shared the honoring is done by not creating assessments that are just bubble tests or recall items but actually honor what they do in the classroom.

Testifying as neutral regarding LB 1157 was Dr. Doug Christensen, Nebraska Commissioner of Education.

MLK states what I'm really feeling at this moment when he said, "We stop living when we are silent about the things that really matter." This really matters. What you do with the proposal of LB 1157 will have everything to do with the practice of education in Nebraska for a long time to come. (Transcript, 2008b, p. 59)

Dr. Christensen continued, through statewide standardized testing we could be centralizing curriculum, instruction, and teaching and taking decision making away from the local level. We are also taking away from teachers and administrators who have demonstrated they can develop high quality assessments (Transcript, 2008b).

LB 1157 debate continues. As LB 157 wound through the legislative process, proponents and opponents continued to weigh in on the merits of a new assessment system. "Nebraska is currently the only state that does not use statewide standardized tests to meet accountability requirements under NCLB" (Ash, 2008a, p.15).

'You have a system that's valid, that has led to instructional improvement, improved teacher competence in assessment by investing in teacher expertise, a system that has a lot of community support- to eliminate it seems to be heading in

the wrong direction' George Wood, executive director of the Forum for Education and Democracy. (Ash, 2008a, p. 16)

March 5, 2008, *OWH*:

As the legislature moves to scrap Nebraska's unique and controversial academic accountability system even the board overseeing the system is giving mixed messages about whether it should stay or go. The legislature decided Tuesday that Nebraska should implement new statewide tests voting 30 - 4 to give LB 1157 first-round approval. The bill still faces two more rounds of voting. But during debate Tuesday Senators received a letter from three State Board of Education members who back passage of the measure. During debate Tuesday senators disagreed about whether statewide academic test would be good for education or harmful to public schools. The debate also indicated that schools and teachers are not universally in support of Nebraska's current system or necessarily opposed to statewide test. (Robb, 2008a, p. 1A)

The debate over LB 1157 continued with back and forth between proponents and opponents of the bill. Opponents contend this would mean a large loss of local control for school districts in Nebraska. Proponents said changing the states assessment and accountability system was the right thing to do and public transparency and accountability were a must.

March 6, 2008, *OWH*, editorial:

This week leaders on the Legislatures Education Committee methodically and dispassionately deconstructed defenses for Nebraska's odd system of no-account tests. State Sen. Ron Raikes of Lincoln and Greg Adams of York kept their

agitation in check, against all odds, about having the will of the Legislature bucked by state education bureaucrats. Legislative Bill 1157 should become law on Tuesday. The 30 - 4 vote demonstrated the Legislatures determination to assert its wishes on this important matter. Raikes LB 1157 would move Nebraska nearer to the goal of measuring student learning in a way that has value for children's parents, teachers, and public policy makers requiring consistent, valid, grade level tests that measure academic progress against coherent statewide standards. They use \$50 phrases like “maximum flexibility” and local accountability but what they mean is that they prefer local tests that regular folks can't understand or compare. (“Patient No More,” 2008, p. 6b)

LB 1157: Floor debate. During the legislative floor debate of LB 157 on March 28, 2008, the discussion covered topics from the merits or dangers of standardized testing, the fear of change, and the effects of ranking schools by academic performance. Information from Senator Raikes began the debate with stating LB 1157 clearly mandates the uniform statewide assessment. The bill mandates grades 3-8 in math and reading, and three grades in science, these are inline with NCLB requirements (Transcript, 2008c).

Senator Avery continued the debate by saying benefits of this bill are the reduction in time spent testing and reporting which leaves more instructional time. Not having the portfolio requirement saves time and now standards and tests would be uniform. Accountability is also promoted through this bill (Transcript, 2008c).

Senator Wallman who was opposed to the bill, read a letter from an educator who went from Nebraska to Texas and explained the Nebraska system is superior in that it allows Nebraska teachers to help students individually with their needs instead of

teaching to the test as is done in Texas. There is a toxic environment in Texas for teachers, they are “forced to produce good test takers instead” (Transcript, 2008c, p. 20).

Senator Chambers weighed in during the debate as well, “What I see in the opposition to this bill is fear, fear of change, lack of confidence on the part of teachers” (Transcript, 2008c, p. 22).

Senator Kopplin gave a response to the idea of fear of change being behind opposition to LB 1157:

But the teachers I know, the teachers I have worked with, the teachers that I’ve seen over the years are not scared, sniveling under their desk because somebody is going to test them, or that they’re afraid to try new things because it might make somebody else look bad. (Transcript, 2008c, p. 27)

The floor debate on LB 1157 continued, Senator Karpisek said:

I haven’t talked to any teachers or administrators that think this bill is a good idea. They are scared of change, when they think it’s the wrong change. My real problem with this whole bill is, with option enrollment and a ranking system, do we think that parents aren’t going to send their kids to the next closest district if they rank higher? Of course they will. What’s that going to do to the school that ranked lower? Kids will leave, they’ll get less state aid, they’ll get less teachers, they won’t get as good teachers. I know if I say local control one more time Senator Friend is going to come over and thump me, but I’m going to say it one more time anyway, local control... (Transcript, 2008c, p. 28)

The debate continued with Senator Christensen stating that an amendment had been proposed that ensures consultation of teachers and administrators when developing

the test and not just bringing in a pre-made test from the outside. He held the position that local decision making needs to continue and this is using local teacher expertise and input when developing the test (Transcript, 2008c).

Senator Karpisek continued, “I haven’t had anyone contact me to tell me this is a good idea. The ranking system is worrisome as well as kids that may be ‘looked down upon’ for not passing the test and negatively affecting the whole districts scores” (Transcript, 2008c, p. 44).

I think the ranking system is going to be a train wreck. We’re going to have people sending their kids here, there, and everywhere chasing the better grades. I don’t think that we want to start ranking schools, especially when some of the schools in my district are seven miles apart. Do you think that people won’t start shipping their kids one place or another because their school scored poorly, the other scored well? One day of testing? (Transcript, 2008c, p. 48)

Additional data was shared and senators continued to weigh in on LB 1157.

Noncompliance with NCLB using the current local assessment system could cost the state \$4.5 million per year in loss of federal funds (“Student Assessment Revisions,” 2008). Issues with the change in system as proposed by LB 1157 were shared by senators. Senators Adams said LB 1157 would reduce work for teachers and ease questions on validity of existing assessments. Senator Dubas said teachers were frustrated with state assessments and Senator Wallman said tinkering every year required teachers to learn new ways of doing things. Senator Chambers added that students do not just remain in the community or town they were raised in where they would only be

competing locally but instead they must be ready to compete globally which requires a move away from local assessments (Transcript, 2008c).

At the conclusion of the spirited debate a vote was taken and LB 1157 advanced on a vote of 31 ayes and 13 nays.

LB 1157: Additional voices. Education leaders shared their viewpoints on LB 1157 via editorials. The following are two examples. Chad Dumas, administrator from Hastings on March 18, 2008 and Jef Johnston, administrator from Papillion-LaVista on March 29, 2008.

From the *North Platte Telegraph*, March 18, 2008 Letters to the editor, Chad Dumas:

There is a bill in the Legislature LB 1157 that threatens to destroy that [world class] system. Our superior system continues to gain recognition throughout the country for its innovation and effectiveness. Most other states started down the path of state tests several years ago. With the benefit of 20/20 hindsight education leaders are kicking themselves for choosing this path. It leads to “teaching to the test,” which frequently eliminates critical thinking, problem solving, and creativity in the classroom. Please urge your Senator to vote “no” on LB 11157. (“Letter to the Editor”, 2008, n.p).

From the *OWH*, March 29, 2008, Editorial by Jef Johnston. LB 1157 would not give more insightful or better data on student achievement. The proposed new statewide tests would actually take more time because they would be disconnected testing events instead of embedded STARS assessments.

The uniqueness of STARS will be lost in order to mimic statewide testing programs in Florida, California, Texas, Mississippi, Georgia, etc. Do we want Washington politicians to control Nebraska schools? Do residents of Nebraska want Federal control over their schools or do they trust their local school boards and educators? Is STARS a burden to teachers? LB 1157 would provide comparability but it would not hold schools accountable. If the legislature's desire is for accountability let's strengthen STARS and school improvement processes, not eliminate them. (Johnston, 2008, p. 7B)

LB 1157: New legislation. LB 1157 was signed approved by the governor April 10, 2008. The terms "locally" adopted standards and assessment and assessment portfolio would be eliminated based on LB 1157. "Through their words and actions they have made clear that change in statute is necessary," Raikes said ("Student Assessment Revisions," 2008, p.1). As LB 1157 was signed into law the task began of interpreting implications for individual school districts.

April 8, 2008, *OWH*:

Giving up Nebraska's unique way of measuring academic accountability for uniform statewide test would have a different impact depending on which district your child attends. The plan calls for reading test to start in the 2009 - 2010 school year and a math test to follow in 2010 - 2011. Those tests would be given in grades three through eight and in one high school grade. In 2011 - 2012 the science test will start and be given in at least one grade in elementary middle and high school. (Robb, 2008b, 1B)

End of STARS

“The most horrible public policy we could ever put in place. There is nothing good to come from... large-scale testing” (Ash, 2008b, p. 17). Quote from Dr. Doug Christensen, Nebraska commission of education, regarding the state’s move toward standardized testing and away from STARS.

Explaining the end. With the passage of LB 1157 in 2008, Nebraska’s STARS ended. The new assessment system began to take shape and the transition started. The end of STARS came then as a combination of, “inconsistencies within STARS assessments and within districts commitment to the process” (Teahon, 2012, p. 119).

Gallagher (2009) further explained, STARS was struck down by the Nebraska legislature over concerns of time and compliance. The time necessary for development and administration of the STARS assessments was cited as a reason to change to a new system. Another issue cited as a need for change was compliance with the NCLB mandate of comparability between schools, which was difficult to do in STARS. Gallagher summarized the shift from STARS to the new Nebraska assessment and accountability system as, “...scrapping a context-sensitive local-assessment model in favor of a decontextualized, standardized state test” (Gallagher, 2009, p.82).

The change, away from STARS which used locally developed assessments, to a new system based on standardized state tests, met with mixed reviews. An individual's perception of the change was most likely impacted by the role of the person in the school system. For example, principals and superintendents traditionally had different roles in terms of being an instructional leader or being a leader in terms of management of the budget, human resources, and compliance. An example of differing perceptions, one

superintendent stated, “The fact that we did not have a common assessment statewide inhibited the information you could use from STARS” (Teahon, 2012, p. 105). In the same Teahon study, another superintendent's perspective was, “We were able to test what we felt was important... and our staff was well trained because they helped develop the test that was used” (p. 105).

Although STARS ended in 2009, the system did continue to show up in literature and research for years afterward.

“The One that Got Away.” One state, Nebraska, tried to be a dissenting voice in favor of teacher judgement for summative assessment accountability. The Nebraska STARS experiment began before NCLB and held on through that legislative change (2000 - 2008) until public sentiment in favor of a state test won out. STARS relied on teacher judgement for the selection, administration, and scoring of assessments for accountability. (Brookhart, 2011, p. 4)

Changes in policy. Nebraska's shift in education policy was national news in much the same way the STARS system had garnered national attention during its inception. From *Education Week*, April 29, 2008, “Nebraska Education Sees Policy, Leadership Shifts.” New legislation had Nebraska joining the other 49 states in implementing a statewide standardized assessment system. Doug Christensen called this approach, “The most horrible public policy we could ever put in place. There is nothing good to come from... large-scale testing” (Ash, 2008b, p. 17).

Dr. Christensen resigned his position as Nebraska Education Commissioner in April 2008 as LB 1157 advanced through the legislature. Jess Wolf, president of the Nebraska State Education Association praised Christensen saying he worked with kids

and educators at heart. In addition to Christensen's departure, Senator Raikes also left the legislature. Senator Raikes said, "[With both the chairman and the commissioner leaving] it provides an opportunity for the legislature and the department of education to establish a whole new relationship" (Ash, 2008b, p. 20).

Transition to NeSA

State Statute 78-758 as identified in LB 1157:

For the purposes of the Quality Education Accountability Act: 1) Assessment means the process of measuring student achievement and progress on state-adopted standards; 2) Assessment instrument means a test aligned with state standards that is designed to measure student progress and achievement; and 3) National assessment instrument means a nationally norm-referenced test developed and scored by a national testing service. (Legislative Bill 1157, 2008, p. 1)

Moving to a statewide standardized assessment format had some educators concerned as voiced by a rural superintendent:

We're all concerned with what's going on with the legislature and the impact of throwing away what we've done. I do feel that the general public, and this is being reflected in the legislature, values simplicity as much as content. That's very dangerous because if the goal is to be simple, you lose content. (Isernhagen & Mills, 2009, p. 39)

The following is a summary of a study by CCSSO (2009) surrounding assessment practices. "Direct measures work to understand student achievement by going directly to the heart of the matter rather than through correlated inferences" ("Transforming

Education,” 2009, p. 21). A writing prompt scored for a student's ability to write, is an example of a direct measure. In reform efforts direct measures are seen as expensive, could lead to scoring errors, and messy to develop. Indirect measures on the other hand are standardized tests that are often developed away from the classroom level and most likely would not be administered at point of instruction but rather give an idea of student achievement through correlation. Non-education policy makers saw indirect measures as a neat and tidy way to tie measures of student learning to standards and assessment. There is a need for a rich and diversified assessment environment. NCLB requirements necessitated a way to have a quick and economical reporting of data, it was very difficult to accomplish this task through direct measurements and therefore indirect measurements were most often used. Indirect measurements can also lead to a narrowing of the curriculum as teachers pinpoint the skills that need to be mastered for that type of assessment instead of the broader learning that needs to take place with direct measures (“Transforming Education,” 2009).

Communication. As school districts transitioned to a new assessment and accountability system NDE provide support and one of the pieces of support was regular updates about changing policy and implementation. From *NDE Update: Standards, Assessment, and Accountability (SAA-3)*, March 2009. Sweeping state policy changes have significantly impacted standards and assessment in Nebraska. In 2007 and 2008, LB 653 and LB 1157 respectively eliminated locally developed assessments for state and federal reporting purposes and implemented statewide tests in reading, math and science. Standards in reading, math and science will be completed by 2013 if not earlier.

Statewide tests begin in 2008 with reading and continue with math and then science (Nebraska Department of Education, 2009).

Making a change. “As specified in LB 1157, the involvement of Nebraska educators has been a very important component of the work that has been done” (Nebraska Department of Education, 2009, p. 4). Teacher input and expertise were used in revising standards and developing assessment items. In 2008 Data Recognition Corporation (DRC) and Computer Assisted Learning (CAL) were selected as the contracted vendors for the new tests. School districts had up to one year after adoption of the standards at the state level to adopt measurable quality academic content standards in reading, writing, math, science, and social studies. NeSA-R was the first state reading test and was field tested in the spring of 2009. Training and practice tests were administered. The field test was done both on a computer and as paper/pencil in various districts. Cut scores were not set on the practice tests, and were set in 2010.

The SAA-3 update (2009) from NDE also gave the following guidance regarding a few pieces of the system that would not be changing. Statewide writing will continue as done previously. LB 1157 required student scores and subscores on national tests be submitted starting in 2009 - 2010. Schools could still choose from a list of five recommended tests and could report according to the test chosen. AYP has to be reported for state and federal accountability. Growth in all student groups was expected. The federal law has set the goal that by 2013 - 2014 all students will be meeting the standards. Therefore AYP is calculated with a 2003 baseline and performance must increase yearly to meet the 100% goal. If buildings or districts do not meet AYP for two consecutive years they are labeled as being in need of improvement.

The term balanced assessment system also seemed to take on new urgency in the transition away from STARS and towards a new assessment system. Many teachers reported not being sure what a balanced system would look like and how their school might implement one (Isom, 2012, p. 131). Another administrator, in response to the transition from STARS to NeSA reported, “Our district will need to initiate more formative assessment to replace what they lost with STARS” (Teahon, 2012, p. 110). The fact that Nebraska was indeed the last state in the United States to adopt a statewide assessment system had been seen as a badge of honor in earlier studies and publications but now an administrator summed up his feelings, “Going from STARS to NeSA wasn’t done as soon as it should have been done. No one wants to admit that Nebraska is behind all other states. I don’t like jumping into new things without research, but I also don’t like being last” (Teahon, 2012, p. 110).

Technical Advisory Committee

Another component of LB 1157 was the development of a technical advisory committee (TAC). From the Unicameral Update: March 4, 2008:

A technical advisory committee of nationally recognized assessment experts would be appointed by the governor to advise him, the legislature, the Nebraska State Board of Education and the state department of education on the development of statewide assessment instruments and a statewide assessment plan. (“Student Assessment Revisions,” 2008, p. 1)

The Nebraska Legislature research office provides information on the TAC as part of a report on State Boards and Commissions:

In 2007, the Legislature adopted a plan to assess how well Nebraska's public schools were performing in terms of student achievement. LB 1157 makes some changes to the assessment plan, including requiring the State Board of Education to annually select the assessment instruments to be used by school districts and the grade levels to be assessed. The technical advisory committee, appointed by the Governor and confirmed by the Legislature, was created to review the assessment plan and selected instruments. The committee consists of three nationally recognized experts in education assessment and measurement, one Nebraska school district administrator, and one Nebraska school teacher. The legislature must confirm the appointees. (Gaul, 2008, p. 2)

The purpose of the TAC as required by LB 1157 is: "Review the statewide assessment instruments and advise the Governor, the State Board, and the State DoE on the development of statewide assessment instruments and the statewide assessment plans" (Nebraska Department of Education, 2009, p. 13). Members of the committee include, Dr. Brian Gong, Dr. Wayne Camara, Dr. Richard Sawyer, Dr. Dallas Watkins, and Linda Poole.

First year of TAC meetings. The first TAC meeting was held December 3, 2008 in the Cornhusker Hotel in Lincoln, Nebraska. Governor Dave Heineman was on hand to welcome the group. The Governor's remarks included his vision for Nebraska education and he directly noted the need for assessment to be comparable and accountable. Dr. Brian Gong was the chairman of the group and worked through the ground rules and introductions for the group (Technical Advisory Committee, 2008).

The charge for the group was also articulated with the TAC assuring the assessments and accountability system in Nebraska was technically sound. The group would also be a consultative resource for questions on Nebraska assessment and accountability, focusing on technical quality and not necessarily policy or political issues. In addition to TAC members staff from NDE and a budget management analyst were also in attendance (Technical Advisory Committee, 2008).

Dr. Pat Roschewski, director of statewide assessment, gave a history and current status update on standards, assessment, and accountability in Nebraska. Dr. Roschewski also walked the group through the assessment plan, and a general discussion was facilitated by Brian Gong. An action item resulting from the meeting was that the national test requirement would be investigated more to gain clarity on intent and purpose.

The next TAC meeting was held February 17 - 18, 2009, and included TAC members, contractors from DRC, NDE staff, and a governor's policy advisor. As a follow up to the December, 2008 action item of gathering more information about the intent of the national testing requirement Dr. Brian Gong shared a letter from former Senator Ron Raikes. The letter indicated that the intent was that districts would choose a national assessment instrument and individual and sub scores would be reported starting in 2009 - 2010 (Technical Advisory Committee, 2009).

The February meeting (2009) also included a discussion about national test reporting with Dr. Roschewski reminding the group that the legislation did not specify all districts had to choose the same test, same form or even same time of year to administer the test, therefore comparability would be limited. The meeting was paused briefly while

the committee members went to the state capitol to the confirmation hearing for TAC members. The confirmation was held with the education committee pledging to recommend to the legislature final approval of membership.

PLAS Selection

As a result of Nebraska accepting State Fiscal Stabilization Funds of the American Recovery and Reinvestment Act (ARRA), the state had to identify persistently low-achieving schools (PLAS). Schools are considered PLAS if they are identified as being in need of improvement under AYP and/or if they have a graduation rate of 75% or less (HS). School Improvement Grants are available and schools can apply to receive funds. The PLAS list is divided into three tiers. Tier I is the five or 5% of the lowest-achieving Title I schools labeled as being in school improvement, corrective action or restructuring. Additionally if any Title I secondary school has a graduation rate of 75% or less for three years and has not been already identified, it is on the list. Tier II is the five or 5% of the lowest ranked secondary schools where all student sub-groups are over the 30 student minimum for AYP and are eligible for, but do not receive, Title I funds. Additionally any secondary school having a graduation rate of 75% or less for three years and is eligible for but does not receive Title I funds (Nebraska Department of Education, n.d.b).

Tier III is any Title I schools in school improvement, corrective action, or restructuring that have not been identified as a Tier I school and any school that is ranked as low as a Tier I or II school but has no groups of at least 30 students. Schools were identified using a performance rank, progress over time rank, and then a final rank which

was double the performance rank and adding the progress rank (Nebraska Department of Education, n.d.b).

May 4, 2010, *OWH*:

Nebraska has to make a list of “persistently low achieving schools.” Nebraska has been awarded the remainder of its education stimulus money after committing to additional Obama administration requirements aimed at spurring education reform. The state will get \$77.2 million from the State Fiscal Stabilization Fund money, Congress approved last year to preserve and create jobs and prompt education reforms. To get the final one third of the money Nebraska had to commit to make a list of the state’s “persistently low achieving schools.” Schools on the list will be eligible for grants to improve achievement but they will have to remove principals or launch other reforms prescribed by the federal government.

(Dejka, 2010c, p. 6B)

New Accountability System

December 8, 2011 Dr. Pat Roschewski, Nebraska director of assessment, shared the following update on statewide accountability as an action item during a Nebraska State Board of Education meeting.

Nebraska has been without an accountability system since the transition of the local assessment process to the NeSA tests. A subcommittee of the State Board of Education has been working since 2009 on the development of a new accountability system based up on the results of NeSA tests and other performance indicators designated by the State Board of Education. (Roschewski, 2011, p. 7.1-1)

The new system was to be called the Nebraska Performance Accountability System (NePAS). The proposal received approval from the Governor's Technical Advisory Committee, and the goal was to begin implementation in 2012.

Dr. Roschewski continued with additional details. Buildings would earn points based on a formula of NeSA status, NeSA participation, graduation rates, school improvement in NeSA averages, and individual student growth in NeSA. Policy weights were suggested by the Board Accountability Subcommittee. These policy weights were figured into the formula to give an overall score. At the elementary and middle schools the indicator type status received a ten policy weight for NeSA reading and math scores and half that, which is five for NeSA science and writing. For the indicator type of improvement NeSA reading and math each received a policy weight of five and science and writing are half of that. Finally the indicator type of growth was a policy weight of five for both reading and math (Roschewski, 2011).

At the high school level, the policy weights were a little different. For the status indicator the policy weight was ten for all NeSA areas. For improvement all NeSA averages carried a six policy weight and finally graduation rate of four years carried a six policy weight and six years carried a four policy weight. Average scores in NeSA scale scores for reading, math, writing, and science were used to calculate status point. The graduation rate was calculated at both the 4 year cohort and 6 year graduate rate. The goal for Nebraska schools for graduation rate of 90% and schools get additional points if the graduation rate was above 90% (Roschewski, 2011).

Points for NeSA participation were awarded to all schools that met the target of 95% participation. Fifty points were awarded for each subject tested where the

participation goal was met, except for elementary and middle school science and writing where only 25 points were awarded. NeSA improvement was calculated yearly using different students each school year as the average of the NeSA scale score from year to year was used. If the schools average scale score dropped schools lost points (Roschewski, 2011).

