

Attachment # 1

Sent: Cruce Daniel
Thursday, October 13, 2011 4:05 PM
To: DOE
Subject: Delaware's ESEA Flexibility Application

Dear Colleagues-

On behalf of Secretary Lowery, I wanted to let you know that DDOE submitted a letter of intent to USED to apply for ESEA flexibility on behalf of the state, local education agencies, and schools. DDOE intends to submit the request during the second submission window, by mid-February 2012.

DDOE wants to ensure our application meets the high bar set forth by USED for strong and comprehensive applications. To that end, we want to allocate enough time to engage key constituencies throughout the state to maximize this opportunity for our students, educators and schools. DDOE is particularly interested in working with state and local leaders over the coming months to identify a new accountability system that reflects our college- and career- ready expectations as well as other efforts underway through state and local education reform plans.

We'll continue to update you as we move forward. However, If you have any questions now, please contact Dr. Susan Haberstroh at shaberstroh@doe.k12.de.us or (302) 735-4008.

Respectfully-
Dan

Daniel E. Cruce, Esq.
Deputy Secretary/Chief of Staff
Delaware Department of Education
401 Federal Street, Suite #2
Dover, DE 19901-3639
302.735.4005 (T) 302.735.4654 (F)

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Please consider the environment before printing this e-mail

From: Cruce Daniel
Sent: Thursday, October 13, 2011 4:07 PM
To: Maldonado Sally; Ring David C; Meece Gregory; Rodriguez Noel; Curry Daniel; Draper Pam; Kohel Phyllis; Bunting Susan; Jennings Linda; Nave Dorothy; Allen Tara; Warner Walter; Hermance Trish; Thornton Dawna; Oliphant Patricia; Gehrt Vicki; Fitzgerald Kevin R; Carson Kevin; Chambers Kimberley; Knorr Russ; Skoutelas Anthony; Wintermantel Jack; Browne Lamont; Lathbury Aj; Holodick Mark; Freddie Edwin; Linn Dorothy; Burrows Matthew L; Daugherty Mervin B; Hughes Charles; Kanter Sharon; LYLES MARCIA V.; Thomas-EI

Cc:

Salome; Zych Deborah; Wicks Deborah; Thomas Michael; Perry Jack; Lewis Ann; Brewington Tennell; Taylor Charles; Emmett Ed Barton Wayne; Taber Rebecca; Lowery Lillian; Smith Linda; Mitchell Donna; Jarrell Ted; Bishop Lisa; Czeizinger Robert; Cooke Mary; Hartschuh Wayne; Wolfe Linda; Hertzog Jim; Rogers Karen Field; Hovermale Rita; Bigelow Patricia; Whelan Maureen; Mieczkowski MaryAnn; Kough Theresa Vandrzyk; Niebrzydowski Eric; Stetter Michael; Falcon Emily; Hodges Amelia; Stoner Lisa; Laffey Maureen; Hindman John; Haberstroh Susan Keene; Matusevich Dale; Hutchison Karen; Lesko Jim; Harrell Paul; Kessel Scott; Curtis Brian; Mingione Ellen; Reihm Joanne; Wells Kim; LaSorsa Noreen; Sadowski John; Carwell John; Smith Duncan; Fulkerson Gregory; Touchette Brian; Ruszkowski Christopher; Kepner Alison; Cruce Daniel; Jones Karen (DOE); Holston Shannon; Richard Terry; Hulse John H.; Johnson Donna R; Rogers Linda; Land Barbara; Shulman Peter; Hansen Debbie; Wolak Marian

Subject:

Delaware's ESEA Flexibility Application

Superintendents & Charter Directors-

On behalf of Secretary Lowery, I wanted to let you know that DDOE submitted a letter of intent to USED to apply for ESEA flexibility on behalf of the state, local education agencies, and schools. DDOE intends to submit the request during the second submission window, by mid-February 2012.

DDOE wants to ensure our application meets the high bar set forth by USED for strong and comprehensive applications. To that end, we want to allocate enough time to engage key constituencies throughout the state to maximize this opportunity for our students, educators and schools. DDOE is particularly interested in working with state and local leaders over the coming months to identify a new accountability system that reflects our college- and career- ready expectations as well as other efforts underway through state and local education reform plans.

We'll continue to update you as we move forward. However, If you have any questions now, please contact Dr. Susan Haberstroh at shaberstroh@doe.k12.de.us or (302) 735-4008.

