



REVIEW OF *STATE POLICY REPORT CARD*

Reviewed By

Sherman Dorn, University of South Florida

Ken Libby, University of Colorado Boulder

February 2013

Summary of Review

On January 7, the advocacy organization StudentsFirst released a *State Policy Report Card* assigning letter grades to states based on whether state policies in 24 areas matched the StudentsFirst policy preferences of school choice, test-based accountability and greater centralization of governance. As is common with the “grading the states” genre, the report card is designed to provide a simple news hook in the “grade.” While the relative rankings are predictable, based on the organization’s stated policy goals, the exercise of assigning grade labels to states is a political act designed to advance a particular agenda rather than a serious academic exercise. Despite errors in the data collection, the report does provide a compilation of the selected policy actions by state. However, given the biased purpose of the undertaking, it provides no useful policy examination or guidance to policymakers. As a member of a growing genre, however, each “state grades” report undermines the news value of these reports in the aggregate. In comparing various reports in this genre, all but three states can claim an A or a B in some education report card, and all states have also received Ds or Fs on some education report card.

Kevin Welner

Project Director

William Mathis

Managing Director

Erik Gunn

Managing Editor

National Education Policy Center

School of Education, University of Colorado
Boulder, CO 80309-0249
Telephone: (802) 383-0058

Email: NEPC@colorado.edu
<http://nepc.colorado.edu>

Publishing Director: Alex Molnar



This is one of a series of Think Twice think tank reviews made possible in part by funding from the Great Lakes Center for Education Research and Practice. It is also available at <http://greatlakescenter.org>.

This material is provided free of cost to NEPC's readers, who may make non-commercial use of the material as long as NEPC and its author(s) are credited as the source. For inquiries about commercial use, please contact NEPC at nepc@colorado.edu.

REVIEW OF *STATE POLICY REPORT CARD*

Sherman Dorn, University of South Florida

Ken Libby, University of Colorado Boulder

I. Introduction

In early January 2013, StudentsFirst, an education reform advocacy organization, issued what it called a *State Policy Report Card* describing and evaluating state policy in two dozen areas of interest, comparing state statutes and regulations to preferred StudentsFirst policies.¹ Many journalists covered the report with a focus on how their state performed on the A-F scale.²

Several articles included criticisms of the report, such as the gap between the report and student achievement measures.³ Some local and state officials welcomed the report card, while a representative of the California Department of Education claimed a failing grade was a “badge of honor.”⁴ The general published impression of reporters was that states fared poorly on the report card.

StudentsFirst is the newest entrant in the “grading the states” genre of think tank reports, reports that assign one or more “letter grades” to each state and the District of Columbia on different categories of interest to the think tank issuing the report. This is a category that the Think Tank Review Project has not yet reviewed.⁵ As such, this review examines the StudentsFirst report in the broader context of the genre as much as focusing on the details of the report itself.

II. Findings and Conclusions of the Report

The report rated the vast majority of states as inadequate when compared with StudentsFirst’s preferences, labeling most states as “D” or “F” using an A-F scale. These preferred policies include expanding various forms of public school choice and private vouchers, test-based accountability, and more centralized control over local public schools at the city and state level.

III. The Report’s Rationale for Its Findings and Conclusions

In most “grading the states” reports, including this report, the labels assigned are attached through a two-step process: identifying areas of examination and criteria, and then

comparing states to the criteria. StudentsFirst staff identified two dozen policy preferences, divided the policy preferences into three general areas calling on states to “elevate teaching,” “empower parents,” and “spend wisely and govern well,” and created a five-level (0-4) scale in each of the 24 policy preferences.

Staff then searched for state statutes and administrative regulations pertaining to the policy preferences and rated each state for each policy category. The ratings fed into weighted averages in each area (triple weights for the twelve policy preferences that StudentsFirst termed “anchor policies”) and a final weighted average, with translation from the 0-4 scale weighted average to letter grades using a high-school GPA scale (4 = A, 3 = B, etc.).

