



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 27, 2017

The Honorable Linda Clark
President
Idaho State Board of Education
650 West State Street, Suite 307
Boise, ID 83720

The Honorable Sherri Ybarra
Superintendent of Public Instruction
Idaho Department of Education
650 West State Street
Boise, ID 83720

Dear President Clark and Superintendent Ybarra:

Thank you for submitting Idaho'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 Idaho'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

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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.

you revise Idaho's consolidated State plan and resubmit it through OMB Max by January 12, 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. Idaho has acknowledged that a determination on the ESEA consolidated State plan may be rendered after the 120-day period.

Department staff will contact you to support Idaho 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 Idaho'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 Idaho indicated that any aspect of its plan may change or is still under development, Idaho may include updated or additional information in its resubmission Idaho 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

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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 Idaho’s Consolidated State Plan

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)	
A.4.i.a: Major Racial and Ethnic Subgroups of Students	<p>The ESEA requires a State to include in its accountability system each major racial and ethnic group as well as the subgroups of economically disadvantaged students, children with disabilities, and English learners. In its State plan, ISDE lists a combined “Minority students” subgroup that includes six major racial and ethnic groups. A State may only include a combined subgroup in its accountability system in addition to the individual required subgroups. It is not clear whether each of the individual major racial and ethnic subgroups of students is also separately included in the State’s accountability system.</p> <p>Clarifying this requirement in the State plan will also require ISDE to clarify this matter in related areas of its State plan to ensure all ESEA required subgroups are properly included. For example, the ESEA requires:</p> <ul style="list-style-type: none"> • That long-term goals are established for all students and separately for each subgroup of students. (Requirement A.4.iii) • That the identification of schools with one or more “consistently underperforming” subgroups be based on the performance of each individual subgroup. (Requirement A.4.vi.e) • That the identification of schools for additional targeted supports be based on the performance of each individual subgroup. (Requirement A.4.vi.f)
A.4.ii.a: Minimum N-Size for Accountability	<p>The ESEA requires the minimum number of students that the State determines are necessary to be included to carry out the requirements of any provisions under Title I, Part A of the ESEA that require disaggregation of information by each subgroup of students for accountability purposes be the same State-determined number for all students and for each subgroup of students in the State. In its State plan, ISDE indicates that it uses an n-size of 20 for all students and an n-size of 10 for student subgroups. As a result, ISDE does not meet the statutory requirements.</p>
A.4.iii.a.1: Academic Achievement Long-term Goals	<p>The ESEA requires that the State identify and describe the long-term goals, which must include measurements of interim progress toward meeting those goals, for all students and for each individual subgroup of students for improved academic achievement as measured by proficiency on the State’s annual assessments in reading/language arts and mathematics. Because ISDE does not provide long-term goals for each subgroup of students, including each major racial and ethnic group, the State has not met the statutory requirement.</p>
A.4.iii.b.1: Long-term Goals for	<p>The ESEA requires that the State identify and describe the long-term goals, which must include</p>

<p>Four-year Adjusted Cohort Graduation Rate</p>	<p>measurements of interim progress toward meeting those goals, for all students and for each individual subgroup of students for improved graduation rates. Because ISDE does not provide long-term goals for each subgroup of students, including each major racial and ethnic group, the State has not met the statutory requirement.</p>
<p>A.4.iii.c.1: English Language Proficiency Long-term Goals</p>	<ul style="list-style-type: none"> • The ESEA requires a State to identify and describe its ambitious long-term goal and measurements of interim progress for English learners for increases in the percentage of such students making progress in achieving English language proficiency. In its State plan, ISDE states that its long-term goal is that by 2022, the State will reduce the percentage of English learners not making progress towards English language proficiency by 33 percent. However, the State appears to describe the provided goal and targets as percentage of English learners scoring proficient, rather than the percentage making progress toward achieving English language proficiency. Therefore, it is unclear whether ISDE’s long-term goal and measurements of interim progress for English language proficiency are based on the percentage of English learners making progress toward proficiency, as required by the ESEA, as opposed to the percentage of English learners achieving proficiency. • Additionally, in its State plan, ISDE states that it uses the placement/screening test to establish and track English language proficiency for English learners. The ESEA requires a State to establish ambitious State-designed long-term goals as measured by the assessments required under ESEA section 1111(b)(2)(G).
<p>A.4.iv.a: Academic Achievement Indicator</p>	<p>ESEA section 1111(c)(4)(E) requires that a State annually measure the achievement of not less than 95 percent of all students and 95 percent of all students in each subgroup, and that, for purposes of measuring, calculating, and reporting on the Academic Achievement indicator, the State include in the denominator the greater of 95 percent of all students (or 95 percent of all students in a subgroup) or the number of students participating in the assessments. In its State plan, ISDE proposes including the performance of at least 95 percent of all students and each student group when calculating this indicator, which is consistent with section 1111(c)(4)(E)(ii) of the ESEA. However, because ISDE indicates that it may not do so if the LEA fails to meet the 95 percent required participation rate (stating that the indicator measures the performance of 95 percent of students “unless an LEA fails to meet the 95% required participation rate”), it is not clear that the ISDE is meeting the statutory requirement for calculating the Academic Achievement indicator.</p>
<p>A.4.iv.b: Other Academic Indicator for Elementary and</p>	<p>The ESEA requires that the State describe an Other Academic Indicator for Elementary and Secondary Schools that are Not High Schools and that the indicator be limited to elementary and</p>