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From:

Sent:

Friday, November 18, 2011 9:23 AM

To: Allen Tara; Baldwin Charles; Brewington Tennell; Browne Lamont; Chambers Kimberley; Draper Pam; Emmett Ed; Freddie Edwin; Hermance Trish; Hughes Charles; Jennings Linda; Lewis Ann; Lopez-waite Margie; Maldonado Sally; Meece Gregory; Oliphant Patricia; Pastis Jacqueline; Perry Jack; Rodriguez Noel; Taylor Charles; Thomas-el Salome; Wintermantel Jack; Bunting Susan; Burrows Matthew L; Carson Kevin; Curry Daniel; Daugherty Mervin B; Dr. David C. Ring Jr.; Fitzgerald Kevin R; Gehrt Vicki; Holodick Mark; Kanter, Sharon; Knorr Russ; Kohel Phyllis; Lathbury Aj; Linn Dorothy; LYLES MARCIA V.; Nave Dorothy; Thomas Michael; Wicks Deborah; Zych Deborah; Coverdale, Gregory; Gray Teri; Heffernan Pat; Johnson Donna R; Melendez Jorge; Rutt Barbara; Whittaker Terry; Wilson James

Cc: Michels Charlie; Phillips Alan; Bigelow Patricia; Bishop Lisa; Carwell John; Cruce Daniel; Curtis Brian; Fulkerson Gregory; Haberstroh Susan Keene; Hansen Debbie; Harrell Paul; Hertzog Jim; Holston Shannon; Hovermale Rita; Hulse John H.; Hutchison Karen; Jarrell Ted; Jones Karen (DOE); Kessel Scott; Land Barbara; LaSorsa Noreen; Matusevich Dale; Mingione Ellen; Mitchell Donna; Niebrzydowski Eric; Reihm Joanne; Richard Terry; Rozumalski Dennis; Ruszkowski Christopher; Sadowski John; Smith Duncan; Stoner Lisa; Taber Rebecca; Touchette Brian; Wells Kim; Barton Wayne; Cooke Mary; Czeizinger Robert; Falcon Emily; Hartschuh Wayne; Hodges Amelia; Kepner Alison; Kough Theresa Vandrzyk; Laffey Maureen; Lesko Jim; Lowery Lillian; Mieczkowski MaryAnn; Rogers Karen Field; Rogers Linda; Stetter Michael; Whelan Maureen; Wolak Marian; Wolfe Linda; Clendaniel Barbara; Spence-Russ Lisa; Sullenberger Diane; Torbert Betty; Appoquinimink-Kim LaFace; Brandywine - Patricia Wilson; Bryson Rosemary; Caesar Rodney - Teresa Dotson; Cape Henlopen - Jenny King Hopkins; Capital-Linda Schreppler; Christina-Carol Martz; Ennis Stacy; Indian River - Jennifer Troublefield; Lake Forest-Dee Little; Milford - Tia Moore; NCCVT-Judy Domanski; Nichols Nicole; Polytech-Diane Pokorny; Red Clay-Juanita Bradley; Red Clay-Robbie Miller; Seaford-Kelley Boyce; Smyrna-Patrice Scuse; Sussex Technical-Jean Maloney; Woodbridge - Lesa Anderson

Subject: Weekly Memo to Chiefs/Charter Directors 11/18

Attachments: 775 New Teacher Hiring Date District Report FINAL August 2011.xls; ESEA Flexibility Cadre Presentation November 16, 2011.pdf

**WEEKLY MEMO TO CHIEFS/CHARTER DIRECTORS
November 18, 2011**

Reminder - DPAS II Training Survey

The department requests that each LEA complete a short web-based survey on DPAS II Training Opportunities. **If you or your designee has not yet completed the survey, please do so by close of business on November 22, 2011.** You may access the survey at: <http://www.surveymonkey.com/s/WLXYLXV>

The purpose of the survey is to assess the level of DPAS II training provided to teachers, specialists, and administrators during the 2011-2012 school year. Results will be used to identify ongoing training needs.

This survey collects separate training data for each of the following groups:

- 1) novice teachers (teachers who hold a valid and current Initial License issued by the Delaware Department of Education)
- 2) experienced teachers (teachers who hold a valid and current Continuing or Advanced License, issued by the Delaware Department of Education; or Standard or Professional Status Certificate issued prior to August 1, 2003)
- 3) novice specialists (specialists who hold a valid and current Initial License issued by the Delaware Department of Education or hold a valid and current license from his or her respective licensure body)
- 4) experienced specialists (specialists who hold a valid and current Continuing or Advanced License issued by the Delaware Department of Education; or hold a valid and current license from his or her respective licensure body)
- 5) novice administrators (administrators in the first three years in a given administrative role)
- 6) experienced administrators (administrators with three or more years of experience in the given administrative role)

Please complete (or have a designee complete) all six (6) parts of the survey for your LEA. Your feedback is appreciated!

New Teacher Hiring Report – Regulation 775

This is a reminder that the reports required by the new regulation 775 New Teacher Hiring Report is due to the Debbie Stover dstover@doe.k12.de.us by December 1st. This requirement is because of the passage of Senate Bill #16 which provided the estimated unit count. The regulation can be found at

<http://regulations.delaware.gov/AdminCode/title14/700/775.shtml#TopOfPage>

The law requires:

“By December 31, 2011, the Department of Education shall report to the General Assembly and Governor on the impact of the estimated unit count upon school districts’ performance in making earlier contract offers to prospective teachers. To the extent that the Department of Education determines that any districts have not taken proper advantage of the estimated unit count, the Department shall recommend additional steps that should be taken to properly incentivize those districts to make earlier contract offers.”

