



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 15, 2017

The Honorable Michael Johnson  
Commissioner of Education  
Alaska Department of Education & Early Development  
801 West Tenth Street, Suite 200  
Juneau, AK 99811-0500

Dear Commissioner Johnson:

Thank you for submitting Alaska's consolidated State plan to implement requirements of covered programs under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), and of the amended McKinney-Vento Homeless Assistance Act (McKinney-Vento Act).

I am writing to provide initial feedback based on the U.S. Department of Education's (the Department's) review of your consolidated State plan. As you know, the Department also conducted, as required by the statute, a peer review of the portions of your State plan related to ESEA Title I, Part A, ESEA Title III, Part A, and the McKinney-Vento Act using the Department's *State Plan Peer Review Criteria* released on March 28, 2017. Peer reviewers examined these sections of the consolidated State plan in their totality, while respecting State and local judgments. The goal of the peer review was to support State- and local-led innovation by providing objective feedback on the technical, educational, and overall quality of the State plan and to advise the Department on the ultimate approval of the plan. I am enclosing a copy of the peer review notes for your consideration.

Based on the Department's review of all programs submitted under Alaska's consolidated State plan, including those programs subject to peer review, the Department is requesting clarifying or additional information to ensure the State's plan has met all statutory and regulatory requirements, as detailed in the enclosed table. Each State has flexibility in how it meets the statutory and regulatory requirements. Please note that the Department's feedback may differ from the peer review notes. I encourage you to read the full peer notes for additional suggestions and recommendations for improving your consolidated State plan.

ESEA section 8451 requires the Department to issue a written determination within 120 days of a State's submission of its consolidated State plan. Given this statutory requirement, I ask that you revise Alaska's consolidated State plan and resubmit it through OMB Max by January 2, 2018. We encourage you to continue to engage in consultation with stakeholders, including representatives from the Governor's office, as you develop and implement your State plan. If you would like to take more time to resubmit your consolidated State plan, please contact your Office of State Support Program Officer in writing and indicate your new submission date.

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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.*

Please recognize that if we accommodate your request for additional time, a determination on the ESEA consolidated State plan may be rendered after the 120-day period.

Department staff will contact you to support Alaska in addressing the items enclosed with this letter. If you have any immediate questions or need additional information, I encourage you to contact your Program Officer for the specific Department program.

Please note that the Department only reviewed information provided in Alaska's consolidated State plan that was responsive to the Revised Template for the Consolidated State Plan that was issued on March 13, 2017. Each State is responsible for administering all programs included in its consolidated State plan consistent with all applicable statutory and regulatory requirements. Additionally, the Department can only review and approve complete information. If Alaska indicated that any aspect of its plan may change or is still under development, Alaska may include updated or additional information in its resubmission. Alaska may also propose an amendment to its approved plan when additional data or information are available consistent with ESEA section 1111(a)(6)(B). The Department cannot approve incomplete details within the State plan until the State provides sufficient information.

Thank you for the important work that you and your staff are doing to support the transition to the ESSA. The Department looks forward to working with you to ensure that all children have the opportunity to reach their full potential.

Sincerely,

/s/

Jason Botel  
Principal Deputy Assistant Secretary,  
Delegated the authority to perform the  
functions and duties of the position of  
Assistant Secretary, Office of  
Elementary and Secondary Education

Enclosures

cc: Governor  
State Title I Director  
State Title II Director  
State Title III Director  
State Title IV Director  
State Title V Director  
State 21st Century Community Learning Center Director  
State Director for McKinney-Vento Homeless Assistance Act: Education for Homeless  
Children and Youths Program