Cohorts of students were tracked and given points for NeSA growth points. This calculation was done on an individual student level by subtracting the previous years score in reading and math from the current years score. Building averages for students scale scores were used to award points for NeSA growth. Reading data started in 2011 and math data started in 2012 were used for growth. At the high school level there was only one grade level tested therefore graduation growth points were used in the place of NeSA growth (Roschewski, 2011).

As of 2011 the reauthorization of ESEA was past due and a resolution didn't look to be near. The new Nebraska accountability plan was outlined in the, *OWH*, December 8, 2011:

“State Crafts Own Plan to Rate Schools.” As Congress drags its feet on rewriting No Child Left Behind Nebraska is forging ahead with its own new system for holding schools accountable for student achievement. State officials hope the Nebraska Performance Accountability System based on new statewide reading, writing, math, and science tests will better identify which schools are struggling and get them help. The Nebraska Board of Education Thursday voted to start implementing the system in 2012 vowing to closely monitor to use and make changes if needed. It will take several years before enough test scores are

collected to make it fully operational. State officials proposed to rank the schools from highest to lowest scoring and provide direct help to the lowest 5 to 10%. The new system reflects a national trend backed by the White House, and long sought by educators toward measuring school effectiveness by student academic growth rather than using scores alone. The “growth” category will track the performance of the same students from one year to the next. The “improvement” category will be calculated based on the difference between the average test scores for the current and previous year, in other words comparing this year's 5th graders to last year's. Reading and math tests would get more weight in the scoring than writing and science. Nebraska has been without an accountability system since it began a transition from local to state testing three years ago. (Dejka, 2011b, p. 1A)

Federal involvement, NCLB and AYP

NCLB was due for reauthorization in 2007, but that did not happen. The AYP goal of 100% proficiency in math and reading was looming closer, and more schools were facing consequences for not meeting AYP benchmarks. NCLB used the approach of improving schools by requiring more public accountability. In terms of measures of success in the 21st century the movement focused on demonstration or performance, and authentic measurements. NCLB in contrast generally based achievement on standardized test scores (Shoen & Fusarelli, 2008).

An explanation as to how Nebraska would be piecing together their assessment and accountability plan to meet NCLB and AYP requirements. From *OWH*, May 8, 2008:

Along with the new state testing mandates, the Nebraska State Department of Education is working to meet related federal accountability requirements under the No Child Left Behind law. Until the Nebraska state exams have started, the U.S. Department of Education says, Nebraska must use the local test results for determining whether students are making adequate academic progress. Nebraska will enter an agreement specifying that it will become compliant. Nebraska will then have three years to become fully approved. (Robb, 2008c, p. 2B)

U.S. Department of Education

Educational policy being translated into practice is a complex proposition. “Planning and changing are fundamentally different processes” (Terry, 2010, p. 81). Policymakers plan but practitioners at the local level are the ones to implement and it is difficult to draw a straight line between the two (Terry, 2010).

As policy regarding assessment and accountability changed in Nebraska, the pressures from the U.S. Department of Education continued to be steadily applied to force Nebraska into compliance. As Nebraska had been at odds with U.S. DoE and federal policy, NCLB, Nebraska’s new compliance policies were seen as a step in the right direction. There was still a steady stream of communication, suggestions, and specified consequences for non-compliance outlined in letters from the U.S. DoE to the NDE.

December 15, 2008, letter to Dr. Marge Harouff, Nebraska Deputy Commissioner of Education from the U.S. DoE. The Nebraska science assessment met the basic requirements of having approved content standards, administering a regular and alternate science assessment three times, all students are included, and results are reported.

As you are aware, Nebraska entered into a Compliance Agreement with the Department, as authorized by Section 457 of the General Education Provisions Act, on October 8, 2008. That compliance agreement takes into account the fact that the Nebraska new state law, LB 1157, requires Nebraska to develop a new statewide assessment system. (Briggs, 2008, n.p.)

January 15, 2009, letter to Dr. Marge Harouff, from U.S. DoE. Nebraska's assessment system status is approval pending. This means not all of the statutory requirements have been met. Nebraska entered into a compliance agreement October 8, 2008, in order to remedy the areas not meeting ESEA requirements. Nebraska still needs to develop assessments in reading/language arts, mathematics, and science that meet the regulatory requirements (Briggs, 2009).

Article from the *OWH*, April 27, 2011, detailing a visit to Nebraska from the U.S. Secretary of Education, Arne Duncan:

“US Education Secretary to Visit Nebraska.” US education secretary Arne Duncan will visit Nebraska on Friday. At various times Nebraska officials have expressed frustration over the Obama administration's education policies. While finding common ground on Duncan's call for school accountability, they have said the aggressive reforms he initiated while leading Chicago schools won't necessarily work in Nebraska, particularly in rural areas. Since then Duncan has made the turning around of the nations falling schools a high-priority, including a controversial requirement that states identify persistently low achieving schools to make them eligible for federal school improvement grants. (“U.S. Education Secretary,” 2011, p. 4B)

September 15, 2011, letter from U.S. DoE to Dr. Roger Breed Nebraska Commissioner of Education. Nebraska has not yet met compliance with all of Title I requirements and therefore remains designated as approval pending. Nebraska has made great strides in completing the work needed for full approval. The reading assessment does not sufficiently address depth and breadth of standards. Dr. Breed expressed frustration at the length of time for the peer review process for reading. NDE must still present math assessment information for peer review which the assistant secretary, Michael Yudin, has assured will happen much more quickly than the reading peer review (Yudin, 2011).

Race To The Top

To support innovation in schools and focus attention on turning around low-achieving schools, the Obama administration announced a multi-billion dollar grant opportunity called Race to the Top (RTTT). Nebraska's adherence to local control ideals regarding not adopting the common core and not developing a mandatory teacher evaluation system based on student results made seeking a federal waiver from NCLB difficult. Those same philosophical conflicts made obtaining a RTTT grant difficult.

January 20, 2010, *OWH*:

Nebraska and Iowa have entered the Race to the Top competition for billions of federal stimulus dollars, which are available to states that pursue President Barack Obama's education proposals. Obama said Tuesday the response has been so positive that he will ask Congress to add \$1.35 billion to the fund in fiscal 2011 to get more states a chance at funding. The goal, he said, is to create opportunity and a culture of innovation and excellence in the public schools. Nebraska

officials hand-carried the state's application for \$122.6 million to the U.S. Department of Education on Tuesday, according to Nebraska Education Commissioner Roger Breed. Nebraska would use the money to make “systemic changes” in the state education system to improve achievement, reduce learning gaps, and increase graduation and college going rates. Among Nebraska’s priorities would be to: improve the state's education database to track students from preschool through college, develop and expand a virtual high school to bring advanced course to rural areas, integrate common core academic standards into each local school district’s curriculum. Develop a new system for holding districts accountable for low-performing schools. The state would develop and implement a statewide evaluation model for teachers and leaders, which includes the link to student performance. (Dejka, 2010a, p. 1B)

People 2008 - 2011



“He has served honorably, effectively, with great enthusiasm and energy, and most importantly with heart and soul”.

From a *Resolution for the Recognition of Service by Dr. Douglas D. Christensen, Commissioner of Education 1994 - 2008* by Fred Meyer President of State Board of Education, June 5, 2008

(Nebraska State Board of Education, 2008).

The theme of people related to the Nebraska assessment and accountability system for the time period 2008 - 2011 is focused on issues that hit at the very heart of education in Nebraska. Local control, low-achieving schools labels, and changes in leadership personnel are all examined during this time period. This is the story of the people of the Nebraska assessment and accountability system from 2008 - 2011.

The dramatic changes happening with assessment and accountability in Nebraska starting in 2008 are overlaid upon the issue of economics both at a national and a state level. One of the largest economic recessions hit during this time period after beginning in 2008. The term “too big to fail” became common place in referencing large bailouts provided to businesses to prevent collapse during the recession. The economy affected schools and communities in that unemployment rates were elevated and eventually home and property valuations would decrease which affected school funding. In 2009 a special Nebraska legislative session was held to address the \$334 million tax revenue shortfall.

Local Control and School Improvement

“I know if I say local control one more time Senator Friend is going to come over and thump me, but I’m going to say it one more time anyway, local control...”

(Transcript, 2008c, p. 28). Senator Karpisek speaking at the floor debate of LB 1157.

Engage a Nebraska educator in a conversation regarding “big” education issues such as the common core state standards, charter schools, and standardized assessment and there is a good chance that the term “local control” will arise. That term is used commonly to denote that the decision making for a school systems practices lie with the local school board. There is pride when the term “local control state” is used to describe Nebraska’s historic decision making method. When discussions about state standards and statewide assessment arise undoubtedly the term “local control” will enter into the conversation.

According to Gallagher, 2008, Nebraska’s STARS was designed with the idea that all schools need to improve and communities don’t need a single number or ranking to expect schools to improve yearly. STARS allowed for ratings but not rankings and information about the complexities of the school districts story involving demographics, student performance, and assessment quality could be found in an annually released “report card” (Gallagher, 2008). In other words the community knows the school and the school knows the community expectations, they didn’t need an external mandate to understand each other.

Gallagher (2008) continued on with a description of how NCLB had actually further removed those most affected by policy level decisions, which were teachers and students. He continued with specifying, external experts were given the power to make

decisions more often which pushed away decision making from teachers and in Nebraska power was given back to teachers during STARS. “The state has entrusted teachers to design the assessments that measure student learning on standards because Nebraska policy makers believe schools belong to teachers, kids, parents, and communities” (Gallagher, 2008, p. 341).

Community connections were encouraged and supported during STARS which made school data and school improvement plans even more locally relevant. STARS had support of teachers because it allowed for a measure of “place-conscious education” (Gallagher, 2009, p. 85) where teachers could infuse local projects into meaningful learning activities and assessments. These local connections made assessment come alive in a way that is not seen as students take standardized tests in a controlled setting. The variables that arose as a result of allowing for districts to locally create assessments, despite all of the quality control measures, would be one of the major issues pointed to in the ending of STARS.

As a result of this strong “local control” ideal, the legislation to end STARS in 2008 had deep impacts on not only the structures of assessment practices but also on the psyche of Nebraska educators. As Nebraska transitioned away from STARS and towards a new assessment system, NeSA, the local control and community connections aspects of assessment were decreased.

The Power of a Label: PLAS

The school is the foundation for many communities across Nebraska. Walking the halls of the school buildings are the communities' greatest hopes for the future. The school building itself serves as not only a place to educate children but also as a place of social gatherings during basketball games, entertainment during musicals or concerts, and celebration during awards banquets and graduation. Nebraska schools are powerful places.

As springtime came to Nebraska in 2010 the news of schools being labeled "persistently low achieving" hit the newspapers, news outlets, and local coffee shops. Understandably there were mixed emotions. As a result of Nebraska accepting ARRA funds the state had to identify the lowest performing schools and create a PLAS list. Schools are considered PLAS if they are identified as being in need of improvement under AYP and/or if they have a graduation rate of 75% or less (Nebraska Department of Education, n.d.b).

Responses to a labeling of one's community school as being on the persistently low-achieving schools list covered the gamut from confusion and sadness to a stoic commitment to do better. Newspaper headlines from May 2010 illustrate the continuum of responses to a PLAS designation:

"Misleading Designation" *North Platte Telegraph*, May 7, 2010, (Bluhm, 2010).

"School Says List Unfair" *Wahoo Newspaper*, May 12, 2010, (Brichacek, 2010).

"Schools Consider Funds in Spite of Federal Strings" *Chadron Record*, May 18, 2010, (Rempp, 2010b).

“Several Central Nebraska Schools Listed as Low-Achieving: Superintendents express frustration over how calculations were done” *Lexington Clipper*, May 6, 2010, (Reutter, 2010a).

“Heineman Mackiel Engage in War of Words. The Governor and the OPS Chief do battle over labeling of schools as low achieving” *Omaha World-Herald*, May 25, 2010, (Dejka & Saunders, 2010).

The NDE provided a document, *Talking Points for PLAS*, April 2010. In this document the department of education outlined what options were available to schools once placed on the PLAS list. Schools labeled as PLAS could apply for school improvement grants, in which case they were then bound by one of the four intervention models: turnaround, closure, restart, or transformation. Turnaround is to replace staff with no more than 50% hired back and replace the principal; closure is a closing of the school; restarting is to open the school as a charter (not an option in Nebraska); and transformation also includes replacing the principal but also complying with additional requirements. Tier I schools on the PLAS list for 2009 - 2010 were: Crawford Elementary, Elliott Elementary (Lincoln PS), Madison Elementary (Madison PS), Minatare Elementary, Santee Elementary. Schools with graduation rates of less than 75% were Santee, Umo n ho n Nation, Walthill, and Winnebago (“Talking Points”, 2010).

May 5, 2010, *Star-Herald*:

“Ten on List of Low-performing Schools.” Marilyn Peterson, Federal Programs and Data System administrator for the Department of Education, said the list could be seen “as a wake-up call” for school districts, but it’s also about obtaining accurate data. Peterson said the department does not want parents to overreact if

their child's school appears on the list but to communicate with the teachers and principals to ensure the school is providing a quality education. Another hope, she said, is that parents will become more involved in the educational process. (Holsinger, 2010, n.p)

Confusing criteria. During the first year of the PLAS list STARS data was used and that caused even more confusion as STARS data was based on locally developed assessments. A double-edged sword was that if a district developed a rigorous STARS assessment but did not have as many students score proficient then they were at risk of being on the PLAS list. Where as a district that may have less rigorous testing or follow different procedures and have more students score proficient may have kept them off of the list.

From the *Lexington Clipper*, May 6, 2010. "Several Central Nebraska Schools Listed as Low-Achieving: Superintendents express frustration over how calculations were done." Dwaine Uttecht, Ravenna superintendent shared a letter with his patrons:

It does not matter how high we scored because it isn't based on meeting a minimum criteria... From the little time that we have had to investigate this matter, it appears that the reason for this occurrence is because of the students that take the lower level math classes and either do not test or who are unable to be proficient on the assessment. (Reutter, 2010a, n.p)

From the *Wahoo Newspaper*, May 12, 2010, "School Says List Unfair." Wahoo Public School was notified of the bombshell news that it was on the PLAS list. At issue is that Wahoo has always made AYP and that the STARS assessments used for accountability purposes in the past and were not to be used for comparison were now part

of the formula to calculate scores for schools to be ranked and put on the PLAS list. Ed Rastovski, Wahoo superintendent said the district's assessments have always been rated exemplary or very good. He likened it to changing the rules in the middle of a game. District officials were not sure of the exact reason for placement on the list but suspected it was due to low performance on a test that seniors took a few years ago which occurred out of sequence due to a procedural error. Sue Heine, Wahoo curriculum director said, "Academic integrity requires honest self-reporting of student performances by all schools. With a lack of established testing procedures across the state this integrity is called into question" (Brichacek, 2010, n.p).

From the *North Platte Telegraph*, May 7, 2010, "Misleading Designation." Area school superintendents gave reasons as to why the PLAS designation for their schools was misleading. Madison Middle School in North Platte was on the list, but the principal said the current scores were very good and they shouldn't need any corrective action. The school has made the required improvements but now it's being punished again, lamented the district Superintendent of Chase County schools Matt Fisher. He also shared, "The only reason we are even in an improvement plan is because two years ago we didn't test one student. The adequate yearly progress (AYP) includes all this aggregate due to sub groups" (Bluhm, 2010, n.p)

Taking action. From the *Chadron Record*, May 11, 2010, "Three Area Schools on State's 'Low Achieving' List." Superintendents in the area schools listed as being on the PLAS list all said they have already been proactive in focusing on school improvement and taking steps to be off the list. "Am I embarrassed? Absolutely," said the Superintendent of Hay Springs Schools (Rempp, 2010a, n.p). The school has already

taken several steps such as hiring a remedial math teacher, increasing reading time, implementing mandatory summer school, and cracking down on attendance issues. Being a small school district, staff thought the new system would not apply to the school with class sizes of 7 to 10 students, which can create widely varying results. Crawford Superintendent Dick Leshar bluntly stated, “We’re one of the five lowest performing schools as defined (on the list). That’s horrible” (Rempp, 2010a, n.p). The district has already made several school improvement efforts including adopting a research-based reading and math program, replacing the middle school principal and using more data for decision making. Leshar shared that the list does increase accountability which can be a good thing when the goal is wanting the best for all students (Rempp, 2010a).

Disagreement. As the PLAS list was made public more districts weighed in on their inclusion on the list. OPS Superintendent John Mackiel took on Governor Heineman in the including of OPS high schools on the list because of graduation rates. Mackiel took issue with schools being included on the list with a narrow chance of receiving any supportive grant funds.

May 5, 2010, *OWH*:

Five high schools and one elementary school in Omaha are among 52 schools the Nebraska Department of Education designated Wednesday as “persistently low achieving schools” under federal rules for accepting stimulus money. The designation could mean federal grant funding for the schools if their districts agreed to reforms prescribed by the Obama Administration such a staffing changes at each school building. John Mackiel, Superintendent of Omaha Public Schools, expressed frustration Wednesday at the fact that OPS schools made the

list. The four OPSs high schools made the list because they have graduation rates below 75%. Mackiel sharply criticized state officials for labeling the schools in order to receive federal funding. “I don't believe there's anything more reprehensible than gaming the system to access \$77 million of federal money by accepting it and then labeling schools that two months ago you just celebrated in terms of the educational opportunities going on in those schools,” he said. Schools on the list are eligible for a total of \$17 million in grants but there probably will only be enough money to serve schools with the greatest need of improvement. As a result many of the districts with schools listed won't have to make difficult decisions whether to remove principals or take drastic measures. Schools that accept federal School Improvement Grants would have to implement one of four models. The models range in severity from removing the principal to closing the school. Nebraska received a waiver in the federal rules allowing use of graduation rate of 75% instead of the 60% called for by the federal government. (Dejka, 2010d, p. 1A)

May 25, 2010, *OWH*:

“Heineman, Mackiel Engage in War of Words.” The governor and the OPS Chief do battle over labeling of school as low achieving. Nebraska Gov. Dave Heineman defended the state's naming of four high schools in the Omaha School District as “persistently low achieving” saying the listing will open the door to funding that OPS officials have repeatedly said they need. “In the 5 ½ years that I've been the governor of this state I've only heard one issue from the Omaha Public Schools: How do we get more money? That money will solve all of our

problems.” OPS superintendent John Mackiel who has sharply criticized the listing as bad education policy said that needlessly stigmatizes schools, said on Monday in response to the Governor: “If that’s all he’s heard he hasn’t been listening.” Mackiel called the list another example of the belittling, blaming, and the labeling of urban education. (Dejka & Saunders, 2010, p. 1A)

PLAS grant eligibility. The potential for grant funds was seen by some people as the silver-lining to being on the PLAS list. Those grant funds were limited though and not all schools on the list would receive the funds. The funds also came with strings attached in the form of mandated actions which hung over the already dubious label.

From the May 18, 2010, *Chadron Record*, “Schools Consider Funds in Spite of Federal Strings.” Superintendents in the Crawford, Gordon-Rushville, and Hay Springs school districts are all considered applying for grant funds being offered as part of receiving the Persistently Low Achieving Schools designation. Strings were attached to the funds and the districts are looking at having to replace the principal and comply with ten other requirements. The superintendents said that the additional requirements were good practices and therefore they were interested in the ‘transformation’ option. Examples of the other requirements were changing staff evaluation and professional development, increasing instructional time and improving family and community engagement. The grants were a minimum of \$500,000 per school for three years. The funds were not able to support each school on the list as 52 schools are included. Crawford elementary is a Tier I school, which was one of the five worst in the state, so it had the best chance of receiving a grant (Rempp, 2010b, n.p).

From the *Chadron Record*, June 22, 2010. “Crawford, G-R to Apply for PLAS Funds.” Crawford elementary applied for grant funds as a result of being named to the PLAS list. Superintendent Dick Lesher said the district was excited about the opportunity and looking forward to making systematic changes. The district had to meet the requirements of a transformation plan which included replacing the principal and other assurances. The district hired West End to assist with mapping out efforts for the next three years. The local ESU would also help with the plan and there were plans in the works to involve the community and increase communication. District staff would take on new roles to support the requirements of the transformation model including overseeing data and observations. Hay Springs decided not to apply for the funds as the school was very small they weren’t sure how to spend the funds (Rempp, 2010c).

Distribution of PLAS grant funds. From the *Chadron Record*, July 13, 2010. “Crawford Awarded \$1.2 million in PLAS Grant Funds.” Crawford elementary will get \$400,000 per year to aid in improvement efforts after being labeled as persistently low achieving. After the initial disappointment at being on the list the district is looking forward to the opportunities the funds offer for systematic change. The principal has been reassigned within the district as part of the requirement of accepting the funds (Rempp, 2010d).

July 9, 2010, *OWH*:

“\$12.7 million will Go to Seven Schools.” Help is on the way to seven Nebraska schools listed among the state's poorest performers under an Obama administration program. Grants ranging from \$1.3 million to \$3.3 million will go to two high schools in Santee and Winnebago and five elementaries; Crawford,

Madison, Minatare, Santee, and Elliot which is in Lincoln. To get the money school officials agreed to replace principals, add instructional time, and draw up improvement plans. The money absolutely eases the pain that came with labeling, Dick Leshner Superintendent of Crawford said. The seven receiving grants were identified as Tier I PLAS schools which are first in line for money. (Dejka, 2010e, p. 1B)

The second PLAS list. In the fall of 2010 the second PLAS list was released. This list was based on achievement scores from 2009 - 2010 school year including the NeSA-R (reading) test given in the spring of 2010. On this new list were some familiar names, which prompted responses of a resolution to do better and a sharing of strategies already completed.

The new list also sparked relief from some schools as they were no longer on the list and under the PLAS designation. From the *Wahoo Newspaper*, November 4, 2010, the state of the schools report card was met with relief and a confirmation that student achievement was strong in Wahoo. The performance was good enough so that the district was no longer on the PLAS list. Administrators from surrounding districts such as Raymond Central, Yutan, and East Butler also said they were pleased with the latest student performance information listed (Byars, 2010).

October 23, 2010, *OWH*:

“Forty-two Nebraska Schools Listed as Latest Low Achievers.” Crawford High School in the Nebraska panhandle made Nebraska's latest list of persistently low achieving schools, which was released Thursday in Lincoln. The news came as something of a *deja vu* for principal Liz Baker. The community already was

awarded a three-year \$1.26 million-dollar grant this year because Crawford Elementary School made the states initial list of poorly performing schools released last May. Now the district is eligible for another grant. Schools appear on the list either by ranking among the states worst on three years of math or reading test or by having graduation rates lower than 75%. (Dejka, 2010f, p. 1A)

From the *Star-Herald*, November 8, 2011, the PLAS list included Scottsbluff High School this year. The determination was made by using the NeSA reading and math scores as well as graduation rates from the last three years. Schools on the list can apply for grants but must comply with a choice of one of four intervention models.

District superintendent Rick Myles:

This isn't good, and I don't want people to sweep it under the carpet. If we are going to meet the needs of all students, as I believe we need to do, there needs to be a sense of urgency attached to this news and higher accountability attached to our results. (Holsinger, 2011, n.p)

Changes have already been taking place in the school district in alignment of curriculum, instruction, and assessment, looking more closely at student data, and providing more professional development to staff (Holsinger, 2011).