The reminder was made at the Personnel Directors meeting yesterday (Nov 17th).

ESEA Flexibility

As you are aware, the Department intends to submit a proposal to USED for additional flexibility in mid-February, 2012. Many of the provisions align to our existing Race to the Top plan. Please find attached a PowerPoint highlighting information regarding the USED ESEA Flexibility and the Senate bill that is currently circulating in Washington, DC to reauthorize ESEA.

We will share our framework with you in the near future and look forward to getting your input, particularly around Principle 2: Differentiated Recognition, Accountability and Support. If you have any comments or questions in the mean time, please feel free to contact either Joanne Reihm jreihm@doe.k12.de.us or Susan Haberstroh shaberstroh@doe.k12.de.us.

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Please consider the environment before printing this e-mail

From: Cruce Daniel
Sent: Thursday, December 01, 2011 10:31 AM
To: Cruce Daniel
Subject: DRAFT of Delaware ESEA Flexibility Application: Principles 1, 3 & 4 and Timeline

Colleagues-

As you know, DDOE plans to submit an application to USED for ESEA Flexibility in February, 2012. Federal guidance requires us to address the following four principles in our application:

- Principle 1: College- and Career-Ready Expectations for All Students
- Principle 2: State-Developed Differentiated Recognition, Accountability and Support
- Principle 3: Supporting Effective Instruction and Leadership
- Principle 4: Reducing Duplication and Unnecessary Burden

More information on this USED process may be found here: <http://www.ed.gov/esea/flexibility>.

We greatly appreciate all of the interest received to-date. Attached, please find our **first draft** of Principles 1, 3 & 4. Principle 2 will follow for your review & input in approximately one week. This **draft** is being shared with many stakeholders today via email.

We recognize that email is not the best tool to solicit feedback, but is the most direct way to share out this draft to all. To better facilitate receiving feedback, also attached is our timeline for further constituent engagement opportunities as well as for our internal review & ultimate submission of the application. We are finalizing the specific times/locations for future engagement opportunities & will email that out ASAP.

The initial live opportunity for feedback on the attached **draft** will come in the form of two conference calls. On those calls, we'll give a brief voiceover of the **draft** & take questions. Please join us on either date:

- Monday, 12/5, at Noon
- Tuesday, 12/6, at 4PM

The conference call number for both days is: 1-800-391-2548 and the pass code for both days is: 75863748#.

Please RSVP to Lisa Bishop, Special Assistant to the Secretary, at lbishop@doe.k12.de.us so that we can ensure we have enough phone lines for both days.

Respectfully-
Dan

Daniel E. Cruce, Esq.
Deputy Secretary/Chief of Staff
Delaware Department of Education
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Please consider the environment before printing this e-mail

From:
Sent: Friday, December 02, 2011 10:08 AM
To: Allen Tara; Baldwin Charles; Brewington Tennell; Browne Lamont; Chambers Kimberley; Draper Pam; Emmett Ed; Freddie Edwin; Hermance Trish; Hughes Charles; Jennings Linda; Lewis Ann; Lopez-waite Margie; Maldonado Sally; Meece Gregory; Oliphant Patricia; Pastis Jacqueline; Perry Jack; Rodriguez Noel; Taylor Charles; Thomas-el Salome; Wintermantel Jack; Bunting Susan; Burrows Matthew L; Carson Kevin; Curry Daniel; Daugherty Mervin B; Dr. David C. Ring Jr.; Fitzgerald Kevin R; Gehrt Vicki; Holodick Mark; Kanter, Sharon; Knorr Russ; Kohel Phyllis; Lathbury Aj; Linn Dorothy; LYLES MARCIA V.; Nave Dorothy; Thomas Michael; Wicks Deborah; Zych Deborah; Coverdale, Gregory; Gray Teri; Heffernan Pat; Johnson Donna R; Melendez Jorge; Rutt Barbara; Whittaker Terry; Wilson James
Cc: Michels Charlie; Phillips Alan; Bigelow Patricia; Bishop Lisa; Carwell John; Cruce Daniel; Curtis Brian; Fulkerson Gregory; Haberstroh Susan Keene; Hansen Debbie; Harrell Paul; Hertzog Jim; Holston Shannon; Hovermale Rita; Hulse John H.; Hutchison Karen; Jarrell Ted; Jones Karen (DOE); Kessel Scott; Land Barbara; LaSorsa Noreen; Matusevich Dale; Mingione Ellen; Mitchell Donna; Niebrzydowski Eric; Reihm Joanne; Richard Terry; Rozumalski Dennis; Ruszkowski Christopher; Sadowski John; Smith Duncan; Stoner Lisa; Taber Rebecca; Touchette Brian; Wells Kim; Barton Wayne; Cooke Mary; Czeizinger Robert; Falcon Emily; Hartschuh Wayne; Hodges Amelia; Kepner Alison; Kough Theresa Vendrzyk; Laffey Maureen; Lesko Jim; Lowery Lillian; Mieczkowski MaryAnn; Rogers Karen Field; Rogers Linda; Stetter Michael; Whelan Maureen; Wolak Marian; Wolfe Linda; Clendaniel Barbara; Spence-Russ Lisa; Sullenberger Diane; Torbert Betty; Appoquinimink-Kim LaFace; Brandywine - Patricia Wilson; Bryson Rosemary; Caesar Rodney - Teresa Dotson; Cape Henlopen - Jenny King Hopkins; Capital-Linda Schreppler; Christina-