**Items That Require Additional Information or Revision in Alaska’s Consolidated State Plan**

<b>Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)</b>	
A.2.iii: Eighth Grade Math Exception: Strategies	In its State plan, the Alaska Department of Education and Early Development (DEED) states that it will administer in 2017-2018 an end-of-grade mathematics assessment for 9 <sup>th</sup> grade students for the purpose of Federal accountability under ESEA section 1111(b)(2)(B)(v)(I)(bb). DEED indicates that it will consider administering end-of-course assessments in the future. The ESEA and its implementing regulations only permit a State to exempt an eighth-grade student who takes the high school mathematics course associated with the end-of-course assessment the State administers to high school students for Federal accountability under ESEA section 1111(b)(2)(B)(v)(I)(bb) from the mathematics assessment typically administered in eighth grade under ESEA section 1111(b)(2)(B)(v)(I)(aa). Since it does not currently administer an end-of-course high school assessment in mathematics for Federal accountability, DEED is not eligible for this exception. If eligibility for this exception changes in the future, DEED may request to amend its State plan.
A.3.i: Native Language Assessments Definition	In its State plan, DEED states that it has not yet determined a final definition of “languages other than English that are present to a significant extent in the participating student population.” The ESEA and its implementing regulations require that the State provide such a definition and identify the languages meeting that definition, including at least the most populous language other than English spoken by the State’s participating student population. After revising its definition, additional State plan revisions may be necessary in response to the requirements in A.3.iii and A.3.iv in accordance with that definition.
A.4.iv.a: Academic Achievement Indicator	The ESEA requires that a State describe and establish an Academic Achievement indicator that annually measures academic achievement for all students and separately for each subgroup of students. DEED states that, for the Academic Achievement indicator, schools that meet or exceed the long-term goal will earn the greatest number of points, but does not provide any other information about how the indicator will be calculated. In addition, the State mentions that the indicator will be based on students “eligible to test” but does not describe whether that includes all students enrolled in the school in the tested grades (i.e., grades 3 through 8 and at least once in grades 9-12). Accordingly, DEED has not fully described the Academic Achievement indicator.
A.4.iv.b: Other Academic Indicator for Elementary and Secondary Schools that are Not	The ESEA requires a State to describe an indicator for elementary and secondary schools that are not high schools (i.e., the Other Academic indicator) that includes, at the State’s discretion, a measure of student growth or another valid and reliable statewide academic indicator that allows

<p>High Schools</p>	<p>for meaningful differentiation in school performance. While the State provides general information on what will comprise the indicator, it does not explain how the indicator is calculated and how the splitting of achievement standards into sub-levels is valid and reliable (for example, by providing information about the process to split achievement levels and the conditional standard error of measurement for each sub-level). Therefore, it has not fully described the indicator.</p>
<p>A.4.iv.c: Graduation Rate Indicator</p>	<p>The ESEA requires a State to describe a Graduation Rate indicator that is based on the long-term goals for the four-year adjusted cohort graduation rate and, at the State’s discretion, one or more extended year adjusted cohort graduation rates. While DEED provides general information on what will comprise the indicator, because it does not describe how the indicator is calculated for schools that miss, meet or exceed the graduation rate goals, it has not fully described its Graduation Rate indicator.</p>
<p>A.4.iv.d: Progress in Achieving English Language Proficiency Indicator</p>	<p>The ESEA requires a State to establish and describe a statewide Progress in Achieving English Language Proficiency indicator. DEED describes how it will measure progress in achieving English language proficiency at the student level. However, because DEED does not describe how that information is combined and calculated for each school in the State, it has not fully described the Progress in Achieving English Language Proficiency indicator.</p>
<p>A.4.iv.e: School Quality or Student Success Indicator(s)</p>	<p>The ESEA requires a State’s accountability system to annually measure, for all students and separately for each subgroup of students, one or more indicators of School Quality or Student Success that allow for meaningful differentiation in school performance, and are valid, reliable, comparable, and statewide.</p> <ul style="list-style-type: none"> <li>• In its State plan, DEED describes five School Quality or Student Success indicators but does not provide sufficient detail regarding how each indicator is calculated, meaningfully differentiates among schools in the State, and is valid and reliable. As a result, it is not clear that DEED met this requirement.</li> <li>• DEED describes a School Quality or Student Success indicator that is based on participation in an interim assessment. DEED does not describe whether this indicator is based on all students taking a locally determined interim assessment or a statewide interim assessment. Because it is not clear whether this School Quality or Student Success indicator is statewide and, therefore, may not allow for meaningful differentiation in school performance, DEED has not provided sufficient information to meet this requirement.</li> <li>• In its State plan, DEED describes a School Quality or Student Success indicator for high schools that it calls the Alaska Performance Scholarship eligibility. The State indicates that</li> </ul>