From the *Lexington Clipper-Herald*, David Penner, November 8, 2011. "Four Lex Schools Land on the PLAS list." Although not unexpected the news was still not pleasant that four Lexington schools were on the PLAS list this year. Third graders did not score well on the NeSA tests and an added challenge is that 76% of third graders speak English as a second language. Lexington already started improvement efforts by

partnering with the Leadership and Learning Center from Colorado as well as the in-school Endeavors and Passages programs (Penner, 2011).

Tough conversations. With the PLAS list moving into its second year schools placed on the list had to answer to pressures from the community and other stakeholders as to the designation. School responses generally included transparency in terms of what actions had been taken. The growing list of schools not making AYP also stirred a cry for Nebraska to apply for a NCLB waiver.

From the *Star-Herald*, November 9, 2011, “SHS on List of Low Performing Schools.” Part one of a three part series by Scottsbluff Superintendent Richard Myles. Superintendent Myles shared the change in Nebraska policy is truly welcome as it provides a much sounder measure of comparability but based on NeSA performance and graduation rates. Scottsbluff HS has been listed as one of the lowest performing schools in the state. The school district, community and staff are still outstanding. An alignment of curriculum is something that was identified as being needed last year already. Work has been done to align what is expected in the development of standards frameworks (“SHS on List,” 2011).

From the *Chadron Record*, November 15, 2011. “Low-Achieving Schools Showing Improvement.” Crawford Elementary school receives grant funds from being placed on the PLAS list. Some of the changes that have taken place include lesson critique of teachers, formative assessment development, and curriculum alignment. Hay Springs was also on the initial list although elected not to apply for grant funds. In an effort to keep teachers in the classroom the district restricted all travel and inservices and moved to a four-day week to assist in scheduling. Remedial math and reading programs

were also implemented. If a student is failing a reading or math course they are ineligible for extracurricular activities, must attend mandatory after school program, and attend summer schools (Rempp, 2011b).

November 9, 2011, *OWH*:

The number of Nebraska Public Schools failing to make adequate yearly progress under the No Child Left Behind law skyrocketed last year as traditionally high-achieving schools like Westside and Millard South High School joined struggling schools on the list. State officials said Tuesday two factors were to blame: Schools faced sharply higher targets as the state aims to meet the laws goal of 100% math and reading proficiency by the 2013 - 2014 school year. And Nebraska's new standardized testing system is taking over as the basis for measuring progress, replacing the district-level testing that in past years produced better numbers. The Nebraska Department of Education on Tuesday released a list of 136 schools up from 61 in the 2009 - 2010 school year that failed to meet state goals for at least two years under the federal law. Nebraska Education Commissioner Roger Breed told the State Board of Education that he opposes seeking a federal waiver. Breed said the strings attached could impose greater burdens on schools and cost the state money. At this time Breed said the state is better off continuing to develop its own accountability system. (Dejka & Braden, 2011, p. 1A)

Rural vs. Urban

Although not an issue only related to PLAS, rural and urban school districts were affected differently when it came to accountability. Sanctions related to not making AYP

also affected rural vs. urban schools differently. For example, the requirement to replace a building principal or replace staff was very challenging in a rural setting where there were not as many qualified applicants available for those positions. Providing tutoring services or offering alternative placement was also daunting given travel distances to access those services. In an urban setting there was more issues with the magnitude of students with an ELL designation speaking a wide variety of languages which made the testing process more difficult as translation services may not have been readily available for multiple languages. Additionally the challenges to poverty and equity were something that were seen in both rural and urban settings.

In the 2008 *Charting STARS* report (Isernhagen & Mills), the issue of pressure and accountability was repeated by many educators. Many felt that the accountability pressure raised the bar and teachers were willing to step up to the increased pressure. Others shared that in small schools when scores come back they reflect on one teacher, such as one math teacher, and that is not necessarily a good environment.

This article from the *North Platte Telegraph*, October 11, 2009 details how the state report card information may look differently in smaller vs. larger school districts across the state. “Small Schools Take Closer Look at State Report Card.” Larger districts may use the aggregate data or statewide large-scale percentages but smaller schools prefer to use individual data.

With a smaller sample size to draw from, small districts are more prone to wild fluctuations in overall numbers from year to year. Those ups and downs are often based on the performance of only a few students, rather than being reflective of

the school's teaching as a whole, said Lee Sayer, Superintendent of Greeley-Wolbach. (Coddington, 2009, n.p)

Leadership Changes

A time to say goodbye. As 2008 was a pivotal year in terms of changing Nebraska state education policy and practice it also became a year for leadership changes. Dr. Doug Christensen and Senator Ron Raikes, two of the most influential and pivotal people in the development of education policy in Nebraska over the past decade would leave their leadership positions. In 2008 Doug Christensen left his position as Nebraska Education Commissioner and Senator Ron Raikes left the Nebraska Legislature due to term limitations.

From the *Lincoln Journal Star*, April 2, 2008, "Education Commissioner Christensen Resigns." "It's time for me to move on to the next phase of my professional life," after serving for 14 years as Nebraska Education Commissioner. He said, "For some reason, we seem to think that's the only way we can get education done is by doing it outside of the profession, and the assessment issue is related to that" (Abourezk, 2008, n.p). Senator Ron Raikes who headed the legislatures Education Committee, and state Education Commission Christensen have not agreed on many education issues. After Christensen's resignation Sen. Raikes thanked him for his work and said, "I think it offers an opportunity for new leadership, new energy and a new relationship between the Legislature and the department, all of which have an upside" (Abourezk, 2008, n.p).

Reactions to Dr. Christensen's leaving his position were also shared from outside of the state. From Dr. Monty Neill, the Executive Director of the National Center for Fair and Open Testing. *Nebraska Takes a Leap Backwards on Assessment as*

Christensen Resigns. “Terrible news- Nebraska Commissioner Doug Christensen is resigning. Chalk up another destructive consequence of NCLB, for without that ‘accountability’ pressure, the odds of survival would have been far greater for the Nebraska local assessment system” (Neill, 2008, p.1).

April 4, 2008, *OWH*:

Nebraska Education Commissioner Doug Christensen and outspoken critic of federal education law and an advocate for local control of student testing, is resigning. For much of the past two years Christensen has been at odds with a Nebraska legislature over the future of the state's assessment system. The Nebraska legislature this year has advanced a bill that would wipe out those classroom-based assessments in favor of statewide standardized tests that allow comparison among districts. (Saunders, 2008, p.1B)

Resolution. Dr. Doug Christensen did leave his position as the Nebraska Education Commissioner, but he did not leave the world of education. He went on to serve as a professor in the Educational Leadership department at Doane University, gives speaking engagements, and share information on standards, assessment, and accountability with policymakers.

April 4, 2008, *OWH*:

Christensen says he's not quitting over testing. Though he's stepping down after 14 years as the head of the state's Education Agency Nebraska Education Commissioner Doug Christians doesn't plan to leave education. Christensen said in a press conference that his decision was not motivated by the Nebraska Legislatures efforts to do away with the state's unique assessment system, a

system for which he argued long and passionately. “No, in fact if Legislative Bill 1157 had entered into this, I would stay and fight this thing until I was long gone into another world” he said. Christensen has been an outspoken critic of federal education law and an advocate for local control of student testing. (Saunders & Stoddard, 2008, p. 1B)

The following is a *Resolution for the Recognition of Service by Dr. Douglas D. Christensen, Commissioner of Education 1994 - 2008* by Fred Meyer, President of Nebraska State Board of Education, June 5, 2008. The resolution confers the honorary title of Commission Emeritus to Dr. Douglas D. Christensen in recognition of this work in improving education in Nebraska for all students. It includes the following sentiments:

He has been a true educational visionary. He has a passion for the importance of learning and, above all, the courage to express and model his convictions. He has served honorably, effectively, with great enthusiasm and energy, and most importantly with heart and soul. (Nebraska State Board of Education, 2008, p. 1)

The Nebraska State Board of Education conducted a search for the next Education Commissioner. Retirements by Commissioner Doug Christensen and Deputy Commissioner Polly Feis necessitated an interim leadership plan until a permanent replacement could be hired. The Nebraska State Board of Education named Marge Harouff as interim Deputy Commissioner of Education. Dr. Roger Breed, former Superintendent of Elkhorn Public Schools would become the next Commissioner of Education.

As a result of mandated term limits, Senator Ron Raikes left the legislature in 2008. He had been the chair of the education committee, which oversaw key legislation

regarding assessment and accountability. He was a leader in the legislation moving Nebraska from a locally developed accountability system, STARS, toward a standardized assessment system, NeSA. Sadly, Senator Raikes was killed in a farm accident in 2009.

September 6, 2009, *LJS*, “Raikes, Former State Senator, Dies in Farm Accident.”

Former Senator Ron Raikes died in an accident on his farm near Ashland, he was 66 years old. He received praise for his intellect, work ethic, and leadership from other political leaders. He became chair of the education committee in 2001 and found controversy as he backed a plan to consolidate small schools. Fellow state senator Ernie Chambers said, “As a result of his dying, there is a little less virtue in the world today than there was yesterday” (Pluhacek, 2009, n.p).

Practices 2008 - 2011

Practices



2008 - 2011

What do we want students to know and be able to do? College and career readiness is a phrase attached to most education initiatives today but those skills can look and sound different in the various settings. How then is one common assessment system going to adequately assess and provide useful information to analyze the most essential knowledge students need to take with them for the rest of their lives after leaving K - 12 education? The challenge of designing an effective assessment and accountability system for Nebraska, as well as one that met all the requirements for NCLB, was daunting and is the focus of this section in examining the practices related to the Nebraska assessment and accountability system from 2008 - 2011.

The time period 2008 - 2011 represents the transition between STARS and NeSA with NePAS coming soon afterward. For the first time district student performance data could be compared district by district and school by school. This new level of accountability affected practices within schools. The practices schools were using to improve student performance were more clearly articulated and shared with the public. Explanations, justifications, and questioning of data related to student achievement were more rampant in the media than what was seen with the STARS system. This is the story of the practices of the Nebraska assessment and accountability system from 2008 - 2011.

Wrapping Up STARS

NCLB spurred states to adopt standardized mainly multiple choice tests as a way to measure student performance. All states except Nebraska had adopted this method by 2005 - 2006. In Nebraska districts used multiple measures in assessing student performance. Challenges to this system were centered on validity of the assessments and comparability of student performance among districts (Tung, 2010). Eventually the challenges and political pressure gave way to major changes in terms of Nebraska assessment and accountability in 2008, which would lead Nebraska down the same path as all of the other states in the country in terms of administering statewide standardized tests as measures of student achievement.

Final reflections on STARS. The CEP, *Charting STARS*, was an annual report prepared to give an update on the status and new research regarding STARS. Highlighted in the 2008 report were the changes to the assessment portfolio system that included trained teams visiting each district in the state to review and provide feedback on the district assessment portfolio. Many studies were reported on in the 2008 report including the impact of revisions to the Quality Accountability Act, reading and math achievement, writing achievement, special populations achievement, student achievement affected by mobility and poverty, and the effect of STARS on school improvement practices (Isernhagen & Mills, 2008).

Also in the 2008 *Charting STARS* (Isernhagen & Mills) report from the study of the math portfolio review a new finding was that teachers felt statewide standards were helpful in assuring them that students across the state were learning the same material. A study regarding math and reading achievement showed that achievement had steadily

increased in both areas on both the NRT and CRT measures from 2001 - 2007. An analysis of statewide writing scores also showed improvement over the past several years. Special populations were studied as well and showed growth in student achievement but an achievement gap still remained. The study of effects of STARS, on school improvement found that teachers generally had a positive outlook on STARS and this was true for both reporting and non-reporting grade teachers.

In the 2008 *Charting STARS* report (Isernhagen & Mills) Nebraska educators shared their initial frustrations with STARS gave way to collaboration and eventual success once their own learning about assessment had increased. The discussions with colleagues and use of data energized and helped teachers to make more individualized decisions regarding student achievement.

The connections between curriculum, instruction, and assessment had been pushed to the forefront of the teachers minds through STARS.

A rural high school educator shared, “Our teachers became better teachers. They’re more aware of what students needs are at all levels. They have learned new ways to teach or new methods to teach the different levels of children or students. I just think it’s a wonderful process. It holds you accountable so you understand that you need to keep up.” (Isernhagen & Mills, 2008, p. 32)

The increases in teacher collaboration and the feeling of being valued as a professional resulted in positive feelings in many districts. A summarization of many teachers feelings from this time period:

Well I’ve been in education for quite a while. Basically, most of us when we first started teaching, we moved by the seat of our pants. Even though you might have

a textbook, you might have a curriculum that the district provided; there was no assurance that curriculum was the same as another curriculum 20 miles down the road. So, as much as I probably ‘scoffed’ at looking at the standards, they gave me a basis of knowing what I needed to teach my kids, and to assure that when my kids walked out of my room, they were getting what they needed just like any other eighth grader across the state of Nebraska. I changed a lot... I think it (STARS process) makes you a better teacher. It makes you more accountable and it makes you more aware of what your students need. I applaud what Nebraska has done. (Isernhagen & Mills, 2008, p. 35)

The degree to which curriculum and instruction practices were affected by STARS varied among studies reported on in the literature. Consider the variance in the following two comments from administrators regarding STARS. “STARS data made sense to teachers, they used them to drive their instruction...learning became more focused” (Teahon, 2012, p. 105). This is in contrast to another administrators statement, “The STARS process for our district was a hoop to jump through and a goal to be met. I am actually proud to say we never altered our teaching and our practices” (Teahon, 2012, p. 105).

Final charting STARS. The final *Charting STARS* report was titled, “Transitions: A Journey to a Balanced Assessment System” (Isernhagen & Mills, 2009). Legislation was passed in the spring of 2008 that mandated statewide reading, math, and science tests. The transition began by a reading test pilot taken in 2008 - 2009 school year with implementation statewide in the 2009 - 2010 school year. Math and science

were implemented the following years beginning with a math pilot in the 2009 - 2010 year.

As Nebraska moved away from STARS, the goal was to have a balanced assessment system that relied on NeSA, CRT's and NRT's. NCLB requirements were also rolled into the balanced assessment system. One of the studies for this year looked at perceptions of educators in moving to the statewide NeSA. One of the findings was that teachers and administrators were looking at the NeSA in a balanced way in that they were approaching it as another piece of data. The results won't be able to drive instruction as much compared to STARS data so they will not be over-emphasized but rather will provide a snapshot of student performance (Isernhagen & Mills, 2009).

A superintendent summarized the impact of STARS on standards, curriculum, instruction, assessment, and the connection between them. "What we've seen is that we went from the beginning of this process spending all of our time on curriculum and assessment development and nothing on the instructional piece. It was the curriculum and assessment process. Now it's the curriculum, instruction, and assessment process. We've evolved to the point that we are now focusing on the instruction piece." (Isernhagen & Mills, 2009, p. 36)

A year earlier the *Charting STARS: Engaging Conversations*, 2008 report (Isernhagen), showed although Nebraska will move to a new assessment system, NeSA, Nebraska education leaders still emphasized the focus should be on student learning regardless of the type of test. In transitioning from STARS to NeSA an educator commented, "We value high standards and performance and the change in testing does

not affect how we evaluate our staff or students. It just changed one of the tools in the toolbox” (Isom, 2012, p. 115).

The new statewide NeSA tests were developed by Nebraska educators as item writers. Using different assessment tools for different purposes was recommended by Nebraska leaders as all being part of a balanced assessment and accountability system. There were still concerns about the transition away from STARS voiced by Nebraska educators and shared in the final *Charting STARS* report (2009):

A rural superintendent shared, “We’re all concerned with what’s going on with the legislature and the impact of throwing away what we’ve done. I do feel that the general public, and this is being reflected by the legislature, values simplicity as much as content. That’s very dangerous because if the goal is to be simple, you lose content. I don’t see a state test given once a year informing instruction the way our local assessments do. I hope it’s not that way. But I’m afraid that, looking at what other states are doing, it’s comparability, not improvement of instruction. I’m quite resistant to it because . . . I don’t know how they’re going to produce that state test so it actually reflects what teachers do in the classroom.” (Isernhagen & Mills, 2009, p. 37)

A Balanced System

The new statewide tests were part of a balanced assessment system. The slogan for the new assessment system was, keeping our focus, expanding our vision, finding the balance. The new tests were standardized summative tests which had a different purpose from classroom assessments (Nebraska Department of Education, 2009). The 2008 legislation LB 1157 also required the creation of a Technical Advisory Committee

(TAC). This committee was made up of assessment experts and education representatives to oversee the development and implementation of Nebraska's new assessment system. The English Language Arts (ELA) test would be the first created under the TAC.

During a February 17 - 18, 2009 TAC meeting, the development of the English Language Arts (ELA) assessment was discussed with a representative from DRC sharing progress. The TAC supported the plan as presented with recommendations for how different operational forms may be used and how they may look from year to year with consistency. A suggestion was also given by a TAC member that teachers have access to actual items as much as is possible. The committee further discussed the need for a study to examine comparability between the ELA test being administered paper/pencil versus online (Technical Advisory Committee, 2008).

Initial perceptions of the new tests. From the *Star-Herald*, April 3, 2010, school results for statewide assessments will be able to be compared district to district for the first time this year. Students will take a 50 question multiple choice reading test and parents will receive their child's scores. The district and state averages will also be shared. A state of the schools report will be available online. This data will help taxpayers know how schools are performing and give parents information about enrolling their student in different school districts. "Tests that we can use to see how our schools are doing compared with the rest of the state are long overdue" ("Tardy," 2010, n.p). The *OWH*, March 27, 2010, also gave a detailed description of the new assessment system and how comparability could be used:

Over the next five weeks, about half of the state's public school elementary and

secondary school kids will take the reading assessment. Nearly 50 questions that will measure a child's comprehension and vocabulary against state standards. For the first time ever, the state will provide parents of the estimated 175,000 test-takers a written report listing their child score, their district's score and the state average. Test results for every Nebraska school will be posted online as part of the Nebraska Department of Education State of the Schools report released later this year. After students take the test, the Nebraska Department of Education will call on a group of 210 teachers and representatives of higher education to determine the cutoff scores for three performance levels; basic, proficient, and advanced. Those cut offs, known as cut scores, will determine how schools across Nebraska are classified for accountability purposes. Schools that don't meet progress targets face consequences under No Child Left Behind.

(Dejka, 2010b, p. 1A)

The initial results from the new statewide reading assessment, NeSA-R were released in 2010 and reported student achievement levels were lower than what had been reported the previous year under STARS.

August 25, 2010, *OWH*:

“First Statewide Snapshot Reading Test Tells Grim Story.” Nearly one-third of Nebraska's public school students failed to meet state reading standards according to results of a new statewide test released Wednesday. The scores paint a far grimmer picture of students reading abilities than the assessment previously used by individual districts. State and local officials say the poor results don't mean students have suddenly dropped in their reading skills. Rather, the new test uses a

different methodology and is based on the state's new standards. The test, administered in grades three through eight and eleven show 68.6% of students meeting or exceeding state rating standards. That is sharply lower than the 94% reported by district's overall in the last year of the schools report. The new 50 question multiple choice test is a “one-shot drop-in” taken at year-end, Pat Roschewski said. It allows parents, teachers and policymakers to compare scores among schools and districts across the state. Scores are posted on the education department's website. Parents will receive a report of their child score. The scores will also be used to determine which schools are falling into trouble under accountability provisions. (Dejka & Goodsell, 2010a, p. 1A)

New Tests, New Results, New Strategies

With the legislatively mandated shift from STARS to a new assessment system, NeSA, there came more data and more sources for comparison. Transparency in what districts were doing to improve student achievement increased.

An example of public accounting and transparency came from the *Chadron Record*, August 31, 2010. “Chadron Reading Among Best in ESU.” Sioux County public schools pointed towards the implementation of Read Naturally and a reading intervention specialist as two reasons why 100% of students in 7th, 8th, and 11th grades met or exceeded expectation on the statewide reading test (Rempp, 2010e). Another example from the *Star-Herald*, October 23, 2010, “State of the Scottsbluff Schools: Positive, Room for Improvement.” Plans are in place for improvement. There is a focus on more individualized analysis of student performance with the Data Zone program.

There is more guided study for MS and HS students as well as mandatory study sessions, and a focus on reading in more classes than just English class (Bradshaw, 2010).

Reaction to the initial score release for the NeSA-R in 2010 was tempered. Nebraska Education Commissioner Roger Breed said reading test results of 69% of students meeting or exceeding state standard was a starting point. He shared that the new reading test looks to be substantially more difficult than the previous STARS assessments (Reutter, 2010b).

The results of the new statewide reading test were lower than the previously reported proficiency percentages reported from the schools under STARS. Pat Roschewski, director of assessments for the NDE, said comparisons should not be made because of the differences in the two systems. The new assessment is taken one time where the STARS assessments may have been administered differently at each school which could have included multiple opportunities to test (“State Releases Reading,” 2010).

The hope that data would be a catalyst for change was expressed in this article from *OWH*, August 30, 2010:

“Reading Scores to Open New Chapter.” Disappointing test results may spur better approaches to teaching, Nebraska educators say. Nebraska's new rating test delivered surprisingly bad news this week, showing that 31% of students failed to meet state standards. But officials say the results could have a positive impact on students if the new test leads to a wave of improvement in the way schools teach reading. The new 50 question multiple choice test focuses on standards related to reading comprehension and vocabulary. It leaves out some skills that districts

have been testing. OPS officials were quick to note last week that the state's latest reading scores appeared to track closely with school poverty levels, which could help explain the district's low scores. (Goodsell, 2010, p. 1A)

An article from the *OWH* a few days later focused on efforts schools were using to raise student achievement and support struggling readers as a result of the data from the NeSA reading test.

September 3, 2010, *OWH*:

“Teachers Focus on Struggling Readers.” Midland schools use a variety of strategies to raise the level of children's literacy skills. OPS students “certainly didn't do as well as we thought they would,” said Janelle Mullen assistant superintendent for curriculum. “We'll continue to use extended learning opportunities, vocabulary building” and other specific strategies to improve results. Pat Roschewski, director of statewide assessment for the Nebraska Department of Education, said she expects schools to evaluate the test results and begin to focus on areas where students will need the most help. A key question will be, “How are we teaching those things and how are the kids doing?” (Saunders, 2010, p. 1A)

Positive results were also shared, and the strategies used to obtain those levels of achievement were of interest as highlighted in this August 26, 2010, *OWH* article:

“Low Reading Scores Spur Caution Don't Over-react.” There's no magic to the high scores that some metro area schools turned in on the state's new reading test those districts say. The high-scoring Millard and Bennington School Districts credit their success to the basics, setting standards, teaching to them, parent

support and reading reading reading. Three of the top four elementary schools were in the Millard District Millard had the top three middle schools. (Dejka & Goodsell, 2010b, p.1A)

The call for transparency and the need to share publicly the efforts schools were making to improve outcomes related to NeSA scores continued. In 2011 data was released on the NeSA Math test as well as continuing with the data release of NeSA Reading, which started the previous year.

State Education Commissioner Roger Breed shared the results of the NeSA-R and NeSA-M which showed that 73% of students met or exceeded state reading standards and 63% met or exceeded the standards in math (Wetzel, 2011).

In 2011 Scottsbluff Superintendent, Richard Myles, took to the newspaper in a three part series of lengthy columns sharing the story of his schools efforts related to being on the PLAS list. *SHS Working on Improvements*. The following is a list of things the school district has already been doing regarding improvement efforts even before the PLAS designation. New curriculum guides, reviewing relevance and engagement from a students' perspective in classes, three new teacher leaders roles as content specialists, new materials for curriculum in K - 8 science and K - 12 writing, reading interventions, strategic plans at the district and building levels, new technology including interactive whiteboards, ACT being given to all juniors, review of HS practices including grading and graduation requirements and enhanced communication with parents and community. Additionally a new permanent HS principal will replace the interim principal, evaluation systems will be revised, and a common elementary daily schedule will be adopted ("SHS Working," 2011).

