



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 30, 2017

The Honorable Candice McQueen
Commissioner of Education
Tennessee Department of Education
6th Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, TN 37243

Dear Commissioner McQueen:

Thank you for submitting Tennessee'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 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.

Based on the Department's review of all programs submitted under Connecticut'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 Tennessee's consolidated State plan and resubmit it through OMB Max within 15 days of the date of this letter. 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 will contact you to support Tennessee 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 Tennessee'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 Tennessee indicated that any aspect of its plan may change or is still under development, Tennessee may include updated or additional information in its resubmission. Tennessee 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 Tennessee’s Consolidated State Plan

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)	
A.3.i: Native Language Assessments Definition	<p>In its State plan, the Tennessee Department of Education (TDOE) indicates that Tennessee is an English-only State and therefore does not provide a definition of “languages other than English that are present to a significant extent in the participating student population.” The ESEA and its implementing regulations require that the State provide this definition and identify the languages meeting that definition, including at least the most populous language other than English spoken by the State’s participating student population.</p>
A.4.i.a: Major Racial and Ethnic Subgroups of Students	<p>In its State plan, TDOE discusses a combined Black/Hispanic/Native American (BHN) subgroup. While this subgroup is permissible, it is not clear whether each of the individual racial and ethnic subgroup of students is also separately included in the State’s accountability system. The ESEA requires a State to include in its accountability system each major racial and ethnic group as well as the subgroups of economically disadvantaged students, children with disabilities, and English learners.</p> <p>Clarifying this requirement in the State plan will also require TDOE to clarify this matter in related areas of its State plan to ensure all ESEA required subgroups are properly included. In particular, the ESEA requires:</p> <ul style="list-style-type: none"> • That the Academic Achievement indicator measures the performance of each individual subgroup of students in addition, at the State’s discretion, to the performance of the combined BHN subgroup. (Requirement A.4.iv.a) • That TDOE’s system of annual meaningful differentiation is based on the performance of all students and each individual subgroup of students in addition, at the State’s discretion, to the combined BHN subgroup. (Requirement A.4.v.a) • That the identification of schools with one or more “consistently underperforming” subgroups be based on the performance of each individual subgroup separately in addition, at the State’s discretion, to the performance of the BHN subgroup. (Requirement A.4.vi.e) • That the schools identified for Additional Targeted Support and Improvement be based on the performance of any subgroup of students, on its own, which would lead to identification for comprehensive support and improvement under ESEA section 1111(c)(4)(D)(i)(I) (i.e., based on being among the lowest-performing schools). If it so

	chooses, TDOE may also identify schools based on the performance of the BHN subgroup. (Requirement A.4.vi.f)
A.4.ii.d: Minimum N-Size and Ensuring Student Privacy	In its State plan, TDOE outlines specific strategies for ensuring that subgroups of students have sufficient numbers of students to provide accurate reporting. However, TDOE does not address how it will protect the privacy of individual students. The ESEA requires a State to describe how it ensures that its minimum number of students will protect the privacy of individual students.
A.4.iii.b.2: If Applicable, Long-Term Goals for Each Extended-Year Adjusted Cohort Graduation Rate	In its State plan, TDOE describes reporting an extended-year adjusted cohort graduation rate but is not clear whether TDOE intends to establish and report against long-term goals for an extended-year adjusted cohort graduation rate. Although establishing long-term goals for an extended-year rate is optional, if a State chooses to do so, the ESEA requires the State to identify and describe ambitious long-term goals for all students and each subgroup of students for the extended-year adjusted cohort graduation rate(s), which the statute requires be more rigorous than the long-term goals set for the four-year adjusted cohort graduation rate. The ESEA also requires that the graduation rate long-term goals include the same multi-year length of time for all students and for each subgroup of students in the State. Because TDOE does not include baseline data for all students and for each subgroup of students, it is unclear whether TDOE meets the statutory requirements.
A.4.iii.b.3: Measurements of Interim Progress	TDOE provides measurements of interim progress toward its long-term goals for the four-year adjusted cohort graduation rate. However, if TDOE intends to establish long-term goals for an extended-year adjusted cohort graduation rate, the ESEA requires a State to also provide measurements of interim progress toward those goals.
A.4.iv.a: Academic Achievement Indicator	<ul style="list-style-type: none"> • It is unclear whether TDOE intends to include performance on science in the Academic Achievement indicator. For the Academic Achievement indicator required under ESEA section 1111(c)(4)(B)(i)(I), a State may only include proficiency on the annual assessments required under ESEA section 1111(b)(2)(B)(v)(I) (<i>i.e.</i>, reading/language arts and mathematics); a State may include performance on assessments other than those required under ESEA section 1111(b)(2)(B)(v)(I) (<i>e.g.</i>, science) in the indicator for public elementary and secondary schools that are not high schools as required under ESEA section 1111(c)(4)(B)(ii) (<i>i.e.</i>, the Other Academic indicator) or in the School Quality or Student Success indicator for any schools, including high schools. • In its State plan, TDOE states that its Academic Achievement indicator includes measures of absolute achievement as well as measures on AMO targets, which TDOE describes as “growth to achievement.” Accordingly, it is unclear whether TDOE intends to include a