IV. The Report’s Use of Research Literature

One section of the report, “Policy Agenda,” has the rationale for the policy preferences. That section does not contain a comprehensive review of any topic that is the subject of StudentsFirst policy preferences but instead discusses issues in general and contains some references. Of the publications cited in the section, there are no meta-analyses cited; eleven publications that are either news reports, opinion pieces, or studies that provide descriptive information about education or are not directly related to or not supportive of StudentsFirst policy preferences; nine policy briefs produced for think tanks and written for a professional audience; 19 publications that fit a generous definition of research; and two research review publications that are not meta-analyses. Of the 24 policy preferences that frame the grades assigned, 15 have no single studies or study reviews cited that support the preferences, three have one single study cited, and 6 have either a conscious review of multiple studies or more than one single study cited.⁶ In general, where there are multiple studies cited that pertain to a policy preference, the report selectively cites both think-tank policy briefs and published research studies that support the preexisting policy preferences, without consideration of the literature in an area as a whole.

V. Review of the Report’s Methods

We review the report’s methods in the following areas: purpose, scoring criteria, description of sources and analysis, robustness of sources, relevance and use of sources, and transparency about sponsorship and potential conflicts of interest.⁷

Purpose

If one takes the report at face value, or if one agrees with the StudentsFirst policy preferences, there is a utilitarian purpose in comparing state policy frameworks on areas of interest to the advocacy group. Further, an accurate summary of policy stances in the states would be useful information for additional policy analysis, regardless of the

immediate uses of such data. Yet, because the details of each state report frequently focus on justifying the rating given, and because of the narrow focus on statute and regulation, the narratives are less useful for additional policy analysis than a more descriptive and broader cataloguing might be.

Transparency and clarity of scoring criteria

The report was issued without prior publication of the standards employed. The report's authors declare that they used statutes and regulations and made some contact with state officials before finalizing the report and its ratings, presumably with a draft of the state report. Twenty-four states and the D.C. Public Charter School Board responded to those contacts. Thus, state officials would not have had any explicit opportunity to know the standards of the report's authors beforehand but had an opportunity to respond to the initial analysis from StudentsFirst.

Some portion of the rating criteria would have been predictable from prior advocacy efforts of StudentsFirst.⁸ If the rating criteria remain stable, the criteria listed in the report's methods appendix provide sufficient specificity to predict future ratings.

However, even taking the StudentsFirst preferences at face value, there is some inconsistency between the stated criteria in some categories and their applications. For example, in the School Letter Grading category, the description of a zero rating is as follows: "The state does not require that all PK–12 schools receive annual school report cards based on student achievement" (p. 72). The description of a rating of 1 in the category is, "The state requires that PK–12 schools receive school report cards, but it does not require it annually and does not include achievement gap data. Or the state uses a 100-point scale numerical system to grade schools" (p. 72). Because all 50 states and the District of Columbia accept Title I funding under No Child Left Behind, all are bound to issue school report cards including student achievement by their assurances to the U.S. Department of Education. And one would expect that all states that comply with their assurances would receive a rating of at least 1 in this scale. Yet California (among many states) received a zero rating in the School Letter Grading category, despite its assurance to the federal Department of Education and its own statutory and regulatory requirements, which StudentsFirst recognized ("California requires an annual report based on school and district performance on the Academic Performance Index"). The assignment of a zero to California and other states is inconsistent with the stated rating definition.

Description of sources and analysis.

Specified data sources.

The report notes that the primary source for analysis was to be the legal and regulatory requirements of the state, and that there were some communications with states. The

details provided on the StudentsFirst website for each state contains statutory and regulatory references.⁹

Omitted analysis description.

The report does not specify the process StudentsFirst staff used in settling on ratings for each state for each of the 24 policy preferences, with neither a description of rating procedures nor quantitative measures of agreement within raters on the StudentsFirst staff. There are inevitable ambiguities in rating scales, and the standard in research is to provide both a procedural description of disagreement resolution and quantitative information about inter-rater agreement.

Minimal discussion of relevant caveats.

The report mentions the reliance on statutory and official regulatory documentation and identifies the ratings as focused on policy rather than practice. There is no discussion in the report of relevant methodological caveats such as rater disagreement or potential threats to internal or external validity.

Accuracy, consistency, and completeness of sources.