Check 4 Learning. At the May 10, 2011, TAC meeting the Check 4 Learning (C4L) system was introduced as a state-wide item bank to be used to support interim assessments developed by districts. These interim assessments could be used to monitor student performance during the year.

At the November TAC meeting information was shared that participation interest for C4L had been high with 177 out of 241 districts interested in participating. Districts had until November 1 to submit items after staff attended training on writing items. The items were to be peer reviewed and then sent to CAL (Technical Advisory Committee, 2011b). The C4L system would be short lived although widely used for that short time by certain districts. The quality of the questions and usability of the system in preparing students meaningfully for the NeSA were ultimately called into question.

Online testing format. As the implementation of the new assessment system, NeSA, grew during 2010, changes related to other practices began to occur, too. The possibility of moving towards testing in an online environment emerged. The statewide writing assessment was revised, and comparable results were released.

In 2012 a proposal was presented to the State Board of Education to have the reading and math state assessments be online. In 2011 80% of students took the reading test online and 60% took the math test online. There was a cost savings, and results were back to the schools much more quickly when students took the test online (Ellis, 2011).

A comparability report was completed that showed for 92.2% of students there was no difference in items correct if the students answered taking the test paper/pencil or online. NDE planned a follow-up study to examine the questions that did show there was an effect based on assessment delivery mode (Technical Advisory Committee, 2010a).

Results of the follow-up to the mode study for math assessment administration showed no overall student affect although some subgroups showed differences (Technical Advisory Committee, 2011a).

Changes to the writing assessment. After ten years of very little change the Nebraska State Board of Education voiced support for a change to analytical scoring for the writing test (Technical Advisory Committee, 2010b).

April 10, 2011, *OWH*:

Nebraska teachers will no longer get paid to score the nearly 66,000 essays. Every year since 2004 the Nebraska Department of Education recruited and trained about 450 teachers to score the test papers. Each paper received a composite score. The Nebraska Board of Education awarded a \$688,000 contract to Data Recognition Corp of Minnesota to take over administering the test and to provide more detailed scoring to better identify student strengths and weaknesses. The contract reflects about a \$78,000 increase over what the state spent last year.

Some educators disagree with the change arguing that having Nebraska teachers score the test sharpens their understanding of good writing. The scoring changes came about in part because of new writing standards adopted by the Nebraska State Board of Education in 2008, state officials say. The company will provide an overall score as well as scores in four areas. The scoring will be done by Minnesota teachers. (Dejka, 2011a, p. 7A)

The statewide writing assessment prompted Nebraska schools districts to focus on the writing process. After ten years of administering the assessment the level of success and value of the assessment were debated.

April 10, 2011, *OWH*:

“State Writing Tests Graded Incomplete.” Scores did go up over the decade but critics say the format doesn't replicate real-world experiences. State leaders launched an experiment in 2001 to improve writing in Nebraska Public Schools. Every public school kid in grades 4, 8 and 11 would be tested in writing, their essays graded for basic traits of good writing and the scores for each school laid bare for all to see. Ten years later the first children tested all three years are now in college or the workplace and the success of the Nebraska state writing test is debatable. It gave teachers a common language for teaching and critiquing writing. But some experts say that mandating a basic test, which measures only one particular type of writing has pushed districts to over emphasize that type of writing at the expense of a variety of instruction. Roger Breed, Nebraska Education Commissioner, answers with an, “unqualified yes” when asked if kids are writing better. Robert Brooke, a professor of English at the University of Nebraska Lincoln said the results are a “mixed bag.” Brooke, director of the Nebraska Writing Project, works with teachers to make them better at teaching writing. He said the test gave poor performing districts an “appropriate kick in the pants” to reach minimum competency. What we can say is that we got better on the kind of writing that we were measuring. The writing assessment was Nebraska's first state-mandated standardized test. Its adoption marked a huge shift in policy for a local control state. On the first day kids prepare a rough draft. On the second they write the final essay. Scorers look for six traits; ideas, organization, voice, sentence fluency, word choice, and conventions the later

including grammar, spelling and punctuation. (“State Writing Tests Graded,” 2011, p. 1A)

Standard setting process. In order to establish proficiency levels a process of standard setting had to be used to identify cut scores. Standard setting was discussed with the following recorded in the minutes of the February 17 - 18, 2009, TAC meeting:

Brian (Gong) strongly recommended that cost-cutting not be the driving force behind methodology selected. Standard setting critically affects the outcomes of the program for every student, is essential to the credibility and technical adequacy of the program, and is a relative small item in the budget. If there is any way to bring experts in for a standard-setting process, that is the better route to go. A starting point could be contrasting group method, with a follow-up process to occur. (Technical Advisory Committee, 2009, p. 5)

The TAC meeting continued with a conversation about changing the proficiency levels affecting the number of students meeting proficiency which could affect meeting AYP targets. The committee recommended that a new accountability system must be in place by 2010, and there were discussions about what an accountability system should actually be able to do (Technical Advisory Committee, 2009).

At the June 2010 TAC meeting, the NeSA standard setting process was outlined. A multi-step process was to be used for standard setting for the NeSA. An overview of the cut score process was given to policy makers, media, and community members as a first step. The second step was use of the Contrasting Group Method. This involved about 500 teachers using a survey method. The next step was the Bookmark Method, which had not occurred at the time of the meeting but would be scheduled to occur on

June 28 - 30. The committee heard feedback from members of the group that teachers were still concerned about the amount of time spent testing and about what the common core state standards would mean for Nebraska assessment (Technical Advisory Committee, 2010a).

Results and scores

The ability to compare school districts was lacking in STARS and a requirement of NCLB. With the implementation of NeSA a way for schools to be compared, “apples to apples” was created as all students were taking the same exam.

From the *Gering Courier*, September 1, 2011, “*Gering Student Test Scores Fall Short of State Averages.*” Superintendent Don Hague reminded the community that the NeSA tests were just one test to compare districts which Gering scores were near the state average. He said they would contact school districts who did very well on the test to learn from them. “One thing we don’t do is teach to just that test. We’ll teach to the standards” (Willis, 2011, n.p). A similar message emerged from Darin Kelberlau, executive director of curriculum for Fremont Public Schools. He was not alarmed by NeSA test results, which show a lower than state average performance from students on the math portion of the test. Kelberlau stressed the importance of a balanced assessment system with the NesA results being just one data point. The data will be analyzed and evaluated to see what changes may need to be made (Ellis, 2011).

The release of NeSA data had added importance to the school districts on the PLAS list. “Testing Shows Areas of Improvement”, from the *Chadron Record*, September 6, 2011. Three schools that were on the PLAS list last year are now looking towards the latest NeSA results with optimism and identifying areas that still need

improvement. Gordon-Rushville had many students still falling into the below proficient range for reading and math. The district was examining ways to not only address academics but also support the healthy development of youth and the community through such programs as the 40 Assets Program. Crawford was also on the PLAS list but did receive funds as a result and has added a intervention strategist. Data was also at the center of the work the district was doing as well. Superintendent Dick Lesher added, “We knew all the time that we were not one of the five lowest performing schools in the state. (This) is proof that we’re doing far better than some of the larger schools” (Rempp, 2011a, n.p).

Time, lack of it and use of it, is a theme routinely expressed by teachers and administrators since the inception of Nebraska’s assessment and accountability system in 2001. The challenges of time spent developing and administering STARS seems to be replaced by the challenges of the time spent waiting for useful data to come from NeSA. “NeSA thus far has not provided timely, useable data. We do not know what a student’s weak areas are, assessed in this system, until the beginning of the next school year” (Isom, 2012, p. 129). Unfamiliarity with NeSA questions and procedures also contributed to frustrations related to time with NesA (Teahon, 2012, p. 107).

The practice of ranking schools. Ranking schools top to bottom seemed to be an essential element in any system of assessment and accountability that would replace STARS. The ranking of schools though had supporters and plenty opposed to it as well.

From the *Fremont Tribune*, March 30, 2011. Governor Heineman supported the idea that schools be compared according to sports class designations such as Class A, B, C-1, C-2, etc. That way schools of different sizes were not unfairly being compared to

each other. The top scoring schools in the different classes were recognized. Next year growth will be factored into school results but for this year the reading scores will serve as a starting point. Both overall student achievement and growth are important according to Governor Heineman (Heineman, 2011, n.p).

The practice of ranking schools was discussed during the floor debate of LB 1157. Senator Kopplin spoke about ranking schools:

You're going to be so disappointed, you're going to get a big long list of scores in the paper, and you'll do just like we do in state aid-ruffle through, where's my school, hey, 85%, we're top notch; wait a minute, my school is in a wealthy suburban district, they ought to be scoring 90, that's a rotten school district. But the test score doesn't show that. Or you're going to look at my school- oh my gosh, we're only up to 46%. But wait a minute, these kids can't even all speak English. And they were here, if I look in my portfolio, and how they are here; they have made tremendous progress. But the paper says I'm a failure. Pass this law, it's okay. Last time I was at the mike of the last session, I said we can live with the test, and I was blistered completely by a friend of mine saying, who can live with the test, the teachers, the kids, or you guys down there. (Transcript, 2008c, p. 22)

Summary Chapter 6

The story of the Nebraska assessment and accountability system during the time period of 2008 - 2011 was one of great change. As this time period began, Nebraska educators were facing a monumental change in the assessment and accountability system. STARS, the system Nebraska had labored under for the previous seven years would be

ended by legislative mandate. LB 1157 signaled a firm end to STARS and launched a new era in assessment and accountability in Nebraska.

The change would take Nebraska from being an outlier in the world of education assessment with its locally developed CRT's and move it into the standardized assessment realm where the other 49 states resided as a result of NCLB mandates. This change was met with a mixed bag of reactions. The amount of time and effort to administer STARS, questions about validity, and a lack of NCLB compliance were pointed to as reasons a change was necessary. Opponents to the change highlighted the importance of locally developed assessments and keeping assessment as close to the classroom as possible. Opponents also warned against the pitfalls of ranking schools and a possible narrowing of curriculum as a result of administering standardized tests as the ultimate measure of student achievement.

This change in assessment and accountability system was just one of many changes during this time period. The Nebraska Education Commissioner, Dr. Doug Christensen, resigned in 2008 as STARS was being legislatively ended. 2008 signaled the beginning of a time of great economic hardship as the nation would be plunged into a recession and that resulted in budget shortfalls at the state level which affected Nebraska schools funding. Many educators were also dealing with the legislatively mandated closing or assimilation of Class I school districts which added stress for many school districts. On top of the changes to the assessment and accountability system, economic downturn, and Class I school closings, in 2008 the first state senators would be term limited out of office. As the senators would leave their seats institutional memory about Nebraska education went with them.

After the monumental changes that kicked off this time period in 2008, Nebraska educators got to work crafting a new assessment and accountability system. NeSA replaced STARS assessments and consisted of multiple choice tests with questions generated by Nebraska teachers. The statewide writing assessment changed as well to better reflect more “on-demand” writing. The state was without an accountability system for several years but adopted NePAS in 2011 and implemented the system in 2012.

The PLAS list was first released during this time period and initially created some confusion and unease. The list was generated from a formula that took into account schools Title I status, achievement scores, and graduation rates. Schools on the list were eligible for grant funds but those funds were limited and proved to be inaccessible for many schools with the PLAS designation.

The story of the Nebraska assessment and accountability system from 2008 - 2011 can be summed up in one word, “change.” Like challenges posed to Nebraska educators in the past, the schools did what they needed to do to make the new system work. The echoes of STARS would be felt through teacher-created assessment questions, teachers heightened knowledge good assessment practices, and the desire for local control. These voices from the past would be heard as Nebraska continued to review and revamp its assessment and accountability system.

Chapter 7: 2012 - 2017

You have only to tickle it (the land) with a plow and it will laugh a harvest that will gladden your hearts and make joyous your homes. The bright sky, pure water and clear, life-inspiring atmosphere of this region give to men and animals the vitality and inspirations of youth . . . the paradise of invalids . . . anti-consumptive and anti-dyspeptic. Old men and women grow young. From the Burlington Railroad 1879 brochure, *A Descriptive Review of Adams County, Nebraska, showing the Resources, Climate, Water, Timber, Grasses, Grains, Towns and People*. (Burnett, 2017, n.p)

Introduction

The policy focus of the Nebraska assessment and accountability system during 2012 - 2017 began at a critical juncture in the federal education policy of No Child Left Behind (NCLB). The reauthorization of NCLB did not happen in 2007 as scheduled and as a result the policy grew into a decade old mandate with impossible target goals. NCLB required 100 percent proficiency of students in reading and math by the 2013 - 2014 school year. This goal meant that yearly benchmarks, Adequate Yearly Progress (AYP) had to be met in order for states to stay on track to meet this level.

The goal of 100% proficiency was unreachable, and therefore the Obama administration granted waivers to most states who applied which eased the requirements or sanctions against states not meeting the goal. Nebraska's history and general education philosophy made some of the requirements for obtaining a waiver at odds with practices in the state. Nebraska would not adopt the common core nor have a teacher evaluation system tied to student achievement. Therefore, Nebraska education policy had

to live in two worlds during the first part of this time period, meeting the requirements of NCLB and staying true to the declared values and philosophies of a local control state.

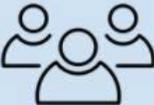
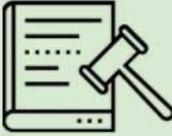
Nebraska developed the Nebraska Performance Accountability System, NePAS, which did meet the requirements for AYP and NCLB, and hold schools accountable for local student performance. The system, implemented in 2012, did not include many factors both legislatures and educators deemed important in an accountability system, such as multiple measures. The process of changing NePAS began very early after its inception. The new system based on multiple measures was called AQuESTT (A Quality Education System for Today and Tomorrow). Further policy changes during this time period increased the rigor of assessments, discontinued the statewide writing exam, and changed the 11th grade assessment to be a college entrance exam. All of these changes contribute to the story of policies, people, and practices during the time period of 2012 - 2017.

Chapters 5, 6, and 7, each focus on a unique time period of the Nebraska assessment and accountability system. The time periods of the chapters are separated by key legislation or policy changes. Chapter 5 examines 1998 – 2007, chapter 6 looks at 2008 – 2011, and chapter 7 focuses on 2012 – 2017.

Within the three chapters the themes of policies, people, and practices are explored. Table six helps provide a visual cue as to where a section falls in the larger context of the story.

Table 6

Organization of Chapters 5 - 7

Nebraska Assessment & Accountability	Policies	People	Practices
Chapter 5: 1998 - 2007			
Chapter 6: 2008 - 2011			
Chapter 7: 2012 - 2017			



Policies 2012 - 2017

Federal involvement in state education practices was at an all time high during the time period of this chapter, 2012 - 2017.

The passage of NCLB in 2001 and the mandates of AYP increased the federal government's role in education policy and practice that had traditionally been a state controlled entity. The desire to hold onto autonomy or local control where possible

coupled with federal NCLB mandated shaped policy of the Nebraska education policy. This is the story of policy of the Nebraska assessment and accountability system 2012 - 2017.

Legacy of NCLB and STARS

Throughout the first part of the 21st century Nebraska educators rode a wave of ups and downs related to school accountability. School-based, Teacher- led, Assessment, and Reporting System (STARS) was a labor intensive and deeply personal system by which Nebraska schools operated and earned the state a reputation as an education maverick. The NCLB Act of 2001 was signed into law January 8, 2002 by President George W. Bush. This significant education reform proved to have great influence on schools at all levels and impacted the public perception and conversation surrounding education (Husband & Hunt, 2015). As NCLB was enacted Nebraska was just beginning implementation of a system that did not easily align with many NCLB mandates.

School leaders' responses to federal accountability mandates are likely to reflect a complex interaction between their perception of state policies and support, the

specific district contexts in which those policies are situated, including ongoing district reform initiatives and their own leadership beliefs and practices. (Seashore & Robinson, 2012, p. 630)

What leaders already understand and what they already value makes a difference in how that leader responds to policy. A leader must reconcile policy mandates that may differ from a personal philosophy.

As the second decade of the new millennium dawned, “A significant shift in direction is underway, representing a ‘swing of the pendulum’ away from a decades-long dominance of standardized selected-response testing back towards the use of more diverse and richer forms of assessments” (Wei, Pecheone, Wilczak, 2014, p. 5). The use of these more diverse forms of assessment coupled with data-based decision making is growing and states and districts are collecting more data (Kekahio & Baker, 2013).

Measurement in K - 12 schools has been the cause of two great harms: the sorting of students who then received diminished opportunities and the cheapening of academic learning because of the constraints of standardized test formats. NCLB undercut the progress that had been made during the 1990’s in improving the substantive quality of state tests. These [deeper learning] more ambitious learning goals required new more open-ended forms of assessment, such as portfolios, performance assessments, and constructed response items. (Shepard, 2016, p. 119)

To Nebraska educators those suggestions sounded all too familiar.

Policy stance. NDE took a clear policy stance in releasing the following letter from the Nebraska Commissioner of Education Matt Blomstedt in September 2014. The

open letter was addressed to parents and caregivers with the heading, *Nebraska's commitment to every student, every day.*

As a requirement for accepting federal NCLB Title I funding Nebraska agreed to statewide assessments and a measure of AYP. The AYP goals for 2013 - 2014 is 100% which means that all students regardless of circumstances or disabilities must be proficient in reading and math. If all students are not proficient then the school is labeled as being in Need of Improvement or Not Met. "The Nebraska Department of Education does not agree with current federal policy" (Blomstedt, 2014, p. 1). Some states have been granted waivers from the requirements but not Nebraska. The Nebraska Department of Education is pleased with the progress students have made and is committed to continuous improvement.

We know that tests are an important part of teaching and learning but we also understand that basing a student's achievement on a single assessment does not capture everything that is important for our children's learning journey. The State Board of Education believe, that Nebraska citizens - through the Constitution, the Nebraska Legislature, the State Board of Education, the Commissioner of Education, and other policy makers - are responsible for the total design of the education system. (Blomstedt, 2014, p. 2)

The letter ends urging of all parents and caregivers to look to multiple measures of student growth and achievement "instead of an outdated mislabeling, requirement imposed by the federal government" (Blomstedt, 2014, p. 2).

NCLB and AYP mandates continued to linger and in some cases overshadow the progress that was being made in Nebraska schools. An article from the *Grand Island*

Independent, October 16, 2015, “Students Look to Show Adequate Yearly Progress.”

For the second year in a row 100% of students in Nebraska schools had to meet proficiency standards in reading and math in order to meet AYP. Only two school districts in the state met AYP and just 11% of buildings in the state met AYP. Despite the failure at the overall goal of 100% proficiency there were pockets of growth and increased student achievement (Reutter, 2015).

NCLB used the receipt of Title I funds to force states to develop accountability systems that could measure student proficiency. If states did not comply with NCLB mandates, such as student data disaggregated by sub-groups or having an assessment system that could be used to compare schools, then Title I funds could be withheld from the state. Schools also had to make AYP which were set rates for yearly proficiency (Davidson et al., 2015). Only two Nebraska school districts, Louisville and Gretna made AYP for the 2014 - 2015 school year. Gretna, actually did not meet the 100% proficiency goal but instead it's students made enough progress from the previous year to be able to claim safe harbor, which took the school off the AYP not met list (Reutter, 2015).

NCLB allowed for the use of two statistical techniques, confidence intervals and safe-harbor rules, which provided for a measure of leniency in measuring AYP. Confidence intervals were based on the number of students tested to account for small numbers of test students. Safe-harbor rules were related to situations where student made large gains in proficiency but still fell short of AYP targets (Davidson et al., 2015).

Examining the height of the bar. In the implementation of NCLB forcing accountability and sanctions might result in incentivizing keeping standards low. NCLB

represented a vast change in the influence the federal government had on policy making for schools. NCLB required states to implement academic standards and annual assessments, demonstrate AYP, and share information with parents and the community or face stiff sanctions. An unintended consequence was that states with lower standards could perform better on the NCLB requirements (Heise, 2007).

NCLB measured student proficiency. In order to keep proficiency rates consistent there was some incentive to keep standards status quo. As NCLB regulations were loosened regarding AYP there was room for states to raise proficiency standards, and many states were doing so without the fear of penalties as in the past. Higher proficiency standards could result in lowered student performance scores. Those lowered scores do not actually mean lowered student performance overall, they are merely reflecting a higher standard (Peterson & Ackerman, 2015).

A New System: NePAS

After being without an accountability system since 2009 Nebraska Department of Education (NDE) introduced the Nebraska Performance Accountability System (NePAS) to begin in 2012. In a document titled, *Nebraska School District Accountability 101*. Valorie Foy (n.d) laid out Nebraska's new accountability plan.

Nebraska schools face accountability requirements based on Nebraska State Accountability (NeSA) tests, NePAS, and AYP. NePAS was first used in 2012 and ranked schools by grade level configurations based on NeSA student achievement data. There were two sections in the NePAS report, the first section was made up of four charts that shows the districts' scale scores in reading, math, science, and writing for the areas of status, improvement, growth, graduation rate, and participation rate. Each district was

ranked in comparison to all other school districts in the state. The grade configurations were 3 - 5, 6 - 8, 9 - 12, and 3 - 12. The second section provided grade level charts that were similar to the section one charts but without rankings. AYP was also reported. This was a federal requirement with a goal rate for which schools needed to meet determined by the number of students who are proficient on the math and reading tests. The AYP reading goals for 2012 - 2013 were 89% elementary, 90% for MS, and 89% for HS. For math the AYP goals for 2012 - 2013 were 84% elementary, 83% middle school, 80% high school. For 2013 - 2014 AYP goals were at 100% for all levels and for both reading and math (Foy, n.d).

The new accountability system was further described in this *Omaha World-Herald* article which was published before the system was officially adopted. There were some questions about the exact purpose of the system and about consequences for low performance. No official opposition to the bill establishing the new system was voiced.

January 18, 2012, *OWH*:

“System Would Hold Schools Accountable for Test Scores.” A legislative bill aimed at holding Nebraska schools accountable for test scores and graduation rates drew favorable testimony Tuesday but also questions about whether poor-performing schools would be punished. Legislative Bill 870 would direct the Nebraska Board of Education to establish by August 1, an accountability system to measure the performance of individual schools and districts beginning with the 2012 - 2013 school year. The system would use multiple measures include graduation rates and student improvement on state reading, writing, math, and science tests. The Nebraska Board of Education has already drawn up an

accountability system mirroring the one prescribed by the bill, intending to roll it out the next couple of years. The state has been without an accountability system since it began a transition from local to state testing three years ago. The former system known as STARS did not allow for comparing districts or ranking schools. State Senator Greg Adams of York, chairman of the Education Committee, which held the hearing said his bill would enable the State Board to continue doing developing that system. (Dejka, 2012a, p. 4B)

Ranking schools. The ranking of school districts, as done under NePAS was a new practice to Nebraskans. The previous assessment system STARS, used locally developed assessments which made it impossible to easily compare results from school to school. A standard statewide writing assessment was being used but it did not produce the same kind of comparable and thus “rankable” results as what was called for under NePAS. The new accountability system would use NeSA and graduation rates as measures to rank schools. In a January 2012 article in the *Fremont Tribune*, Governor Dave Heineman says that both school achievement and school growth are important. The results of the accountability system are reported out by sports classification (Class A, B, C-1, etc) to make it easier for stakeholders to analyze the results. He directed people to the governor’s webpage to view high school’s scores and rankings (Heineman, 2012).

