



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Tony Smith, Ph.D.
State Superintendent of Education
Illinois State Board of Education
100 N. 1st Street
Springfield, IL 62777

August 1, 2017

Dear Superintendent Smith:

Thank you for submitting Illinois' 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 feedback based on the U.S. Department of Education's (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. Please note that the Department's feedback may differ from the peer notes.

Based on the Department's review of all programs submitted under Illinois' 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 requisite statutory and regulatory requirements, as detailed in the enclosed table. Each State has flexibility in how it meets the statutory and regulatory requirements. 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 Illinois' consolidated State plan and resubmit it through OMB Max within 15 days from July 28, 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

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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.

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 Illinois 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 Illinois' 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 Illinois indicated that any aspect of its plan may change or is still under development, Illinois may include updated or additional information in its resubmission. Illinois 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
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 Illinois’ Consolidated State Plan

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)	
A.2.iii: Eighth Grade Math Exception: Strategies	In its State plan, the Illinois State Board of Education (ISBE) indicates that it will utilize the eighth grade mathematics exception. However, the ESEA limits that exception only to those States that administer an end-of-course test as its high school mathematics assessment. Because ISBE is not administering an end-of-course assessment as its high school assessment, ISBE may not utilize the eighth grade math exception.
A.4.iii.b.2: If applicable, long-term goals for each extended-year adjusted cohort graduation rate	In its State plan, ISBE presents the same 90 percent goal for the four-year, five-year, and six-year adjusted cohort graduation rates. The ESEA requires that a State identify and describe long-term goals for each extended-year adjusted cohort graduation rate that are more rigorous than the long-term goals set for the four-year adjusted cohort graduation rate.
A.4.iii.c.1: English Language Proficiency Long-term Goals	In its State plan, ISBE indicates that it is in the process of setting student-level growth targets that will inform its statewide long-term goals for increases in the percentage of English learners making progress in achieving English language proficiency. ISBE provides a long-term goal and measurements of interim progress for the percentage of English learners “making targets,” but does not describe what it means to “make targets” and whether making targets accounts for progress in achieving English language proficiency. The ESEA requires that a State identify and describe the long-term goal for increases in the percentage of English learners making progress in achieving English language proficiency.
A.4.iv.a: Academic Achievement Indicator	In its State plan, ISBE notes that a school cannot score at the highest level of proficiency if it does not have a 95 percent participation rate on the statewide academic assessments, which is permissible. The ESEA requires a State to calculate the proficiency rate for the Academic Achievement indicator with a denominator of the greater of 95 percent of all students (or 95 percent of each subgroup of students) or the number of students participating in the assessments. It is not clear that ISBE is meeting the statutory requirement for calculating the Academic Achievement indicator.
A.4.iv.c: Graduation Rate Indicator	<ul style="list-style-type: none"> For the Graduation Rate indicator required under ESEA section 1111(c)(4)(B)(iii), a State may only include measures based on State-designed long-term goals for the four-year adjusted cohort graduation and, at the State’s discretion, one or more extended-year adjusted cohort graduation rates. In its State plan, ISBE proposes to include within its Graduation Rate indicator a 9th-grade on-track measure until a growth measure is developed. If ISBE so chooses, it may include both the 9th-grade on-track and growth measures as School Quality or

	<p>Student Success indicators, or it may include the growth measure in the Academic Achievement indicator for high schools.</p> <ul style="list-style-type: none"> • The ESEA requires a State to describe its Graduation Rate indicator. In its State plan, ISBE indicates that it will include a five-year and a six-year adjusted cohort graduation rate in this indicator. However, because ISBE does not describe how the extended-year adjusted cohort graduation rates will be combined with the four-year adjusted cohort graduation rate within the indicator, ISBE has not fully described its Graduation Rate indicator.
<p>A.4.iv.d: Progress in Achieving English Language Proficiency Indicator</p>	<p>In its State plan, ISBE indicates that it is continuing to develop its Progress in Achieving English Language Proficiency indicator. The ESEA requires a State to establish and describe a Progress in Achieving English Language Proficiency indicator that is the same indicator across all LEAs in the State, is measured by the State’s English language proficiency assessment, and is aligned with the State-determined timeline described in the State’s progress in achieving English language proficiency long-term goal. The ESEA also requires the State to establish a system of meaningful differentiation on an annual basis that includes all indicators, including Progress in Achieving English Language Proficiency indicator. Consistent with the April 10, 2017, Dear Colleague Letter,¹ each State must fully implement its accountability system, including all required indicators, to identify schools by the beginning of the 2018-2019 school year. It appears that ISBE’s proposed timeline for fully implementing its accountability system does not meet these requirements.</p>
<p>A.4.iv.e: School Quality or Student Success Indicator(s)</p>	<p>ISBE describes as a School Quality or Student Success indicator a Climate Survey indicator that will utilize the “5 Essentials” survey. In its State plan, ISBE notes that, at this time, an indicator that measures the results of the 5 Essentials survey does not meet the statutory requirements for a School Quality or Student Success indicator as it cannot be disaggregated by student demographic group and completing the survey is not required annually. Therefore, ISBE proposes to include in this indicator, at this time, only the participation rate on the 5 Essentials survey. ISBE also notes that Illinois requires LEAs to use the 5 Essentials survey or an alternate survey selected by the State Superintendent. The ESEA requires that each School Quality or Student Success indicator allow for meaningful differentiation in school performance and be valid, reliable, comparable, and used statewide in all schools. Based on the information ISBE has provided in its State plan, it is unclear if participation in the 5 Essentials survey meets the statutory requirements.</p>