Carol Martz; Ennis Stacy; Indian River - Jennifer Troublefield; Lake Forest-Dee Little; Milford - Tia Moore; NCCVT-Judy Domanski; Nichols Nicole; Polytech-Diane Pokorny; Red Clay-Juanita Bradley; Red Clay-Robbie Miller; Seaford-Kelley Boyce; Smyrna-Patrice Scuse; Sussex Technical-Jean Maloney; Woodbridge - Lesa Anderson
Weekly Memo to Chiefs/Charter Directors 12/2

Subject:

**WEEKLY MEMO TO CHIEFS/CHARTER DIRECTORS
December 2, 2011**

Upcoming District Chiefs' Meeting

1) The next district Chiefs' meeting is on Tuesday, December 13th at the Collette Building.

2) The agenda for the meeting is below:

8:00-9:00 *Optional:* Chiefs' meeting with Sec. Lowery

9:00-9:10 Welcome and DDOE Updates

9:10-9:30 Presentation: RTTT Targets and DCAS Data

9:30-11:00 District PLCs: Examine DCAS Data and Discuss Implications for PLCs and Other RTTT Initiatives

11:00-11:15 PLC Share-out

11:15-12:00 ESEA Flexibility Presentation

12:00-12:30 ESEA Flexibility Q&A

3) Each district will receive a DCAS "data pack" featuring Fall 2011 DCAS data by grade and sub-group.

4) As a reminder, all Chiefs are required to attend, and may bring up to two additional participants of their choosing. Chiefs are invited to bring more than two additional participants, but must RSVP to Rebecca Taber at rtaber@doe.k12.de.us by COB Tuesday, December 6 if they plan to do so (as space is limited).

Student Growth Measures

The Department of Education now has 244 educators signed up to participate in the development of Student Growth Measures for DPAS II Component 5 for Cohorts 3 and 4. Cohort 3 includes: Family & Consumer Science; Business, Finance & Marketing, Technology Education, Health Sciences, Agricultural Science and Skilled & Technical Sciences. Cohort 4 includes: Counselors, Librarians, Educational Diagnosticians, Physical & Occupational Therapists, Psychologists, Speech/Language Pathologists, Social Workers, Visiting Teachers, Special Education DCAS Alt, and Nurses. These two cohorts will begin with two (2) full days of training on December 14th and 15th at the Sheraton in Dover. Cohorts 1 and 2 will complete the item review and administrative guides on the December 13th and 16th trainings respectively.

Regulations

The following regulation is posted as **Proposed** in the December Register of Regulations. http://regulations.delaware.gov/services/current_issue.shtml .

[525 Requirements for Career and Technical Education Programs](#)

Any comments on the proposed regulation should be directed to Susan Haberstroh at shaberstroh@doe.k12.de.us by January 5, 2012.

The following regulations are posted as **Final** in the December Register of Regulations.

[Policies and Procedures Regarding FOIA Requests](#)

[106A Teacher Appraisal Process Delaware Performance Appraisal System \(DPAS II\)](#)

[Revised](#)

[107A Specialist Appraisal Process Delaware Performance Appraisal System \(DPAS II\)](#)

[Revised](#)

[108A Administrator Appraisal Process Delaware Performance Appraisal System \(DPAS II\)](#)

[Revised](#)

[815 Physical Examinations and Screening](#)

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From:

Sent:

Friday, December 09, 2011 9:13 AM

To:

Bunting Susan; Burrows Matthew L; Carson Kevin; Curry Daniel; Daugherty Mervin B; Dr. David C. Ring Jr.; Fitzgerald Kevin R; Gehrt Vicki; Holodick Mark; Kanter, Sharon; Knorr Russ; Kohel Phyllis; Lathbury Aj; Linn Dorothy; LYLES MARCIA V.; Nave Dorothy; Thomas Michael; Wicks Deborah; Zych Deborah; Allen Tara; Baldwin Charles; Brewington Tennell; Browne Lamont; Dandalos, Dimitri; Draper Pam; Emmett Ed; Freddie Edwin; Hermance Trish; Hughes Charles; Jennings Linda; Johnson Howard; Lewis Ann; Lopez-waite Margie; Maldonado Sally; Meece Gregory; Oliphant Patricia; Pastis Jacqueline; Perry Jack; Rodriguez Noel; Rogers Karen Field; Taylor Charles; Thomas-el Salome; Wintermantel Jack; Coverdale, Gregory; Gray Teri; Heffernan Pat; Johnson Donna R; Melendez Jorge; Rutt Barbara; Whittaker Terry; Wilson James