	<p>measure of student growth in the Academic Achievement indicator for elementary and secondary schools that are not high schools. The ESEA permits a State to include a measure of student growth for high schools within the Academic Achievement indicator, but does not permit a measure of student growth for other grade bands within that indicator. A State may include a measure of student growth in the Other Academic indicator for elementary and secondary schools that are not high schools or in the School Quality or Student Success indicator for any grade band.</p> <ul style="list-style-type: none"> • Please refer to requirement A.4.i.a as it pertains to the BHN subgroup.
A.4.iv.c: Graduation Rate	<ul style="list-style-type: none"> • ESEA section 1111(c)(4)(B)(iii) requires that the Graduation Rate indicator only include measures based on the four-year adjusted cohort graduation rate and, at the State’s discretion, one or more extended-year adjusted cohort graduation rates, and be based on the State’s long-term goals. TDOE may include other high school measures, such as those related to postsecondary, military, and workforce readiness, as School Quality or Student Success indicators, provided those measures meet all applicable requirements for School Quality or Student Success indicators (<i>i.e.</i>, are valid, reliable, comparable, used statewide in all schools, and allow for meaningful differentiation in school performance). • The ESEA requires a State to describe its Graduation Rate indicator. Because TDOE is unclear if it intends to include an extended-year adjusted cohort graduation rate in the Graduation Rate indicator and because it does not describe how such an extended-year adjusted cohort graduation rate is combined with the four-year adjusted cohort graduation rate within the indicator, it is unclear whether TDOE meets the statutory requirements.
A.4.v.a: State’s System of Annual Meaningful Differentiation	<p>Please refer to requirement A.4.i.a as it pertains to the BHN subgroup.</p>
A.4.v.c: If Applicable, Different Methodology for Annual Meaningful Differentiation	<p>The ESEA requires a State to include all public schools in its system of annual meaningful differentiation and to describe that system in its State plan. TDOE has provided information that implies that it uses a different methodology for annual meaningful differentiation for certain schools, but does not specify that its different methodology is limited to schools for which an accountability determination cannot be made or describe the different methodology, including the types of schools to which it will apply and how the methodology will be used to identify such schools for comprehensive or targeted support and improvement. Accordingly, it is unclear whether TDOE meets the statutory requirements.</p>
A.4.vi.a Comprehensive Support and Improvement Schools—	<p>TDOE identifies its lowest-performing schools from among all schools, not just schools that receive Title I, Part A funds, which may result in some non-Title I schools being identified in</p>

<p>Lowest Performing</p>	<p>place of some Title I schools that are among the lowest-performing five percent of those schools. The ESEA requires that a State identify not less than the lowest-performing five percent of schools receiving Title I, Part A funds in the State. If it chooses, TDOE may identify additional, non-Title I low-performing schools.</p>
<p>A.4.vi.b: Comprehensive Support and Improvement Schools—Low Graduation Rates</p>	<p>The ESEA requires that a State describe its methodology to identify all public high schools that fail to graduate one-third or more of their students. Because, in its State plan, TDOE does not specify which graduation rates it uses (<i>i.e.</i>, four-year adjusted cohort graduation rate, extended-year adjusted cohort graduation rate, or both) to identify for comprehensive support and improvement all public schools that fail to graduate one-third or more of their students, nor does it describe how the State includes any extended-year graduation rate, it is unclear whether TDOE meets the statutory requirements.</p>
<p>A.4.vi.c: Comprehensive Support and Improvement Schools—Additional Targeted Support Not Exiting Such Status</p>	<p>Please refer to requirement A.4.i.a as it pertains to the BHN subgroup.</p>
<p>A.4.vi.e: Targeted Support and Improvement Schools—“Consistently Underperforming” Subgroups</p>	<ul style="list-style-type: none"> • The ESEA requires a State to describe in its State plan its methodology for identifying schools with one or more consistently underperforming subgroups, as determined by the State. In its State plan, TDOE discusses the identification of schools with consistently underperforming subgroups, but because it does not include a definition of “consistently underperforming,” it is unclear whether TDOE meets the statutory requirements. • Please refer to requirement A.4.i.a as it pertains to the BHN subgroup.
<p>A.4.vi.f: Targeted Support and Improvement Schools—Additional Targeted Support</p>	<p>Please refer to requirement A.4.i.a as it pertains to the BHN subgroup.</p>
<p>Title I, Part C: Education of Migratory Children</p>	
<p>B.1: Supporting the Needs of Migratory Children</p>	<ul style="list-style-type: none"> • TDOE described how it will identify the unique needs of migratory children. However, the ESEA requires a State to describe how it will identify the unique needs of preschool migratory children and migratory children who have dropped out of school and this is not addressed in the State plan. • The ESEA requires that TDOE’s description of the planning of its program include: <ul style="list-style-type: none"> ○ How it is joint planning among local, State, and Federal educational programs serving migratory children, including language instruction educational programs under Part A of Title III.

