



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 17, 2018

The Honorable Molly Spearman
Superintendent of Education
South Carolina Department of Education
1429 Senate Street, Room 1006
Columbia, SC 29201

Dear Superintendent Spearman:

Thank you for submitting South Carolina'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 South Carolina'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 South Carolina's consolidated State plan and resubmit it through OMB Max by February 1, 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

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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.

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

| Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs) | |
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| A.4.ii.a: Minimum N-Size for Accountability | In its State plan, the South Carolina Department of Education (SCDE) states that it will use an n-size of 20 for student subgroups. Later in its State plan, SCDE states that if there are fewer than 30 students with scores in the current and previous year, the school rating will be based on the all students group progress score for the other academic indicator. The ESEA requires each State to describe the minimum number of students that the State determines are necessary to be included for the purposes of accountability. While the State may have different n sizes for different aspects of its accountability system, it is unclear what n-size SCDE intends to use, specifically whether it will use 20 or 30 as its n-size. Therefore, it is unclear whether SCDE meets this requirement. |
| A.4.iii.a.1: Academic Achievement Long-term Goals | ESEA section 1111(c)(4)(a)(i)(I) requires State-designed long-term goals that show improved academic achievement for all students and separately for each subgroup of students. Because its long-term goals for academic achievement do not show improved academic achievement for each subgroup of students, SCDE has not met the statutory requirements for the establishment of long-term goals for academic achievement. |
| A.4.iii.a.2: Academic Achievement Measurements of Interim Progress | In its State plan, SCDE does not provide measurements of interim progress by subgroup for mathematics and reading/language arts proficiency. The ESEA requires States to establish ambitious long-term goals, including measurements of interim progress toward meeting such goals, for all students and separately for each subgroup for improved academic achievement, as measured by proficiency on annual mathematics and reading/language arts assessments. |
| A.4.iii.b.1: Long-term Goals for Four-year Adjusted Cohort Graduation Rate | ESEA section 1111(c)(4)(a)(i)(I) requires State-designed long-term goals that show improvement in high school graduation rates for all students and separately for each subgroup of students. Because its long-term goals for high school graduation rates do not show improvement for each subgroup of students, SCDE has not met the statutory requirements for the establishment of long-term goals for high school graduation rates. |
| A.4.iii.b.3: Measurements of Interim Progress | In its State plan, SCDE does not provide measurements of interim progress by subgroup for high school graduation rates. The ESEA requires States to establish ambitious long-term goals, including measurements of interim progress toward meeting such goals, for all students and separately for each subgroup for high school graduation rates. |
| A.4.iv.c: Graduation Rate Indicator | In its State plan, under “students included in the rating,” SCDE states that it will not include students who withdraw in the graduation rate. The ESEA requires that a State use the criteria in |

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| | <p>section 8101(25) to calculate the four-year adjusted cohort graduation rate, which provides the specific scenarios in which a student may not be counted in the denominator (e.g., documentation confirming that the student has transferred out, emigrated to another country, or transferred to a prison or juvenile facility, or is deceased). All other students must be included in the denominator when calculating the four-year adjusted cohort graduation rate. Therefore, it is unclear whether SCDE has meets the statutory requirement for calculation of the graduation rate indicator.</p> |
| <p>A.4.iv.e: School Quality or Student Success Indicator(s)</p> | <p>The ESEA requires that a State must include at least one School Quality or Student Success indicator that is valid, reliable, comparable, and statewide with the same indicator or indicators used for each grade span, as such term is determined by the State. Among the indicators proposed in this section, SCDE proposes a Positive & Effective Learning Environments Engagement Tool but it is unclear whether the State intends to use this indicator in its system of annual meaningful differentiation beginning in the 2017-2018 school year. If SCDE intends to include this indicator, the ESEA requires the State to fully describe the indicator in order to demonstrate that the statutory requirements are met. If SCDE is not intending to use the indicator at this time, SCDE should clarify the timeline for inclusion in the system of annual meaningful differentiation and amend its plan with the necessary information to demonstrate that the statutory requirements are met before the indicator may be included in the accountability system.</p> |
| <p>A.4.v.c: If Applicable, Different Methodology for Annual Meaningful Differentiation</p> | <p>In its State plan, SCDE describes a number of public schools on p. 64 and in Appendix F that will be excluded from the State’s system of annual meaningful differentiation and notes that the proposed alternative methodologies for annual meaningful differentiation are still under development by the Education Oversight Committee (EOC). The ESEA requires that the State establish a system of meaningfully differentiating, on an annual basis, all public schools in the State. Because SCDE does not clearly describe how all public schools in the State will be included in its system of annual meaningful differentiation, and whether the different methodology is limited to schools for which an accountability determination cannot otherwise be made, it is unclear whether SCDE meets the statutory requirements.</p> |
| <p>A.4.vi.c: Comprehensive Support and Improvement Schools— Additional Targeted Support Not Exiting Such Status</p> | <p>The ESEA requires the State to identify for comprehensive support and improvement schools that do not exit additional targeted support within a State-defined period of time. In its State plan, SCDE describes identifying additional targeted support schools that do not exit due to low performing subgroups based on “graduation rate, college and career readiness, and student engagement for two consecutive identification cycles.” Therefore, it appears that SCDE is not identifying schools for additional targeted support and improvement based on all indicators. The ESEA requires the State to identify for additional targeted support any school that has a subgroup</p> |