¹ See: <https://www2.ed.gov/policy/elsec/leg/essa/dcltr410207.pdf>

<p>A.4.vi.a: Comprehensive Support and Improvement Schools— Lowest Performing</p>	<p>The ESEA requires a State to describe a methodology for identifying low-performing schools for comprehensive support and improvement that considers performance on all indicators. Because ISBE does not provide the year in which the State will first identify such schools, it is unclear whether ISBE meets the requirement, consistent with the April 2017 Dear Colleague letter, for a State to identify such schools by the beginning of the 2018-2019 school year.</p>
<p>A.4.vi.e: Targeted Support and Improvement Schools— “Consistently Underperforming” Subgroups</p>	<ul style="list-style-type: none"> • In its State plan, ISBE indicates that it will identify schools with “consistently underperforming” subgroups by looking only at participation rate, performance of the former English learner subgroup, and performance of former students with disabilities. ESEA section 1111(c)(4)(C)(iii) requires that a State describe its methodology to identify schools with one or more “consistently underperforming” subgroups of students that considers all subgroups of students and all indicators in the statewide system of annual meaningful differentiation. • It is also unclear whether ISBE meets the statutory requirements for identification of schools with consistently underperforming subgroups because it does not include a definition of “consistently underperforming.”
<p>A.4.vi.f: Targeted Support and Improvement Schools— Additional Targeted Support</p>	<p>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 1111(c)(4)(D) (i.e., “Additional Targeted Support” schools). 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 as schools with one or more consistently underperforming subgroups. In its State plan, however, ISBE indicates that it will identify Additional Targeted Support schools only from among the lowest performing five percent of Title I schools and schools with a four-year graduation rate of less than 67 percent that have not already been identified as the lowest-performing five percent of schools.</p>
<p>A.5: Disproportionate Rates of Access to Educators</p>	<ul style="list-style-type: none"> • In its State plan, ISBE indicates that it would report by October 2017 the statewide rates using school-level data for the differences in the rate in which low income and non-low income students and minority/non-minority students are taught by ineffective, out-of-field, and inexperienced teachers. However, the ESEA requires each State to describe the extent, if any, that low-income and minority children enrolled in schools assisted under Title I, Part A are served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, which may include the State definition of ineffective, out-of-field, and inexperienced teachers. • The ESEA also requires a State describe the measures that it will use to evaluate and publicly report its progress with respect to how low-income and minority children are not served at

	disproportionate rates by ineffective, out-of-field, and inexperienced teachers.
Title I, Part C: Education of Migratory Children	
B.1: Supporting the Needs of Migratory Children	<ul style="list-style-type: none"> • The ESEA requires that ISBE’s description of the planning of its program must include: <ul style="list-style-type: none"> ○ How it will address the identified unique educational needs of migratory children through the full range of services that are available for migratory children from appropriate local, State, and Federal educational programs. ○ How it is joint planning among local, State, and Federal education programs including language instruction educational programs under Part A of Title III. ○ How it is planning the integration of services available under Title I, Part C with services provided by those other programs. ○ How it will address the unique needs of preschool migratory children and migratory children who have dropped out of school. • The ESEA requires that ISBE’s description of the implementation of its program must include: <ul style="list-style-type: none"> ○ 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 available under Title I, Part C with services provided by those other programs. ○ How it will implement joint planning among local, State, and Federal education programs including language instruction educational programs under Part A of Title III. ○ How it will address the unique needs of preschool migratory children and migratory children who have dropped out of school. • The ESEA requires that ISBE’s description of the evaluation of its program must include: <ul style="list-style-type: none"> ○ How it will evaluate the full range of services that are available for migratory children from appropriate local, State, and Federal educational programs and the integration of those service against measurable program objectives and outcomes. ○ How it will evaluate the joint planning among local, State, and Federal programs including language instruction educational programs under Part A of Title III. ○ How it will address the unique needs of preschool migratory children and migratory children who have dropped out of school.
Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk	
C.1: Transitions Between	While ISBE includes a plan for assisting in the transition of children and youth from correctional