<p>Secondary Schools that are Not High Schools</p>	<p>secondary schools that are not high schools. ISDE proposes a cohort change measure (“growth model”) for all grades, including high school. If the State so chooses, it may include a measure of cohort change in performance for high schools as a School Quality or Student Success indicator. Additionally, ISDE’s description of how growth will be measured is inconsistent throughout the plan. Specifically, ISDE indicates on page 22 that it will calculate growth using changes in the percentage of students proficient or above from the prior year; however, on page 99 ISDE refers to a “trajectory model” approved by the Idaho State Board of Education for grades K-8 as part of the Idaho Accountability Framework. Because ISDE does not clearly describe which growth model it will use, the State has not met the requirement to fully describe its Other Academic indicator.</p>
<p>A.4.iv.c: Graduation Rate Indicator</p>	<p>The ESEA requires that the Graduation Rate indicator include only measures based on the four-year adjusted cohort graduation rate and, at the State’s discretion, the extended-year adjusted cohort graduation rate. In its State plan, ISDE proposes to include within its Graduation Rate indicator a Graduation Rate Growth measure (i.e., the change in a school’s graduation rate over two or three years). ISDE may include the Graduation Rate Growth measure as a School Quality or Student Success indicator if desired, provided it meets all applicable requirements for School Quality or Student Success indicators (i.e., it is valid, reliable, comparable, and used statewide in all schools, and allows for meaningful differentiation in school performance).</p>
<p>A.4.iv.d: Progress in Achieving English Language Proficiency Indicator</p>	<p>The ESEA requires a State to establish and describe in its State plan a Progress in Achieving English Language Proficiency indicator that is the same indicator across all LEAs in the State, is based on the State’s definition of English language proficiency, is measured by the State’s English language proficiency assessment, and includes the State-determined timeline for students to achieve English language proficiency. ISDE’s response does not describe the indicator or how it will be calculated. As a result, ISDE has not met this requirement.</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 (SQSS) that allow for meaningful differentiation in school performance, and are valid, reliable, comparable, and statewide. ISDE proposes several SQSS indicators on page 24 of its plan, mentions absenteeism as an SQSS indicator on page 30, and provides additional indicators in Appendix B on page 99 as part of the Idaho Accountability Framework. Consequently, it is not clear what indicators will comprise the SQSS indicators. In addition, not enough information is provided to describe how each indicator that is used is calculated, how it is valid and reliable, and how it meaningfully differentiates among all schools in the State. Additionally, because the State</p>

