



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 28 2014

The Honorable Glenda Ritz
Superintendent of Public Instruction
Indiana Department of Education
115 West Washington Street
South Tower, Suite 600
Indianapolis, IN 46204

Dear Superintendent Ritz:

This letter is in response to Indiana's June 30, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Indiana may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed Indiana's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Indiana's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend Indiana's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Indiana to carry out important reforms to improve student achievement and that this extension is in the public interest. I have also determined that Indiana's monitoring next steps have been adequately addressed through submission of documentation and other information, including high-quality plans for implementation in the 2014–2015 school year. Finally, I have determined that Indiana has met the condition on its ESEA flexibility request; accordingly, I am lifting that condition. This letter also provides my approval of the amendments to Principles 1 and 2 that Indiana proposed that align with the requirements of ESEA flexibility. A summary of Indiana's approved amendments is enclosed with this letter, and Indiana's amended request will be posted on the U.S. Department of Education's (ED) website.

This extension is subject to Indiana's commitment to continue working with ED on Indiana's requested amendments to its teacher and principal evaluation and support systems. Indiana's progress in implementing its approved ESEA flexibility request during the 2014–2015 school year, as well as Indiana's continued work with ED on its requested amendments to Principle 3, will inform ED's decision regarding renewal of Indiana's ESEA flexibility after the 2014–2015 school year.

Indiana continues to have an affirmative responsibility to ensure that it and its districts are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of ESEA flexibility. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

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<http://www.ed.gov/>

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I am confident that Indiana will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact Matthew Stern of my staff at: matthew.stern@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all of Indiana's students.

Sincerely,



Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Jeff Coyne, Director of Federal Relations and Grants

Approved Amendments to Indiana's ESEA Flexibility Request

The following is a summary of approved amendments to Indiana's ESEA flexibility request. ED approves these amendments because Indiana's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website (<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/in.html>) for Indiana's complete ESEA flexibility request.

▪ **Consultation**

Revision: Indiana described its process for eliciting feedback on its ESEA flexibility extension request from teachers and their representatives and other diverse communities including students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes. Based on this feedback, Indiana noted the revisions it incorporated into its ESEA flexibility extension request.

▪ **Adopt College- and Career-Ready Standards (Element 1.A)**

Revision: Indiana changed the way that it will meet the college- and career-ready standards requirement under ESEA flexibility. Rather than implementing standards that are common to a significant number of States, Indiana will implement in the 2014–2015 school year standards that the Indiana State Board of Education adopted in 2014, the 2014 Indiana Academic Standards as the State college- and career-ready standards. Indiana provided a letter from the Indiana Commission for Higher Education certifying that students who meet the new standards will not need remedial course work at the postsecondary level.

▪ **Transition to College- and Career-Ready Standards (Element 1.B)**

Revision: Indiana adjusted its college- and career-ready standards transition plan as a result of adopting the 2014 Indiana Academic Standards. Specifically, Indiana has developed and started to implement activities to ensure the following: 1) full responsiveness to the needs that its schools and districts identify as necessary to transitioning to the new standards; 2) in-depth awareness of the standards and by schools, districts, and other stakeholders; 3) support necessary for schools and districts to implement the standards and continue to refine and enhance implementation; and 4) engagement of practitioners via online communities of practice in order to leverage local expertise and build capacity of schools and districts across the State. Indiana will also provide professional development to support the transition to the standards through, for example, a variety of annual conferences across the State.

Revision: Indiana described its approach to monitor implementation of the 2014 Indiana Academic Achievement Standards and provide technical assistance to support schools and districts as they transition to these standards. Specifically, Indiana will implement a multi-tiered monitoring plan that includes a component of its accreditation process (legislative requirement that school principals assure that curriculum complies with adopted statewide standards), activities that it will embed in its ongoing monitoring of federal formula grants, and its online communities of practice. Monitoring activities will help inform the technical assistance to schools and districts that Indiana will deliver in a variety of formats, including through frequently asked question documents, other guidance

documents, and the online communities of practice that the State will implement to support the transition to the new standards. Further, Indiana detailed in both narrative text and high-quality plans its monitoring and technical assistance activities targeted to teachers of English Learners, students with disabilities, and migrant students.