StudentsFirst generally provided citations for the bills and statutes related to various education policies covered by the report card. As mention in the “Relevance and use of sources” section below, limiting the scope of relevant materials to bills and statutes overlooks other important sources. While the report does not provide a description of methods for evaluating state policy, the report includes links to the primary documents used in the analysis.

The report received criticism in a few instances for inaccurate ratings.¹⁰ We reviewed the specific claims regarding four states: Louisiana, Oregon, Florida, and California. This set comprises two smaller states and two larger states, with one state in each category rated at the top of StudentsFirst scale and one state rated in the lower range of the scale overall.

Louisiana. The report card for Louisiana, while generally accurate, may contain a few instances of questionable grading. For instance, the StudentsFirst rubric indicates that, to get a rating of “4” on “Opportunity Scholarship,” a state must include “multiple accountability requirements, including state-approved assessments of scholarship students in participating schools.” The rubric does not specify if those multiple measures are academic or otherwise. On the grading report, StudentsFirst penalized Louisiana for not having multiple academic standards (specifically the lack of graduation and attendance rates), although the state does include state testing information and other indicators, including fiscal management. Louisiana, which received a “3” rating in this category, could have received a “4” depending on the definition of “multiple measures.” Additionally, schools serving fewer than 40 voucher students total, or fewer than ten per grade, are not

held accountable for academic work. If this exclusion from the accountability system is significant, it would be possible for Louisiana to receive either a “1” or “2” in this category.

Oregon. The report card for Oregon contains one error. StudentsFirst falsely asserts that Oregon teachers automatically receive tenure after two years, although Oregon eliminated tenure in the late 1990s. All of the possible scores for this section (“Tenure Attainment & Maintenance”) relate to the attainment of tenure, making it difficult to know how to score this policy.

Florida. The report card for Florida is generally accurate but contains some errors and omissions. The report card states that there is no “tenure system” in Florida. The 2011 Student Success Act eliminated any multi-year or continuing contracts for *new* teachers without continuing contracts as of the enactment of the law, but it did not eliminate due-process protections for teachers who had continuing contracts before the passage of the

The report caters to the preconceived belief sets of StudentsFirst supporters and those with similar policy preferences.

law. The report card states, “Florida state law requires that all PK-12 schools receive a letter grade annually.” That statement is not true for small charter schools that do not have students in tested grades or do not meet a minimum threshold for public reporting of student results in tested grades. The “Charter Facilities Financing” category fails to report that in both the 2011-12 and 2012-13 fiscal years, charter schools received \$55 million in capital financing from the state while local public school districts received no capital funding. In the “Fiscal Transparency” category, the report card fails to acknowledge that the fiscal transparency requirements for local public school districts do not apply to charter schools or private schools receiving voucher funds.

California. The state report card grades for California contained generally accurate descriptions of state policies

Relevance and use of sources.

StudentsFirst omitted a broad range of relevant sources from data collection and analysis. These missing sources of effective mandates include state court decisions, consent decrees, binding letters of guidance from state officials, and agreements that are part of cooperative programs such as Title I assurances to the federal government or Race to the Top award contracts. Any serious analysis of state policy should include a broad range of controlling documents.

Transparency of sponsorship.

Project sponsorship is implied but not stated explicitly in the report. The inside back cover of the report thanks a number of institutions “for providing guidance, feedback,

and a high bar for contributing to the education policy discussion” (p. 79), including several philanthropic organizations: the Eli Broad Foundation, the Laura and John Arnold Foundation, and the Walton Family Foundation. While StudentsFirst does not openly disclose its donors, reporting by Joy Resmovitz identified the Broad and Arnold foundations as significant early donors to StudentsFirst.¹¹ The Walton Family Foundation’s website lists StudentsFirst as a recipient of funding in 2012.¹² This indirect recognition of likely financial supporters is significantly different from practices of other non-profit organizations in education policy such as Education Sector, which explicitly identifies donors, including supporters of specific projects.

No identifiable separation of editorial control from potential sponsors’ interests. The report does not identify authors or staff who worked on the report.

