



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JAN - 2 2013

THE ASSISTANT SECRETARY

The Honorable Michael P. Flanagan
Superintendent of Public Instruction
Michigan Department of Education
P.O. Box 30008
Lansing, Michigan 48909

Dear Superintendent Flanagan: *Miki*

I am writing in response to the Michigan Department of Education's (MDE's) request to amend its approved ESEA flexibility request. Following discussions between the U.S. Department of Education (Department) and your staff regarding the proposed revisions to Michigan's approved request, the Department has determined that the revised request is consistent with principles of ESEA flexibility. For this reason, I am approving MDE's amended request, which we will post on the Department's website. A summary of MDE's requested amendments is enclosed with this letter. As you know, any further requests to amend MDE's ESEA flexibility request must be submitted to the Department for review and approval.

MDE 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 as well as their implementation of all other Federal education programs. 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.

I am confident that MDE will continue to implement the reforms set forth in its approved ESEA flexibility request and to advance its efforts to hold schools and school districts accountable for the achievement of all students. If you have any questions regarding the implementation of your ESEA flexibility request, please do not hesitate to contact Victoria Hammer of my staff at Victoria.Hammer@ed.gov or 2012-260-1438. Thanks for your continued focus on enhancing education for all of Michigan's students.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah S. Delisle".

Deborah S. Delisle

Enclosure

cc: Abbie Groff

www.ed.gov

400 MARYLAND AVE., SW, WASHINGTON, DC 20202

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

Amendments to the Michigan Department of Education's Approved ESEA Flexibility Request

The following is a summary of the Michigan Department of Education's amendment requests. The Department is approving the following amendments because Michigan's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to the Department's website (<http://www.ed.gov/esea/flexibility>) for Michigan's original and amended ESEA flexibility requests.

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

Revision: The Michigan Department of Education (MDE) has revised its plan for color coding schools designated as focus schools under ESEA flexibility on its school scorecard. Originally, MDE planned to color code all focus schools as red (the color reserved for schools with the poorest performance overall). Under this revision, MDE will color code each focus school according to the school's overall performance under the State's accountability system. This amendment does not preclude a focus school from being coded red if that is consistent with the school's overall performance. The scorecards will also provide detailed information on the performance of the students on the Statewide assessments administered under the ESEA that led to the school's being identified as a focus school so that these schools can better target the needs of students.

- **Set Ambitious but Achievable Annual Measurable Objectives (Element 2.B)**

Revision: For accountability determinations based on assessments administered in the 2011–2012 school year, MDE will use a four-year growth-to-standard trajectory on its growth model, rather than a three-year trajectory. Under this revision, MDE will count a student as proficient when reporting student proficiency against annual measurable objectives (AMOs) if that student shows enough growth to be proficient within four years. Because 2011–2012 is the last year for which the Department approved MDE to use its growth model in determining student proficiency against AMOs, the Department approves this amendment at this time only for accountability determinations based on assessments administered in the 2011–2012 school year. The Department will review the growth model in 2013 to determine whether it continues to meet the requirements for growth models for use in accountability determinations based on assessments administered in 2012–2013 and beyond.