



## NATIONAL BOARD FOR EDUCATION SCIENCES

Board of Directors for the Institute of Education Sciences  
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**TO:** The Honorable Arne Duncan, Secretary, Department of Education  
The Honorable Jacob Lew, Director, Office of Management and Budget  
The Honorable John Easton, Director, Institute of Education Sciences  
  
The Honorable John Kline, Chair, House Education and Workforce Committee  
The Honorable George Miller, Ranking Member, House Education and Workforce Committee  
  
The Honorable Tom Harkin, Chair, Senate HELP Committee  
The Honorable Michael Enzi, Ranking Member, Senate HELP Committee

**SUBJECT:** **We urge that any federal “waivers” from *No Child Left Behind* be used to build credible evidence about what works in K-12 education, drawing on the successful precedent from U.S. welfare policy in the 1980s and 90s.**

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In recent years, the National Board for Education Sciences has unanimously approved a set of policy recommendations to advance the use of credible evidence of effectiveness in education policy and practice. We believe these recommendations are especially relevant now, as federal officials consider granting widespread waivers from certain accountability provisions of No Child Left Behind (NCLB). A 2006 Board recommendation, for example, urged the U.S. Department of Education to “use its waiver authority to build scientifically-valid knowledge about what works in K-12 education.”<sup>1</sup> The attached memo briefly outlines why such an approach is needed, and how it might work, in any forthcoming NCLB waiver policy.

Importantly, we note that this approach could be used regardless of what form the waivers take – i.e., initiated legislatively by Congress or administratively by the Department; conditioned on state/local adoption of certain policies (as the Administration is considering), or unconditioned (as was done in welfare policy in the 1980s and 1990s). The approach would require no new federal expenditures.

We appreciate your consideration of this matter.

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Jon Baron, J.D. M.P.A.  
Chair, National Board for Education Sciences  
President  
Coalition for Evidence-Based Policy  
[jbaron@coalition4evidence.org](mailto:jbaron@coalition4evidence.org)  
202-683-8049

Handwritten signature of Bridget Terry Long.

Bridget Terry Long, Ph.D.  
Vice Chair, National Board for Education Sciences  
Professor of Education and Economics  
Harvard Graduate School of Education  
[longbr@gse.harvard.edu](mailto:longbr@gse.harvard.edu)  
617-496-4355

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<sup>1</sup> National Board for Education Sciences recommendation, approved September 2006. Available at <http://ies.ed.gov/director/board/res5.asp>.

## **Federal “Waivers” from No Child Left Behind (NCLB) Provisions Should Be Used To Build Credible Evidence About What Works in K-12 Education**

### **Precedent from Welfare Policy in 1980s and 1990s Shows How It Could Work and Benefit Students and Schools**

**Problem:** The U.S. has made little progress in raising K-12 achievement over the last 35 years; a primary reason may be the dearth of credible evidence about what works.

**Our nation has made very limited progress:** (i) in raising K-12 reading, math, or science achievement since the 1970s, according to the long-term trend of National Assessment of Educational Progress (NAEP) scores; or (ii) in raising the high school graduation rate, which peaked around 1970.

**Credible evidence about what works may be the missing piece needed for progress.** No Child Left Behind (NCLB) has sought to spur progress by holding schools and districts accountable for improving student achievement and attainment. Yet if schools and districts ask *how* they can meet the NCLB goals – that is, which specific classroom curricula, school reform programs, and teacher training models will get them there – the answer is that too little is known.

**Specifically, the number of educational practices proven in rigorous studies to produce sizable gains in achievement, graduation, or other key outcomes is small.** Thus, schools and districts are being held accountable for improving student outcomes without having a substantial set of proven strategies to help them succeed. And, unfortunately, predominant *unproven* strategies too often do not work – including those acclaimed by experts and backed by less-rigorous studies. As one of many examples, a recent major randomized controlled trial of 16 leading – in some cases, award-winning – software products for teaching reading and math found no overall difference in reading or math achievement between students using these products in their classrooms, and those receiving schools’ usual instruction.<sup>2</sup>

**However, research holds a key to identifying important ways of improving educational outcomes for all students.** As the examples below illustrate, when schools partner with researchers to identify what does and does not work, considerable gains can be made in education. The following discusses how federal waivers may offer a unique opportunity to advance such partnerships and grow the number of strategies proven to improve key educational outcomes.