VI. Review of the Validity of the Findings and Conclusions

As an exercise in comparing state policies to an advocacy organization’s preferred policies, the report is likely to be a generally accurate guide to how StudentsFirst sees specific state policies. One should not view the report as valid for any other purpose.

VII. Usefulness of the Report for Guidance of Policy and Practice

The report caters to the preconceived belief sets of StudentsFirst supporters and those with similar policy preferences. There is no independent reason to find value in the report as an accurate guide to the effectiveness of the rated state policies. As a source of aggregated policy information (a secondary use), the report card provides some information but requires some caution in interpreting specific factual claims for individual states.

More interesting than the biases of the genre is the broader discourse of “grading” states: the issuing of report cards has become a tool for satisfying key constituencies. Each report garners attention during a few news cycles, satisfying organization funders, and on occasion is part of what drives policy change where the focus is narrow (such as the Fordham Institute’s focus on science curriculum standards, especially in its handing out Fs for anti-evolution standards). But the more reports that appear, the more the news cycle dilutes the impact of any one such report and the more that state policymakers and advocates might be able to cherry-pick grades for their own purposes. The release of “grading” reports shortly before the start of many legislative sessions highlights the potential use of the grades as a way to shape current policy debate. Whether any individual attempt to grade states contributes to serious policy discussion is doubtful when a report issued the first week of January is followed by several other attempts to “grade the states” before the end of the month.

An illustration of this dynamic appears in Table 1, which identifies the highest and lowest grade received by each state and the District of Columbia over several cycles of report cards from a number of organizations. The range of grades received by each state is partly due to the variety of policies examined, but also a reflection of the values and interests of sponsoring organizations.

The short-term publicity advantage of the state “grade” as a news hook is diluted every time that an additional organization uses the tactic of applying grades to states. Regardless of the publicity garnered by an individual report, the dynamic is tilted towards increasing dilution and gamesmanship. In the name of rigor, “grading the states” reports have become the fodder by which most states can claim a good grade in something while others can claim almost all states fail at something else.

Table 1. Highest and Lowest State Grade Labels¹³

State	Best grade	Worst grade	State	Best grade	Worst grade	State	Best grade	Worst grade
AL	A-	F	KY	A	F	ND	B	F
AK	B-	F	LA	A	F	OH	A	D+
AZ	B+	F	ME	B	D-	OK	A	F
AR	A	F	MD	A	D	OR	B	F
CA	A	F	MA	A-	D-	PA	B	F
CO	B	F	MI	A	F	RI	B+	D
CT	B+	F	MN	A	D-	SC	A	D-
DE	B+	F	MS	A	F	SD	B	F
DC	A	F	MO	A-	D-	TN	A	F
FL	A	F	MT	C+	F	TX	A	F
GA	A	D+	NE	B-	F	UT	A	F
HI	B+	D	NV	C+	F	VT	A	F
ID	B+	F	NH	A	F	VA	A	F
IL	A-	F	NJ	A	F	WA	C+	F
IN	A	D+	NM	A	F	WV	A	F
IA	B	F	NY	A	F	WI	B	F

Notes and References

1 StudentsFirst. (2013). *State of Education State Policy Report Card 2013*. Sacramento: StudentsFirst. Retrieved February 4, 2013, from <http://reportcard.studentsfirst.org/>.

2 For examples of journalists covering the reports cards with an emphasis on the grades, see:

Curtis, A. (2013, January 8). Wyo. schools get “F” grade. *Wyoming Tribune Eagle*. Retrieved February 10, 2013, from http://www.wyomingnews.com/articles/2013/01/09/news/01top_01-09-13.txt;

Murphy, E.D. (2013, January 7). Maine education policies receive a “D”. *Kennebec Journal*. Retrieved February 10, 2013, from http://www.kjonline.com/news/maine-education-policies-receive-a-d_2013-01-06.html;

Kampis, J. (2013, January 10). Missouri gets D-minus from education reform group, but critics question methodology. *Ozark County Times*. Retrieved February 4, 2013, from http://www.ozarkcountytimes.com/news/statewide_news/article_1f6c75d2-5b3d-11e2-9b09-0019bb30f31a.html;

Washington, W. (2013, January 7). Georgia gets poor marks from school choice group. *Atlanta Journal-Constitution*. Retrieved on February 10, 2013, from <http://www.ajc.com/news/news/georgia-gets-poor-marks-from-school-choice-group/nTpKt/>.

