



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

December 19, 2017

The Honorable Roger Dorson
Interim Commissioner of Education
Missouri Department of Elementary & Secondary Education
205 Jefferson Street, Sixth Floor
Jefferson City, MO 65101

Dear Commissioner Dorson:

Thank you for submitting Missouri'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 Missouri'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 Missouri's consolidated State plan and resubmit it through OMB Max by January 4, 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.

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

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)	
A.2.iii: Eighth Grade Math Exception: Strategies	Section 1111(b)(2)(C) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESEA), and 34 C.F.R. § 200.5(b) permit the Missouri Department of Elementary and Secondary Education (DESE) to only exempt an eighth-grade student who takes the high school mathematics course associated with the end-of-course assessment the State administers to high school students under ESEA section 1111(b)(2)(B)(v)(I)(bb) from the mathematics assessment the State typically administers in eighth grade under ESEA section 1111(b)(2)(B)(v)(I)(aa). 34 C.F.R. § 200.5(b)(4) requires that a State describe in its State plan, with regard to the eighth-grade mathematics exception, its strategies to provide all students in the State the opportunity to be prepared for and to take advanced mathematics coursework in middle school.
A.3.i: Native Language Assessments Definition	Although DESE provides a definition of “languages other than English that are present to a significant extent in the participating student population” and provides the percentage of students that speak Spanish, the definition does not encompass at least the most populous language other than English. 34 C.F.R. § 200.6(f)(4)(i) requires that a State provide a definition of “languages other than English that are present to a significant extent in the participating student population” that encompasses at least the most populous language other than English spoken by the State’s participating student population. After revising its definition, additional State plan revisions may be necessary in A.3.iii-iv in accordance with that definition.
A.4.iii.a.3: Academic Achievement Improvement Necessary to Close Statewide Proficiency Gaps	The ESEA requires that a State’s long-term goals and measurements of interim progress for academic achievement take into account the improvement necessary for each subgroup of students who are behind in reaching those goals to make significant progress in closing statewide proficiency gaps. Because the goal for children with disabilities does not narrow or close achievement gaps, it is unclear whether DESE meets this requirement.
A.4.iii.b.4: Improvement Necessary to Close Statewide Graduation Rate Gaps	The ESEA requires that a State’s long-term goals and measurements of interim progress for graduation rates take into account the improvement necessary for each subgroup of students who are behind in reaching those goals to make significant progress in closing statewide graduation rate gaps. Because the goal for children with disabilities does not narrow or close achievement gaps, it is unclear whether DESE meets this requirement.
A.4.iii.c.1: English Language Proficiency Long-term Goals	The ESEA requires that DESE identify and describe its ambitious long-term goal and measurements of interim progress for English learners for increases in the percentage of such

	<p>students making progress in achieving English language proficiency. It is unclear whether DESE meets this requirement because the State plan does not clearly articulate the State-determined definition of making progress in achieving English language proficiency, as measured by the statewide English language proficiency assessment. Page 52 indicates that DESE is using a proficiency measure rather than a progress measure for its English language proficiency long-term goals and measurements of interim progress.</p>
<p>A.4.iv.a: Academic Achievement Indicator</p>	<p>DESE plans to use a Missouri Assessment Program (MAP) Performance Index (MPI) as its Academic Achievement indicator. The State proposes 5 points for students performing at the highest level and 1 point for students performing at the lowest level. The Academic Achievement indicator 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) and must annually measure performance for all students and for each subgroup of students. Because DESE does not describe how its approach will ensure that a school’s performance on the indicator reflects 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), it is unclear whether DESE meets this requirement.</p>
<p>A.4.iv.d: Progress in Achieving English Language Proficiency Indicator</p>	<ul style="list-style-type: none"> • DESE describes the use of three measures in the Progress in Achieving English Language Proficiency indicator including: participation rates on WIDA ACCESS 2.0; the percentage of students attaining Academic English Proficiency (AEP); and growth on WIDA ACCESS 2.0. Because the statute limits this indicator to progress towards English language proficiency, it is permissible to include attainment of proficiency as part of progress, but not participation rate. • The ESEA requires a State to establish and describe in its State plan a Progress in Achieving English Language Proficiency indicator. Because DESE includes participation rate as part of this indicator and does not clearly explain it how it calculates student progress or school points for school accountability purposes (e.g., DESE states that a school can receive up to 12 points for growth shown by each EL on WIDA ACCESS 2.0 but does not describe how a school receives points within that range), it is unclear whether DESE meets this requirement.
<p>A.4.v.a: State’s System of Annual Meaningful Differentiation</p>	<p>DESE’s system of annual meaningful differentiation includes only schools and LEAs receiving Title I funding. The ESEA requires a State to describe its system of meaningfully differentiating all public schools in the State based on all indicators in the State’s accountability system. Because DESE does not plan to include all public schools in the State in its system of annual meaningful differentiation, it appears that DESE does not meet the requirement. In addition, for</p>

