



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 14, 2018

The Honorable Candice McQueen
Commissioner of Education
Tennessee Department of Education
710 James Robertson Parkway
Nashville, TN 37243

Dear Commissioner McQueen:

I am writing in response to the Tennessee Department of Education's (TDOE's) request to the U.S. Department of Education (Department) on August 13, 2018, to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA). Under 34 C.F.R. § 76.140, if a State makes significant and relevant changes to its plan, such information shall be submitted to the Secretary in the form of amendments to the State plan.

TDOE is revising the State's plan to comply with a recently passed Tennessee law prohibiting TDOE from using statewide assessment results from the 2017-2018 school year to determine schools' A-F ratings. I am approving TDOE's amendments to its plan to remove references to its A-F rating system for purposes of its system of annual meaningful differentiation. This letter, as well as Tennessee's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend Tennessee's ESEA consolidated State plan must be submitted to the Department for review and approval.

During our review of TDOE's amendment request, the Department identified two issues in TDOE's approved plan that require revision in order for the plan to meet the applicable statutory requirements:

- (1) TDOE's methodology for identifying the lowest-performing 5 percent of Title I schools for comprehensive support and improvement takes into account only the results of some of its indicators. The ESEA requires a State to describe a methodology for identifying the lowest-performing 5 percent of Title I schools for comprehensive support and improvement that is based on all indicators in the system of annual meaningful differentiation.
- (2) TDOE's methodology for identifying schools for additional targeted support and improvement is not based on the methodology the State uses for identifying its lowest-performing 5 percent of Title I schools for comprehensive support and improvement. The ESEA requires a State to identify for additional targeted support and improvement any school with one or more subgroups whose performance, on its own, would lead to identification of the school for comprehensive support and improvement based on being among the lowest-performing 5 percent of Title I schools, using the State's methodology to identify the lowest-performing 5 percent of Title I schools.

I recognize that TDOE will need time to consider revisions to these important elements of its State plan and to engage with stakeholders across the State, including the State legislature, which I understand will not convene until January 2019. For these reasons, in the beginning of the 2018-2019 school year, TDOE will need to implement the methodologies described in its amended State plan to identify schools for comprehensive and additional targeted support and improvement.

Within 30 days of receipt of this letter, please submit to the Department a plan and timeline for submitting an amendment to address the issues above. TDOE must identify schools, no later than the beginning of the 2019-2020 school year, for comprehensive support and improvement and additional targeted support and improvement based on methodologies that comply with the ESEA requirements. At that time, TDOE will need to apply its methodologies to identify any schools that were not identified at the start of the 2018-2019 school year, but would have been, had TDOE been using methodologies that met all applicable ESEA requirements. My staff is available to work with TDOE in developing the plan and timeline to ensure that the State will have revised methodologies approved by the Department in time to meet these requirements.

Thank you for all of the work that TDOE has put into its consolidated State plan under the ESEA. If you need any assistance regarding the implementation of your ESEA consolidated State plan, please contact Nkemjika Ofodile-Carruthers of my staff at: OSS.Tennessee@ed.gov.

Sincerely,

/s/

Frank Brogan
Assistant Secretary for
Elementary and Secondary Education

cc: Eve Carney, Executive Director, Office of Consolidated Planning and Monitoring
Mary Batiwalla, Assistant Commissioner, Division of Assessment, Accountability & Data Governance