Cc:

Michels Charlie; Phillips Alan; Appoquinimink-Kim LaFace; Brandywine - Patricia Wilson; Bryson Rosemary; Caesar Rodney - Teresa Dotson; Cape Henlopen - Jenny King Hopkins; Capital-Linda Schreppler; Christina-Carol Martz; Ennis Stacy; Indian River - Jennifer Troublefield; Lake Forest-Dee Little; Milford - Tia Moore; NCCVT-Judy Domanski; Nichols Nicole; Polytech-Diane Pokorny; Red Clay-Juanita Bradley; Red Clay-Robbie Miller; Seaford-Kelley Boyce; Smyrna-Patrice Scuse; Sussex Technical-Jean Maloney; Woodbridge - Lesa Anderson;

Bigelow Patricia; Bishop Lisa; Carwell John; Cruce Daniel; Curtis Brian; Fulkerson Gregory; Haberstroh Susan Keene; Hansen Debbie; Harrell Paul; Hertzog Jim; Holston Shannon; Hovermale Rita; Hulse John H.; Hutchison Karen; Jarrell Ted; Jones Karen (DOE); Kessel Scott; Land Barbara; LaSorsa Noreen; Matusevich Dale; Mingione Ellen; Mitchell Donna; Niebrzydowski Eric; Reihm Joanne; Richard Terry; Rozumalski Dennis; Ruszkowski Christopher; Sadowski John; Smith Duncan; Stoner Lisa; Taber Rebecca; Touchette Brian; Wells Kim; Barton Wayne; Cooke Mary; Czeizinger Robert; Falcon Emily; Hartschuh Wayne; Hodges Amelia; Kepner Alison; Kough Theresa Vendrzyk; Laffey Maureen; Lesko Jim; Lowery Lillian; Mieczkowski MaryAnn; Rogers Linda; Stetter Michael; Whelan Maureen; Wolak Marian; Wolfe Linda; Clendaniel Barbara; Spence-Russ Lisa; Sullenberger Diane; Torbert Betty

Subject: Weekly Memo to Chiefs/Charters 12/9
Attachments: Model Regulations DOJ.pdf; DocAnalyFormTch.pdf; DocAnalyFormSpec.pdf; FormativeSatofUnsat.pdf; NonRegGuidance.pdf; PurposeDPASIIIdocrubrics120311.pdf

**WEEKLY MEMO TO CHIEFS/CHARTER DIRECTORS
December 9, 2011**

Period of Silence/Student Delivered Voluntary Messages at Graduation

Attached please find the annual memo regarding Model Regulations Pursuant to 14 Del. C. §4101A, Period of Silence/Student Delivered Voluntary Messages at Graduation. If you have any questions, please contact John Hindman at 302-739-7641 or john.hindman@state.de.us.

DPAS II UPDATES: (Attachments)

- The revised “**Formative Feedback Documentation Analysis Form for Teachers**” is attached to this email and can be found listed under “Document Analysis Forms” under DPAS II for Teachers on the main DPAS II webpage.
- The revised “**Formative Feedback Documentation Analysis Form for Specialists**” is attached to this email and can be found listed under “Document Analysis Forms” under DPAS II for Specialists on the main DPAS II webpage.
- The attached “**Sample of Satisfactory Documentation of Unsatisfactory Teacher Performance**” can be found under “Supporting Documentation for DPAS II for Teachers and Specialists” Additional sample documentations will be posted within the next week.
- The attached “**Non-regulatory Guidance for the DPAS II Process for Teachers and Specialists**” has been updated with additional FAQs and can be found under “Supporting Documentation for DPAS II for Teachers and Specialists”
- The following revisions have been made to Section V of both the Teacher and Specialist Guides and will be posted online by this Friday afternoon:
 - The attached “**Purpose, Goal and Uses of DPAS II Documentation Analysis Rubrics**” has been added into the introduction of Section V
 - The Formative Feedback Documentation Analysis Form has been updated to the revised form.

- The Summative Evaluation and Improvement Plan Documentation Analysis Forms have been removed and placeholders inserted as both forms are currently under revision.
- All sample forms have been removed.

Training for Cohorts 1 and 2

Next week the Department of Education will bring together Cohorts 1 and 2 for their fifth and final day of training. At this workshop, they will finalize the operational forms and administrative guides. Additionally, 190 educators in Cohorts 3 and 4 will begin their work on the development of Student Growth Measures for their specific work assignments. Cohort 3 are the Career Technical Educators and Cohort 4 are all the non-subject educators such as nurses, speech/language pathologists, counselors and others.

