



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 4, 2017

The Honorable Brian H. Whiston  
Superintendent of Public Instruction  
Michigan Department of Education  
608 W. Allegan Street  
P.O. Box 30008  
Lansing, MI 48909

Dear Superintendent Whiston:

Thank you for submitting Michigan'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 a 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 detailed review of all programs submitted under Michigan's consolidated State plan, including those programs subject to peer review, the Department has determined that the information provided by Michigan was insufficient for the Department to adequately review its consolidated State plan for Title I, Part A. The ESEA requires substantive information to determine if the requirements outlined in the Revised Template for the Consolidated State Plan that was issued on March 13, 2017 are met. Additionally, given the extensive revisions required for Title I, Part A, the Department may not be able to issue a final determination letter until the State plan is subject to additional peer review.

Regarding the remaining programs included in Michigan's consolidated State plan, 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 for ESEA Title III, Part A and the McKinney-Vento Act. I encourage you to read the full peer notes for additional suggestions and recommendations for improving your consolidated State plan.

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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.*

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 Michigan's consolidated State plan and resubmit it through OMB Max within 15 days from August 2, 2017. If you need more time than this to resubmit your consolidated State plan, please contact your Office of State Support Program Officer, who will work with you in establishing a new submission date. Please recognize that if we accommodate your request for additional time, we may be unable to issue a written determination on your plan within the 120-day review period.

Department staff are available to support Michigan in submitting a new consolidated State plan that meets the requirements of Title I, Part A and addressing the items enclosed with this letter for all other programs included in the consolidated State plan. 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 Michigan'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 Michigan indicated that any aspect of its plan may change or is still under development, Michigan may include updated or additional information in its resubmission. Michigan may also propose an amendment to its plan when additional data or information are available consistent with ESEA section 1111(a)(6)(B) after approval. 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  
Acting Assistant Secretary

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 Michigan’s Consolidated State Plan<sup>1</sup>**

<b>Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)</b>	
<ul style="list-style-type: none"> <li>Title I, Part A of the ESEA establishes requirements for, among other things, challenging state academic standards and assessments, statewide accountability systems, school support and improvement activities, rates of access to educators, school conditions, and school transitions. In its State plan, a State must describe how it is meeting the Title I, Part A requirements set forth in Section A of the Revised State Template for the Consolidated State Plan (available at: <a href="https://www2.ed.gov/admins/lead/account/stateplan17/plans.html">https://www2.ed.gov/admins/lead/account/stateplan17/plans.html</a>). The Michigan Department of Education’s (MDE’s) State plan does not fully describe how it meets these requirements.</li> </ul>	
<b>Title I, Part C: Education of Migratory Children</b>	
B.1: Supporting the Needs of Migratory Children	<ul style="list-style-type: none"> <li>The Michigan Department of Education (MDE) describes in the planning of its program how it will address the identified unique educational needs of migratory children through the full range of services and accomplish joint planning among local, State, and Federal programs. However, the ESEA requires that a State’s description of the planning of its program must also include:               <ul style="list-style-type: none"> <li>How it is planning the measurable program objectives and outcomes.</li> <li>How it is planning the integration of services available under Title I, Part C with services provided by other programs.</li> </ul> </li> <li>MDE describes in the implementation of its program the joint planning among local, State, and Federal programs. However, the ESEA requires that a State’s description of the implementation of its program must also include:               <ul style="list-style-type: none"> <li>How it will implement the full range of services that are available for migratory children from appropriate local, State, and Federal educational programs and the integration of those services against measurable program objectives and outcomes.</li> <li>How it will address the unique educational needs of preschool migratory children and migratory children who have dropped out of school.</li> </ul> </li> <li>The ESEA requires that a State’s description of the evaluation of its program must include:               <ul style="list-style-type: none"> <li>How it will evaluate the integration of services available under Title I, Part C with services provided by those other programs against measurable program objectives and</li> </ul> </li> </ul>

<sup>1</sup> Note that the Department has determined that the information provided by Michigan was insufficient for the Department to adequately review its consolidated State plan for Title I, Part A. The ESEA requires substantive information to determine if the requirements outlined in the Revised Template for the Consolidated State Plan that was issued on March 13, 2017 are met.

