



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 20, 2011

The Honorable Janet Barresi  
State Superintendent of Public Instruction  
Oklahoma State Department of Education  
2500 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105

Dear Superintendent Barresi:

Thank you for submitting Oklahoma's request for ESEA flexibility. We appreciate the hard work required to transition to college- and career-ready standards and assessments; develop systems of differentiated recognition, accountability, and support; and evaluate and support teacher and leader effectiveness. The U.S. Department of Education (Department) is encouraged that Oklahoma and ten other States are leading the way in designing plans to increase the quality of instruction and improve student academic achievement.

As you know, Oklahoma's request was reviewed by a panel of seven peer reviewers during the week of December 5-9, 2011. During the review, the expert peers considered each component of Oklahoma's request and provided comments in the form of Peer Panel Notes to inform the Secretary's decision whether to approve Oklahoma's request. The Peer Panel Notes, a copy of which is enclosed with this letter, also provide feedback on the strengths of Oklahoma's request and areas that would benefit from further development. Department staff also reviewed Oklahoma's request, informed by the Peer Panel Notes, to determine consistency with the ESEA flexibility principles.

The peers noted, and we agree, that Oklahoma's request is particularly strong in providing a comprehensive framework for transitioning to the Common Core State Standards (CCSS) through its C<sup>3</sup> Plan. The peers particularly complimented the REAC<sup>3</sup>H Network through which volunteer districts will provide regionally based peer support to other districts and schools in implementing the CCSS. It is also noteworthy that the Oklahoma legislature recently passed legislation supporting two principles of ESEA flexibility: it adopted an A-F school grading system to hold all schools accountable that takes into account multiple measures to assess a school's performance; and it created bold changes to Oklahoma's teacher and leader evaluation system by requiring effectiveness to be based, in significant part, on student academic growth. With these supportive laws in place, Oklahoma is poised to be able to fully implement ESEA flexibility once its request is approved.

At the same time, based on the peer reviewers' comments and our review of the materials Oklahoma has provided to date, we have identified certain components of your request that need further clarification and may need additional development or revision. In particular, significant concerns were identified with respect to the following:

- The early stage of development of Oklahoma's new A-F grading system and guidelines for implementing its teacher and leader evaluation system;
- The process of identifying schools with the largest achievement gaps may mask the low performance of some subgroups; and

- The needs of students with disabilities and English Learners are not fully addressed.

The enclosed list provides details regarding these as well as other issues raised in the review of Oklahoma's request. We encourage Oklahoma to consider the peers' comments and technical assistance suggestions in making revisions to its request.

Please keep in mind that, while the peers identified weaknesses in all of the requests submitted by States during this first round of review, this result should be viewed in the context of the difficult, trailblazing work that Oklahoma and others are doing in the context of ESEA flexibility. You and your team deserve great credit for your efforts thus far, and we are confident that we will be able to work together to address outstanding concerns and provide Oklahoma with the requested flexibility.

At the same time, it is our responsibility to ensure that, as we permit States to depart from the requirements of current law, they do so in a manner that continues to increase the quality of instruction and improve achievement for all students, but especially those most at risk of academic failure, including low-achieving students, English Learners, and students with disabilities.

While the Peer Panel Notes for Oklahoma provide information specific to your request, your State also may benefit from comments and technical assistance suggestions made by other peer panels regarding issues common to multiple States' requests. For this reason, we will soon send you a document that summarizes some of these technical assistance suggestions and other considerations that may be useful as you revise and refine your request.

We remain committed to working with Oklahoma to meet the principles of ESEA flexibility and improve outcomes for all students. We stand ready to work with Oklahoma as quickly as possible and will be in touch to set up a call as early as this week to discuss the timeline and process for providing revisions or materials. If you have any additional questions or want to request technical assistance, please do not hesitate to contact Sharon Hall, at 202-260-0998.

Sincerely,

Michael Yudin  
Acting Assistant Secretary

Enclosure

## SUMMARY OF ADDITIONAL INFORMATION REGARDING Oklahoma'S ESEA FLEXIBILITY REQUEST

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### CONSULTATION

- Please provide more specific information regarding the steps Oklahoma took to meaningfully engage and solicit input from diverse stakeholders and communities, particularly parents, parent organizations, and organizations representing students with disabilities and English Learners, or describe how Oklahoma will meaningfully engage these stakeholders as it continues to develop and implement its ESEA flexibility request. *See Consultation Question 2.*

