



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 17, 2012

The Honorable Randall I. Dorn
State Superintendent of Public Instruction
Washington Department of Public Instruction
P.O. Box 47200
Olympia, Washington 98504

Dear Superintendent Dorn:

Thank you for submitting Washington's request for ESEA flexibility. We appreciate the hard work required to transition to college- and career-ready standards and assessments; develop a systems of differentiated recognition, accountability, and support; and evaluate and support teacher and leader effectiveness. The U.S. Department of Education (Department) is encouraged that Washington and many other States are designing plans to increase the quality of instruction and improve student academic achievement.

As you know, Washington's request was reviewed by a panel of six peer reviewers during the week of March 26–30, 2012. During the review, the expert peers considered each component of Washington's request and provided comments in the form of Peer Panel Notes that the Secretary will use to inform any revisions to your request that may be needed to meet the principles of ESEA flexibility. The Peer Panel Notes, a copy of which is enclosed with this letter, also provide feedback on the strengths of Washington's request and areas that would benefit from further development. Department staff also have carefully reviewed Washington's request, taking into account the Peer Panel Notes, to determine consistency with the ESEA flexibility principles.

The peers noted, and we agree, that Washington's request includes strengths, particularly in Principle 1. Washington's plan for transitioning to college- and career-ready standards contains several noteworthy actions, including the use of interim assessments and formative assessment tools as well as promising strategies for supporting local implementation of the standards. The peers also noted strengths of Washington's request in other areas. These include, with respect to Principle 2, the inclusion of academic subjects other than English language arts and mathematics in the State's accountability systems and a well-developed system of incentives and supports for other Title I schools. Peers also noted strengths with respect to Principle 3, such as the influential experiences of local educational agencies (LEA) that are already piloting teacher and principal evaluation and support systems in the State.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

At the same time, based on the peer reviewers' comments and our review of the materials Washington has provided to date, we have identified certain components of your request that need further clarification, additional development, or revision. In particular, significant concerns were identified with respect to the following:

- Whether the interventions proposed for priority schools fully meet the turnaround principles and are likely to increase the quality of instruction and improve student achievement;
- Whether the exit criteria for priority and focus schools are sufficiently rigorous; and
- Whether student growth will be used as a significant factor in teacher and principal evaluation and support systems, and the infrequency of evaluations of experienced teachers.

The enclosed list provides details regarding these concerns, as well as other key issues raised in the review of Washington's request, that we believe must be addressed before the Secretary can approve your request for ESEA flexibility. We encourage Washington to consider the all of the peers' comments and technical assistance suggestions in making revisions to its request, but we encourage you to focus primarily on addressing the concerns identified on the enclosed list.

Although the Peer Panel Notes for Washington provide information specific to your request, Washington also may benefit from comments and technical assistance suggestions made by other peer panels regarding issues common to multiple State educational agencies' (SEA) requests. For this reason, Department staff will reach out to Washington to provide relevant technical assistance suggestions and other considerations that may be useful as you revise and refine your request.

We remain committed to working with Washington to meet the principles of ESEA flexibility and improve outcomes for all students. We stand ready to work with Washington as quickly as possible. In order to ensure prompt consideration of revisions or additional materials, we are asking SEAs to submit those materials by May 1, 2012. Department staff will be in touch to set up a call as early as this week to discuss the timeline and process for providing revisions or materials.

You and your team deserve great credit for your efforts thus far, and we are confident that we will be able to work together to address outstanding concerns. If you have any additional questions or want to request technical assistance, please do not hesitate to contact Nola Cromer, at 202-205-4158.

Sincerely,



Michael Yudin
Acting Assistant Secretary

Enclosure

SUMMARY OF ADDITIONAL INFORMATION REGARDING WASHINGTON'S ESEA FLEXIBILITY REQUEST

PRINCIPLE 1: COLLEGE- AND CAREER-READY EXPECTATIONS FOR ALL STUDENTS

- Please demonstrate that the plan to transition to college- and career-ready standards includes all of the elements of a high-quality plan, including key milestones or activities, a detailed timeline, party or parties responsible, evidence, resources, and significant obstacles. *See 1.B, Part A.*
- Please provide more specific information as to how Washington will support schools and LEAs to implement college- and career-ready standards in ways that will ensure access for English Learners, students with disabilities, and low-achieving students. *See 1.B, Part B.*
- Please provide additional information on the following activity related to the transition to college- and career-ready standards or an explanation of why the activity is not included:
 - Working with the State's institutions of higher education and other principal preparation programs to better prepare incoming principals to provide strong, supportive instructional leadership on teaching to the new standards. *See 1.B, Part A.*

PRINCIPLE 2: STATE-DEVELOPED DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT

