
ESEA FLEXIBILITY EXTENSION

November 19, 2013



WHAT AN SEA MUST SUBMIT TO REQUEST AN EXTENSION

1. Letter requesting extension of ESEA flexibility
2. If applicable, completed form requesting to amend ESEA flexibility request and redlined ESEA flexibility request (per existing amendment process)
3. If applicable, evidence of resolution of outstanding issues that do not require amendment to flexibility request

WHAT AN SEA MUST SUBMIT TO REQUEST AN EXTENSION: LETTER

1. Letter from an SEA that includes the following:
 - Statement requesting one-year extension.
 - Statement affirming continued commitment to the original 14 ESEA flexibility assurances.
 - Description of how the waiver has been effective in enabling the SEA to carry out the activities for which the waiver was requested and whether or not the waiver has contributed to improved student achievement.
 - Description of how the extension is in the public interest.

LETTER: HOW THE WAIVERS HAVE BEEN EFFECTIVE

The Secretary may extend a waiver if it has been “effective in enabling the State ... to carry out the activities for which the waiver was requested and the waiver has contributed to improved student achievement.” (ESEA section 9401(d)(2)(A)), *e.g.*,

- Targeting of resources to implement rigorous interventions in priority and focus schools
- Professional development on implementation of college- and career-ready standards

LETTER: HOW THE EXTENSION IS IN THE PUBLIC INTEREST

The Secretary may extend a waiver if “the extension is in the public interest.” (ESEA section 9401(d)(2)(B)), *e.g.*,

- Extension will support continued focus on ensuring students graduate college- and career-ready
- Extension will support efforts to improve all schools in the State
- Extension will support closing of achievement gaps between student subgroups

WHAT AN SEA MUST SUBMIT TO REQUEST AN EXTENSION: AMENDMENT REQUEST FORM

2. Completed amendment request template describing amendments required by Part B monitoring, conditions, high-risk status or optional amendments

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
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Available at: <http://www2.ed.gov/policy/eseaflex/amendment-sample-template.doc>

REQUESTING AN AMENDMENT : WHAT TO INCLUDE

- **Redlined ESEA flexibility request**
- **Amendment request form, including:**
- **Element(s) affected by the proposed amendment.** Indicate the specific element(s) of approved ESEA flexibility request the SEA seeks to amend.
- **Brief description of the element as originally approved.** Explain the element being amended as it occurs in the SEA's currently approved ESEA flexibility request. Include page numbers where the element appears in the original request.

REQUESTING AN AMENDMENT : WHAT TO INCLUDE

- **Amendment request form, cont.:**
- **Brief description of the proposed amendment.**
Briefly describe the amendment being proposed. If necessary, describe any changes to other areas of the request that may result if the proposed amendment is approved.
- **Rationale.** Explain how the proposed amendment will help the SEA carry out, consistent with the principles of ESEA flexibility, the reforms included in its ESEA flexibility request.

CONSULTATION

- Describe the process by which the SEA consulted with stakeholders on the amendment request, including teachers and their representatives, LEAs, parents, and other organizations such as community-based organizations and organizations representing students with disabilities and English Learners.
- Indicate any changes the SEA made to its amendment request as a result of this consultation.
- Attach to the amendment request any comments that it received from LEAs in response to the consultation process.

AMENDMENT REQUEST: “REQUIRED” AMENDMENTS

- To receive an extension, an SEA must amend its flexibility request, as necessary, to address outstanding monitoring next steps, conditions, or high-risk status. For example:
 - For an SEA that has withdrawn from an RTTA consortium since initial approval, updated plan to administer CCR-aligned assessments no later than 2014–2015
 - Modified timeline for using teacher and principal evaluation systems to inform personnel decisions if the SEA requested and received that additional flexibility
 - For an SEA that has not adopted and begun to implement in the 2013-2014 school year English language proficiency standards that correspond to a State’s college- and career-ready standards

AMENDMENT REQUEST: OPTIONAL AMENDMENTS

- In requesting an extension, an SEA might also wish to make changes to its approved request as part of its process of continuous improvement. For example:
 - Modify school rating system to better include subgroup performance
 - Provide more meaningful rewards to reward schools

WHAT AN SEA MUST SUBMIT TO REQUEST AN EXTENSION: OTHER “NEXT STEPS”

- Some monitoring “next steps” do not require an amendment to an SEA’s ESEA flexibility request, *e.g.*,
 - Issuing State and LEA report cards that meet all requirements

TIMELINE TO SUBMIT A REQUEST FOR EXTENSION

- December, 2013 – ED issues a template letter
- November, 2013 – January, 2014 – ED issues Part B monitoring reports
- January, 2014 – February, 2014 – ED receives extension requests on a rolling basis
- January, 2014 – June 1, 2014 – ED issues extensions

QUESTIONS

- Please contact your ESEA flexibility liaison at the Department or eseaflexibility@ed.gov