



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 14, 2017

The Honorable Richard Woods
Superintendent of Education
Georgia Department of Education
2066 Twin Towers East
Atlanta, GA 30334

Dear Superintendent Richard Woods:

Thank you for submitting Georgia'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 Georgia'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 Georgia's consolidated State plan and resubmit it through OMB Max by December 29, 2017. 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 Georgia 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 Georgia'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 Georgia indicated that any aspect of its plan may change or is still under development, Georgia may include updated or additional information in its resubmission. Georgia 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 Georgia’s Consolidated State Plan

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)	
<p>A.4.iv.a: Academic Achievement Indicator</p>	<ul style="list-style-type: none"> • ESEA Section 1111(c)(4)(E)(ii) requires that a State calculate the Academic Achievement indicator by including in the denominator the greater of 95 percent of all students (or 95 percent of all students in a given subgroup) or the number of students participating in the assessments. In its plan, the Georgia Department of Education (GADOE) proposes a different method of calculating the Academic Achievement indicator, specifically, that if the participation rate for all students or subgroup of students falls below 95 percent (and the school meets the State’s participation n size of 40 students), GADOE would multiply the achievement rate for that group of students by the actual participation rate and then divide that result by 95 percent. Because this method is not consistent with the statutory requirements, it appears that GADOE has not met this requirement. In addition, the ESEA does not provide flexibility for a participation n size when calculating the Academic Achievement indicator; that is, the indicator must be calculated consistent with the statute in all cases where the group of students meets the State’s n size for including this indicator. • In its plan, GADOE describes how its proficiency index allows a student achieving the highest level of achievement to receive 1.5 points while a student achieving a level of achievement below proficiency to receive 0.5 points. The Academic Achievement indicator required under ESEA section 1111(c)(4)(B)(i)(I) must annually measure results for all students and separately for each subgroup of students. It is not clear that the proposed proficiency index will reflect each student’s performance (e.g., how it will ensure that the performance of each student contributes to the overall performance on the indicator, including by ensuring that no student’s performance overcompensates for the results of a student who is not yet proficient). • The Academic Achievement indicator required under ESEA section 1111(c)(4)(B)(i)(I) must be measured by proficiency on the annual assessments required under ESEA subsection (b)(2)(B)(v)(I) (i.e., reading/language arts and mathematics). GADOE proposes to include a “Closing the Gaps” measure in its Academic Achievement indicator. GADOE may include such a measure as the Other Academic Achievement indicator for public elementary and secondary schools that are not high schools as required under ESEA section 1111(c)(4)(B)(ii) (i.e., the Other Academic indicator), for elementary and secondary schools that are not high schools or in the School Quality or Student Success indicator for any schools, including high schools. • Regarding the Closing the Gap measure, in its plan, GADOE indicates that it will provide no

	<p>points for any subgroup that makes no progress toward its target, 0.5 points for a subgroup that makes progress toward its target but does not meet the target, 1 point for a subgroup that meets its target, and 1.5 points if economically disadvantaged students, English learners, or children with disabilities meet a 6 percent improvement target. If it chooses to include this measure as an Other Academic indicator or a School Quality or Student Success indicator, the ESEA requires that the indicator meaningfully differentiate among schools in the State and that GADOE describe how it is valid and reliable, particularly because only certain subgroups may receive full points in the calculation. In addition, GADOE does not sufficiently describe what it means for a group to demonstrate a 6 percent improvement target in order to determine whether the indicator meets all requirements.</p>
<p>A.4.iv.e: School Quality or Student Success Indicator(s)</p>	<ul style="list-style-type: none"> • 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. Georgia proposes nine School Quality or Student Success indicators but does not provide sufficient detail for each indicator regarding these requirements to determine whether each meets the requirements. In addition, Beyond the Core would measure the percentage of students earning a passing score in specified enrichment courses (e.g., fine arts, world languages) beyond the core curriculum. Because Georgia does not provide information indicating that a “passing grade” would be determined consistently statewide, it is not clear whether the indicator meets the requirements. Similarly, with regard to the College and Career Ready measure, because GADOE does not provide sufficient detail regarding what constitutes a work-based learning experience, it is not clear whether this measure meets the requirements. For the Pathway Completion indicator, GADOE indicates that each LEA can create its own pathway. Because this measure of the School Quality or Student Success indicator is not statewide and does not allow for meaningful differentiation in school performance, GADOE has not met the statutory requirements. • For each School Quality or Student Success indicator that the State proposes for high schools, GADOE describes that the indicators will be calculated from among all graduates, rather than all seniors. 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 GADOE has not described how it will calculate this indicator to include all students or how the indicator will allow for meaningful differentiation, it is unclear whether GADOE meets the statutory requirements.
<p>A.4.v.a: State’s System of Annual</p>	<p>The ESEA requires each State to meaningfully differentiate all public schools in the State on an</p>