	each indicator, DESE describes that the indicator score will be converted to a normal curve equivalent (NCE) score based on the school’s rank on the indicator but does not describe sufficiently how this is done in order to determine whether DESE meets the requirements.
A.4.vi.e: Targeted Support and Improvement Schools— “Consistently Underperforming” Subgroups	The ESEA requires a State to describe in its State plan its methodology for annually identifying schools with one or more consistently underperforming subgroups, as determined by the State, if any, based on all indicators in the statewide system of annual meaningful differentiation. Because DESE has not described a methodology for annually identifying schools with one or more consistently underperforming subgroups, if any, based on all indicators in the statewide system of annual meaningful differentiation, it is unclear whether DESE meets the requirement.
A.4.viii.a: Exit Criteria for Comprehensive Support and Improvement Schools	In its State plan, DESE describes exit criteria that may not require schools to demonstrate continued progress to improve student academic achievement and school success in the State. The ESEA requires a State to establish and describe exit criteria that ensure continued progress to improve student academic achievement and school success in the State.
A.5: Disproportionate Rates of Access to Educators	The ESEA requires a 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. Because DESE describes disproportionate rates of access to educators for all schools, but does not specifically address whether it includes all schools assisted under Title I, Part A, it is unclear whether DESE meets the requirements.
Title I, Part C: Education of Migratory Children	
B.1: Supporting Needs of Migratory Children	<ul style="list-style-type: none"> • DESE describes how, in planning and implementing the Migrant Education Program (MEP), it will identify and address the 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. However, the ESEA requires that a State also describe how it will evaluate the MEP in the areas described above; and how it will identify and address the unique educational needs of preschool migratory children and migratory children who have dropped out of school, through the full range of services that are available for migratory children. • DESE describes how, in planning the MEP, it will address the unique educational needs of migratory children through joint planning among local, State, and Federal educational programs serving migratory children, including language instruction educational programs under Title III, Part A; and the integration of services available under Title I, Part C with services provided by those other programs. However, the ESEA requires that a State also describe how it will implement and evaluate the MEP through such joint planning and