Upcoming District Chiefs' Meeting

5) The next district Chiefs' meeting is on Tuesday, December 13th at the Collette Building.

6) The agenda for the meeting is below:

8:00-9:00 *Optional:* Chiefs' meeting with Sec. Lowery

9:00-9:10 Welcome and DDOE Updates

9:10-9:30 Presentation: RTTT Targets and DCAS Data

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12:00-12:30 ESEA Waiver Q&A

7) Each district will receive a DCAS "data pack" featuring Fall 2011 DCAS data by grade and sub-group.

8) As a reminder, all Chiefs are required to attend, and may bring up to two additional participants of their choosing. Chiefs are invited to bring more than two additional participants, but must RSVP to Rebecca Taber at rtaber@doe.k12.de.us by COB Tuesday, December 6 if they plan to do so (as space is limited).

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Email to Stakeholders for Conference Calls on First Draft of Principle 2, following a call on Principles 1,3,4 (December 2011)

From: Cruce Daniel

Sent: Fri 12/9/2011 12:20 PM

To: Cruce Daniel

Subject: DRAFT of Delaware ESEA Flexibility Application: Principle 2 and Timeline
Colleagues-

Following up on our initial email below, attached is the draft of Principle 2: State-Developed Differentiated Recognition, Accountability & Support. The second attachment, the ESEA Flexibility Application timeline, is the same timeline as provided before—just included here again so you have this info together for Principle 2.

As before, the initial live opportunity for feedback on the attached **draft** will come in the form of two conference calls. On those calls, we'll give a brief voiceover of the **draft** & take questions. Please join us on either date:

- Monday, 12/13, at Noon
- Tuesday, 12/14, at 4PM

The conference call number for both days is: 1-800-391-2548 and the pass code for both days is: 75863748#.

Please RSVP to Lisa Bishop, Special Assistant to the Secretary, at lbishop@doe.k12.de.us so that we can ensure we have enough phone lines for both days.

There are multiple other opportunities for feedback on all four Principles—that info is detailed on the attached timeline. Times, dates and locations of the January county public town halls will go out to all no later than early next week.

Respectfully-
Dan

Daniel E. Cruce, Esq.
Deputy Secretary/Chief of Staff
Delaware Department of Education

From: Cruce Daniel
Sent: Tuesday, December 13, 2011 4:23 PM
To: Cruce Daniel
Cc: Torbert Betty
Subject: State ESEA Flexibility Application County Town Hall Information

Attachments: ESEA Flexibility Principles 1 3 and 4 DRAFT v2 12 1 11.docx; ESEA Flexibility-Principle 2 DRAFT v10 121011.docx; Timeline for ESEA Flex Application Work 12 13 11.docx

Colleagues-

Below are the details regarding the county town halls for DDOE to solicit public feedback on the State's ESEA Flexibly application. This information is also included in the attached timeline.

Each town hall is from 6-8PM

- January 04, 2012
 - o New Castle County
 - James Gilliam Conference Center, 77 Reeds Way, behind NCC Gov't Center
- January 11, 2012
 - o Kent County
 - Kent County Gov't Bldg, Room 220, Dover
- January 19, 2012
 - o Sussex County
 - Sussex County Gov't Bldg. 2, The Circle, Georgetown

Please assist us by sharing this information with your communities and constituencies.

Respectfully-

Dan

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Email to all current and former teachers of the year (December 2011)

From: Torbert Betty

Sent: Monday, December 19, 2011 2:27 PM

Subject: Message from Secretary Lowery

RE: Special Request of TOY Advisory Board Members in January

Dear Teacher of the Year Advisory Board Members-

I hope this finds you well and about to enjoy some rest and relaxation with your family and friends.

I am writing to ask for your assistance with our state's application to the US Department of Education (USDOE) for Flexibility under the Elementary and Secondary Education Act (ESEA). As you may know, USDOE released guidance for states to apply for waivers to certain aspects

of ESEA in September 2011. They offered two opportunities to submit applications. We chose to apply in February 2012 to enable us to get input from as many people as possible.

To that end, we will be hosting town hall meetings in every county in January. Given your unique role as Teachers of the Year, we would greatly appreciate your help ensuring that we have input from you and your colleagues throughout the state. In lieu of a January TOY Advisory Board meeting, I'd like to invite you to join us for the Town Hall Meeting in your county. The dates are as follows:

- January 4, 2012, 6-8 pm, New Castle County, James Gilliam Conference Center, 77 Reeds Way, behind New Castle County Government Center, New Castle
- January 11, 2012, 6-8 pm, Kent County, Kent County Government Building, Room 220, Dover
- January 19, 2012, 6-8 pm, Sussex County, Sussex County Government Building #2, The Circle, Georgetown

Additionally, we would like to devote part of our February 1st TOY Advisory Board meeting to getting your feedback and any that you may receive from your colleagues between now and then to make it as strong as possible. As always, please feel free to bring any questions, concerns, accomplishments, etc. to our February meeting.