	<p>the indicator will be calculated based on the number of graduating seniors rather than all students. The ESEA requires that each indicator annually measure results for all students and separately for each subgroup of students and allow for meaningful differentiation in school performance across the State. Because DEED has not described how it will calculate this indicator to include all students or how the indicator is valid and reliable and will allow for meaningful differentiation, it is unclear whether DEED meets the statutory requirements.</p>
<p>A.4.v.a: State’s System of Annual Meaningful Differentiation</p>	<p>In its State plan, DEED states that it will use an accountability index to give each school a score on each indicator and an overall score but has not yet established business rules to calculate a school’s accountability determination using its index system. The ESEA requires a State to establish and describe in its State plan its system of meaningfully differentiating all public schools in the State. However, the State does not describe how a school’s accountability determination is calculated to allow for meaningful differentiation. Because DEED has not described how it will calculate a school’s index scores, it has not fully described its system of meaningful differentiation.</p>
<p>A.4.v.c: If Applicable, Different Methodology for Annual Meaningful Differentiation</p>	<p>The ESEA requires a State to include all public schools in its system of annual meaningful differentiation and to describe that system in its State plan. DEED provides information that suggests it uses a different methodology for annual meaningful differentiation for certain schools (e.g., small schools, alternative schools, juvenile justice facility schools, schools for deaf and blind students, or schools focused on students with disabilities or English learners), but does not clearly describe the different methodology, including how the methodology will be used to identify such schools for comprehensive or targeted support and improvement (including doing so by the beginning of the 2018-2019 school year) or whether the different methodology is limited to schools for which an accountability determination cannot be made. Accordingly, it is unclear whether DEED meets the statutory requirements.</p>
<p>A.4.vi.a Comprehensive Support and Improvement Schools— Lowest Performing</p>	<ul style="list-style-type: none"> <li>• In its State plan, DEED indicates that it will exempt a school from identification for comprehensive support and improvement based on low performance if a school has met the measurements of interim progress for all subgroups in a school on the academic achievement, graduation rate, and progress in achieving English language proficiency goals. DEED also states that it will consider the performance of a school on those indicators in the previous three years in determining whether it will identify a school for comprehensive support and improvement. The ESEA requires a State to describe a methodology for identifying not less than the lowest-performing five percent of all schools receiving Title I, Part A funds for comprehensive support and improvement. Because DEED indicates that it may consider a</li> </ul>

	<p>school’s progress in addition to its index score and therefore may not identify the lowest-performing five percent of all schools receiving Title I, Part A funds based on its system of annual meaningful differentiation, it is unclear whether DEED meets this requirement.</p> <ul style="list-style-type: none"> <li>• The ESEA requires a State to include the year in which it will first identify schools for comprehensive support and improvement. DEED states that it will use data from the 2017-2018 accountability system to identify schools for comprehensive support and improvement for the 2018-2019 school year. It is unclear whether DEED has met the requirement to identify such schools by the beginning of the 2018-2019 school year, consistent with the Secretary’s April 2017 Dear Colleague letter that provided additional flexibility, for a State to identify such schools by the beginning of the 2018-2019 school year.</li> </ul>
<p>A.4.vi.b: Comprehensive Support and Improvement Schools—Low Graduation Rates</p>	<p>The ESEA requires that a State describe its methodology to identify all public high schools that fail to graduate one-third or more of their students, including the year in which it will first identify these schools. DEED states that it will use data from the 2017-2018 accountability system to identify schools for comprehensive support and improvement for the 2018-2019 school year. It is unclear whether DEED will identify such schools by the beginning of the 2018-2019 school year, consistent with the Secretary’s April 2017 Dear Colleague letter that provided additional flexibility.</p>
<p>A.4.vi.e: Targeted Support and Improvement Schools— “Consistently Underperforming” Subgroups</p>	<p>The ESEA requires a State to describe in its State plan its methodology for annually identifying schools with one or more consistently underperforming subgroups as determined by the State. While DEED provides general information on the State’s methodology, it states that its identification of consistently underperforming subgroups will be based on subgroups underperforming on all indicators based on “threshold levels to be determined.” Consequently, DEED has not fully described how schools are identified for targeted support and improvement because it does not provide sufficient information on the threshold levels for determining whether a subgroup is consistently underperforming.</p>
<p>A.4.vi.f: Targeted Support and Improvement Schools— Additional Targeted Support</p>	<p>DEED states that it will use data from the 2017-2018 accountability system to identify schools for additional targeted support for the 2018-2019 school year. It is unclear whether DEED will identify such schools by the beginning of the 2018-2019 school year, consistent with the Secretary’s April 2017 Dear Colleague letter that provided additional flexibility.</p>
<p>A.4.viii.a: Exit Criteria for Comprehensive Support and Improvement Schools</p>	<p>DEED states that it will apply its exit criteria for comprehensive support and improvement schools every three years. The State indicates that a school must perform at least one level higher than it performed on the indicators when identified. The ESEA requires a State to establish and describe exit criteria that ensure continued progress to improve student academic achievement</p>