	<p>satisfaction surveys listed in Appendix B are not proposed to be included until the 2018-2019 school year, it is unclear whether the State will have an SQSS indicator for every grade span and every school in order to identify schools in the beginning of the 2018-2019 school year, consistent with the additional flexibility provided in the Secretary’s April 10, 2017 Dear Colleague Letter. Finally, for the College and Career Readiness indicator, ISDE states that it will calculate this measure using the total number of graduates, rather than all students, as required. Because ISDE has not fully described this indicator, it is unclear whether the State is meeting the statutory requirements.</p>
<p>A.4.v.a: State’s System of Annual Meaningful Differentiation</p>	<p>The ESEA requires a State to establish and describe in its State plan its system of annual meaningful differentiation, including a description of how the system is based on all indicators, for all students and all subgroups of students. In its State plan, ISDE does not clearly describe how it will apply all of the required indicators in its system of annual meaningful differentiation. Specifically, ISDE indicates that it will only include either the Academic Achievement indicator or the Other Academic Indicator (i.e., growth) for each school. ISDE also describes that it will use the higher of either graduation rate ranking or the graduate rate progress ranking, but the Graduation Rate indicator may only include the graduation rate. Further, it is not clear whether or how ISDE includes the School Quality or Student Success indicator(s) in its system of annual meaningful differentiation. As a result, it is unclear whether ISDE is meeting the statutory requirements.</p>
<p>A.4.v.b: Weighting of Indicators</p>	<p>The ESEA requires a State to describe the weighting of each indicator in its system of annual meaningful differentiation, including how the Academic Achievement, Other Academic for elementary and secondary schools that are not high schools, Graduation Rate for high schools, and Progress in Achieving English Language Proficiency indicators each receive substantial weight individually and how those indicators receive, in the aggregate, much greater weight than the School Quality or Student Success indicator(s), in the aggregate. In its plan, ISDE does not include the weighting for the Other Academic Indicator separate from the Academic Achievement indicator. In addition, based on the description provided by ISDE, it is possible that the current graduation rate would not be included at all within the weighting of indicators for all high schools (i.e., because it would be replaced by the progress in graduation rate, which is not permissible within the Graduation Rate indicator), which would not be permissible. As a result, it is unclear whether ISDE meets the statutory requirements.</p>
<p>A.4.vi.c: Comprehensive Support and Improvement Schools—</p>	<p>The ESEA requires a State to describe its methodology to identify for comprehensive support and improvement a school that has received additional targeted support under ESEA section</p>

<p>Additional Targeted Support Not Exiting Such Status</p>	<p>1111(d)(2)(C) because it has a subgroup of students that, on its own, would lead to identification of the school as needing comprehensive support and improvement and has not satisfied the statewide exit criteria within a State-determined number of years. In its plan, ISDE indicates that if a Title I school is identified for additional targeted support for three consecutive years, it will be identified for comprehensive support and improvement; however, Idaho states that it will identify schools for additional targeted support every three years. As a result, because ISDE does not intend to identify schools for additional targeted support in consecutive years, it is unclear whether ISDE means that a school will be identified for comprehensive support and improvement after three years <i>of being</i> a school identified for additional targeted support and improvement.</p>
<p>A.4.vi.e: Targeted Support and Improvement Schools— “Consistently Underperforming” Subgroups</p>	<p>The ESEA requires a State to describe a methodology for identifying schools with one or more consistently underperforming subgroups that considers performance on all indicators in the statewide system of annual meaningful differentiation. ISDE states it will identify schools for targeted support and improvement based on student group gaps to their non-group peers. However, it is unclear how ISDE will calculate student group gaps, particularly in light of the fact that its system of annual meaningful differentiation is based on percentile ranks. As a result, ISDE has not fully described its methodology for identifying these schools.</p>
<p>A.4.viii.a: Exit Criteria for Comprehensive Support and Improvement Schools</p>	<p>The ESEA requires that a State establish and describe statewide exit criteria that ensure continued progress to improve student academic achievement and school success in the State. In its State plan, ISDE indicates that a school may elect to exit comprehensive support and improvement status early if it meets certain interim goals, which does not result in statewide exit criteria.</p>
<p>A.4.viii.b: Exit Criteria for Schools Receiving Additional Targeted Support</p>	<p>The ESEA requires that a State establishes the number years for continued support and improvement. In its plan, ISDE establishes three years for continued support and improvement; however, the component of the exit criteria that allows for schools to elect to exit if they have met their second year-year interim goals is inconsistent with the State-determined number of years as required by ESEA section 1111(d)(3)(A).</p>
<p>A.5: Disproportionate Rates of Access to Educators</p>	<p>The ESEA requires that a State describe the extent, if any, to which low-income and minority children enrolled in schools assisted under Title I, Part A are served at disproportionate rates by ineffective, out-of-field, and inexperienced teachers. In its State plan, ISDE generally describes its 2015 educator equity analysis which found that there were no disproportionate rates of access to out-of-field and inexperienced educators for low-income and minority children. Although ISDE describes the rates of access to educators for all schools, ISDE does not specifically address ineffective teachers or schools assisted under Title I, Part A. Additionally, the ESEA also requires a State describe the measures that it will use to evaluate and publicly report its progress with</p>

