



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 1, 2019

The Honorable Pedro A. Rivera
Secretary of Education
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126

Dear Secretary Rivera:

I am writing in response to Pennsylvania's requests to the U.S. Department of Education (Department) on February 28, 2019, and May 31, 2019, to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act. Prior to implementing any revisions to its approved consolidated State plan, a State must submit its proposed amendments to the U.S. Department of Education (the Department) for review and approval.

I have determined that the amended request meets the requirements in the ESEA and, for this reason, I am approving Pennsylvania's amended State plan. A summary of the Pennsylvania amendment is enclosed. This letter, as well as Pennsylvania's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend Pennsylvania's ESEA consolidated State plan must be submitted to the Department for review and approval.

Please be aware that approval of this amendment to Pennsylvania's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Pennsylvania's responsibility to comply with these civil rights requirements.

In its State plan approval letter on January 16, 2018, the Department required the Pennsylvania Department of Education (PDE) to describe, no later than September 15, 2019, how low-income and minority children enrolled in schools assisted with Title I, Part A funds are not served at disproportionate rates by ineffective teachers and the measures the State will use to evaluate and publicly report its progress with respect to reducing any disproportionate rates consistent with

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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 1111(g)(1)(B). In this amendment, PDE indicated that it is not able to provide the requisite description by that date. Therefore, the Department is continuing the condition on the State's FY 2019 Title I, Part A grant award and now requiring PDE to provide this information no later than December 15, 2019. If the information is not provided by that date, the Department may consider taking further enforcement action against PDE. In addition, PDE must provide the Department with a plan and timeline outlining how it will meet the requirement in ESEA section 1111(g)(1)(B).

Thank you for all of the work that PDE has put into its consolidated State plan under the ESEA. If you have questions or need any assistance regarding the implementation of your ESEA consolidated State plan, please contact the Office of School Support and Accountability at: OESE.TitleI-a@ed.gov and Pennsylvania.OESE@ed.gov.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary for
Elementary and Secondary Education

Enclosure

cc: Adam Schott, Special Assistant to the Secretary of Education

Amendment to the Pennsylvania's Consolidated State Plan

The following is a summary of Pennsylvania's amendment request. Please refer to the U.S. Department of Education's website

<https://www2.ed.gov/admins/lead/account/stateplan17/map/pa.html> for Pennsylvania's complete consolidated State plan.

Approved Amendments

The following amendments are aligned with the statute and regulations:

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)

- *Subgroups*
Beginning in 2020, the Pennsylvania Department of Education (PDE) will aggregate racial and ethnic student group data for any public school that does not have any subgroups that, individually, meet the n-size and will use such aggregated data for accountability purposes.
- *Minimum n-Size*
PDE will aggregate data over three years for purposes of determining whether a school meets the State's minimum number of students. In addition, PDE specified that in order to include data on a particular accountability indicator for a given school, the school must meet the minimum n for that indicator in at least two years of the three-year measurement window.
- *English Language Proficiency Long-Term Goals*
PDE adjusted its baseline data and long-term goals for progress in achieving English language proficiency (ELP) as a result of standards-setting on its ELP assessment that occurred following the 2015-2016 school year.
- *Graduation Rate Indicator*
PDE clarified the way it calculates the combined four- and five-year graduation rate in its graduation rate indicator in the system of annual meaningful differentiation. The State lags data such that, for example, in the report cards released in fall 2018, the graduation rate indicator included the 4-year adjusted cohort graduation rate (ACGR) and the 5-year ACGR for the 2015-2016 graduation cohort and the 4-year ACGR and the 5-year ACGR for the 2016-2017 graduation cohort.
- *School Quality or Student Success Indicators*
PDE specified that it will include only students enrolled in a school for at least half the school year, or 90 of 180 school days, in the chronic absenteeism indicator and provides updated data on how this indicator differentiates among schools.
- *Annual Meaningful Differentiation*
PDE clarified its method. It will use a decision table based on student achievement and student growth in its first step of identifying schools for comprehensive support and improvement based on being among the lowest-performing five percent of Title I schools. PDE did not make changes to the subsequent steps in its system of annual meaningful

differentiation. PDE also clarified that, where possible, it will use at least two years of data out of the three-year measurement window, depending on the number of years of data available for a given indicator.

- *Identification of Schools: Comprehensive Support and Improvement – Low Graduation Rates*
PDE clarified that it combines the four- and five-year ACGRs to identify schools for CSI – Low Graduation Rates, following the description of the indicator described above.
- *Identification of Schools: Targeted Support and Improvement based on Consistently Underperforming Subgroups of Students*
PDE will identify schools for targeted support and improvement based on a school having one or more consistently underperforming subgroups (TSI-CUS) of students if one or more student groups:
 1. Performs at or below a level within one standard deviation of the statewide average academic achievement;
 2. Would qualify for CSI based on the decision table related to student achievement and student growth; or
 3. Falls below statewide average performance on one or more indicators.
- *Identification of Schools: Additional Targeted Support and Improvement*
PDE clarified how it identifies schools for additional targeted support and improvement (ATSI). PDE will identify those schools in which any subgroup performs below the State’s CSI school threshold for academic proficiency, academic growth, and at least one other indicator.