	<p>and school success in the State. Without a description of the performance levels and how they are derived, it is not possible to determine whether DEED has met this requirement.</p>
<p>A.4.viii.b: Exit Criteria for Schools Receiving Additional Targeted Support</p>	<p>DEED states that it will apply exit criteria for schools receiving additional targeted support three years after identification and that the subgroup of students for which a school was identified must perform at least one level higher on each indicator than it performed upon initial identification. The ESEA requires that a State establish and describe statewide exit criteria for schools receiving Additional Targeted Support that ensure continued progress to improve student academic achievement and school success in the State. Without a description of the performance levels and how they are derived, it is not possible to determine whether DEED has met this requirement.</p>
<p>A.5: Disproportionate Rates of Access to Educators</p>	<p>While DEED’s State plan provides definitions for out-of-field and inexperienced teachers, it does not specifically address ineffective teachers or the extent to which students enrolled in schools assisted under Title I, Part A are underserved by these teachers. The ESEA requires that DEED describe the extent to which low-income and minority students enrolled in schools assisted under Title I, Part A are served by inexperienced, out-of-field, or ineffective teachers. The ESEA also requires a State to describe the measures that it will use to evaluate and publicly report progress with respect to reducing disproportionate rates. DEED does not clearly articulate how its proposed measures will report progress with respect to reducing disproportionate rates for students attending schools assisted under Title I, Part A, so it is unclear whether the State meets this requirement.</p>
<p><b>Title I, Part C: Education of Migratory Children</b></p>	
<p>B.1: Supporting Needs of Migratory Children</p>	<ul style="list-style-type: none"> <li>• DEED describes how it will identify the unique educational needs of migratory children, including preschool migratory children. However, the ESEA requires that a State also describe how it will identify the unique educational needs of migratory children who have dropped out of school.</li> <li>• The ESEA requires that a State describe how, in planning, implementing, and evaluating the Migrant Education Program (MEP), it will address the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, through the full range of services that are available to migratory children from appropriate local, State, and Federal educational programs. DEED does not provide any information addressing this requirement.</li> <li>• DEED describes how, in planning, implementing, and evaluating the MEP, it will address the unique educational needs of migratory children, including preschool migratory children, through joint planning among local, State, and Federal educational programs serving</li> </ul>

