



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 4, 2019

The Honorable Benjamin F. Jones
Interim Secretary of Education
South Dakota Department of Education
800 Governors Drive
Pierre, South Dakota 57501

Dear Interim Secretary Jones:

I am writing in response to South Dakota's requests to the U.S. Department of Education (Department) on February 28, 2019, and May 1, 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. Under ESEA Section 1111(A)(6)(B)(i), if a State makes any significant changes to its plan at any time, such information shall be submitted to the Secretary in the form of revisions and amendments to the State plan.

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

Please be aware that approval of this amendment to South Dakota'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 South Dakota's responsibility to comply with these civil rights requirements.

Thank you for all of the work that the South Dakota Department of Education has put into its consolidated State plan under the ESEA. If you have questions or need any assistance regarding

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Page 2– The Honorable Benjamin F. Jones

the implementation of your ESEA consolidated State plan, please contact the Office of School Support and Accountability at: SouthDakota.OESE@ed.gov.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary for Elementary and
Secondary Education

Enclosure

cc: Shannon Malone

Amendment to the South Dakota Consolidated State Plan

The following is a summary of South Dakota’s amendment request. Please refer to the Department’s website <https://www2.ed.gov/admins/lead/account/stateplan17/map/sd.html> for South Dakota’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)

- *Minimum N-Size*
South Dakota amended its methodology for determining whether a subgroup meets the minimum number of students, or n-size. Under South Dakota’s amendment, a subgroup must meet the n-size of 10 in the current tested year for all accountability purposes, including identification for targeted support and improvement (TSI) or additional targeted support and improvement (ATSI).
- *Academic Standards and Assessments*
South Dakota updated its plan to indicate that its reading/language arts and mathematics standards were adopted by its State Board of Education in March 2018. South Dakota also updated its student counts from the 2016-2017 school year to the 2017-2018 school year.
- *Native Language Assessments*
South Dakota updated its data regarding the most commonly spoken languages in the State from the 2016-2017 school year to the 2017-2018 school year.
- *Additional Targeted Support Exit Criteria*
South Dakota amended its plan to remove one of the three criterion of its exit criteria for schools identified for Additional Targeted Support and improvement (ATSI) that focused on the performance of the school’s “gap” group but continues to require that a school no longer meet the identification criteria under which the school was identified and that the performance of the subgroup triggering the school’s identification demonstrates a positive overall trajectory on accountability indicators over the period of the school’s identification.

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

- *Supporting Needs of Migratory Children*
South Dakota removed reference to a specific contractor used for the comprehensive needs assessment, service delivery plan, and program evaluation, and now refers more generally to an “outside entity” and “consultant.”
- *Use of Funds*
South Dakota is revising the factors it considers as part of its formula for determining a school district’s need for Title I, Part C funds. The State also removed reference in its Plan

to a specific year used in its funding formula for numbers of eligible children, and now refers more generally to a time span (July 1 through June 30 of the previous school year).

Education for Homeless Children and Youth program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B

- *Access to Services*
SD DOE amended its State plan by inserting the position of “Part B 619 Coordinator” in its administrative office with the McKinney-Vento Coordinator and Title I Director and clarifying how information will be communicated to districts.