The Technical Advisory Committee (TAC) formed as part of the transition away from STARS also tackled the issue of ranking at its November 2012 meeting. The group used the theory of action framework to review NePAS first year data. In a discussion regarding rankings as done through NePAS:

The group discussed breaking the rankings into stanines and the advisability of reducing the number of rankings. With the multiple rankings the interpretation is up to the district. The more the state collapses the rankings, the more the district story becomes implied, single ranking cause the media to focus on the rankings even more than they currently do. Brian Gong stated, “No other state has implemented a system similar to NePAS so there is not a research model to support or decry what you are doing.” (Technical Advisory Committee, 2012, n.p)

The details on how the rankings would be completed were shared by Dr. Valorie Foy in the December 2012 *NePAS 101 Update*. School districts will be given four charts listing the district scores and ranking in comparison to all other schools districts in the state. The four charts are by district for grades 3 - 5, 6 - 8, 9 - 12, and 3 - 12. Schools will also receive a school and district chart for each grade level, but rankings will not be included in the grade level charts. For each subject area test the following is calculated: status scores which are the averages of all the students’ scale scores; improvement scores, which are the average scale score for all students in a particular group compared one year to the next; and finally, growth scores, which are measures of the same students growth from year to year (Nebraska Department of Education, 2012).

Participation goals were 95% of students. Graduation rates were calculated using a 4 and 6 year cohort. Some district data was not be included, examples are if there were less than ten students in a group. Also growth scores are calculated only when the test is given in two consecutive years. “Important to note is the volatility of results for small groups of students. For example, with a group of 30 students, a few students can cause

large changes in the percentage for graduation rate” (Nebraska Department of Education, 2012, p. 3).

The NePAS system had only just begun and already at the December 2013 TAC meeting there were discussions about pending legislation (LB 438), which would mandate a school accountability system based on multiple measures that would categorize schools into performance levels. The TAC meeting included an overview of the current accountability model requirements (Technical Advisory Committee, 2013).

NE Statute 79-760.06 specifies an accountability model must include NeSA scores, participation in NeSA, and graduation rates. After approval by the Nebraska State Board of Education NePAS was adopted in 2012, the system was based on status, growth, and improvement (Technical Advisory Committee, 2013).

The TAC meeting moved on to a discussion about the future of the Nebraska accountability model. The discussion continued with the information that if LB 438 passes in the 2014 legislative session the accountability model would include multiple measures that would determine a level of performance for Nebraska schools. The TAC recommended that a three-year minimum transition period is needed for districts to grow into a new plan. The way NDE publically releases and characterizes information related to changes matters, the suggestion is to engage with specialists in the media when sharing the message.

LB 438. Although NePAS had only just begun in 2012, legislation was proposed to modify the accountability system. LB 438 proposed beginning with data from 2014 - 2015 the Nebraska State Board of Education should establish performance levels to classify schools. Three priority schools would be designated based on performance data.

An intervention team appointed by the Nebraska Commissioner of Education would work with each school and develop a progress plan. The plan would be approved by the Nebraska State Board of Education. A report on the schools' progress would be made annually by the Nebraska Commissioner of Education to the State Board of Education and compliance with the progress plan would be required for the school to maintain accreditation (Legislative Bill 438, 2014).

In the March 5, 2014, floor debate regarding LB 438, a discussion ensued about the priority school designation and what that actually meant. Loss of local control was discussed as this bill would give considerable power and latitude to the Nebraska Department of Education and State Board of Education to say a school is failing, and they would develop, approve, and monitor a plan which has to be followed or the school may not be accredited. The floor debate centered on the need for local control balanced with consequences for not meeting certain standards (Transcript, 2014).

Article from the *Lexington Clipper*, March 8, 2014, "State Assessment Guidelines for Tests Revised, More Flexible." LB 438 would assist underperforming schools by assigning an intervention team. The Nebraska State Board of Education said revising the guidelines would "combine multiple indicators into a single measure for each school building and district, set goals, assign a classification for each building and district, set consequences for the lowest performing school buildings, and recognize high-performing schools" (Zelaya, 2014b, n.p).

LB 438 was passed by the legislature in April 2014 and included approval for an updated accountability system. The work on this new accountability system had already begun.

Broader, Bolder, Better.

The 2014 - 2015 school year brought another shift in accountability models for Nebraska schools. This marked the third accountability system in seven years. This new system, named AQuESTT, marked a return to Nebraska crafting a unique assessment system, based on multiple measures, that goes beyond student assessment scores and graduation rates. This new system would shift away from ranking of schools and instead rate them and put them into performance categories. The new accountability system relied on multiple measures and Evidence-Based Analysis (EBA) as a way for NDE to collect data to support school accountability.

The development of the AQuESTT model involved many Nebraska stakeholders. The process of updating the accountability plan, initially called NePAS 1.1 began with the adoption of background and a framework by the Nebraska State Board of Education in January 2014 (Technical Advisory Committee, 2014). In spring and summer 2014 over 50 Nebraska educators met as part of a NePAS Task Force. The goal for the group was to develop sample accountability models and guidelines the Nebraska State Board of Education could use when evaluating a model to adopt. During the first meeting in February 2014 the guiding principles and indicators were developed and discussed. Some of the guiding principles developed by the task force were that the classification of schools based on performance needed to be done with a model that was fair to all schools, transparent to stakeholders, easily communicated, and based on a criterion-referenced interpretation of performance (Buckendahl, Auty, & Gong, 2014).

The second meeting of the NePAS Task Force took place in March 2014. Research was presented and reviewed regarding subgroups and supergroups,

measurement of simple growth, growth percentiles, and adequate student growth. Two accountability models were reviewed, one from Massachusetts, and one from Idaho. The group's philosophy emerged that the scoring system be developed so that schools could not be ranked top to bottom. Graduation rates of four year and seven years were proposed to better fit what was happening in schools regarding efforts to meet the needs of all students (Buckendahl, Auty, & Gong, 2014). The original graduation cohorts for NePAS were four and six years.

During the third meeting of the NePAS Task Force, in April of 2014, committee members worked in small groups. A total of 20 accountability models were developed. The group was able to narrow the models down to ten and then eventually down to three models that were brought forward to the next meeting. The final meeting of the group was used to evaluate the three proposed models against the guidelines first developed by the group. One model was eliminated based on the difficulty of communication and two remained. The two proposed models went to the state Nebraska State Board of Education for consideration and a model was ultimately selected. (Buckendahl, Auty, & Gong, 2014).

In fall 2014 the Nebraska State Board of Education hosted several public policy forums around the state. Locations included North Platte, Scottsbluff, Kearney, Norfolk, Omaha, and Lincoln, with a total of 282 participants. The feedback from the meetings included several themes. The major themes from the question about accountability indicators included growth, improvement, mobility, attendance, and teacher effectiveness (Nebraska Department of Education, 2015a, p. 4).

AQUESTT. In 2015 the Nebraska State Board of Education released the following policy on accountability:

Building an accountability system is literally, the least we can do. The State Board believes that the opportunity to integrate component of accountability, assessment, accreditation, career education and data into a system of school improvement and support is imperative for the good of Nebraska student and for the state to have a vibrant and economically successful future. It is upon this that the policy of AQuESTT is created. (Nebraska Department of Education, 2015a, p. 10)

In March 2015 the Classification Component of AQuESTT was approved by the state Board of Education (BoE). In July of 2015 each school district was able to see a prototype of the model although the business rules were still being developed. The NePAS task force agreed upon the following classifications and recommendations: Excellent (15%), Great (50%), Good (30%), and Needs Improvement (5%). The task force arrived at these classification categories and estimated distributions after extensive and deliberative discussions about what would reasonably represent the reality of Nebraska schools (Nebraska Department of Education, 2015a).

February 7, 2015, *OWH*:

“Ed Board Adopts Rules for School Evaluation System.” The Nebraska State Board of Education adopted rules Friday for a new accountability system that will measure the performance of individual public schools and districts and assist struggling ones. The system will score local schools on graduation rates test scores and how far their students are progressing each year. Then schools will be

sorted into performance classes, and the state will intervene to help the worst ones. That much is typical of most state systems. However, the board also built into the states accreditation rules a list of six conditions board members consider as indicators of a solid school or district. Unlike test scores the conditions are things that don't easily lend themselves to statistical measurements, such as making sure students are surrounded by effective and qualified educators and that a district provide support for students transitioning between grade levels, programs, schools, districts and ultimately college and career. The board will then designate up to three public schools as priority schools based on the state education commissioner's recommendation. The commissioner will appoint an intervention team for each school that will assist the superintendent and staff with diagnosing issues that negatively affect student achievement. The team will help design strategies to address the issues through a progress plan. The plan, approved by the board, would indicate how much progress the school must make to remove the priority designation. Each year, the commissioner and board will review the progress and decide whether to modify it. If a school remains a priority school for a fifth consecutive year, the commissioner will determine whether the plan requires significant revision or if the school requires an "alternative administrative structure." Priority schools would have to report annually their progress to the board. (Dejka, 2015b, p. 2B)

Media reaction. The new accountability system was a unique departure from the previous system, NePAS, which was based on student achievement and growth.

March 6, 2015, *OWH*:

“School Ratings Would Reward Improvement.” A proposed yardstick for how Nebraska public schools are doing would give credit when students scores go up. Public schools that improve test scores for struggling students could boost their state performance ratings under a proposed new Nebraska accountability system unveiled Thursday. The system would annually sort schools into four performance classes excellent, great, good, and needs improvement. Schools could jump to a higher class if scores on state tests improved from the previous year or kids demonstrated sufficient academic growth. (Dejka, 2015e, p. 1B)

June 5, 2015, *OWH*:

“Performance Report Card for Schools Ready for its Trial Run.” Nebraska Public Schools will see the system’s first real results in December. The report will be part of a new school accountability system that Nebraska Education Commissioner Matt Blomstedt said Thursday will be “broader, bolder, and better” than the state's current system and No Child Left Behind. Schools will be judged not just on test scores and graduation rates but on test score growth and a host of yet-to-be-revealed characteristics that state officials say will be indicators of quality schools. Officials will conduct a trial run on AQuESTT this summer. Then officials will run the system for real using test scores from the 2014 - 2015 school year. Schools will be sorted into performance classes in December. Also in December the system will identify the state's three schools most in need of improvement. Intervention teams will be formed in January. Unlike No Child Left Behind, which prescribed certain interventions, board members will develop a unique improvement plan for each school. The state has budgeted \$750,000 to

implement the intervention plan for all three schools. The current Nebraska performance accountability system ranked schools but has no mechanism to help them improve. Board member Molly O'Holleran of North Platte said the old accountability system puts the emphasis on tests. The new system, O'Holleran said, will encourage communities to get involved in the success of their schools. Maureen Nickels, a board member from Chapman expressed concern however that large schools with greater resources will get highest grades. Nickels asks whether the system might be tweaked so smaller schools are not compare directly with larger ones. "You're going to have larger school districts with greater resources greater opportunities against the smaller district who's got a skeleton staff" she said. (Dejka, 2015g, p. 1A)

School reporting. The AQuESTT system included many elements unfamiliar to educators tasked with reporting under the previous assessment and accountability systems. The details on how this system would operate and an explanation for the evidence based analysis component of AQuESTT were laid out in an NDE procedures document. Nebraska Rev. Stat. Sections 79-760.06 and 79-760.07 require that AQuESTT classifications be based on Evidence-Based Analysis (EBA) information (Nebraska Department of Education, 2015b).

The EBA is completed by district administration. Each of the six tenets of AQuESTT will have a different section, and the administrator will fill out the school's response based on policy, practices, and procedures. In addition to the EBA, districts have to complete the Rule 10 Assurance Statement at the same time, which confirms compliance with accreditation rules (Nebraska Department of Education, 2015b).

Administrators were given the following guidelines in completing the EBA:

It is important that you provide accurate, honest responses and give thoughtful consideration to your school improvement processes that provide support or evidence to your responses. Completion of the EBA does NOT require you to assemble such evidence. Responses will be displayed on the school and district profiles that will be produced as part of the classification of schools and districts. (Nebraska Department of Education, 2015b, n.p)

Tenets of AQuESTT. Official information about the details of AQuESTT were shared at the 2015 Administrator Days and at nine regional meetings held in conjunction with the Nebraska Association of School Boards (NASB), Nebraska State Board of Education, and Nebraska Department of Education. The following is how the data is used to determine a schools classification:

Information gained from the first subsection of each EBA section- the policies, practices and procedures group of EBA items for each of the six tenets - was used to develop a scale for use in the final AQuESTT classification model. Additional information was contained in the second two subsections- systems of support and 'other resources' - was used for use during the priority school designation phase of AQUESTT, as well as to inform and prioritize ongoing NDE efforts in the creation of statewide system of support for schools and districts. A single additive scale of response about school activities was established as follows: For each EBA item from the policies, practice and procedures subsections: Never= 0, Seldom= 1, Sometimes= 2, Usually= 3. Add up the values for each item of the policies, practice and procedures subsection of the EBA to yield a final scale

range of 0 - 90. The EBA scale score was included in the final AQuESTT classification model in order to provide an opportunity for an increase in a school's final AQuESTT classification level. In other words, schools were eligible to receive an upward adjustment if: Raw Classification of Great (3): EBA scale score at the 95th percentile (988 scale score) or higher amongst schools classified as Great. Raw Classification of Good (2): EBA scale score at the 90th percentile (84 scale score) or higher amongst schools classified as Good. Raw Classification of Needs Improvement (1): EBA scale score at the 80th percentile (83 scale score) or higher amongst schools classified as Needs Improvement. Raw classification is based on NeSA status, growth, improvement, participation, non-proficient students, and graduation rate. (Nebraska Department of Education, 2015c, p 19 - 20)

How to Read an AQuESTT Performance Report, (n.d.):

Status is calculated by averaging 2014 - 2015 NeSA assessment scores across all available grade levels and subjects for the current year. This average will earn an initial score of 1, 2, 3, or 4. Some schools with a small number of eligible assessment scores will have their district's Status score substitute as their school Status score. Improvement is based on a school/district's average NeSA assessment scores over the last three years. If there is an upward trend of a certain amount then the raw classification will be increased by one level, regardless of Status. Growth is based on the percentage of students at a school/district who were present for the full year and showed "growth" on their individual NeSA reading or math scores compared to a year ago. If a certain percentage of students

show growth, then the raw classification will be increased by one level.

(Nebraska Department of Education, n.d.a, n.p)

The Six Tenets of AQuESTT, are divided into student success and access tenets, and teaching and learning tenets. Student success and access tenets: positive partnerships, relationships, and student success, transitions, and educational opportunities and access. The teaching and learning tenets: college and career ready, assessment, and educator effectiveness. Positive partnerships, relationships and student success focuses on individualized learning plans, attendance, family engagement, and community services (Nebraska Department of Education, 2016a).

Transitions focus on transitions of student from all levels including early childhood through post high school. Educational opportunities and access focus on early childhood education, comprehensive, expanded, and blended learning opportunities. College and Career ready focuses on rigorous standards, technology and digital readiness, and career awareness. Assessment focuses on adaptive assessments, classroom, state, and national assessments. Finally educator effectiveness focuses on teacher and principal performance framework, professional development, leadership supports, and effective policy makers (Nebraska Department of Education, 2016a).

11th Grade Assessment. State legislation required an 11th grade assessment. NeSA tests in science, math, and reading were administered to 11th grade students and proved problematic from the beginning. In giving students the mandated NeSA assessments at 11th grade there were concerns that scores did not accurately depict student achievement but rather student motivation or lack-there-of. The assessments often seemed disconnected to the classroom or to the courses in which students were enrolled.

In 2016 state statute was updated by stating the 11th grade test would be a college entrance exam to be named later. LB 930, effective July 21, 2016 updated state statute 79-759 to read that the state board of education shall select a standard college admission tests to give to all students in grade 11. This is a replacement for the assessment required in one grade in high school as outlined by state statute 79-760.03.

The new 11th grade assessment would now be the ACT as seen in this news release from NDE, September 2, 2016:

ACT has been selected by the state BoE as the standardized college entrance exam mandated by LB 930 which was passed in April 2013. The ACT will be given to all 11th grade students starting in the spring of 2017. Also the statewide writing assessment will end after 2016 - 2017 and the replacement is a statewide reading English Language Arts assessment. The new assessment will have a writing component. (Nebraska Department of Education, 2016b, n.p)

From the *Grand Island Independent*, May 21, 2016, “Change in Junior Year Testing Sparks Debate.” Juniors will all take the ACT as a result of LB 930. Senator Mike Groene opposes the change because he says the ACT does not measure skills of

students who do not plan to attend four-year college. He fears a narrowing of curriculum to only focus on college-prep courses. Senator Jim Scheer the introducer of LB 930 believes the ACT is better than the NeSA because students will have more motivation to take it, and it takes less time and money to administer (Reutter, 2016).

September 3, 2016, *OWH*:

“Nebraska Public School Juniors Get Your Number 2 Pencils Ready for the ACT.” Ed. board votes to replace NeSA assessment with the college readiness exam starting this school year. Educators and parents will be able to compare the scores of Nebraska students with those in at least 18 other states that also test all students. Eighty-eight percent of 2016 Nebraska high school graduates took the ACT already one of the highest percentages in the nation. Board Members voted 8 - 0 to approve entering into a one-year contract with ACT with an option to renew. The ACT will replace the junior year state assessments known as the Nebraska State Accountability tests. The state will pay \$47 per exam for a total annual cost of \$1.03 million to test 22,000 students Nebraska Law requires the state to cover the cost which are about the same as for the state assessments with that the ACT will replace. (Dejka, 2016b, p. 5B)

What To Do With a Law Called NCLB

Time listed NCLB as one of the top education stories of 2012:

George W. Bush’s signature education-reform legislation marked its tenth anniversary this year. But Congress has never gotten around to reauthorizing or adjusting No Child Left Behind, which has been widely branded a failure as it punishes more and more schools for failing to make adequate yearly progress

toward the law's goal of having 100% of students be proficient in math and reading by 2014. With no relief in sight from Capitol Hill, the Obama Administration in February began awarding waivers to states that adopt the common core curriculum standards, develop plans to overhaul their lowest-performing schools and implement teacher evaluations that take into account how students perform on standardized tests. To date, 34 states and the District of Columbia have received waivers, effectively ending the NCLB era of public education in the U.S. (Webley, 2012a, n.p)

Application for a waiver. Nebraska's desire for a waiver from NCLB mandates was complicated. Originally one of the requirements to receive a waiver was that the state had to adopt the Common Core State Standards. The issue of the Common Core standards had long been discussed in Nebraska with NDE and the Nebraska State Board of Education. At the July 7, 2010, Nebraska State Board of Education meeting State Education Commissioner Dr. Roger Breed shared a document with the State Board titled "Common Core Standards - To Adopt or Not" (Nebraska State Board of Education, 2010). Although the state would not adopt the standards, the Nebraska-developed standards would be reviewed for alignment to the Common Core State Standards. Eventually the requirement for a state to adopt the Common Core Standards in order to receive a waiver was eased. Additional waiver requirements contradicted with Nebraska's local control focus. The requirement to have student performance on standardized assessments be tied to teacher evaluations was an obstacle to Nebraska applying for and receiving a waiver from NCLB requirements.

In 2014 with all schools needing to meet the 100% proficiency goal set forth by NCLB and only two schools in Nebraska meeting this goal, the debate about applying for a NCLB waiver ratcheted up. The following articles show the nature of the debate about Nebraska applying for a NCLB waiver.

August 27, 2014, *OWH*:

“Test Scores Boost Calls for State Waiver.” Teachers and state leaders not surprised as Nebraska fails to meet federal targets in math and reading 11th grade scores. That means that until the law changes or Nebraska gets a waiver high-poverty schools that receive Title I federal assistance and continue to miss targets will face increasing severe sanctions, ranging from giving parents the option of transferring to another school or offering tutoring to replace staff or restructuring a school. Educators for years have spoken out against the deadline imposed by No Child Left Behind calling it arbitrary and unreasonable. National criticism prompted President Barack Obama in 2011 to offer waivers to the law. Forty-three states sought and received waivers. Nebraska didn't apply for one so the state's public schools must still abide by the law its target and consequences. (Dejka, 2014d, 1B)

From the *Lincoln Journal Star*, November 7, 2014, “State Officials Moving Forward on NCLB Waiver Application.” Nebraska state board of education indicated they will move forward with developing an application for a waiver from NCLB requirements. Waivers were created in 2011 as NCLB had not been reauthorized as originally scheduled. The requirements for the waivers eased some which is why Nebraska was considering applying. Originally the requirements were that the state

adopt the Common Core standards and that test scores had to be tied to teacher evaluations (Reist, 2014).

December 5, 2014, *OWH*:

“Nebraska Taps Feds for Waiver Help.” The federal government has offered technical assistance to help Nebraska apply for a waiver from the No Child Left Behind Act. A team from the Nebraska Department of Education will write the long waiver application. Approval by the U.S. Department of Education could free public schools from the onerous federal achievement targets in the 2001 law and the penalties for not meeting those targets. (Dejka, 2014c, p. 5B)

NCLB waiver uncertainty. By 2015 requirements for the waiver applications had been eased and Nebraska looked for common ground where the ideals of Nebraska’s assessment and accountability system were not compromised in order to receive a waiver. The entire ESEA rewrite was up in the air with pending changes and the potential for a changing political landscape around the corner.

April 1, 2015, *OWH*:

“Getting Out of No Child is Now Up to Feds.” Nebraska sends in its waiver application but its teacher evaluation system may be a sticking point. Winning approval of a No Child Left Behind waiver is no sure thing for Nebraska, with one potential snag being the state's teacher evaluation system, which could fall short of an Obama administration's requirements. Staff at the Nebraska Department of Education filed the states 1,100 page application electronically late Tuesday with the U.S. Department of Education. The waiver would release Nebraska public schools from what many believe are unreasonable federal

proficiency targets and would restore flexibility in spending federal dollars earmarked for poor schools. The state would have to comply with a host of new requirements, however, including the Obama administration's demand that teacher evaluation systems give significant weight to student's standardized test scores. Matt Blomstedt the Nebraska Commissioner of Education said Tuesday that teacher evaluations are a point of contention. "It's the one thing where we're farthest apart from the US Department of Education" he said. Nebraska's evaluation model which is being piloted in seventeen school districts isn't based on state test results. It uses multiple measures including one that measures how well students meet certain learning objectives. (Dejka, 2015f, p. 1A)

November 6, 2015, *OWH*:

"No Child Left Behind State Suspends Work on Waiver Sees Hope for Action in House." Nebraska Education Commissioner Matt Blomstedt on Thursday said he's temporarily suspending work on the states No Child Left Behind waiver application after federal officials ruled that it didn't meet Obama administration requirements. A key hurdle to obtaining a waiver remains the states reluctance to evaluate teachers based on their student scores according to a letter Blomstedt received last month from a senior official in the US Department of Education. (Dejka, 2015i, p. 1B)

Navigating Accountability and NCLB

As the quest to reauthorize NCLB dragged on for years past the original reauthorization date of 2007 and into 2015, a promising plan appeared to be on the horizon. Goals of the rewrite centered on scaling back federal involvement into states'

education systems, returning more local control, and examining the use of and emphasis on standardized tests. These goals for a new accountability system led some to take another look at Nebraska's STARS from the early 2000's.