Revision: Indiana will not use the Acuity assessment for one of the purposes identified in its original ESEA flexibility request. Specifically, while the State will still use this assessment for certain purposes as described in its approved ESEA flexibility request, it will not use this assessment to predict whether students with disabilities will meet the 2014 Indiana Academic Achievement Standards. The State detailed other supports that it will provide to teachers of students with disabilities to help them gauge student mastery of the standards.

Revision: Indiana provided high-quality plans detailing how it will ensure the engagement of stakeholders representing English Learners, migrant students, and students with disabilities.

Revision: Indiana indicated that it adopted the World-Class Instructional Design and Assessment (WIDA) English Language Development standards. In addition, Indiana described how it will monitor implementation of and support the transition to the WIDA standards. Indiana further indicated that it will complete the process of joining WIDA in order to administer the WIDA-developed English Language proficiency assessments.

▪ **Develop and Administer Annual, Statewide, Aligned, High-Quality Assessments That Measure Student Growth (Element 1.C)**

Revision: Indiana changed the way that it will meet the high-quality assessment requirements under ESEA flexibility by providing a plan to develop and administer annually, beginning no later than the 2014–2015 school year, statewide aligned, high-quality assessments that measure student growth in reading/language arts and in mathematics in at least grades 3-8 and once in high school in all LEAs, as well as set academic achievement standards for those assessments, rather than administer the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments. Please note that approval of this amendment does not constitute approval of the assessments that Indiana intends to implement in 2014–2015 and beyond. Indiana will need to submit the assessments for peer review when the new assessment peer-review process is available.

Indiana also added additional detail on its administration of the National Center and State Collaborative assessment for students with the most significant cognitive disabilities.

▪ **Develop and Implement a State-Based System of Differentiated Recognition, Accountability, and Support (Element 2.A)**

Revision: Indiana described how it will continue to incorporate the growth component of its A-F grading system. Specifically, the State will establish a link between the scale on the prior State assessments and the scale on the State assessments administered in the 2014–2015 school year in order to continue to calculate growth.

▪ **Priority Schools (Element 2.D)**

Revision: Indiana adjusted its definition of Priority Schools so that it will not designate as a Priority School a school that has been rated as a “D” school for two consecutive years on the State’s A-F grading system. It should be noted that Indiana originally identified a number of Priority Schools that exceeded the number that is was required to identify under ESEA flexibility and identified additional Priority Schools based on 2012–2013 assessment results.

Revision: Indiana clarified how it will ensure that its Priority Schools not implementing one of the four School Improvement Grant (SIG) models fully implement the turnaround principles. To accomplish this, the State aligned the tools and resources that it developed for its non-SIG Priority Schools and the protocols it uses to monitor these schools with the turnaround principles. Indiana provided its tools, resources, and monitoring documents as attachments to its ESEA flexibility extension request. In addition, the State clarified that all Priority Schools will implement either one of the four SIG models or interventions aligned with the turnaround principles for three consecutive years.

Revision: Indiana indicated that it will use field staff located in its nine regional Educational Service Centers (ESCs) to support its Priority Schools rather than staff located at the State Educational Agency (SEA) to be able to provide more consistent and on-site support.

Revision: Indiana adjusted the timeline on which its non-SIG Priority Schools will implement interventions aligned with the turnaround principles. Specifically, its non-SIG Priority Schools will begin implementing interventions aligned with the turnaround principles in the 2014–2015 school year.

Revision: Indiana provided a high-quality plan detailing its support for and monitoring of Priority Schools to help ensure full implementation of interventions in these schools.

▪ **Focus Schools (Element 2.E)**

Revision: Indiana adjusted the plans that it requires of its Focus Schools and the protocols that it uses to monitor these schools to help ensure implementation of strategies to address the needs of students that led to the identification of Focus Schools as such. Indiana submitted a high-quality plan to describe how it has and will continue to implement these adjustments.

Revision: Indiana will no longer require its Focus Schools to continue to implement interventions for three years after exiting Focus School status, allowing the State to focus its efforts on those schools that do not exit Focus School status.

Revision: As with Priority Schools, Indiana indicated that it will use field staff located in its nine regional ESCs to support its Focus Schools rather than staff located at the SEA to be able to provide more consistent and on-site support.

Revision: Indiana provided a high-quality plan detailing its support for and monitoring of Focus Schools to help ensure full implementation of interventions in these schools.