	<p>migratory children, including language instruction educational programs under Title III, Part A; and through the integration of services available under Title I, Part C with services provided by those other programs. However, the ESEA requires that a State also describe how it will address the unique educational needs of migratory children who have dropped out of school through such joint planning and integration of services.</p> <ul style="list-style-type: none"> <li>• The ESEA requires that a State describe how, in planning, implementing, and evaluating the MEP, it will address the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, through measurable program objectives and outcomes. DEED does not provide any information addressing this requirement.</li> </ul>
<p><b>Title II, Part A: Supporting Effective Instruction</b></p>	
<p>D.3: System of Certification and Licensing</p>	<p>In its State plan, DEED provides a description of its certification and licensing system for teachers, but does not include such a description for principals or other school leaders. The ESEA requires each State to provide a description of the system of certification and licensing for principals or other school leaders.</p>
<p>D.4: Improving the Skills of Educators</p>	<p>In its State plan, DEED describes how it will work to improve the skills of educators to meet the needs of students with specific learning needs, such as English learners, students who are gifted and talented, and students with low literacy levels, but it is unclear how the description specifically addresses students with disabilities. The ESEA also requires a State to describe how it will improve the skills of teachers, principals, or other school leaders in order to enable them to identify students with specific learning needs and provide instruction based on the needs of such students, particularly for children with disabilities.</p>
<p><b>Title III, Part A, Subpart 1: English Language Acquisition and Language Enhancement</b></p>	
<p>E.1: Entrance and Exit Procedures</p>	<p>In its State plan, DEED does not describe the timely and meaningful consultation for the standardized, statewide entrance and exit procedures with LEAs representing the geographic diversity of the State, as required by the ESEA.</p>
<p><b>Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B</b></p>	
<p>I.2: Dispute Resolution</p>	<p>In its State plan, DEED describes procedures for the resolution of disputes regarding educational placement as outlined in regulation. DEED does not, however, include procedural timelines or any other information that indicates that these procedures would result in the prompt resolution of disputes. The McKinney-Vento Act requires a State to describe procedures for the prompt resolution of disputes.</p>
<p>I.3: Support for School Personnel</p>	<p>While DEED describes trainings for school personnel on the requirements of the McKinney-</p>

	<p>Vento program, it is not clear that these trainings will heighten the awareness of such school personnel of the specific needs of runaway and homeless children and youth. The McKinney-Vento Act requires the State to describe programs for school personnel (including the LEA liaisons for homeless children and youth, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youth, including runaway and homeless children and youth.</p>
<p>I.4: Access to Services</p>	<ul style="list-style-type: none"> <li>• While DEED describes collaboration between the SEA and other service providers and advocates related to homeless preschool students, it is unclear how this collaboration ensures that homeless children have access to public preschool programs, administered by the SEA or LEAs, as provided to other children in the State. The McKinney-Vento Act requires a State to describe procedures that ensure that homeless children have access to public preschool programs, administered by the SEA or an LEA, as provided to other children in the State. <i>(Requirement I.4i)</i></li> <li>• In its State plan, DEED describes actions that have been taken by the SEA to ensure that homeless students do not face barriers and have access to academic and extracurricular activities, such as working with State athletic directors. DEED does not, however, describe procedures that ensure that homeless children and youth who meet relevant eligibility criteria do not face barriers to accessing magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels. The McKinney-Vento Act requires the State to describe procedures that ensure that homeless children and youth who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet schools, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels. <i>(Requirement I.4iii)</i></li> </ul>
<p>I.6: Policies to Remove Barriers</p>	<p>While DEED describes procedures to identify homeless children and youth in response to requirement I.1, and demonstrates in response to requirement I.6 that policies related to barriers to the enrollment of homeless children and youth are developed, reviewed, and revised with LEAs, DEED does not demonstrate that the SEA and LEAs have developed policies that they will review and revise to remove barriers to enrollment and retention of homeless children and youth due to outstanding fees or fines, or absences. The McKinney-Vento Act requires the State to demonstrate how the SEA and LEAs in the State have developed, and shall review and revise,</p>

	policies remove barriers to the enrollment and retention of homeless children and youth in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.
I.7: Assistance from Counselors	While DEED describes training provided to counselors on assisting homeless students and youth prepare for college and career readiness, it does not describe how homeless youths will receive assistance from counselors to advise such youths and prepare and improve the readiness of such youths for college. The McKinney-Vento Act requires a State to describe how homeless youths will receive assistance from counselors to advise such youths and prepare and improve the readiness of such youths for college.
<b>General Education Provisions Act (GEPA)</b>	
GEPA 427	Section 427 of the General Education Provisions Act (GEPA) requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. DEED does not respond to GEPA section 427.