Please let Betty Torbert know if you plan to attend one of the Town Hall meetings so that we'll know to expect you and can send you the current working draft of our ESEA Flexibility Application in advance.

Happy Holidays!

With deep gratitude,
Lillian

Lillian M. Lowery, Ed. D.
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Fax: 302.739.4654
E-mail: llowery@doe.k12.de.us

Email to 11k+ Educators in the State (January 2012)

-----Original Message-----

From: Secretary.Lowery@doe.k12.de.us [mailto:Secretary.Lowery@doe.k12.de.us]
Sent: Tuesday, January 03, 2012 3:38 PM
Subject: Update from Secretary Lowery

Dear colleagues,

Happy New Year! I hope you had a wonderful holiday season with your families and friends.

As we begin 2012, we have much to be proud of in Delaware education. I particularly want to thank those of you who took the time to share examples of good work with us. We have created a webpage to showcase these efforts at: <http://www.doe.k12.de.us/goodnews/default.shtml> . I encourage you to visit the page periodically and submit similar examples to public information officer Alison Kepner via email: akepner@doe.k12.de.us . We will update the page periodically and will post as many as possible this school year.

We have another unique opportunity to work together to further improve public education for all Delawareans this year. In February, the Delaware Department of Education will be submitting an application for flexibility from some of the provisions in the federal Elementary & Secondary Education Act (ESEA). Our application will reflect our proud history of leading educational reforms. It also will recommit us to aggressive statewide reforms toward our vision of ensuring every single student in our system will graduate college- and career-ready, with the freedom to choose his or her life's course.

If our flexibility plan is approved, Delaware will be able to set more meaningful student proficiency targets while committing to reducing achievement gaps for all student groups. In other words, schools would not be mandated to meet ESEA's requirement that 100 percent of students achieve proficiency by 2013-14 or be subject to sanctions, such as school improvement, corrective action and restructuring. Schools also would gain more flexibility with some funding, such as dollars designated for choice and supplemental education services. The purpose is to allow districts and schools the opportunity to adopt and implement meaningful improvements to benefit their students.

Another proposed change would be the end of ranking Delaware schools with the labels of "superior," "commendable," and "academic watch" and status designation, such as "under improvement." Instead, Delaware would switch to a new system -- developed by Delawareans using guidance delineated by the U.S. Department of Education -- that places schools in classifications ranging from Reward and Recognition (for the top performing schools) to Focus and Partnership Zone (for the lowest performing schools).

We have not finalized our plan yet and are continuing to request input from Delawareans. We will be hosting community meetings in each county and invite you to attend to learn more about our proposed plan and offer your input first-hand. The meetings will take place as follows:

- 6 p.m., Wed., Jan. 4 at the James Gilliam Conference Center, 77 Reeds Way, New Castle.
- 6 p.m., Wed., Jan. 11 at Kent County Government Building, Room 220, Dover.
- 6 p.m., Thurs., Jan. 19, Sussex County Government Building, The Circle, Georgetown.

We recognize it may be difficult for you to attend with school resuming and your other commitments. So we also invite you to review the full draft plan at:

<http://www.doe.k12.de.us/infosuites/ddoe/flex.shtml> and send any feedback to: akepner@doe.k12.de.us.

In closing, I want to thank you again for all that you do for our students. I recognize that this is an extraordinarily busy time for all of you, and I value your contributions to education.

With gratitude,

Lillian M. Lowery
Secretary of Education

From: Cruce Daniel
Sent: Thursday, February 16, 2012 7:47 PM
To: Maldonado Sally; Ring David C; Pastis Jacqueline; Meece Gregory; Curry Daniel; Lewis Ann; Kohel Phyllis; Bunting Susan; Jennings Linda; Nave Dorothy; Allen Tara; Draper Pam; Rogers Karen Field; Rodriguez Noel; Hermance Trish; Oliphant Patricia; Baldwin Charles; Gehrt Vicki; Fitzgerald Kevin; Carson Kevin; Gray Teri; Perry Jack; Wintermantel Jack; Browne Lamont; Lathbury Aj; Thomas Michael; Holodick Mark; Freddie Edwin; Linn Dorothy; Burrows Matthew L; Taylor Charles; Johnson Howard; Joseph Shawn; Daugherty Mervin B; Hughes Charles; Kanter, Sharon; Stephenson Keith; LYLES MARCIA V.; Thomas-El Salome; Zych Deborah; Wicks Deborah; Lopez Waite Margie; Brewington Tennell; Emmett Ed
Cc: Barton Wayne; Taber Rebecca; Lowery Lillian; Smith Linda; Mitchell Donna; Jarrell Ted; Bishop Lisa; Czeizinger Robert; Cooke Mary; Hartschuh Wayne; Wolfe Linda; Hertzog Jim; Whelan Maureen; Mieczkowski MaryAnn; Kough Theresa Vandrzyk; Hovermale Rita; Bigelow Patricia; Stetter Michael; Niebrzydowski Eric; Falcon Emily; Hodges Amelia; Laffey Maureen; Stoner Lisa; Hindman John; Haberstroh Susan Keene; Matusevich Dale; Hutchison Karen; Lesko Jim; Harrell Paul; Johnson Donna R; Kessel Scott; Curtis Brian; Mingione Ellen; Reihm Joanne; Reihm Joanne; Wells Kim; LaSorsa Noreen; Sadowski John; Carwell John; Smith Duncan; Fulkerson Gregory; Touchette Brian; Ruszkowski Christopher; Kepner Alison; Cruce Daniel; Jones Karen (DOE); Holston Shannon; Richard Terry; Johnson Donna R; Hulse John H.; Rogers Linda; Land Barbara; Hansen Debbie; Wolak Marian
Subject: ESEA Flexibility Application: Final Version Teleconference