3 Haughney, K. (2013, January 7). School reform group rates Florida No. 2 in nation. *Sun Sentinel*. Retrieved February 4, 2013, from http://articles.sun-sentinel.com/2013-01-07/news/fl-rhee-group-rates-florida-20130107_1_high-performing-teachers-teacher-tenure-michelle-rhee.

4 See Krampis (2013) for an example of a state Department of Education welcoming the report, and Rich (2013) for the statement from the California Chief Deputy Superintendent:

Kampis, J. (2013, January 10). Missouri gets D-minus from education reform group, but critics question methodology. *Ozark County Times*. Retrieved February 4, 2013, from http://www.ozarkcountytimes.com/news/statewide_news/article_1f6c75d2-5b3d-11e2-9b09-0019bb30f31a.html;

Rich, M. (2013, January 7). 11 States Get Failing Grade on Public School Policies from Advocacy Group. *New York Times*. Retrieved February 4, 2013, from <http://www.nytimes.com/2013/01/07/education/studentsfirst-issues-low-ratings-on-school-policies.html>.

5 The National Center for Teaching Quality (Jacobs et al., 2013), Center for Education Reform (2013), and Education Week (2013) all released reports in January of 2013 that assigned grades to states;

Center for Education Reform (2013). Charter School Law Rankings and Scorecard. District of Columbia: Center for Education Reform. Retrieved on February 5, 2013, from http://www.edreform.com/wp-content/uploads/2013/01/CER-CharterLaws2013_Chart_FINAL.pdf;

Education Week (2013). *Quality Counts. Maryland*: Editorial Projects in Education. Retrieved February 4, 2013, from http://www.edweek.org/ew/qc/2013/state_report_cards.html?intc=EW-QC13-LFTNAV;

Jacobs, S., Brody, S., Doherty, K.M., Lakis, K., & Maltz, S.T. (2013). *2012 State Teacher Policy Yearbook*. Washington, CD: Columbia: National Council on Teacher Quality. Retrieved on February 4, 2013, from http://www.nctq.org/stpy11/reports/stpy12_national_report.pdf.

6 The authors of this review have posted a list of the publications cited in the “Policy Agenda” section of the report, roughly classified as indicated in this paragraph. The list is available at https://docs.google.com/document/d/1z4ouBYC3OFkoqF_1tpdS_PmZPaIayvQLcwodfjpXOGs/edit.

7 The list of criteria are drawn from categories described by Dorn (2009, 2010).

Dorn, S. (2009, June 30). Grading reports that grade states, which have schools that grade [blog entry]. Retrieved from <http://shermadorn.com/wordpress/?p=1673>;

Dorn, S. (2010, February 1). Grading the “grades” reports [blog entry]. Retrieved from <http://shermadorn.com/wordpress/?p=1791>.

8 While the precise rating received by each state would not have been predictable in advance, readers of the report should not have been surprised at the relatively high ratings for states such as Florida and Louisiana, because their policy environments closely match the policy preferences of StudentsFirst.

9 For example, see California’s ratings at <http://reportcard.studentsfirst.org/state-detail?state=California>.

10 See District of Columbia Public Charter School Board (2013) for comments about DC charter school facilities rating, and Uhlig (2012) for comments from Wisconsin administrators suggesting the state grades are based on old data:

District of Columbia Public Charter School Board (2013) Statement by Scott Pearson, Executive Director, DC Public Charter School Board (PCSB) [Press release]. Retrieved January 27, 2013, from <http://www.dcpubliccharter.com/News-Room.aspx?id=326>;

Uhlig, K. (2012, January). Report: Wis. education policies get D+. *Wausau Daily Herald*. Retrieved January 27, 2013, from <http://www.wausaudailyherald.com/article/20130119/WDH01/301190201/Report-Wis-education-policies-get-D->.

11 Resmovits, J. (2012, February 24). Michelle Rhee's backers include Obama bundler billionaire, big Romney backer. *Huffington Post*. Retrieved from http://www.huffingtonpost.com/2012/02/24/michelle-rhees-backers-in_n_1300146.html.