**Opportunity:** U.S. welfare policy in the 1980s and 1990s shows how waivers can greatly expand the number of rigorously-evaluated strategies and identify the subset that work. Specifically, from the Reagan through the Clinton Administrations, U.S. Department of Health and Human Services (HHS) had in place a “demonstration waiver” policy, as follows:

**HHS waived certain provisions of federal law to allow states to test new welfare reform approaches, but only if the states agreed to evaluate their reforms in randomized controlled trials.** This policy directly resulted in more than 20 large-scale randomized controlled trials of welfare reform programs from the mid-1980s through the mid-1990s.

**These trials – along with those that HHS funded directly – built valuable evidence about what works, and helped pave the way for national welfare reform in 1996.** Of particular value, they showed convincingly that reform models that emphasized short-term job-search assistance and training, and encouraged participants to find work quickly, had larger effects on employment, earnings, and welfare dependence than reform models emphasizing remedial education. The work-focused models were also much less costly to operate.<sup>3</sup> Such findings helped shape the 1996 federal welfare reform act and the work-focused reforms in state and local welfare programs that followed, leading to major reductions in welfare rolls and gains in employment among low-income Americans.

<sup>2</sup> Institute of Education Sciences (2009). Available at <http://ies.ed.gov/ncee/pubs/20094041/pdf/20094042.pdf>.

<sup>3</sup> Bloom, Hill, and Riccio (2003). Available at <http://www.jstor.org/pss/3325972>.

## **How a similar “waiver-demonstration” policy might work in education:**

1. **A state or district seeking a waiver from the U.S. Department of Education would:**
  - (a) **Propose to implement a promising, well-defined program or strategy in a sizable number of schools to improve educational achievement/attainment.** We suggest it be “well-defined” so that, if found effective, it can be replicated elsewhere so that many schools can benefit.
  - (b) **Identify an appropriate sample of its schools willing to participate in a randomized evaluation of the program/strategy** (where schools, classrooms, or students would be randomly assigned to a program versus control group).
  - (c) **Identify a credible evaluator to conduct the evaluation and disseminate the results.**
  - (d) **If needed, request flexibility to use districts’ existing federal funds (e.g., from School Improvement Grants or Title I) to pay for the program and evaluation.**
2. **Applicants meeting criteria such as the above would receive a waiver from appropriate NCLB sanctions and legal restrictions on funding to allow the effort to go forward.**

To keep the number of ongoing evaluations to a manageable amount, the Department or Congress might limit this policy to certain types of waiver requests – e.g., those from whole states or large school districts.

**Illustrative examples: How such studies can produce credible, policy-important evidence about what works – and what does not – to improve under-performing schools.** New York City has used randomized evaluations to assess several of its major education initiatives. Because these evaluations were built into the initiatives from their inception, and measured outcomes using state data that were already collected for other purposes, the studies were done at low cost<sup>4</sup> yet produced convincing, valuable evidence about what did and did not work. They illustrate how a larger national effort to encourage such evaluations through the use of federal waivers could help build the credible evidence needed to make important progress in education.

- **Small Schools of Choice (SSCs).** Between 2002 and 2008, New York City closed many of its large high schools with graduation rates below 45%, and replaced them with SSCs – i.e., high schools that are smaller, academically non-selective, and designed to ensure students receive individualized attention from teachers. For the 105 SSCs that were over-subscribed, slots were allocated by lottery (i.e., random assignment), enabling a rigorous test of these SSCs compared to the schools chosen by students who lost the lottery.
  - **Results four years later: Students assigned to SSCs were 7 percent more likely to graduate from high school, and 10 percent more likely to score above the remedial level in English,** than students in the control group.<sup>5</sup>
- **Teacher Incentive Program in low-performing schools.** This was a \$75 million initiative, launched in 2008, in which 396 of the lowest-performing elementary, middle, and high schools in New York City were randomly assigned to (i) an incentive group, which could receive an annual bonus of up to \$3000 per teacher if the school successfully increased student achievement and other key outcomes; or (ii) a control group that was not offered the incentive.
  - **Results three years later: The program had no effect on student achievement, attendance, graduation rates, behavior, GPA, or other outcomes** (versus control schools), therefore encouraging the district to focus on other ways of improving outcomes.<sup>6</sup>

**Conclusion: As the welfare reform waivers and New York schools examples illustrate, an effective waiver-demonstration policy could help provide states and districts with the valid, actionable evidence they need to improve important educational outcomes for American children.**

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<sup>4</sup> For instance, the Teacher Incentive Program study (second example) cost approximately \$50,000.

<sup>5</sup> MDRC (2010). Available at <http://www.mdrc.org/publications/560/overview.html>.

<sup>6</sup> Fryer (2011). Available at <http://www.nber.org/papers/w16850>.