	<p>integration of services; and how it will address the unique educational needs of preschool migratory children and migratory children who have dropped out of school, through such joint planning and integration of services.</p> <ul style="list-style-type: none"> • DESE describes how, in planning 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 also requires that a State describe how it will implement and evaluate the MEP through such measurable program objectives and outcomes; and how it will address the unique educational needs of migratory children who have dropped out of school, through measurable program objectives and outcomes.
B.3: Use of Funds	DESE describes its priorities for the use of Title I, Part C funds. However, the ESEA requires that a State also describe how such priorities relate to the State’s assessment of needs for services in the State.
<p>Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk</p>	
C.1: Transitions Between Correctional Facilities and Local Programs	In its State plan, DESE does not include a plan for assisting in the transition of children and youth between locally operated programs and correctional facilities. The ESEA requires a plan for assisting in the transition of children and youth from locally operated programs to correctional facilities. Although DESE 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).
C.2: Program Objectives and Outcomes	DESE identifies objectives it will use to ensure that program results are being achieved. DESE does not, however, provide enough information to determine whether these program objectives and outcomes 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. 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>Title II, Part A: Supporting Effective Instruction</p>	
D.4: Improving the Skills of Educators	In its State Plan, DESE generally describes its process for improving the skills of teachers, principals, and other school leaders in identifying, and providing instruction based on the needs of, students with disabilities. However, 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 identify students with specific learning needs and provide instruction based on the needs of such students, specifically for: English learners, students who are gifted and talented, and students with low literacy levels.
D.5: Data and Consultation	In its State Plan, DESE describes how it will use data to continually update and improve the activities supported under Title II, Part A. However, the ESEA requires each State to describe how it will use ongoing consultation, as described in ESEA section 2101(d)(3), to continually update and improve activities supported under Title II, Part A. Additionally, the ESEA requires each 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, 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.
Title III, Part A, Subpart 1: English Language Acquisition and Language Enhancement	
E.1: Entrance and Exit Procedures	The ESEA requires that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State. Because DESE provides an alternate assessment timeline for English learner status (e.g. the student must be assessed within 30 days from the first day of the school year), it is unclear whether DESE met this requirement.
E.2: SEA Support for English Learner Progress	The ESEA requires a State to describe how it assists eligible entities in meeting the State-designed long-term goals for English language proficiency established under ESEA section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State’s English language proficiency assessment under ESEA section 1111(b)(2)(G). The ESEA also requires a State to describe how it assists eligible entities in helping to ensure that English learners meet challenging State academic standards. Because DESE’s State plan does not describe how it will assist eligible entities in meeting the aforementioned State-designed long-term ELP goals and challenging State academic standards, it is unclear whether the State meets the requirements.
Title IV, Part A: Student Support and Academic Enrichment Grants	
F.2: Awarding Subgrants	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). DESE 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.
Title IV, Part B: 21st Century Community Learning Centers	
G.2: Awarding Subgrants	DESE indicates it will implement a peer review with a weighted rubric, but does not describe the procedures or criteria it will use for reviewing applications and awarding subgrants to ensure that community learning centers will help participating students meet challenging State and local academic standards. The ESEA requires that each SEA describes: 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.
Title V, Part B, Subpart 2: Rural and Low-Income School Program	
H.1: Outcomes and Objectives	The ESEA requires a State to provide information on program objectives and outcomes for activities under Title V, Part B, Subpart 2, including how the SEA will use funds to help all students meet the challenging State academic standards. While DESE provides a description about its program objectives and outcomes under the ESEA generally, DESE does not identify its objectives and outcomes for activities under the Rural and Low-Income School program (RLIS) (e.g., which of the objectives and outcomes under the ESEA programs in 5222(a) are the objectives and outcomes for RLIS; or objectives and outcomes tailored specifically to DESE’s plans for RLIS). The ESEA requires a State to include a description of how it will use RLIS funds to help all students meet the challenging State academic standards
Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B	
I.3: Support for School Personnel	While DESE describes numerous programs for State and school personnel to heighten the awareness of the specific needs of homeless children and youth, it is not clear if DESE’s programs for school personnel include the specific needs of <i>runaway and homeless</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 and homeless children and youth.
I.4: Access to Services	In its State plan, DESE describes that each LEA must have policies and procedures in place outlining how the LEAs identify and assess the educational needs of homeless children and youths, including removal of barriers to homeless students’ education. DESE does not, however, 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

	<p>at the State and local levels. The McKinney-Vento Act requires the 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. (<i>Requirement I.4iii</i>)</p>
<p>I.5: Strategies to Address Other Problems</p>	<p>While DESE provides a strategy 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, and (iv) guardianship issues, DESE does not provide strategies to address problems resulting from enrollment delays that are caused by—(v) uniform or dress code requirements. The McKinney-Vento Act requires a State to provide strategies to address problems resulting from enrollment delays that are caused by: (v) uniform or dress code requirements.</p>
<p>I.7: Assistance from Counselors</p>	<p>While DESE indicates that every LEA is required to have a staff member designated as the homeless liaison to advocate for youths to ensure that they receive support from counselors to assist in preparing and improving readiness for college, DESE does not include a description of how youths will receive assistance from counselors to advise, prepare, and improve readiness for college. The McKinney-Vento Act requires a State to describe how homeless youths will receive assistance from counselors to advise such youths and prepare and improve the readiness of such youths for college.</p>