	<ul style="list-style-type: none"> ○ 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 TDOE’s description of the implementation of its program include: <ul style="list-style-type: none"> ○ How it will implement joint planning among local, State and Federal educational programs serving migratory children, including language instructional educational programs under Part A of Title III. ○ How it will implement 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 TDOE’s description of the evaluation of its program include: <ul style="list-style-type: none"> ○ How it includes an evaluation of the joint planning among local, State and Federal educational programs serving migratory children, including language instructional educational programs under Part A of Title III. ○ How it will evaluate 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. ● TDOE described how, in planning, implementing, and evaluating the MEP it will address the unique educational needs of migratory children through measurable program objectives and outcomes. However, the ESEA requires a State to describe how it will address the unique needs of preschool migratory children and migratory children who have dropped out of school through measurable program objectives and outcomes and this is not addressed in the State plan.
<p>Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk</p>	
<p>C.1: Transitions Between Correctional Facilities and Local Programs</p>	<p>While TDOE 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 <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</p>

	the transition of children and youth from locally operated programs to correctional facilities.
C.2: Program Objectives and Outcomes	TDOE’s State plan includes “guiding principles” that address program effectiveness for providing academic, career, and technical skills. It is not clear, however, whether these principles serve as the program objectives and outcomes or how these 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.
Title II, Part A: Supporting Effective Instruction	
D.4: Improving the Skills of Educators	TDOE describes in its State plan 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 for children with disabilities, English learners, and students with low-literacy levels. However, TDOE did not address all required student subgroups for this requirement. Specifically, the ESEA requires the 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 students who are gifted and talented.
D.5: Data and Consultation	TDOE provides a robust description of its consultation prior to submission of the State plan. However, the ESEA requires that the State use ongoing consultation, as described in ESEA section 2101(d)(3), to continually update and improve the activities supported under Title II, Part A and this is not addressed in the State plan. Additionally, the ESEA requires a State to describe 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 (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.
Title IV, Part A: Student Support and Academic Enrichment Grants	
F.2: Awarding Subgrants	The TDOE indicates that the State will provide a minimum grant award of \$10,000 to all eligible districts, and offer competitive grants opportunities for all eligible districts. The ESEA requires a State to describe how it 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), and to confirm that: (1) the State’s proposed minimum grant awards of \$10,000 will comply with the Title IV, Part A

	program statutory formula in section 4105 of the ESEA; and (2) the State’s competitive grant opportunities will be consistent with the 2017 Appropriations Act provisions.
Title IV, Part B: 21st Century Community Learning Centers	
G.2: Awarding Subgrants	The TDOE describes the priorities it will include in its local subgrant competition, 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 describe: 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 that a State 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 TDOE provided a description about its program objectives and outcomes under the ESEA generally, TDOE did 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 the State’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 RLIS to help such agencies implement the activities described in ESEA section 5222. While TDOE provided a description about how it will provide technical assistance to LEAs generally, this description did 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.3: Support for School Personnel	While the State plan describes ongoing training and technical assistance for school personnel to heighten the awareness of such school personnel of the specific needs of homeless children and youth, the State plan does not indicate whether these activities address the specific needs of <i>runaway and homeless</i> children and youth. The McKinney-Vento Act requires the State to

	<p>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.</p>
<p>I.4 ii: Access to Services</p>	<p>While the State plan describes procedures that ensure that homeless youth are identified and afforded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youth 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 plan does not describe any procedures that ensure that homeless youth separated from public schools are identified and afforded equal access to appropriate secondary education and support services. The McKinney-Vento Act requires a State to describe procedures that ensure that homeless youth separated from public schools are accorded 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 addresses ensuring equitable access for homeless students to independent study programs, including learning labs, online learning, and “computerized models,” the plan does not describe procedures to ensure 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. 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 schools, summer school, career and technical education, advanced placement, 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>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; or (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—(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 provides a statement under “Coordination with Title I, Part A” indicating that LEAs review and revise policies to remove enrollment barriers to homeless children and youth, the plan does not demonstrate that the SEA and LEAs in the State have developed, and will review and revise, policies to remove barriers to the enrollment and retention of homeless children and youth <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 due to outstanding fees or fines, or absences.
I.7: Assistance from Counselors	While the State plan indicates LEAs must ensure homeless students receive assistance from school counselors, it is not clear that the assistance from the counselors includes providing advice to 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.
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 the State plan.