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| | of students that, on its own, would lead to identification as performing as poorly as the lowest five percent of Title I schools on all indicators. |
| A.4.vi.e: Targeted Support and Improvement Schools— “Consistently Underperforming” Subgroups | In its State plan, SCDE defines “consistently underperforming subgroups,” as schools with one or more “historically underperforming groups” at or below the bottom 10 percent of schools for three consecutive years across all indicators. SCDE further defines “underperforming subgroups” as “those <i>historically under-achieving groups</i> who are performing in the bottom 10 percent across all accountability metrics” (emphasis added). The ESEA requires that the State identify any school for targeted support and improvement where any subgroup meets the State’s definition of “consistently underperforming.” In addition, it is not clear from the State’s description that it will annually identify schools, if any, with consistently underperforming subgroups for targeted support and improvement. |
| A.4.vi.f: Targeted Support and Improvement Schools— Additional Targeted Support | In its State plan, SCDE describes identifying schools for additional targeted support based on a subset of the indicators included in its accountability system that does not include the Progress in Achieving English Language Proficiency indicator. The ESEA requires a State to describe a methodology for identifying schools for additional targeted support (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)) that is based on all indicators. |
| A.4.viii.b: Exit Criteria for Schools Receiving Additional Targeted Support | The ESEA requires a State to establish statewide exit criteria for schools identified for additional targeted support, which shall be satisfied within a State-determined number of years. It is not clear in the plan what the State-determined number of years will be. |
| Title II, Part A: Supporting Effective Instruction | |
| D.5: Data and Consultation | In its State plan, SCDE describes its comprehensive efforts to engage stakeholders in developing its State plan. SCDE also describes how it will convene the State Human Capital Team to examine data, and SCDE will share data and strategies with an SCDE-external stakeholder group for consultation. However, SCDE does not address how it will use ongoing consultation with all required stakeholder groups. The ESEA also requires a State to describe how it will use ongoing consultation with 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 (in a State that has charter schools), 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. |

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| Title III, Part A, Subpart 1: English Language Acquisition and Language Enhancement | |
| E.1: Entrance and Exit Procedures | In its State plan, SCDE does not describe consultation with LEAs representing the geographic diversity of the State. The ESEA requires a State to describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, standardized, statewide entrance and exit procedures. |
| 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 SCDE provides a description of its program objectives and outcomes under the ESEA generally, SCDE 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 SCDE’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 |
| H.2: Technical Assistance | The ESEA requires a State to describe how it will provide technical assistance specifically to LEAs eligible for funds under the RLIS program to help such agencies implement the activities described in ESEA section 5222. While SCDE provides a description of how it will provide technical assistance to LEAs generally, this description does not specifically address technical assistance for RLIS-eligible LEAs. In particular, the ESEA requires a State to include information about how the SEA will provide technical assistance to RLIS-eligible LEAs (i.e., the methods and strategies). Additionally, the ESEA requires that the description specifically address how the SEA’s technical assistance will assist RLIS-eligible LEAs’ implementation of RLIS activities. |
| Education for Homeless Children and Youths Program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B | |
| I.7: Assistance from Counselors | While SCDE describes the professional development provided to school counselors on the requirement to provide assistance to homeless students, and that all students participate in a series of Individual Graduation Plan conferences beginning in the eighth grade, the plan does not describe how homeless youths will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths 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. |