- Please address concerns regarding Washington's proposed accountability system:
 - Describe how Washington will create incentives and provide supports that are likely to be effective in closing achievement gaps for all subgroups, especially in the transition year. *See 2.A.i.b.*
 - Explain how participation will be considered when determining the achievement portions of Washington's index score so that it will not lead to unintended consequences such as schools not testing certain students. *See 2.A.i.*
 - Provide information about whether Washington has alternate assessments based on alternate achievement standards in writing and science. *See 2.A.ii.b.*
- Please address concerns regarding graduation rate:
 - Describe how Washington's proposed system of differentiated recognition, accountability, and support considers graduation rates for all subgroups. *See 2.A.i.a.*
- Please demonstrate that Washington has identified the required number of priority, focus, and reward schools that meet the respective definitions of those groups of schools in ESEA flexibility, including by providing lists of these schools. Refer to the document titled *Demonstrating that an SEA's Lists of Schools meet ESEA Flexibility Definitions.*
- Please address concerns regarding reward schools:
 - Provide a description of what constitutes highest achievement on assessments or highest graduation rates for purposes of identifying highest-performing reward schools. *See 2.C.i.*
 - Define "significant gaps" for the purposes of identifying high-progress reward schools. *See 2.C.i.*
 - Address the concern that giving a school's absolute performance three times more weight than its improvement in performance when identifying high-progress reward schools might not lead to the identification of schools making the most progress. *See 2.C.i.*
 - Please describe the tangible rewards that Washington will provide to reward schools, such as

bonuses, grants, or increased autonomy and address the concern that the rewards and recognitions proposed do not go far enough to meaningfully capture and disseminate successful practices from reward schools and do not provide opportunities for higher-performing schools to mentor lower-performing schools. *See 2.C.iii.*

- Please address concerns regarding priority schools:
 - Provide additional information to demonstrate that the interventions proposed for priority schools fully meet the turnaround principles, especially in the areas of ensuring teachers are effective and able to improve instruction, strengthening the school's instructional program, and using data to inform instruction and for continuous improvement. *See 2.D.iii.*
 - Demonstrate that Washington's proposed exit criteria for priority schools are rigorous and will result in significant progress in improving student achievement and narrowing achievement gaps, including by addressing the concern that schools can exit priority status without consecutive years of meeting their targets and that the superintendent's determination of sufficient progress is unclear how much growth will be required. *See 2.D.v.*
 - Describe the steps that Washington will take to ensure strong consequences for priority schools that fail to improve after full implementation of interventions. *See 2.D.iii.b.*
- Please address concerns regarding focus schools:
 - Clarify how the proposed interventions in focus schools will be aligned with the specific demonstrated needs of schools and classrooms. *See 2.E.iii.*
 - Provide additional information as to how Washington will ensure that allowing LEAs with focus schools to use Title I funds to support capacity-building efforts will benefit these schools. *See 2.E.iii.*
 - Demonstrate that Washington's proposed exit criteria for focus schools are rigorous and will result in significant progress in improving student achievement and narrowing achievement gaps, and address the concerns that schools can exit focus status without consecutive years of meeting their targets and that there is insufficient detail regarding the superintendent's determination of sufficient progress. *See 2.E.iv.*
 - Describe the steps that Washington will take to create meaningful consequences for focus schools that do not make progress after full implementation of interventions. *See 2.E.iv.*
- Please address the concern regarding the system of supports and incentives for other Title I schools:
 - Provide more detail regarding the instructional practices that will be employed to address the needs of English Learners in other Title I schools. *See 2.F.ii.*
- Please address concerns regarding SEA, LEA, and school capacity to improve student learning:
 - Provide greater detail on the process that Washington will use to ensure that school improvement plans are rigorous and relevant. *See 2.G.*
 - Describe whether Washington will leverage funds that LEAs were previously required to reserve under ESEA section 1116(b)(10) to support the implementation of interventions in priority schools, focus schools, and other Title I schools identified under Washington's differentiated recognition, accountability, and support system. *See 2.G.ii.*
 - Describe Washington's process for the rigorous review and approval of external providers used by the SEA and its LEAs to support the implementation of interventions in priority and focus schools. *See 2.G.*

PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP

- Please address concerns regarding the plan for developing and adopting guidelines for evaluation and support systems:
 - Demonstrate that the plan to develop interim guidelines includes all of the elements of a high-quality plan, including key milestones or activities, a detailed timeline, party or parties responsible, evidence, resources, and significant obstacles. *See 3.A.i.*
 - Clarify whether Washington will finalize its evaluation models and submit them to the Department by the end of school year 2011–2012 as required by ESEA flexibility, and address the conflicting timelines between submitting guidelines to the Department and providing recommendations to the State legislature. *See 3.A.i and 3.B.*
 - Address the concern that, although Washington law mandates that student growth data be used as a factor in educator evaluation; it does not mandate that such data be used as a significant factor, or in a way that is consistent with the definition for student growth in ESEA flexibility. *See 3.A.i.*
 - Address the concern that experienced teachers are evaluated comprehensively only once every four years. *See 3.A.i.*
- Please address concerns regarding Washington’s process for ensuring that each LEA develops, adopts, pilots, and implements evaluation and support systems consistent with the guidelines:
 - Describe how Washington will monitor compliance and ensure that LEAs are appropriately developing and implementing evaluation systems that meet the requirements of both State guidelines and ESEA flexibility. *See 3.B.*
 - Please describe how Washington will ensure that LEAs create teacher and principal evaluation and support systems that include as a significant factor data on student growth for all students, consistent with the definition for student growth in ESEA flexibility. *See 3.B.*
 - Address concern that ambitious statutory timelines for local implementation may be too short for LEAs to implement evaluation systems effectively. *See 3.B.*
 - Please explain how Washington plans to work with teachers and administrators, or as appropriate, their designated representatives, in order to ensure each LEA develops, adopts, pilots, and implements evaluation and support systems. *See 3.B.*