<p>Meaningful Differentiation</p>	<p>annual basis. In its plan, GADOE indicates that it will report indicator performance on “eligible” public schools, including charter schools, rather than it will report for all public schools in the State. Therefore, it is unclear whether GADOE is meeting the statutory requirements.</p>
<p>A.4.v.b: Weighting of Indicators</p>	<p>In its State plan, GADOE indicates that schools have the opportunity to earn extra points for very high levels of achievement, progress, and achievement gap closure. However, GADOE does not describe how the extra points will be factored into the system of annual meaningful differentiation, including how those points will impact the weighting of any indicator. The ESEA requires a State to describe the weighting of each indicator in its system of annual meaningful differentiation, including:</p> <ul style="list-style-type: none"> ○ 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 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 receive, in the aggregate, much greater weight than the School Quality or Student Success indicator(s), in the aggregate. <p>By providing extra points in its system of annual meaningful differentiation, it does not appear that GADOE has met the requirement in ESEA section 1111(c)(4)(C)(ii) to describe the weighting of its indicators.</p>
<p>A.4.v.c: If Applicable, Different Methodology for Annual Meaningful Differentiation</p>	<p>The ESEA requires that a State’s system of annual meaningful differentiation apply to “all public schools in the State.” Georgia states that primary schools and alternative schools will receive scores based on the accountability system provided that they meet the minimum n-Size. Because GADOE does not describe the different methodology it will use for primary schools and alternative schools that do not meet the minimum number of students, or how the methodology will be used to identify such schools for comprehensive or targeted support and improvement, it is unclear whether GADOE meets the statutory requirements.</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. GADOE proposes a methodology that only considers the Graduation Rate and Academic Achievement indicators. As a result, it does not appear that GADOE has met this requirement.</p>
<p>A.4.vi.f: Targeted Support and Improvement Schools— Additional Targeted Support</p>	<ul style="list-style-type: none"> ● The ESEA requires a State to describe its methodology to identify schools in which the performance of any subgroup of students, on its own, would lead to identification under ESEA section 1111(c)(4)(D)(i)(I) using the State’s methodology under ESEA section

	<p>1111(c)(4)(D) (i.e., “Additional Targeted Support” schools) that considers performance on all indicators. Such methodology must include identifying these schools either from among all public schools in the State, including both Title I and non-Title I schools, or from among the schools identified for targeted support based on having one or more consistently underperforming subgroups. In its State plan, however, GADOE indicates that it will identify Additional Targeted Support schools only from among Title I schools. GADOE also proposes to use a second criterion to identify schools for additional targeted support: that the school has one or more subgroups that failed to make progress toward meeting subgroup achievement and/or four-year graduation rate improvement targets. As a result, GADOE does not meet the statutory requirement.</p> <ul style="list-style-type: none"> • GADOE proposes to first identify schools for additional targeted support and improvement based on all indicators in the fall of 2019, which is not consistent with the Department’s April 2017 Dear Colleague letter that permitted additional flexibility and indicated a State must identify schools for additional targeted support and improvement based on all indicators by the beginning of the 2018-2019 school year.
<p>A.4.viii.d: Resource Allocation Review</p>	<p>The ESEA requires a State to describe how it will periodically review resource allocation to support school improvement in each LEA in the State serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement. While GADOE provides a description of a system of tiered supports and resources, it does not provide a description of how it will periodically conduct resource allocation reviews in LEAs serving concentrations of schools identified for comprehensive or targeted support and improvement.</p>
<p>A.5: Disproportionate Rates of Access to Educators</p>	<p>GADOE describes a process for evaluating and publicly reporting on whether low-income and minority students are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, but it does not describe how those children are not served by such teachers. The ESEA requires a State to describe the extent that low-income and minority students enrolled in schools assisted under Title I, Part A are served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers.</p>
<p>Title II, Part A: Supporting Effective Instruction</p>	
<p>D.4: Improving the Skills of Educators</p>	<p>In its State plan, GADOE 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, for children with disabilities, English learners, and students who are gifted and talented. However, GADOE does not address all required student subgroups. Specifically, the ESEA requires a State to describe how it will improve the skills of teachers, principals, or other school leaders in order to enable them to</p>

	identify students with specific learning needs and provide instruction based on the needs of such students, specifically for students with low literacy levels.
Title IV, Part A: Student Support and Academic Enrichment Grants	
F.2: Awarding Subgrants	In its State plan, GADOE indicates that awards to LEAs will be made on a formula and/or competitive basis; however, it is not clear whether the State intends to use both methods of awarding subgrants or either the formula or competitive method of awarding subgrants. Consistent with the State Plan requirement, the SEA must clarify whether it will award funds to LEAs on a formula or competitive basis or both and how it will ensure that awards made to LEAs are consistent with ESEA section 4105(a)(2) and/or with the requirements of the Consolidated Appropriations Act, 2017, accordingly.
Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B	
I.4: Access to Services	In its State plan, GADOE describes procedures to eliminate enrollment and academic barriers that impact the full participation in school by homeless children and youth to ensure that homeless youth are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youth from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies. GADOE does not, however, describe any procedures that ensure that homeless youth separated from public schools 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 and youths separated from public schools are accorded equal access to appropriate secondary education and support services, including removing barriers that prevent them from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies. <i>(Requirement I.4ii)</i>
General Education Provisions Act (GEPA)	
GEPA 427	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 GADOE’s plan.