Echoes of the past. In an *Education Week* blog dated February 9, 2015, Alyson Klein asked, "Can Local Tests Be the Way Forward in an NCLB rewrite?" Former Nebraska Department of Education Commissioner Doug Christensen talked to many people on Capitol Hill about Nebraska's former assessment and accountability system which was based on locally developed assessments. As congress looked at a reauthorization of the Elementary and secondary Education Act there was interest in looking at alternatives to the current NCLB mandates (Klein, 2015).

From the *Kearney Hub*, March 1, 2015, "Critics of Standardized Testing invite input from Nebraskan." The National Education Association brought Doug Christensen to Washington, DC, to speak to lawmakers about the benefits of locally developed assessments over statewide tests. Nebraska did away with a locally developed assessment system in 2008 after issues of discrepancies in student performance and reporting were noted and because the system did not allow for school-to-school comparisons across the state. Rachel Wise, president of the state BOE, said she doesn't see Nebraska using that model again and the issue was that formative assessments were trying to be used for accountability. Christensen said he still believes Nebraska was on the right track with STARS. "The system was set up to stir discussion on how to improve instruction rather than labeling schools as failing. A standardized score doesn't illuminate that conversation at all, the STARS system would" (Dejka, 2015d, n.p).

The article continued with Christensen noting NCLB was supported because of politics not because it was good for kids. Greg Adams who was on the Education Committee when NeSA was developed said that a new system, not STARS, was needed to make policy decisions. With the locally developed nature of the STARS system, it was difficult to make policy. Also Nebraska experienced pressure from the federal government to be in compliance with NCLB. Former Nebraska Education Commissioner Roger Breed, who followed Doug Christensen, said that the STARS system wasn't understandable to state legislators and that made it unusable to them. When the state moved from STARS to a state assessment system, swings of 10 - 20 points in proficiency performance in some districts supported those persons skeptical of the reliability of the STARS assessments. An example given was that Benson HS reported 91% proficiency in reading using STARS and only 35% for the first year of NeSA reading (Dejka, 2015d).

March 1, 2015, *OWH*:

“Testing Law Foes Invite Input from Nebraskans.” If you grumble that there's too much testing in public schools you have a friend in Doug Christensen. By thumbing his nose at the federal government, Christensen became a rockstar with the anti testing crowd. He was the defiant Nebraska education commissioner who fought No Child Left Behind advocating for a unique local testing system until standardized testing advocates finally overran him. Last month the nation's largest teachers union flew Christensen to Washington, DC. to advise lawmakers who are rewriting the much-criticized federal education law. Christensen who was commissioner from 1994 to 2008, ran the only state education system based entirely on local assessments. Nebraska dumped STARS because of discrepancies

school districts were reporting far better proficiency levels than national test. The system didn't allow for comparing schools and districts with each other. Greg Adams a former teacher from York was on the Nebraska Legislature Education Committee when it devised the state's current testing system. "The number one priority was that we needed a better system particularly to make policy decisions," Adam said. "Having individual teachers and individual school districts design their own tests and set their own cut scores wasn't getting us where we needed to be in my opinion from a state policy position." Secondly the state was feeling pressure from a federal government grown increasingly skeptical about Nebraska's compliance with No Child Left Behind. "My understanding was that we were kind of at the end of the rope with the feds," he said. In 2006, for example, the federal government declared Nebraska was out of compliance with No Child Left Behind. (Dejka, 2015c, p. 1B)

Out with the Old

What is ESSA? The Every Student Succeeds Act (ESSA) reauthorized the ESEA of 1965 and took the place of the NCLB act of 2002. The reauthorization was originally scheduled for 2007 but did not actually occur until ESSA was signed by President Obama on December 10, 2015. Some of the highlights of ESSA were that it would advance equity and critical protections for all students, require high academic standards for career and college readiness, ensure transparency and availability of data to families and communities regarding student performance, support innovative interventions, expand preschool access, and expect progress towards positive changes in the lowest-performing schools (<https://www.ed.gov/esea>).

Senator Lamar Alexander (Tennessee), one of the architects of ESSA was quoted in the *Wall Street Journal* calling ESSA “the largest devolution of federal control to states in a quarter-century” (National Association of Secondary School Principals, 2016, p.33). A significant provision in ESSA is that the mandate on teacher evaluation systems has been removed. Alexander also stated that legislators, principals, teachers, and parents need to be working together on education policy and practice and that it can’t be ordered from Washington, DC (National Association of Secondary School Principals, 2016).

A panel of administrators was asked about the biggest impact of ESSA and the response was that state and local districts have more ownership, autonomy, and responsibility with the new law. Local control is being returned to the states specifically in the area of school improvement. ESSA was not as prescriptive as NCLB was when it came to what to do when a school isn’t doing well. The new plan recognized the difference in school districts and allowed flexibility in how that district approached continuous improvement (National Association of Secondary School Principals, 2016).

ESSA can help states offer a well-rounded education, says John King, U.S. Secretary of Education. ESSA will allow states flexibility to move away from a sole focus on math and reading to include other areas such as science and the arts. King is hopeful the other content areas will be included as states develop their ESSA plans (Klein, 2016).

A “well-rounded education” is repeatedly included in ESSA. This is in response to NCLB’s seemingly narrowing curriculum by over-emphasizing English language arts and math. ESSA promotes access to a well-rounded education which includes the core subject areas and the addition of engineering, music, health, and technology among

others. Still a requirement under ESSA is that states must administer statewide tests in math, ELA and science consistently in a set grade (Jones & Workman, 2016).

Learning more about ESSA. ESSA required schools report student performance in ELA, math, and another academic indicator. Examples of that additional indicator were growth or high school graduation rates. ESSA removed the AYP requirement and instead directs the state to focus on long-term goals for accountability (ESSA 101, 2016).

ESSA returns power to the states and “has continuous improvement at its core and local context as its foundation” (Elgart, 2016, p. 26). In order to positively affect student results, states need to focus on the following when developing new accountability systems under ESSA, according to Elgart: establish a clear vision of the purpose of schooling, identify appropriate measures and broaden the kind of information being gathered, identify new ways to support low-performing schools, and introduce formative assessments to allow for corrective student and school-level actions over time (Elgart, 2016).

ESSA frees states from AYP accounting and allows more flexibility in developing an accountability system that takes into account multiple measures. Balanced assessment systems are encouraged that include not just the summative but also the classroom level, formative assessments (Shepard, Penuel, & Davidson, 2017).

In 2017 NDE released a document in 2017 titled, *Accountability Then and Now*, which compared NCLB and ESSA. Expectations of students were contrasted with NCLB having unrealistic goal to incentivize states to keep standards low. ESSA provides states flexibility in setting expectation goals. Timelines under NCLB were federally set for all students, under ESSA states are allowed to set their own goals and short-term measures

of progress. Measures of school quality was narrowly defined with a focus on reading, math, and graduation rates where under ESSA a more holistic view can be included in state accountability measures. Interventions under NCLB were federally prescribed, under ESSA locally developed interventions and plans can involve more stakeholders. Resources under NCLB were directed towards specific federal intervention. Now states could more flexibly use those funds to support the lowest performing five percent of schools (Nebraska Department of Education, 2017a).

Term Limits Impacting Legislation

As the legislature is the main policy making body for education in Nebraska, it is relevant that Nebraska legislators are limited to two consecutive four year terms. They can serve again, just no more than two terms in a row. In complicated matters such as education policy it can be difficult for senators to get up to speed on the history of an entire assessment and accountability system in the short timeframe required.

In an article in the *Washington Times*, July 10, 2016 the issue of term limits for Nebraska legislators is revisited. After 10 Years, Term Limits Reshape Nebraska Legislature. Legislators in Nebraska are limited to two consecutive four year terms as a result of a constitutional change in 2000. Critics of the system say it takes too much time to get lawmakers up to speed, prevents long-term agendas, and gives more power to lobbyist and staffers. Proponents say it helps to better distribute power getting away from entrenched senior senators. “Term limits gutted the Legislature as a branch of government,” according to Ernie Chambers who represented an Omaha district from 1971 - 2009 (Schulte, 2016, n.p). He continued by saying that new senators are misused by the lobbyists as they don’t understand why past bills were rejected or have knowledge

of potential impacts of legislation introduced. An opposing view was stated by Senator Mike Groene of North Platte who believes term limits create a “cleaner form of government” (Schulte, 2016, n.p). Former speaker Greg Adams said a consequence of term limits is that the legislature is “reactive rather than proactive” (Schulte, 2016, n.p).

People 2012 - 2017

“School systems do not fail nor succeed alone. The challenges we face and the gains we achieve are more reflective of an entire community effort than they are specific to the work we do as educators” superintendent of Scottsbluff Public Schools, (“More Good News”, 2013, n.p).

The current events swirling around the people of Nebraska cannot be separated from the education system of the time period 2012 - 2017. Nebraska saw many natural disasters and hardships during this time including the worst drought in decades, an October ice storm killing thousands of livestock in western Nebraska, wildfires, and destructive tornadoes. Manmade drama also played out during this time period with the Keystone XL pipeline route debate routinely making the list of the top news stories of the year for multiple years running. Politics in Nebraska during this time period saw shifts in the state senators and the governor’s office. State policies and politics made their way into local districts via education funding battles and shifts in committee chairs and committee membership in the unicameral.

The people theme related to the Nebraska assessment and accountability system of 2012 - 2017 includes the aspect of school assessment and accountability related to ranking and rating of school districts. The persistently low achieving schools list (PLAS) was still active as well and three priority schools were designated based on need and low-student achievement. The long standing NCLB was also replaced with ESSA, which created a sense of the unknown but also hopeful optimism that renewed power will be bestowed back to the states in regards to education policy and practice. This is the story

of the people related to the Nebraska assessment and accountability system during the time period of 2012 - 2017

Demanding accountability. Accountability and comparability is a mantra that has oft been repeated in the history of Nebraska's assessment and accountability system. The lack of an easy method with which to compare schools under STARS was either the greatest downfall or of profound value depending on one's opinions of the system. As NCLB requirements and Nebraska legislation mandated a system by which comparability could be accomplished the accountability system implemented after the end of STARS had a mechanism by which to accomplish ranking of school district student achievement.

NePAS, implemented in 2012, included a formula by which schools were ranked, top to bottom. When ranking occurs, by default there are winners and losers. Almost from the beginning of the implementation of NePAS there were calls to revise it and include opportunities for multiple measures. The state BoE and the TAC both employed task forces and sub-committees to design a new accountability system to replace NePAS. The new system, called AQuESTT included multiple measures. The system was not only based on student achievement but also included many unique aspects to a statewide accountability system such as community partnerships, educator effectiveness, and college and career readiness. Schools were placed into a rating category based on multiple measures. The classification categories were excellent, great, good, and needs improvement.

PLAS Label Ramifications

“Nebraska can be proud of its local and state autonomy in determining its own course. For as long as we are able, resisting the national folly of an immutable education uniformity will be this state’s gift to its children” (Christiansen, 2014, n.p). An opinion piece in the *Kearney Hub* by Craig Christiansen, March 7, 2014. Craig is the executive director of the Nebraska State Education Association.

As a result of Nebraska accepting ARRA funds, the state had to identify the lowest performing schools. The first PLAS list was released in 2010, and dismay, sadness, confusion, and resilience were all common responses of schools being named to the PLAS list.

Schools are considered PLAS if they are identified as being in need of improvement under AYP and/or if they have a graduation rate of 75% or less. School improvement grants were available, and schools could apply to receive funds. The PLAS list was divided into three tiers. Tier I were the 5 or 5% of the lowest-achieving Title I schools that are labeled as being in school improvement, corrective action or restructuring. Additionally if any Title I secondary school has a graduation rate of 75% for three years and has not been already identified, it on the list. Schools were identified using a performance rank, progress over time rank, and then a final rank which was double the performance rank and adding the progress rank (Nebraska Department of Education, n.d.b).

November 27, 2012 was a day of celebration for Crawford public schools. At an all school assembly the superintendent dramatically crossed out PLAS, written on a whiteboard in front of the school. He said that being on the list was bad but because of

hard work, it is no more. Crawford was one of the original schools identified on the PLAS list in 2010. At that time the superintendent had said being on the list was “horrible” (Rempp, 2010a, n.p). The district received grant funds available by being identified as one of the lowest performing schools and through many efforts made a turn-around worthy of the dramatic celebration held two and a half years later (Rempp, 2012b).

Celebrations continued as schools relished the end to their designation as a PLAS list member. On December 6, 2012, the Scottsbluff High School principal announced to students and staff they were no longer on, “a list that no one wanted to be on.” The school had achieved its goal of being removed from the PLAS list. Credit was given to adjusting the curriculum and utilizing content area specialists both of which contributed to the success of being removed from the list (Dutton, 2012, n.p).

Superintendent of Scottsbluff Public Schools continued the message of hard-work paying off. The result of being on the PLAS list was one of renewed commitment to improve the education quality for all students. Here are some of his words from the September 4, 2013, *Star-Herald*:

We sure do have a lot to be proud about in the Panhandle. Overcoming challenges without making excuses is a trademark behavior that speaks to the strong character of this community with no rallying cry any stronger than that which screams out on behalf of our youth. School systems do not fail nor succeed alone. The challenges we face and the gains we achieve are more reflective of an entire community effort than they are specific to the work we do as educators.

Late in 2011...SPS had been included on the list of Nebraska's "persistently lowest achieving schools" and our test scores were significant contributors to our problems. But now, just a little over 18 months later, I'm writing to let you know that we are now seeing some amazing results from our kids of which you should all be very, very proud. That PLAS distinction is almost two years behind us and hopefully gone for good. These increases [in NeSA scores] are more than numbers, more than test scores. Combined with a dramatic increase in graduation rate, they represent life-changing achievements for individual children in many important areas. ("More Good News", 2013, n.p)

Grant funds for PLAS. As a part of being identified for inclusion on the PLAS list schools are eligible to apply for grant funds for school improvement. In 2014 Nebraska received \$2.45 million from the US DoE for persistently low-achieving schools grants. As of early 2014 about twelve Nebraska schools received federal grant funding as a result of being labeled as PLAS (Anderson, 2014).

In 2015 the Omaha school district announced its intent to apply for federal grant funds for Wakonda elementary, which was on the PLAS list. Strings attached to acceptance of grant funds included choosing to accept one of the following interventions: closing the school and reopening as a charter school, the transformation model which includes replacing the principal and implementing a new evaluation model, turn-around model which also involves replacing the principal in addition to at least half the staff. The plan is for Wakonda to use the turn-around model. An example of a success story utilizing the grant funds after being included on the PLAS list is, Walthill Elementary School in the northeastern part of the state. After the school received a \$1.5 million

school improvement grant, math proficiency rose to 60% this past year up from 6% in the 2010 - 2011 school year. The grant funds alone though do not ensure success. Walthill High School also received funds, a \$1.4 million grant also in 2011 and scores in reading and math achievement actually dropped during that same time period (Duffy, 2015).

Ranking and Rating Schools

NePAS: Ranking schools. After the state of Nebraska was without an accountability system for several years, NePAS was rolled out in 2012. This new accountability system ranked schools by grade level configurations and was based on NeSA student achievement data.

The NePAS calculations and reports were as follows. There are two sections in the NePAS report, the first section is made up of four charts that shows the districts' scale scores in reading, math, science, and writing for the areas of status, improvement, growth, graduation rate, and participation rate. Each district is ranked in comparison to all other school districts in the state. The grade configurations are 3 - 5, 6 - 8, 9 - 12, and 3 - 12. The second section provides grade level charts that are similar to the section one charts but without rankings (Foy, n.d).

For each subject area test, the following is calculated: status scores the averages of all the students scale scores; improvement scores, the average scale score for all students in a particular group compared one year to the next; and finally growth scores measures of the same students' growth from year to year. Graduation rates are calculated using a four and six year cohort (Foy, n.d).

From the beginning, questions were raised from districts about the message sent to schools, students, and community members with the ranking of schools. The

interpretation of a rank is open to personal interpretation. Some districts may chafe at being anything except ranked number one while other districts may be satisfied as long as their rank is above a particular rival school rank.

With the different charts and various calculations that are a part of NePAS, there was also confusion as to which scores were most valued by the school and community. Is growth more important than improvement to the community? Are there systematic, demographic or logistic reasons for a school being ranked higher or lower or showing more growth or more improvement? Director of assessment for Nebraska, Valorie Foy, also warned about smaller districts' interpretation of NePAS data and rankings, "Important to note is the volatility of results for small groups of students. For example, with a group of 30 students, a few students can cause large changes in the percentage for graduation rate" (Nebraska Department of Education, 2012, p. 3).

A plethora of questions and difficult answers made for NePAS to be relatively short lived in the history of the Nebraska assessment and accountability system. A new accountability system, took shape in 2014 and was introduced in 2015, Accountability for a Quality Education System, Today and Tomorrow (AQuESTT). This new accountability system used multiple measures, including many that harkened back to STARS, AQuESTT also used a formula to categorize schools instead of ranking them top to bottom.

We are #1....or #249. In the *Grand Island Independent*, November 17, 2012, "State of Schools Report to Rank All State's School Districts." NDE issued a reminder that the media and other stakeholders needed to look at improvement and growth scores when analyzing NeSA data. Schools may not show much improvement if the results

were already high. Lower ranked schools initially might rank well as they had more room for growth (“State of Schools,” 2012).

From the *North Platte Telegraph*, November 20, 2012, “Report on Nebraska Schools Released.” Gayle Sharkey, director of curriculum for North Platte Public Schools:

[NePAS] is not a good measure of students who haven’t been exposed to the information. That’s where local control comes in. Local districts know what the standards are and where the improvement and growth is. Data just compiled for no other reason than to label people is meaningless and not productive. (Wetzel, 2012c, n.p)

Molly O’Holleran is a Nebraska State Board of Education member representing North Platte, “Shining a light on school districts through a ranking system isn’t to provoke shame on low-performing schools, but to provide opportunities for local districts in areas needing improvement” (Wetzel, 2012c).

A concern among Nebraska schools was that a poor ranking would cause students to opt out of their district and enroll in another district. This was a very real concern with many schools in Nebraska being in close proximity and with Nebraska’s open enrollment and option enrollment policies. Nebraska state statute sections 79-232 to 79-246 allow for a student to attend a school in a district in which they do not reside, subject to some limitations. If a student chose to open enroll or option enroll, the state funding for that child also went to the school the student attends, not the school district in which they resided.

Grand Island Independent, November, 20, 2012, "School Officials Reject Strict Focus on Rankings." State Education Commissioner Roger Breed said when making a decision about where to send his child to school, he would recommend visiting the school to find out about teachers and administrators rather than basing the decisions on one single number. Grand Island Public School ranked 239 out of 249 schools. The district superintendent said the district wants to improve and will do so by looking at individual student needs. Grand Island Northwest administrator said essentially the same thing in that the ranking isn't as important as looking at individual student progress. Adequate yearly progress must still be demonstrated by each school in order to make the federal AYP goal. The ultimate goal is that 100% of students are proficient in reading and math by 2013 - 2014. Roger Breed said that goal is absurd, "You can't get 100% of people to agree that Thanksgiving is Thursday" ("School Officials Reject Strict", 2012, n.p).

Updating Accountability

The development of a new accountability system was outlined in the August 8, 2014 *OWH*:

"Metric for Judging Schools Take Shape." Nebraska educators are flushing out a new accountability system. What makes one school excellent, another great and a third just good? That's what Nebraska state officials will be figuring out over the next few months as they devise a new school accountability system the bare bones of which were unveiled Thursday. They've dubbed the new system AQuESTT, which stands for Accountability for a Quality Education System Today and Tomorrow. When fully rolled out, it will replace the current Nebraska Performance Accountability System. The big difference is that the new system

will sort public schools in two categories rather than numerically rank them. The system will still consider scores on state tests and graduation rates, but a variety of other measures will be included to more fairly gauge whether schools are succeeding officials say. Schools will be classified as excellent, great, good, or needing improvement. All schools and districts deemed in need of improvement will have to submit an improvement plan to the Nebraska State Board of Education. The three schools in greatest need will be designated as priority schools. Those schools will have to work with a state education department team to create an intervention plan that must be approved by the state board. The intervention piece was missing from NePAS and its predecessor STARS.

Nebraska Commissioner of Education Matt Blomstedt said Thursday that he wants a system that accurately and fairly identifies and help struggling schools. The “quest” analogy works he said, because the state is embarking on a journey toward a goal. Already he said he's heard criticism about categories in schools, but he said categories are workable. The accountability system will be based on the framework of LB 438 passed by lawmakers last session. The law is only a start he said, “We can do so much more,” he said. In addition to releasing the initial structure of the accountability system the board indicated that it ultimately wants to establish a vision for “a quality education system for Nebraska's generations to come.” Board members listed elements they believe will contribute to a quality school system including; college and career-ready standards, effective educators, multiple assessments, and partnerships and relationships. (Dejka, 2014a, p. 1B)

In the August 8, 2014, *LJS*, “Education Department Releases Accountability Framework.” The categorizing of schools has been met with some pushback, Matt Blomstedt, State Education Commissioner said, “I’ve had superintendents tell me, quite frankly, why don’t you put one name on yourself to describe how you are?” (Dunker, 2014, p. 2). This new accountability system also includes measurements for six tenets that Blomstedt feels will move the state away from a system just based on compliance. The state board has prepared the broad framework for the plan but the specifics of the system will be developed by the education department (Dunker, 2014).

AQuESTT in action. After introducing the new accountability system, AQuESTT, in 2014 the state was ready the following year to use the system to assign a categorical rating to school districts. At issue is still a concern for larger versus smaller districts having scores disproportionately skewed because of small numbers and that smaller districts may not have the resources to be able to compete with some of the services provided in large districts. AQuESTT used a process of EBA, where districts had to complete a self-assessment survey about the degree to which the tenets are present in a school district. Some of the tenets related to staff development or curriculum support for example, may not be as readily available to a district simply because of the size of the district and limited personnel.

Classification of schools under AQuESTT starts with a raw classification done in October which is based on NeSA scores and graduation rates. Then districts fill out the evidence-based analysis forms which include questions about policies, practices, and procedures. The district is then classified by the Department of Education as excellent, great, good, or needs improvement.