<p>Correctional Facilities and Local Programs</p>	<p>facilities to locally operated programs, it does not include a plan for assisting in the transition of children and youth <i>between</i> 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>C.2: Program Objectives and Outcomes</p>	<p>It is not clear how two of the three targets that the plan identifies (i.e., improving services and providing services) and the performance indicators will be used to quantitatively assess the effectiveness of the Title I, Part D program in improving the career and technical skills of the children in the program. The ESEA requires that each SEA establish program objectives and outcomes that can be used to assess the effectiveness of the Title I, Part D program in improving the academic, career, and technical skills of children in the program.</p>
<p>Title IV, Part A: Student Support and Academic Enrichment Grants</p>	
<p>F.1: Use of Funds</p>	<p>The State plan identifies State-level activities it is “considering” under Title IV, Part A, Subpart 1, but it is not clear that these are the activities that the State will implement. The State also refers to using its “5 percent administrative set-aside from the Title IV allocation,” which is inconsistent with the statute (section 4104(a)), which only allows for up to 1 percent for administration and requires clarification. The ESEA requires ISBE to (1) provide a specific description of the State-level activities the ISBE will undertake now that it is aware of its 2017 Title IV, Part A, subpart 1 allocation, and (2) clarify that it will use for these activities the funds remaining after the State has reserved at least 95 percent for LEA subgrants and no more than one percent for state administrative costs.</p>
<p>F.2: Awarding Subgrants</p>	<p>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 ISBE wishes to revise this response in light of this new flexibility.</p>
<p>Title IV, Part B: 21st Century Community Learning Centers</p>	
<p>G.2: Awarding Subgrants</p>	<p>The ISBE states it will use peer reviewers to award subgrants on a competitive basis, but does not include 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 a State to provide information about: 1) how it will ensure that proposed community learning centers will target their activities to students’ academic needs; and 2) how it will implement a rigorous peer review process.</p>
<p>Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B</p>	

<p>I.2: Dispute Resolution</p>	<p>The State plan describes procedures for the resolution of disputes regarding educational placement with references to applicable State code. The plan does not, however, provide procedural timelines or any other information that indicates that these procedures will result in the prompt resolution of those disputes. The McKinney-Vento Act requires a State to include information about how the procedures will result in the prompt resolution of disputes.</p>
<p>I.4 ii.: Access to Services</p>	<p>The State plan does not include any procedures that ensure that homeless youth and youths separated from public schools are afforded 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. The McKinney-Vento Act requires a State to include procedures that ensure that homeless youth and youths separated from public schools are afforded 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.</p>
<p>I.4 iii.: Access to Services</p>	<p>While the State plan references the legal requirement to remove barriers to homeless children and youth accessing academic and extracurricular activities, it does not describe procedures that ensure that homeless children and youth who meet the relevant eligibility criteria do not face barriers 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 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.</p>
<p>I.5: Strategies to Address Other Problems</p>	<p>While the State plan provides a strategy to address problems resulting from enrollment delays that are caused by uniform or dress code requirements, the State plan does not provide strategies to address problems resulting from enrollment delays that are caused by—(i) requirements of immunization and other required health records; (ii) residency requirements; (iii) lack of birth certificates, school records, or other documentation; (iv) guardianship issues. The McKinney-Vento Act requires a State to provide strategies to address problems resulting from enrollment delays that are caused by—(i) requirements of immunization and other required health records; (ii) residency requirements; (iii) lack of birth certificates, school records, or other documentation; (iv)</p>

	guardianship issues; or (v) uniform or dress code requirements.
I.6: Policies to Remove Barriers	While the State plan demonstrates 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, the State plan does not demonstrate that the SEA and LEAs have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youth, including barriers to enrollment <i>due to outstanding fees or fines, or absences</i> . The McKinney-Vento Act requires a State to demonstrate how SEAs and LEAs in the State have developed, and shall review and revise, policies to 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.
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 ISBE’s plan.