	<p>outcomes.</p> <ul style="list-style-type: none"> <li>○ How it will address the unique needs of preschool migratory children and migratory children who have dropped out of school.</li> </ul>
<p><b>Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk</b></p>	
<p>C.1: Transitions Between Correctional Facilities and Local Programs</p>	<p>While MDE 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). The ESEA requires a plan for assisting in the transition of children and youth from locally operated programs to correctional facilities.</p>
<p><b>Title II, Part A: Supporting Effective Instruction</b></p>	
<p>D.1 Use of Funds</p>	<ul style="list-style-type: none"> <li>• In its State plan, MDE describes continued implementation of the #proudMIEducator campaign. However, it is not clear whether this is an allowable use of Title II, Part A funds under ESEA section 2101(c)(4) or if it is consistent with the supplement-not-supplant requirements in ESEA section 2301. Because MDE does not explain what funds have been used to support this activity previously or what specific activities will be supported with Title II, Part A funds, it is unclear if the State has met the statutory requirements.</li> <li>• In its State plan, MDE describes plans to use Title II, Part A funds for “residencies.” However, when defining “residencies” in its State plan by citing to ESEA section 2002(5)(A)-(B), MDE did not include ESEA section 2002(5)(C), which is a required element of the definition of “residencies” under the ESEA. MDE may, at its discretion, include the definition from ESEA section 2002(5) in its State plan by completing the description of teacher residency programs, to include “(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.”</li> </ul>
<p>D.4 Improving Skills of Educators</p>	<p>MDE describes 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, including children with disabilities, English learners, and students with low-literacy levels. However, MDE did not address all required student subgroups. 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 who are gifted and talented and provide instruction based on their needs.</p>

D.5 Data and Consultation	Although MDE describes its consultation with stakeholders generally, MDE did not describe consultation with the required stakeholders. The ESEA requires a State to describe how it will use ongoing consultation for all required stakeholders consistent with ESEA section 2101(d)(3), which includes teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in a State that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of Title II.
<b>Title IV, Part A: Student Support and Academic Enrichment Grants</b>	
F.1: Use of Funds	The State plan identifies a number of activities to be carried out using Title IV, Part A funds, but it is not clear from the plan whether these are activities that will be implemented by MDE or by LEAs. The ESEA requires a State to describe the State-level activities it will implement using funds received under Title IV, Part A, Subpart 1.
F.2: Awarding Subgrants	<ul style="list-style-type: none"> <li>• 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). MDE does not include a description of how the SEA will ensure that awards made to LEAs are consistent with this requirement, including that MDE will not award grants less than \$10,000.</li> <li>• Note: The Consolidated Appropriations Act, 2017 (Pub. L. 115-31) provides States with a new option of awarding the Title IV, Part A subgrants to LEAs competitively. Please consider whether MDE wishes to revise this response in light of this new flexibility.</li> </ul>
<b>Title IV, Part B: 21st Century Community Learning Centers</b>	
G.1: Awarding Subgrants	In its State plan, MDE states that it will award subgrants on a competitive basis and describes several priorities it will include in its local subgrant competition, but does not describe the procedures it will use to ensure that community learning centers will help participating students meet challenging State and local academic standards. The ESEA requires that MDE provide more detailed information about: (1) how MDE will ensure that proposed community learning centers will target their activities to students’ academic needs; and (2) how MDE will implement a rigorous peer review process.
<b>Title V, Part B, Subpart 2: Rural and Low-Income School Program</b>	
H.2: Technical Assistance	The ESEA requires a State to describe how it will provide technical assistance specifically to LEAs eligible for funds under the Rural and Low-Income School Program (RLIS) to help such agencies implement the activities described in ESEA section 5222. In particular, the ESEA

	<p>requires that MDE include information about how the SEA will provide technical assistance to RLIS-eligible LEAs (i.e., the methods and strategies). Additionally, the ESEA requires that the description specifically address how the SEA’s technical assistance will assist RLIS-eligible LEAs’ implementation of RLIS activities. While MDE provided a description about how it will provide technical assistance to LEAs generally, this description did not specifically address technical assistance for RLIS-eligible LEAs.</p>
<p><b>Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B</b></p>	
<p>I.4 iii: Access to Services</p>	<p>While MDE’s State plan indicates that the State Coordinator provides training and technical assistance to LEA liaisons and staff on all provisions related to homeless students, including ensuring homeless students do not face barriers to accessing academic or extracurricular activities for which these students are eligible, it is unclear whether this training and technical assistance addresses homeless children and youth’s access to 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 a 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, and charter school programs, if such programs are available at the State and local levels.</p>
<p><b>General Education Provisions Act (GEPA)</b></p>	
<p>GEPA 427</p>	<p>Section 427 of the General Education Provisions Act requires a State to provide a description of the steps it will take to ensure equitable access to, and participation in, the programs included in its State plan for students, teachers, and program beneficiaries with special needs, and this is not addressed in MDE’s plan.</p>