This December 4, 2015 article from *OWH*, gives information on metro area schools and the priority school designation:

The Nebraska Department of Education released first-ever performance ratings today for every public school and district in the state. Overall, four of five schools across the state were rated as “good” or “great.” None of the state's Class A districts those with the biggest enrollment earned the highest rating of “excellent.” Ten districts statewide were rated as needing improvement. The system ushers in a new era in state school accountability replacing Nebraska's current formula that ranks the school's numerically. In 2014 Nebraska lawmakers passed Legislative Bill 438 to create the new system and authorize the intervention teams, which were not allowed under the former system. The system gives schools credit for growth and improvement in test scores and for adopting policies and programs the state considers good practice. Gretna superintendent Kevin Riley, who schools all rated great, said the system won't change the way his district goes about teaching kids. He said AQuESTT was designed to meet Federal criteria for a waiver of No Child Left Behind which the state pursued until suspending the effort last month in hopes Congress would rewrite the bill. “This is just an attempt to meet a federal requirement, and that's how we look at it,” he said. Like prior accountability systems, the AQuESTT ratings correlate closely with poverty levels, he said. Districts were surveyed and whether they employed a variety of policies and activities, such as after-school and career-education programs, that state officials consider best practices. Blomstedt said Nebraska needed a system that went beyond using test scores to judge school performance. Systems based on

only on test scores typically just reflect a school's poverty level. "That's why we have chosen to dive into what we call evidence-based analysis." (Dejka, 2015j, 1A)

Priority schools. The following article gives a detailed account of the new priority school designation and the promises of support being made to those schools as a result of being designated as a priority school. From the *OWH*, December 4, 2015:

Already on Thursday emotions were heightened as Nebraska State Board of Education members prepared for today's revelation of the three priority schools. Board member Molly O'Holleran said the state won't come into those communities with answers but with expertise to help the schools improve themselves. "I just want those three buildings that are going to be identified tomorrow to know that we're with you standing next to you providing support and encouragement." (Dejka, 2015k, p. 1B)

An accountability success story came out of Western Nebraska from Crawford Public Schools. Designated as one of the original schools labeled as PLAS in 2010, in the spring of 2017 it was recognized for student achievement. From the *Chadron Record* April 12, 2017, "Crawford Schools Recognized." Crawford Public Schools received an honor as being recognized as one of the top performing schools in Nebraska. Crawford narrowed the achievement gap between students who do and do not qualify for Free/Reduced lunches. Many changes were made in the schools which led to this growth including aligning curriculum with state standards, using progress monitoring, and using strategies for engagement by teachers each day. "The entire community should be very proud that our school received this, Top 4 in the State Award from NRCSA, and know

that tremendous learning is taking place here,” said Interim Superintendent Ted Claussen (“Crawford Schools Recognized”, 2017, n.p).

Nebraska education profile. For public reporting of statewide school data the Nebraska Department of Education shifted from the State of the Schools Report which had been in place since the early 2000’s to a new platform called the Nebraska Education Profile (NEP). This reporting is available via the NDE website and provides information and data about the schools themselves and student performance. The data can also be disaggregated by groups of students. A common refrain reiterating the value Nebraska places upon local control is expressed by the following statement from Commissioner of Education Matt Blomstedt on the NEP homepage:

As always, your school district officials can best explain local data and how it applies to the district. Please take time to explore the NEP and learn how schools and students in your community are performing. I encourage parents to talk to the teachers of their students, and to local school officials, about the results and the needs of their students. (Blomstedt, 2017, n.p)

Opting Out

The debate about what standardized tests mean to students, educators, lawmakers, and community members continued during 2012 - 2017. The “opt-out” movement gained traction nationally with many parents actively taking a role in limiting the number of assessments their children would be exposed to in a school year.

The following is one example of a parent explaining their choice to opt their children out of the NeSA testing in Nebraska. A guest editorial from Jill Osler in the *Grand Island Independent*, April 2, 2013, “Standardized Tests Not the Answer.”

Teachers are trying to cover topics that students need for the NeSA tests at the expense of other topics. The standardized tests are taking away curiosity and passion for learning. The results of the tests are used to rank schools in Nebraska and the author questions who this actually helps and if this improves learning (Osler, 2013).

The next spring, 2014, Ms. Osler again shared her opinion on this topic in the newspaper. She was exercising her parental right to opt her children out of taking the NeSA tests as outlined by NDE policy. She states the opting out will affect her children's school in that there needs to be at least a 95% participation rate or the school does not meet AYP. That may be a moot point anyway though as the AYP benchmark for this year is 100% proficiency which would be very difficult for any school to meet (Osler, 2014).

A response from Valorie Foy, NDE Director of Assessment was given a few weeks later. Dr. Foy stated the tests are not high-stakes in that there is not a punitive consequence such as holding a student back or requiring summer school if they do not score a minimum level on a test. Foy and Osler also disagree on the ranking of schools. Osler does not see the ranking helping teachers to know what to do or helping students do better. Foy responds, "strictly speaking, Nebraska does not rank schools from first to worst because it does not assign just one number to a school" ("Area Parent Fights," 2014, n.p).

Finally a voice from a fifth grader is an interesting addition to the story of the people affected by the Nebraska assessment and accountability system during the time period 2012 - 2017. Letter to the editor, *Lincoln Journal Star*, May 16, 2014, "Too Many Tests." The author is a fifth grader in Lincoln public schools. She shares her experience

of having six to seven tests a week as there is testing in multiple subject areas each week. She said the tests result in stress for kids with little time to relax or do other things. She said teachers are just teaching a lesson then there is a test and she doesn't feel she is learning as much as she could ("Letters 5/16 Too Many Tests," 2014, p.5).

New Faces

The Nebraska Department of Education saw changes in key leadership during the time period of 2012 - 2017. In July 2012 Dr. Pat Roschewski retired after twelve years serving as the director of assessment. She held that position during STARS when Nebraska was the only state having a unique locally developed assessment system and she led during the legislatively mandated transition away from that system as well. A resolution from State BoE, July 10, 2012, recognizing Pat Roschewski for her outstanding contributions to education in Nebraska and significantly contributed to the increased assessment literacy of Nebraska educators. She led the development and implementation of the first standards-based statewide assessment and accountability system. "She demonstrates professionalism, dedication, and unwavering commitment to the principles of quality education for all" (Nebraska State Board of Education, 2012, p. 1). Dr. Valorie Foy was named the new director of statewide assessment in 2012.

A change in Nebraska State Education Commissioner also happened during this time period. A State Board of Education resolution was released June 2013 commending Dr. Roger Breed on his accomplishments and thanking him for his years of service.

Highlights from the resolution include:

He strengthened relationships among educators and policymakers statewide, establishing a culture of caring accountability for each and every student. Dr.

Breed improved collaboration between the Nebraska Department of Education and Educational Service Units, establishing a culture of commitment to

Continuous Improvement. (Nebraska State Board of Education, 2013a, p.1)

Dr. Scott Swisher was named interim Education Commissioner as Dr. Roger Breed retired. Dr. Matthew Blomstedt was named the new Nebraska State Education Commissioner in 2014.

Practices 2012 - 2017



“Is broccoli brain food?” my 4th grader inquired as he squinted at the plate before him. I answered with a hearty affirmative and he replied, “Good because I have my math NeSA tomorrow and we are supposed to get a good night’s sleep and eat lots of brain food.” My 8th grader gave a sigh and a little eye roll, “Every two weeks it’s like, hey here’s a test, take the NeSA, take the MAP, take the NAEP.” I

listened to this exchange with the curiosity of a mother and the critical eye of an educator and contemplated our system of assessments in education today.

Personal reflection, Melanie Olson, Spring 2017.

Introduction

During the time period of 2012 - 2017 education practices in Nebraska and across the country related to curriculum, instruction, and assessment continued to be shaped by assessment and accountability requirements. The delivery of curriculum content was changing during this time with the rise of open education resources, increased access to internet enabled devices such as tablets or laptops, and the expanded role of Twitter and other social media platforms.

Time listed “The Rise of the Digital Textbook” as one of the major education stories of 2012 with Secretary of Education Arne Duncan declaring, “Over the next few years, textbooks should be obsolete” (Webley, 2012b, p.1).

The look and feel of schooling as we know it was also being challenged with two documentaries *The Finland Phenomenon* (2011) and *Waiting for Superman* (2010) sparking conversations and debate about the education system in the United States.

For Nebraska the major themes that emerged related to practices during this time period were assessment updates, the emergences of the Common Core State Standards, a change in the vendor administering Nebraska state tests, and an evolving view of NeSA assessment results. This is the story of the practices related to the Nebraska assessment and accountability system 2012 - 2017.

A Shifting Curriculum

Curriculum practices in Nebraska during 2012 - 2017 continually seemed to be shaped by assessment and accountability requirements. School rankings and ratings based upon NePAS that used NeSA scores and graduation rates hungover schools and impacted curriculum and instruction practices. AQuESTT, which came along at the end of this time period, still used NeSA data in calculating a district's rating category. Credit for increased NeSA scores is often given first to the hard work of teachers in the schools and then to the fact that more of a curricular focus was put on reading and math.

Examples of curricular shifts attributed to affecting NeSA scores are widespread in the media coverage of time period. An example comes from Scribner-Synder which ranked first in 2012 in growth for reading and math and first in improvement on math with NePAS. In an article in the *Fremont Tribune* the district superintendent attributed the success first of all to a positive environment and then the implementation of a longer reading block as well as updated textbooks and a One to One laptop initiative (Ellis, 2012b).

In reporting on improved test scores in Grand Island public schools a contributing factor was credited to better alignment of district curriculum including a change in timing of when particular state standards were taught ("Test Scores Can," 2013). A 17%

increase in writing test scores was a huge success for Lexington Public Schools which attributed implementing a “Write Tools” curriculum four years previous in contributing to the large student gains in writing. Part of the power of the curriculum shift was that the tools were used cross-curricular according to a *Lexington Clipper* article (Zelaya, 2015).

In an effort to increase Math NeSA scores Scottsbluff school district focused on students reaching proficiency at each grade level and monitoring students progress to provide interventions where necessary. New textbooks were to be added at the secondary and elementary levels and math was to be added to the preschool curriculum (Dutton, 2014).

Narrowing the curriculum. A debate continued during this time period with the concern that a focus on standardized tests and high-stakes accountability narrowed the curriculum. These concerns were not unfounded. Cobb (2012) clearly states that using high stakes testing as a means to control an education system results in the curriculum being narrowed and instructional methods being limited. This narrowing of the curriculum has been shown to impact students in poverty or minority students by limiting their choices to include only a curriculum that they will need in order to pass a high-stakes tests (Erskine, 2014). Cobb (2012) found that non at-risk, those in more affluent areas, did not see the same narrowing of the curriculum as students in high-risk populations. The high-stakes testing was focused on less often, allowing time for creativity and a more diverse curriculum.

An article, August 2014 from the *OWH*, articulates the strategy Omaha Public Schools and surrounding metro area school districts were using in an effort to increase instructional time for mathematics.

Elementary teachers will spend 25% to 50% more time teaching math. Some children could get an even bigger time boost depending on their needs. The new emphasis aims to improve achievement in a district in which performance on state tests lag behind most other districts. But it comes at a price. To free up extra minutes for math, officials cut back instructional time for science and social studies. (Dejka, 2014b, p. 1A)

Content Area Standards

Content area standards for reading, writing, mathematics, science, and social studies are required by Nebraska Revised Statute §§ 79-760.01. These standards are developed in collaboration with NDE content area leaders, K - 12 educators, ESU educators, higher education representatives, and additional stakeholders, as appropriate. The collaborative nature of the standards development is a hallmark of the Nebraska standards development process (Nebraska Department of Education, 2017b).

The Nebraska content area standards have two levels of specificity with a standard and indicator level. Local districts make decisions about their curriculum based on the standards and indicators developed at the state level. The characteristics NDE uses in developing and reviewing content area standards include: 1) measurable 2) appropriately challenging 3) connected 4) clearly worded 5) scaffolded and 6) specific (Nebraska Department of Education, 2017b, p. 6).

As a requirement of Nebraska Revised Statute §§ 79-760.01, school districts in Nebraska have one year to adopt state standards that are equal to or more rigorous than the state standards framework for the areas of English language arts, mathematics, science, and social studies. The state is required to revise or update the state standards framework every five years for the required areas as well. During the time period of 2012 - 2017 state content area standards were updated in all areas that are required for district adoption.

The updated standards framework timeline includes social studies (2012), English language arts (2014), math (2015), and science (2017). Standards frameworks were created or revised but are not required, just encouraged, for district adoption. Those additional areas include English language proficiency (2013), fine arts (2014), physical education (2016), and career education programs of study (2017) standards.

Common Core State Standards. First released in 2010 The Common Core State Standards represented the essential elements of English language arts and mathematics a student should know to be college and career ready. The standards were developed as part of a consortium of state governors, education commissioners, and workgroups from 48 states (Frequently Asked Questions, 2018).

Nebraska Commission of Education Roger Breed said as the state revises its standards an alignment with Common Core was examined. Nebraska was not adopting the Common Core and he cited Nebraska law as one of the reasons. The law requires Nebraska educators and the Nebraska Department of Education to develop state standards. State law also requires a statewide test based on the Nebraska developed standards. The State Board has to approve standards and since no Nebraska educators

were involved in writing the Common Core the BoE will not approve the standards (Holsinger, 2013). In the document, *Nebraska School District Accountability 101* (n.d), Valorie Foy director of statewide assessment shared that Nebraska contracted with McREL to research the alignment between Nebraska State Standards and the Common Core math and language arts standards. The English Language Arts study was shared at the August 2013 Nebraska State Board of Education meeting (Nebraska State Board of Education, 2013b).

Assessment

As the 2012 - 2013 school year began, Nebraska schools were no longer transitioning into a new assessment system but was instead experiencing a system that was fully operational. NeSA-Reading (NeSA-R) was in the third year of administration, NeSA-Math (NeSA-M) in the second year of administration, and NeSA-Science (NeSA-S) was given for the first time in the spring of 2012. The statewide writing assessment was given online in 8th and 11th grades and scored using an analytic rubric (Technical Advisory Committee, 2012).

Rallying for the NeSA. As students became more experienced with the NeSA tests the challenge of keeping student engaged and invested in the assessments became an issue. Districts tried many strategies to motivate students to do their best and to foster parent and community support for the tests.

NeSA rallies, similar to pep rallies were used in many districts across the state. A rally at Scottsbluff Public schools included a guest speaker and incentives for student performance (Holsinger, 2012a). In Hershey students were recognized for exemplary performance on previous years' tests. Students were surrounded by motivational posters,

given t-shirts or spirit towels and put onto teams for which they could win prizes for strong performances on the statewide assessments (Wetzel, 2013; Wetzel, 2014). The challenges of motivating students to do well on the tests continued and eventually prompted a change to the 11th grade NeSA tests to be a college entrance exam, which was perceived as being more motivating and relevant to high school students.

ACT pilot. In 2013 LB 930 was passed which would lead to the use of a college entrance exam, specifically the ACT as the 11th grade assessment. Before the ACT was selected as the mandated test to be used at the 11th grade level, a pilot study and several districts independently studied the possibility of administering the ACT to all juniors.

A three-year pilot study got underway in 2012 to try out giving the ACT to all juniors. Participating districts in the pilot were Hastings, Alliance, Sidney, South Sioux City, Lincoln, Columbus, Gering, and Scottsbluff. Several other schools, such as Millard and Ralston, also began giving the ACT to all juniors (Dejka, 2013).

Check 4 Learning. Introduced in the spring of 2011 the Check 4 Learning system (C4L) was created as a statewide item bank that districts could use as interim assessments to monitor student progress (Technical Advisory Committee, 2011a). The items were developed by Nebraska school educators and districts had to contribute items to the bank in order to gain access to the item bank. In 2011 there were 177 districts interested in participating in C4L (Technical Advisory Committee, 2011a). In 2012 there were 139 districts using C4L with 135,000 tests given and 4,000 items in the test bank (Technical Advisory Committee, 2012).

During the November 2, 2012, TAC meeting members shared concerns about quality of assessment items and it was determined schools might need more information

about the review of items that are included in the system. Dr. Brian Gong, chair of the TAC, described C4L as being just one part of a three-party system where C4L can assist with the diagnosis but ultimately the prescription and treatment is done at the school level. A clarification was given that student information may be accessed by only the district even though C4L is managed by the state. In 2013 C4L had expanded to over 10,000 items in the test bank (Technical Advisory Committee, 2013).

Nebraska Statewide Writing Test

May 30, 2012, *OWH*:

Challenge of tougher test is embraced, officials in some school districts say the higher bar will spur more gains. Results of the revamped (writing) test released Tuesday show that nearly four of 10 Nebraska public school juniors lack basic writing skills. State officials switched the 11th and 8th grade writing test to a one-day online format this year, changed the scoring and reset proficiency targets to make them harder. In years past students wrote their essays with paper and pencil over two consecutive days in separate 40 minute sessions. A rough draft of the first day in a final version on the second. Pat Roschewski, the state's director of assessment, said the new test format reflects "on demand" writing skills a student will need in the college in workplace. Rather than giving each tested one overall score, as in past, this year's 8th and 11th grade tests were scored in four areas of writing, content, organization, word choice in writing mechanics. (Dejka & Braden, 2012, p. 1A)

The testing company. The company, Data Recognition Corporation (DRC), held the contract for administering the NeSA during this time period. Issues emerged with the

NeSA writing test in 2013 and 2014, necessitating the annotation of scores released in 2013 and the prevention of scores for public release in 2014. After issues appeared again in 2016, the company was put on notice that the contract was up for review. In 2017 Northwest Evaluation Association (NWEA) was awarded a contract to begin administering new statewide assessments in the 2017 - 2018 school year.

2013 season. In January 2013 as students sat down to a computer and were instructed to do their very best writing for the statewide writing assessment, many experienced frustration as formatting errors out of their control plagued their completed writing pieces. An update on this issue was given by Dr. Valorie Foy, director of statewide assessment, to the TAC at the April 24, 2013 meeting.

During the NeSA writing assessment formatting errors were found in grades eight and eleven because of the test engine managed by DRC. The issue happened throughout the testing window causing students frustration (Technical Advisory Committee, 2013).

In response to the issues DRC trained graders for a “fifth domain” to be used during the evaluation process. This “fifth domain” was to identify formatting errors and did not contribute to the score, if formatting errors were discovered the raters flagged the essay. As a result of raters flagging essays errors were found in 42.3% of eighth grade papers and 42.6% of eleventh grade papers (Technical Advisory Committee, 2013).

Dr. Foy presented additional information regarding the types of errors students experienced such as centering of the entire essay, odd word wrapping, and lines that extended past the margin. She also included information about schools that contacted NDE and DRC and solutions DRC proposed but ultimately did not fix the issue. Research was conducted on the flagged essays, which were found to have higher scores.

Dr. Foy shared that anecdotally students who edited more tended to have more formatting errors so it would make sense that students who wrote more, experienced more issues (Technical Advisory Committee, 2013).

The TAC reiterated that if scores are released and used for the State of the Schools Report, even if not for NePAS, there still needs to be clear communication with the public about the situation. NDE would flag or asterisk scores and give an explanation of the situation but avoid the word “error.” As a result, NDE decided to release the NeSA-W scores with an indication that formatting issues had occurred. The State of the Schools Report would include NeSA-W scores with the same indication identifying that formatting issues occurred. The NeSA-W would not be included in the NePAS calculations for 8th and 11th grade for status and improvement (Technical Advisory Committee, 2013).

In releasing the NeSA-writing scores, the statement that was ultimately included in the score reports and on the State of the Schools Report was as follows:

Students at grades 8 and 11 experienced formatting issues with the NeSA-writing online test administration. While research into the score results does not indicate an effect on student results, it also does not assure there was no effect. Scores should be interpreted with caution and are not included in Nebraska Performance Accountability system (NePAS). (Technical Advisory Committee, 2013)

The issue of payment to DRC was brought up at the April 24, 2013 meeting. According to a contract updated in 2012, DRC would provide all NeSA testing for 2013 - 2014. DRC gave a demonstration to NDE about the readiness of the system and that led to the granting of the contract to DRC for 2013 - 2014.

2014 season. Unfortunately students taking the NeSA writing exam in 2014 also experienced technical issues. The minutes from the TAC meeting on May 6, 2014, include information that technology issues plagued students in grades 8 and 11 during the NeSA writing exam with the DRC online engine INSIGHT not working correctly. The decision was made by the TAC to recommend releasing scores to districts but not to publicly give summary information. The cost of administering the writing exam was \$177,000 (“FPS Encountered Few,” 2014).

In a May 6, 2014, letter to Dr. Valorie Foy from the Senior VP of education program management for Data Recognition Corporation (DRC) laid out steps as to how DRC ensured the 2014 - 2015 assessment year to be smooth and stable. Some of the processes DRC put in place were systems, performance, security, and load testing. Large scale simulations involving DRC employee teams and reviews of final products were additional strategies being used (Data Recognition Corporation, 2014).

2015 season. The spring 2015 NeSA testing season did not include major technology issues, and discussion centered around updating the rigor to create a more difficult NeSA reading assessment. In an *OWH*, February 6, 2015, article, an idea was being developed for a more rigorous reading test, administered online, with multi-step questions. The idea was before the State Board of Education at the same time DRC was being considered for a contractual increase of \$286,457 for development of a new test. The company already held a \$5.36 million contract to provide testing services for 14-15 (Dejka, 2015a, p. 4B).

2016 season. The 2016 testing season saw a return of significant technology issues related to the testing vendor DRC, which resulted in the State Board of Education and NDE examining vendor testing options.

February 6, 2016, *OWH*:

“State Testing Snags Put Firm Again in Crosshairs.” Computer glitches during this year's state reading test have put the state's testing contractor under scrutiny again. And this time Data Recognition Corp could find the state looking for another contractor. “I certainly hope DRC realizes they are on notice” said Rachel Wise, president of the State Board. “There better not be any more technical issues with the rest of our NeSA season.” According to State officials, Nebraska students were shut out of their online writing test twice in late January and on another occasion lost access to online testing tools. The education board in June approved a \$7.25 million-dollar contract extension with DRC to provide testing services for the school year despite previous problems. That contract approved 8-0 reflected a nearly 28% increase over the previous year's contract. In 2012 - 2013 the reliability of writing test scores for grades 8 and 11 was considered suspect and results were interpreted with caution because of technology problems during the testing. In 2013 - 2014 no scores were released again because of technology issues. (Dejka, 2016a, p. 1B)

The following February (2017) bids were reviewed from six companies to become the Nebraska state testing vendor. The state sought out innovative practices in assessment which could be a departure from the current NeSA tests that include Nebraska teacher developed questions and are mainly multiple choice. The proposals could include

the capabilities to include different types of questions that could assess deeper understanding and even adaptive test models in which test question sequences respond to whether or not a student was correctly answering questions. The Every Student Succeeds Act (ESSA) allowed for different types of assessments that NCLB did not allow (Dejka, 2017a).

In May 2017, an announcement was made that a new contract to provide statewide tests was awarded to Northwest Evaluation Association (NWEA), which would also provide a test called Measures of Academic Progress (MAP) which districts could use to measure student progress as it is administered several times a year. NWEA would develop new NeSA tests which would not be adaptive tests in the first few years but could have that capability down the road. The adaptive nature of a test would provide more information on personalizing instruction for students rather than the current NeSA results which only show above, on, or below proficiency of student performance on the tests. Gretna Superintendent Kevin Riley in responding to news of the new assessments said he hopes the system has time to see if it works, "what we don't want is, OK, we're going to do this for five years, and then we'll be on to something else" (Dejka, 2017b, p. 1A).

Test Security

Test security and protocols for administering NeSA tests were clearly articulated in guides and updates provided to all school districts in the state. Amid a few high profile test cheating scandals around the country, in 2012 NDE elected to have a test security audit conducted on the assessment system in Nebraska.

An update was provided to the TAC at its November 7, 2012, meeting regarding the security evaluation. The security consulting company Caveon performed the audit conducting interviews with NDE staff and district level staff from around the state. The results of the audit were positive. The company suggested Nebraska invest in some forensic test score analysis. The TAC recommended to NDE that a cost/benefit analysis be done regarding data forensics (Technical Advisory Committee, 2012).

Results and Scores

During the time frame of 2012 - 2017 a shift seemed to occur in the overall message school administrators were sending about the NeSA assessment results. In viewing how the message to community members was communicated through newspapers from the early days of NeSA to now, the message has evolved.