	respect to how low-income and minority children are not served at disproportionate rates by ineffective, out-of-field, and inexperienced teachers.
<p>Title I, Part C: Education of Migratory Children</p>	
<p>B.1: Supporting Needs of Migratory Children</p>	<ul style="list-style-type: none"> • ISDE describes 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, through the integration of services available under Title I, Part C with services provided by local, State, and Federal educational programs serving migratory children, including language instruction educational programs under Title III, Part A. 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 integration of services. • ISDE describes how, in planning, implementing, and evaluating the MEP, it will address the unique educational needs of migratory children, including preschool migratory children, through measurable program objectives and outcomes. However, the ESEA requires a State to also describe how it will address the unique educational needs of migratory children who have dropped out of school, through measurable program objectives and outcomes.
<p>Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk</p>	
<p>C.1: Transitions Between Correctional Facilities and Local Programs</p>	<p>The ESEA requires each SEA to submit a plan for assisting in the transition of children and youth between correctional facilities and locally operated programs. Although ISDE includes a plan for assisting in the transition of children and youth from correctional facilities to locally operated programs, it does not include a plan for assisting in the transition of children and youth between locally operated programs and correctional facilities (i.e., the transition from correctional facilities to locally operated programs as well as the transition from locally operated programs to correctional facilities).</p>
<p>Title IV, Part A: Student Support and Academic Enrichment Grants</p>	
<p>F.2: Awarding Subgrants</p>	<p>The ESEA requires a State plan to include a description of how the SEA will ensure that awards made to LEAs under Title IV, Part A, Subpart 1 are in amounts that are consistent with ESEA section 4105(a)(2). ISDE’s description of how it will undertake the Title IV, Part A, Subpart 1 formula for subgrantees does not comply with the statutory formula in section 4105(a)(1), which provides that “[t]he State shall allocate to each local educational agency in the State that has an application approved by the State educational agency under section 4106 an amount that bears the same relationship to the total amount of such reservation as the amount the local educational</p>

	<p>agency received under subpart 2 of part A of Title I for the preceding fiscal year bears to the total amount received by all local educational agencies in the State under such subpart for the preceding fiscal year.” ISDE does not include a description of how the SEA will ensure that awards made to LEAs are consistent with this requirement, including that the SEA will not award grants less than \$10,000.</p>
<p>Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B</p>	
<p>I.1: Student Identification</p>	<p>In its State plan, ISDE describes a variety of procedures to identify homeless children and youth in the State. However, ISDE does not describe procedures it will use to assess the needs of homeless children and youth. The McKinney-Vento Act requires a State to describe the procedures the SEA will use to assess the needs of homeless children and youth.</p>
<p>I.3: Support for School Personnel</p>	<p>In its State plan, ISDE describes training for homeless liaisons and school personnel to heighten the awareness of such school personnel of the needs of homeless children and youth. It is not clear, however, if these trainings will heighten the awareness of such school personnel on the specific needs of <i>runaway</i> 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 runaway children and youth.</p>
<p>I.4: Access to Services</p>	<ul style="list-style-type: none"> • In its State plan, ISDE indicates there is collaboration between ISDE and Head Start. ISDE does not, however, describe procedures that ensure that homeless children have access to public preschool programs, as provided to other children in the State. The McKinney-Vento Act requires a State to describe procedures that will 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>) • ISDE describes procedures that ensure that homeless youth separated from public schools are identified and accorded equal access to appropriate secondary education and support services. ISDE does not, however, describe procedures that ensure that homeless youth who are still in school are identified and accorded equal access to appropriate secondary education and support services. The McKinney-Vento Act requires a State to describe procedures that ensure that homeless youth in school are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youth described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State,

	<p>local, and school policies. (<i>Requirement I.4ii</i>)</p>
<p>I.6: Policies to Remove Barriers</p>	<p>In its State plan, ISDE demonstrates that ISDE and all LEAs in the State have a current homeless education policy that removes barriers to enrollment and retention, including barriers to enrollment and retention due to outstanding fees or fines, or absences. ISDE does not, however, demonstrate that the SEA and LEAs shall review and revise such policies. ISDE also does not demonstrate that it has developed, and shall review and revise, policies to remove barriers to the <i>identification</i> of homeless children and youth. The McKinney-Vento Act requires the State to demonstrate that the SEA and LEAs in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youth, and the enrollment and retention of homeless children and youth in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.</p>