### PRINCIPLE 1: COLLEGE- AND CAREER-READY EXPECTATIONS FOR ALL STUDENTS

- Please address concern that Oklahoma's transition plan does not include strategies to ensure that students with disabilities and English Learners will be prepared to meet the CCSS. For example, Oklahoma states that it currently assists students with disabilities and English Learners by offering remedial or developmental programs, rather than by offering accelerated programs to ensure that such students are college- and career-ready. *See 1.B, 2.A.ii.*
- Please provide additional information on Oklahoma's plan to develop and link various education data systems with its timeline for rolling out its transition plan for implementing new standards and assessments. *See 1.B.*
- Please provide greater clarity on how Oklahoma intends to use its institutions of higher education, Oklahoma State Regents for Higher Education, Oklahoma Commission for Teacher Preparation, and Master Teachers Project to train and support teachers and principals in implementing CCSS. *See 1.B.*

### PRINCIPLE 2: STATE-DEVELOPED DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT

In 2011, Oklahoma's legislature adopted an A-F school grading system to hold all schools and LEAs accountable. Oklahoma will develop and adopt administrative rules in early 2012 to implement this system beginning with assessment results from the 2011–2012 school year. Pending development of these administrative rules, Oklahoma described the differentiated recognition, accountability, and support system it will use in the interim.

- Please address concerns regarding English Learners and students with disabilities, including:
  - The accountability system does not include interventions specifically focused on English Learners or students with disabilities. *See 2.A.i.c, 2.D.iii.b, 2.E.iii.*
  - How the results of alternate assessments are included in the accountability system, given the high percentage of students with disabilities who take those assessments. *See 2.A.ii.*
- Clarify that participation rate (as used in measuring AMOs) is calculated separately for reading/language arts and mathematics. *See 2.B.*
- Please address concerns regarding priority, focus, and reward schools, including:
  - By demonstrating that Oklahoma's identification of the top 10 percent of all schools as reward schools does not result in the exclusion of Title I schools. *See 2.C.i.*
  - The C3S State takeover option is not sufficiently developed and does not describe how the SEA will evaluate that LEA capacity is insufficient. *See 2.D.iii.a.*
  - Tying identification of focus schools to overall State populations for subgroups has the potential to mask subgroups at the individual school level. *See 2.E.i, 2.E.ii.*

- The rationale for SEA direction regarding Title I set-aside appears disconnected from specific interventions. *See 2.E.iii.*
- Please provide specific examples of and justification for the proposed interventions in focus schools and other Title I schools in order to address the concern that the interventions are not adequately targeted to school needs. *See 2.E.iii., 2.F.*
- Please clarify how Oklahoma will provide incentives and supports for other Title I schools that, based on new AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gaps before its A-F system is operational. *See 2.F.*
- Please address concerns regarding capacity-building, including:
  - The focus on monitoring activities, including those by the Regional Accreditation Officers, does not emphasize capacity-building support that will lead to sustained improvement among LEAs. *See 2.G.i, 2.G.ii.*
  - LEA capacity to strategically allocate resources may be lacking and resources may not be sufficient. *See 2.G.iii.*
- Please address the following concerns as Oklahoma further develops its A-F grading system:
  - The weight to be given to graduation rate for high schools, particularly whether it is less significant than under current law. *See 2.A.i.a, 2.A.i.b.*
  - How results from assessments, including assessments other than reading/language arts and mathematics, will be weighted. *See 2.A.i, 2.A.ii.*
  - How whole-school improvement factors will be assessed and weighted. *See 2.A.i.*
  - How school grades will be determined if there are discrepancies among different metrics. *See 2.A.i.*

Note: If Oklahoma plans to implement an interim system that meets the principles of ESEA flexibility, these concerns do not need to be addressed prior to approval. However, Oklahoma will need to address these concerns and receive approval of its A-F grading system before it implements this system.

### **PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP**

In response to Principle 3, Oklahoma selected Option B, applicable to a State that has already developed and adopted one or more, but not all, guidelines for teacher and principal evaluation systems. The peers reviewed Oklahoma's response against criteria for that option. In further consideration of Oklahoma's response, we believe Oklahoma more appropriately falls under Option A, applicable to a State that has not already adopted guidelines. Accordingly, our suggestions below reflect the fact that, during the 2010 legislative session, the Oklahoma legislature mandated changes to Oklahoma's teacher and leader evaluation (TLE) system and required the State Board of Education to adopt guidelines by December 15, 2011, after Oklahoma submitted its ESEA flexibility request.

- Please submit a plan for developing and adopting guidelines for implementing Oklahoma's TLE system that is likely to result in successful adoption of those guidelines by the end of the 2011–2012 school year; or submit Oklahoma's adopted guidelines. *See 3.A.i.*
- Please address how Oklahoma involved or will involve teachers, including teachers of students with disabilities and English Learners, and principals in the development of its guidelines. *See 3.A.ii.*
- Please describe Oklahoma's process for ensuring that each LEA develops, adopts, pilots, and implements, with the involvement of teachers and principals, the TLE system consistent with Oklahoma's adopted guidelines and in a manner that is likely to lead to high-quality local teacher and principal evaluation and support systems. *See 3.B.*