In the transition years of 2009 - 2011 the comments from district level administrators were generally stated as the scores are baseline results and give us a starting point. In 2012 there seemed more of a message of districts better understanding the NeSA and there is a “rah-rah” mentality of let’s do great on these tests and we must communicate the importance to students and stakeholders. From 2013 - 2015 the message was more characterized as, our scores are OK and we can do better but overall we’re satisfied with where we are today. Finally, in more recent years the message seemed to shift to, the NeSA is just one test, only a snapshot of what really happens in our schools. Below are examples of those shifts as taken from Nebraska newspapers.

Onward and upward, 2012 - 2014. The NeSA assessment system was in full swing as the 2012 - 2013 school year began. NeSA-R was in the third year of administration, NeSA-M in the second year of administration, and NeSA-S was given for

the first time in the spring of 2012 (Technical Advisory Committee, 2012). As districts settled into this system there were calls to further motivate students to do their best and to increase rigor on some assessments.

From the *North Platte Telegraph*, April 19, 2012, “Governor Heineman Visits Reading Champions in Hershey.” For the second year in a row Hershey Public school was rated first among Class C schools in reading. Governor Heineman visited the school in a pep rally atmosphere and declared:

There have been many successful athletic teams across our state. That’s nothing compared to what you have accomplished. For 750 days, you have been the best at reading in our state. Day after day, you are the best. (Wetzel, 2012a, n.p)

Districts shared their NeSA scores with a mixture of positivity, pride, and realism about the challenge to improve. Included in their descriptions of the scores are elements that make each district unique in the challenges that it faces.

From the *Lexington Clipper-Herald*, August 24, 2012, “Students Continue to Show Growth.” Lexington administrators expressed optimism and satisfaction as the NeSA scores report was released and showed the district making large increases in the number of students proficient in reading and math. Although on paper the overall percentages may look low compared to the state average they don’t tell the whole story about student growth. The district has worked hard to have an aligned language arts curriculum, teacher professional development on English language learners, and moving to an English block of time at the elementary. Lexington public schools has nearly five times the state average of ELL students (Penner, 2012).

August 21, 2012, *OWH*:

There's some good news however in the 2011 - 2012 reading and math test scores also released by the Nebraska Department of Education. Proficiency in both areas improved statewide over the 2010 - 2011 school year. The percentage of students who met or exceeded state reading standards rose from 71.8% in 2010 - 2011 to 74.2%. Reading scores have gone up each year since the reading test was implemented in 2010 - 2011. Math proficiency climbed from 62.8% to 67.4%. That test is in its second year. While OPS students still trail their peers statewide by a significant margin, Renae Kehrberg, OPS assistant superintendent of curriculum and instruction, says she's "elated" by the progress. The plan calls for standardized instruction in each classroom, coaching teachers to make them more effective, and using the district's Acuity data system to test student learning and drive instruction. Part of this new approach is an emphasis on gradual release, a basic teaching model which she said gives student substantial feedback that helps them improve. (Dejka, 2012b, p.1A)

The following year, 2013, brought much positive news in terms of district NeSA performance. "Trends statewide are all positive," declared Scott Swisher, Interim Education Commissioner during a news conference (Rickerl, 2013, n.p). In the days that followed positive headlines continued from around the state regarding student achievement data.

"GIPS Closing the Gap on State Test Scores" *Grand Island Independent*, August 13, 2013 ("GIPS Closing," 2013).

"Scottsbluff Educators Pleased with NeSA Testing Results" *Star-Herald*, August 13, 2013 (Dutton, 2013).

“State, Local Test Scores Show Growth” *Fremont Tribune*, August 14, 2013 (Rickerl, 2013).

“Reading Scores Surge, Math is Next” *Lexington Clipper-Herald*, August 16, 2013 (Penner, 2013).

In 2014 the message regarding NeSA assessment results was mix of positive results and calls to action for improvement. August 26, 2014, *OWH*:

“Nebraska Sees Gains in Science Math Scores.” Science and math proficiency increased in Nebraska's Public Schools last year according to preliminary test scores released Tuesday. Reading proficiency was unchanged the Nebraska Department of Education said. Statewide 71% of students were proficient in math up from 69% in 2013. And science 72% were proficient up from 70%. Only partial writing test results were released. State officials tossed out results of for the 8th and 11th grade writing test because of computer glitches that interrupted and frustrated students during online testing. Fourth graders took a paper pencil version so they were unaffected by the computer problems. (Dejka, 2014c, p. 1A)

From the *North Platte Telegraph*, August 26, 2015, “NeSA Results Show Room for Improvement.” North Platte public school students are still falling short of meeting the state average in many of the NeSA tests. This is despite demonstrating overall progress. Superintendent Ron Hanson said that in addition to goals that are focused on improving student test scores in reading and math, he has authorized the purchase of training tools and equipment that will be needed to go with professional development around training teachers in way to increase student scores in math and writing. He is also

advocating teachers have a better understanding of vertical alignment of the curriculum (Chapoco, 2015).

From the *Lexington Clipper*, March 5, 2014, “Looking Beyond the Numbers.” State testing results do not necessarily show growth very well, and that is what Lexington does really well. It takes students where they are and works very hard to move them up, but the state testing doesn’t take into account demographics which have a big impact on schools in Lexington (Zelaya, 2014a).

New writing tests scores. According to NDE the writing testing in January 2012 was more rigorous and included new prompts, and scores from previous years cannot be compared with this year’s scores (Ellis, 2012a). For this year’s test the bar has been raised to new heights with a new more “college and career” ready writing assessment. The test is given online and the scoring rubric now has higher expectations in content, organization, word choice, and writing mechanics. District feedback will also look different, will be more specific to address instruction and performance areas for improvement (Holsinger, 2012b). This year the writing test uses a new rubric that looks at individual categories instead of holistically (Wetzel, 2012b).

The new writing process and scoring protocol left some districts dissatisfied with the shift. An example of this frustration is from the *Chadron Record*, June 5, 2012, “Area Schools Analyzing Writing Test Results.” This year’s writing assessment changed to students’ composing their piece all in one sitting compared to previous years where the process was done over two days. The superintendent of Hays Springs Public schools expressed dismay at the results of the revised writing assessment. The district has been at 100% proficiency for year and this year saw only 12% of its eighth graders proficient.

The district has been reviewing the process and samples and plans to appeal the scores of about 90% of the district samples. Overall the state went from 90% proficient to about 60% of students proficient with the new format (Rempp, 2012a).

The stand-alone statewide writing test is going away after this current school year. The test which began in 2001 had been criticized for the format in which a student writes about an idea but does not research it or have required content. Also the scoring of the test was done based on six traits of good writing which produced writing that was considered formulaic. The writing test will be replaced with a writing prompt at the 11th grade level in conjunction with the ACT, the 4th and 8th grade level it will be a part of the ELA NeSA. The new test will have students reading a text and responding to the text with evidence, called evidence-based analysis writing (Dejka, 2016b).

NeSA as one measure. In 2015 Nebraska moved to a new accountability system called, AQuESTT from the previously used NePAS. The shift in accountability system meant that districts would acquire a categorical rating based on multiple measures. NeSA performance would remain one of the factors in the formula. Although some districts had routinely maintained a talking point of “the NeSA is just one measure of what happens in our district,” that rhetoric became louder with the shift to AQuESTT.

From the *Grand Island Independent*, October 21, 2015, “State Testing Doesn’t Factor Students’ Social, Emotional States, Area Educators Say.” Superintendents and principals have mixed views when it comes to the Nebraska state accountability assessments. All administrators agree the tests are important although some see it as merely a snapshot and others see it as a view of the big picture. Most says that it is only one factor in looking at student and school achievement (Moody, 2015).

In contrast to previous years, in August 2015 NeSA scores were released with no press conference and no fanfare. Instead, a press release was issued saying there was an increase in Nebraska students meeting proficiency in reading, writing, math, and science compared to previous years. The headline released was, “Nearly Three Out of Every Four Students Meet State Standards” (“State Releases Assessment Scores,” 2015).

Students in Nebraska showed gains in achievement scores in reading, writing, and math according to 2014 - 2015 NeSA data. Science proficiency remained the same. Matt Blomstedt, State Education Commissioner said that although the increase in proficiency is positive there still remains achievement gaps. At the state level reading proficiency rose to 80%, up from 77% last year. Math proficiency rose one percentage point to 72% and science proficiency remained at 72%. Writing proficiency for 8th and 11th could not be compared to last year because testing problems caused the results of last years writing tests to not be released publically. Fourth grade writing scores were not affected by the testing issues last year and the proficiency level increased by one percentage point to 70% in 2015 (Dejka, 2015h, p.1A).

The Only Constant is Change

If there is one constant is Nebraska assessment and accountability it is change. Major transitions in assessment and accountability Nebraska implemented since 2016 were outlined in a *Summative Assessment Administration and Reporting Plan* released by NDE in November 2017. Changes include:

Nebraska NeSA-Reading transitioned to NeSA-English Language Arts in spring 2017. NeSA-Writing was last administered in spring 2016 as the writing

assessment was incorporated into the English Language Arts assessment in spring 2017.

NeSA-Reading, Mathematics and Science general assessments at 11th grade were last administered in spring 2016 as the high school assessment transitioned to the ACT in spring 2017.

The vision of the State Board of Education is to provide a more balanced, student-centered system of assessment. The nomenclature Nebraska State Accountability (NeSA) has transitioned to Nebraska Student-Centered Assessment System (NSCAS). (Nebraska Department of Education, 2017c, p.1)

NSCAS. The 2017 - 2018 school year began with changes to the Nebraska assessment system including a new name. The new system, Nebraska Student Centered Assessment System (NSCAS), capitalized on product capabilities of the new testing vendor NWEA. College and Career Ready standards in ELA, Math, and Science had been developed in the previous four years and new assessments would reflect those changes. The performance levels of the assessments were also being renamed to signal the shift in assessment and standards. Performance levels: below, meets, and exceeds, would be replaced with developing, on-track, and ACT benchmark (Nebraska Department of Education, 2017c).

Nebraska's assessment system, as of the writing of this dissertation, is called NSCAS and includes formative, interim, and summative assessments. The formative tests are teacher created using an NWEA product and can be administered as often as needed by the teacher. The interim assessments are funded by NDE for all public schools for grades 3 - 8 in reading, math, science, and language arts. Finally, the summative

assessments are given in the spring for ELA and math in grades 3 - 8 and science in grades 5 and 8. Students in 11th grade take a college entrance exam, ACT, as the summative assessment (Nebraska Department of Education, 2017d).

ESSA application. In response to the 2015 reauthorization of ESEA and the development of ESSA, Nebraska submitted the state plan in the fall of 2017. The plan outlined Nebraska's AQuESTT model for accountability and the Nebraska assessment system model NSCAS. Governor Pete Ricketts declined to sign the application as he objected to a lack of specificity on how the state BoE would hold schools accountable (Dejka, 2017c).

Despite the lack of the governor's signature, State Education Commissioner Blomstedt was confident that Nebraska's ESSA plan would meet the federal requirements, and the plan was submitted in September. In December 2017 Nebraska received a letter from the US DoE outlining several items that needed clarification in the plan in order for it to be approved. A sampling of the items needing clarification were the state's method of annual differentiation among school performance, comprehensive support for lowest achieving schools, and frequency of school classification identification (Botel, 2017).

The year 2017 ended with Nebraska's ESSA plan being under review and schools gearing up for the first summative NSCAS tests. Nebraska educators and policy makers continue to reflect upon and review the assessment and accountability system in Nebraska, not being afraid to make changes and implement innovative approaches.

Summary Chapter 7

The Nebraska assessment and accountability system during the time period of 2012 - 2017 was a time of relative stability compared to earlier time periods. Policies, people, and practices were the lens through which this chapter was examined. Many pieces of assessment and accountability were the same in this time period as in previous time periods, such as NeSA and statewide writing, although changes were on the horizon. The state would adopt a new accountability system during this time and statewide assessment would look different with the use of a new vendor and new ELA standards.

NCLB continued to drive accountability in the country during this time period. With the act being well past the reauthorization date and the widespread use of waivers by other states, the rewrite of ESEA in 2015 was welcome. Nebraska capitalized on the increased flexibility the reauthorization offered and developed an innovative state accountability plan. The new system updated NePAS which had been in use for only a few years and was implemented after the state was without a plan for several years after the ending of STARS. Where NePAS used student assessment scores and graduation rates to calculate a ranking for schools AQuESTT took a different approach utilizing multiple measures in categorizing school performance.

Components of the assessment and accountability system such as the PLAS list, ranking of schools, and identifying priority schools continued to shine a light on low performing schools. The stated aim of identifying the schools was to provide assistance and resources to support those schools in improving, although the stigma and strings attached to accepting additional funds often were great. Success was reported all over the

state in raising student achievement and the use of student growth data in addition to student achievement data was welcome.

The end of the time period for this study is 2017 and as the old saying goes, “the only constant is change.” In fall 2017, NDE announced an updated statewide assessment system, NSCAS. This new system would capitalize on a system that used formative, interim, and summative assessments for ELA and math in order to measure student achievement in new state standards for those areas. The 11th grade assessments were replaced with the ACT for all juniors and the long standing statewide writing assessment was last given in 2016. Nebraska’s ESSA plan also met with some resistance at the federal level as AQuESTT had many unique pieces to it that were unlike other states and the application needed additional information submitted as of December 2017.

Assessment and accountability during the time period, 2012 - 2017, included changes that were being made as a result of educators and policymakers being reflective on what the vision for Nebraska would be and how to best achieve that vision. As 2017 concludes and Nebraska is using an expanded assessment model and accountability based on locally connected multiple measures, the power of learning from past lessons and utilizing pieces of the past is evident.

Chapter 8: Discussion

We were at sea — there is no other adequate expression — on the plains of Nebraska. It was a world almost without a feature; an empty sky, and empty earth. The green plain ran till it touched the skirts of heaven. It is the settlers at whom we have the right to marvel. Upon what food (do they) subsist, what livelihood can repay the human creature for a life spent in this huge sameness? He is cut off from books, from news, from company, from all that can relieve existence. He may walk five miles and see nothing; ten, and it is as though he had not moved; twenty, and still he is in the midst of the same great level. From Robert Louis Stevenson in “Across the Plains,” an account of his journey through Nebraska in 1869. (Batson, 2017, n.p)

Overview of the Study

This study serves as a historical record of the Nebraska assessment and accountability system from 1998 - 2017 to assist in learning from the past in order to plan for the future. A comprehensive accounting of the Nebraska assessment and accountability system during this time period does not currently exist. The central research question is: What is the history of the Nebraska assessment and accountability system from 1998 - 2017?

This pragmatic qualitative study utilized case study methodology and document analysis to collect, analyze, and synthesize the data. The documents were examined through the lens of policymakers and practitioners with the theme of policies, people, and practices emerging. The findings were analyzed chronologically, divided into time

periods of 1998 - 2007, 2008 - 2011, and 2012 - 2017. The time periods were developed based on key Nebraska legislation.

Overview of the Nebraska system. Accountability has changed over the years. The 2002 reauthorization of the Elementary and Secondary Education Act (ESEA) also known as No Child Left Behind (NCLB), required states to provide a way to measure adequate yearly progress (AYP) and provide a system for rating or ranking schools to identify low-performing schools (NCLB, 2001). To comply with these federal mandates, most states adopted or maintained a uniform standardized high-stakes testing system (Tung, 2010).

Instead of a uniform high stakes testing system, Nebraska chose to develop a unique, locally developed assessment system, “School-based, Teacher-led, Assessment and Reporting System” (STARS). Nebraska would be the lone maverick, holding onto locally developed assessment system and eventual last hold-out in the country to adopt a statewide standardized assessment system.

The STARS system was ended by state legislation in 2008 and replaced with a new statewide standardized assessment system. The subsequent assessment system included Nebraska State Accountability tests (NeSA), which used a statewide standardized assessment approach to test students in math, reading, and science. NeSA tests were replaced in 2016 at the 11th grade level with the American College Testing (ACT) and in 2017 for grades 3 - 8 with the Nebraska Student Centered Assessment System (NSCAS).

The accountability system implemented in 2012 was the Nebraska Performance Accountability System (NePAS). This system ranked schools based on student test

scores on statewide assessments and graduation rates. As NePAS was revised, it became Accountability for a Quality Education System, Today and Tomorrow (AQuESTT) which gave schools a rating based on six tenets. Accountability also changed at the federal level during the time periods covered by this study as NCLB ended in 2015 with the reauthorization of ESEA. The 2015 reauthorization, named ESSA, included more flexibility for states in meeting accountability requirements.

Discussion of the Findings

The Nebraska assessment and accountability system was examined chronologically and thematically in this study. The time periods were delineated by key legislation, the lens for analysis was policymakers and practitioners, and the emergent themes were policies, people, and practices.

Time periods. Three key time periods divide the Nebraska assessment and accountability system from 1998 - 2007. Key legislation of LB 812 in 2000, LB 653 in 2007, LB 1157 in 2008, and LB 438 in 2012 provide the bracketing of the time periods. The study is divided into 1998 - 2007, 2008 - 2011, and 2012 - 2017 for this study. Changing legislation during those time periods LB 812 established STARS; LB 653 and LB 1157 ended STARS and mandated a statewide assessment system; LB 438 provided for a new accountability system including the ranking of school.

Lens for Analysis. The lens of policymaker and practitioner was kept throughout the analysis of the documents. A third lens emerged though, that of the community. As policy and implementation of policy by practitioners occurred, that third lens became apparent in how policy and practice were viewed by the public. The use of newspaper

articles became an important part of this study in capturing the voice of the third lens of community.

Issues such as the PLAS list, accountability, and comparison of schools were not only debated in the legislature and within schools, but it also became apparent through the media reports that the effects of those issues were not limited to the world of education. As the school system of a community is often truly the heart of a community the impact of education policy on communities emerged from this study.

Themes of policies, people, and practices. The themes of policies, people, and practices were used to frame the findings chapters of the study. These three themes were used chronologically within the chapters to show the progression of the development, implementation, and reflection on education policies in Nebraska.

The willingness of Nebraska education leaders to be reflective and act on input and research in order to continually push forward an evolving system, presumably for the better, became apparent through this study. Similar rhetoric of accountability, efficiency, and effectiveness ran throughout policy development and debate during the time periods of this study. Accountability to taxpayers and a way to measure student achievement drove much of the education policy debate as Nebraska moved between two very diverse assessment and accountability systems in 2007 - 2008. The quantity of change in assessment and accountability practice and procedures during this time must be noted. In short order Nebraska educators have adopted to multiple assessment and accountability systems.

The themes of people and practices of the Nebraska assessment and accountability system were shaped not only by Nebraska education policy but also by the

federal policy of NCLB. The requirements of measurement and reporting under NCLB really did drive how states shaped education policy. Nebraska moved away from a unique locally based assessment system in favor of a system more inline with what other states were doing in measuring student achievement on statewide tests.

The mandates of assessment and accountability then drove the development of assessments that were often multiple-choice questions with data easy to gather, analyze, and communicate. The type of assessment then drove much education practice in that teachers were getting students ready for a particular type of assessment and matched curriculum content and practices to that outcome measure.

Professional development for teachers in the development and use of assessments in Nebraska skyrocketed during STARS. The six Quality Criteria were used as a basis for training many Nebraska teachers, and that knowledge persisted even after STARS ended. The subsequent assessment system, NeSA, still used items written by Nebraska teachers which capitalized on STARS assessment knowledge. The newest assessment system, NSCAS, once again has a strong professional development component to it to support teachers in the use of formative, interim, and summative assessments. That focus once again may be on developing teacher assessment knowledge.

Limitations of document analysis. Although over 600 newspaper articles and thousands of pages of legislative transcripts, reference manuals, memos, and journal articles were used for this study, there are still missing components to the story of the Nebraska assessment and accountability system. Document analysis is a powerful tool but cannot capture the informal conversations that took place in the Capitol rotunda, the brainstorming texts that went back and forth between colleagues, or the phone calls that

may have shaped policy. An example of this is the inclusion of Evidence-Based Analysis in the AQuESTT model. The documentation for the process of developing EBA is not as robust as surely the conversation around its development.

Implications for Policy and Practice

Policymakers plan, but practitioners at the local level are the ones who implement, and it is difficult to draw a straight line between the two (Terry, 2009). Throughout this study the role of practitioners intersected with key policy making decisions. The greatest example being in 2007 and 2008 when the Nebraska legislature changed policy ending STARS and many teachers testified in front of legislature committee hearings and advocated for their position in other ways as well.

The implementation of term limits in 2000 also spurred changes in how policy is developed since state legislatures are in office for a maximum of eight years. This limited amount of time means every time a senator leaves, institutional memory is eroded. The speed at which new senators need to learn about the history of education legislation has greatly increased.

This work will serve as a critical reference in providing an outline of key legislation, debate, and changes to the Nebraska assessment and accountability system from 1998 - 2017. Education stakeholders, community members, and policymakers will use this work as a basic reference in better understanding the history of Nebraska assessment and accountability, and this work can serve as a starting point for future studies.

Future Studies

Although this study provides a comprehensive accounting of the Nebraska assessment and accountability system, many more areas and aspects could be researched. Major areas that could be explored in future studies include examining the impact on special populations, analyzing policy development through State Board of Education minutes or legislative transcripts, the technical components of assessments, and utilizing interviews for a historical study of the Nebraska assessment and accountability system.

Limiting the scope of this study to fit the parameters of a dissertation (self-imposed or otherwise) dictated that choices had to be made in regard to content and methods of analysis. Special populations and the impact of the assessment and accountability system on these groups of students through the years was something that piqued my interest but I did not pursue. The achievement gap and how that may have lessened or widened during certain time periods or with certain students or with certain communities is something that would be worth exploring.

Policy was one of the major themes of this study. Even with it being a major theme there were still limitations as to the depth into which I could go and still maintain a focus on the goals of my study. Many avenues remain to be explored related to education policy surrounding assessment and accountability in Nebraska. Simply doing a keyword analysis on State Board of Education minutes or legislative transcripts is something I believe could yield fascinating results.

The technical components of the assessments administered during this time period of 1998 - 2017 is something that was included on a basic level as it related to the overall story, but opportunities remain for a more in-depth analysis of the question construction,

delivery modes, and testing protocols used. During STARS the six Quality Criteria were detailed but opportunities remain for a much deeper analysis of how assessments after that time period evolved from using teacher developed questions to eventually purchasing a test with an item bank for a testing company.

Finally, the use of interviews for future research is something for which I think a huge opportunity exists. In preparing for my study I spent much time poring over qualitative study guidebooks to make a decision about my methodology. I ultimately decided against using first person interviews for my study because I wanted to avoid the curse of presentism, making judgements based on current day norms or information and a romanticism or a sanitation of past events that may occur with interview. I also did not feel I would be able to get an adequate number of interviewees to truly represent the scope of the history of the Nebraska assessment and accountability system from 1998 - 2017. When considering that this topic affected every single teacher, administrator, student, ESU employee, community member, parent of school age children, school board member, and state legislative policy maker, I felt I could not adequately interview enough people to share the message of those experiences fairly. Therefore I am hoping that the use of interviews will be done in a follow-up study of this topic.

Conclusion

Learning from the past in order to support a better future is the goal of this study. Preserving the story of the Nebraska assessment and accountability system is beneficial for not only preserving institutional memory for policy makers but also for honoring the work of Nebraska educators. Nebraska does not always follow the crowd in education policy and practice. This is aggravating to some education stakeholders and a badge of

honor to others. Understanding how policy and practices have emerged and how they are connected to past events is valuable in order to make informed decisions. This study will serve as a critical reference in better understanding Nebraska assessment and accountability policy and practice from 1998 - 2017.

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