12 Walton Family Foundation (2013, January). 2012 Education Reform Grants. Retrieved from <http://waltonfamilyfoundation.org/about/2012-grant-report/#education>.

13 Details for each state are available at

<http://tinyurl.com/ttr-state-grades>.

We used the Education Law Center’s 2012 School Funding Fairness report (Baker et al., 2012), the Center for Education Reform’s 2013 charter school law report card (Center for Education Reform, 2013), Education Week’s 2012 Quality Counts report (Education Week, 2012), Education Week’s 2013 Quality Counts (Education Week, 2013), Fordham’s 2012 state science standards report card (Lerner et al., 2012), StudentsFirst’s report card (StudentsFirst, 2013), and the National Center for Teacher Quality’s 2013 grading the states report card (Jacobs et al., 2013).

Baker, B., Sciarra, D., & Farrie, D. (2012). *Is School Funding Fair? A National Report Card*. Newark: Education Law Center. Retrieved on February 5, 2013, from http://schoolfundingfairness.org/National_Report_Card_2012.pdf;

Center for Education Reform (2013). *Charter School Law Rankings and Scorecard*. District of Columbia: Center for Education Reform. Retrieved on February 5, 2013, from http://www.edreform.com/wp-content/uploads/2013/01/CER-CharterLaws2013_Chart_FINAL.pdf;

Education Week (2013). *Quality Counts*. Maryland: Editorial Projects in Education. Retrieved February 4, 2013, from http://www.edweek.org/ew/qc/2013/state_report_cards.html?intc=EW-QC13-LFTNAV;

Education Week (2012). *Quality Counts*. Maryland: Editorial Projects in Education. Retrieved February 4, 2013, from <http://www.edweek.org/ew/qc/2012/16src.h31.html?intc=EW-QC12-LFTNAV>;

Finn, C., Schwartz, M., Lerner, L.W., Haack, S., Gross, P., Schwartz, R., Goodenough, U. (2005). *The State of State Science Standards 2005*. District of Columbia: Thomas B. Fordham Institute. Retrieved on February 5, 2013, from <http://www.edexcellence.net/publications/sossience05.html>;

Jacobs, S., Brody, S., Doherty, K.M., Lakis, K., & Maltz, S.T. (2013). *2012 State Teacher Policy Yearbook*. District of Columbia: National Council on Teacher Quality. Retrieved on February 4, 2013, from http://www.nctq.org/stpy11/reports/stpy12_national_report.pdf;

Ladner, M. and Lips, D. (2012). *Report Card on American Education: Ranking State K-12 Performance, Progress, and Reform*. District of Columbia: American Legislative Exchange Council. Retrieved on February 5, 2013, from <http://www.alec.org/publications/report-card-on-american-education/>;

Lerner, L.W., Goodenough, U., Lynch, J., Schwartz, Finn, C., Porter-Magee, K.,... & Gross, P.R. (2012). *The State of the State Science Standards 2012*. District of Columbia: Thomas B. Fordham Institute. Retrieved on February 5, 2013, from <http://www.edexcellence.net/publications/the-state-of-state-science-standards-2012.html>;

StudentsFirst (2013). *State of Education Policy Report Card 2013*. Sacramento: StudentsFirst. Retrieved February 4, 2013, from <http://reportcard.studentsfirst.org/>.

DOCUMENT REVIEWED:

State Policy Report Card

AUTHOR

StudentsFirst

PUBLISHER/THINK TANK:

StudentsFirst

DOCUMENT RELEASE DATE:

January 2013

REVIEW DATE:

February 20, 2013

REVIEWERS:

Sherman Dorn, University of South Florida
Ken Libby, University of Colorado Boulder

E-MAIL ADDRESS:

dorn@usf.edu

PHONE NUMBER:

(813) 974-9482

SUGGESTED CITATION:

Dorn, S & Libby, K (2013). *Review of "State Policy Report Card."* Boulder, CO: National Education Policy Center. Retrieved [date] from <http://nepc.colorado.edu/thinktank/review-students-first-grades>.