Dear Chiefs, Charter Directors and State Board of Education Members-

DDOE has revised our ESEA Flexibility Application draft based on input from stakeholders across the state. We plan to publicly release the final version next Tuesday prior to submitting it to USED on 2/28.

We recognize that Monday is a holiday for many of you, so we set up conference calls for tomorrow (Friday) and Tuesday to update you on the most significant changes from earlier drafts. We invite you or a designee to join one of the following calls:

- Friday, 2/17, 2:30-3:30PM, Telecon - Dial In: 800-391-2548 Pass Code: 61252937#
- Tuesday, 2/21, 8-9AM, Telecon - Dial In: 800-391-2548 Pass Code: 61252937#

Please let me know if you have any questions.

Respectfully,

Dan

Daniel E. Cruce, Esq.
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Email to Local Chiefs, Charter Directors and State Board of Education Members, as well as all key Stakeholders (February 2012)

From: Cruce Daniel
Sent: Tuesday, February 21, 2012 4:55 PM
Subject: FW: Calls to Share Delaware's ESEA Flexibility Application

Chiefs, Charter Directors & State Board Members-

In case you (or your designee) were unable to make the call on Friday or today regarding Delaware's ESEA Flexibility application, we wanted to let you know that the two additional calls for our other constituents below are open to all.

Respectfully-
Dan

Daniel E. Cruce, Esq.
Deputy Secretary/Chief of Staff
Delaware Department of Education

From: Cruce Daniel
Sent: Monday, February 20, 2012 8:39 AM
To: Cruce Daniel
Cc: Kepner Alison; Lowery Lillian; Haberstroh Susan Keene; Reihm Joanne; Bishop Lisa
Subject: Calls to Share Delaware's ESEA Flexibility Application

Dear Colleagues-

The Delaware Department of Education (DDOE) plans to submit an application for Elementary and Secondary Education Act (ESEA) Flexibility to the U.S. Department of Education on February 28, 2012. If approved, this Flexibility would take effect this school year.

The final application will be posted online at:
<http://www.doe.k12.de.us/infosuites/ddoe/flex.shtml> by close of business on Tuesday, February 21, 2012. Our final application includes revisions based on input received from organizations and individuals across the state over the last several months. As a result, we have set up two conference calls to provide an overview of the major changes and answer any outstanding

questions about our final application. The calls will follow the same format, so it's not necessary to join both calls. They are as follows:

- Wednesday, **February 22: 9:30-10:30 AM**, Dial-in Number: US Toll Free 1-800-391-2548, Participant Passcode: 44001093#
- Friday, **February 24: 11:00-12:00 PM**, Dial-in Number: US Toll Free 1-800-391-2548, Participant Passcode: 44001093#

We are grateful for the feedback and support we have received thus far, and will continue to keep you posted on the status of our ESEA Flexibility Application after we submit it next week.

Respectfully,
Dan

Daniel E. Cruce, Esq.
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-----Original Message-----

From: Bishop Lisa
Sent: Tuesday, February 21, 2012 10:40 AM
To: Reihm Joanne
Subject: RE: Ted's Schedule

Here you go!

Upcoming District Chiefs' Meeting

- 1) The next district Chiefs' meeting is on Thursday, February 23rd at the Collette Building.
- 2) The draft agenda for the meeting is below:

8:00-9:00	Optional: Chiefs' meeting with Sec. Lowery: DPAS II Monitoring Assistance
9:00-9:20	Welcome and DDOE Updates
9:20-9:40	Presentation: Performance Evaluations and Student Achievement Data
9:40-9:50	Break/Transition to PLCs
9:50-11:20	District PLCs: Examine performance dashboards and discuss district strengths
11:20-11:30	Break/Transition back to plenary
11:30-11:45	PLC Share-out
11:45-12:00	Wrap-up and Q&A
12:00-12:30	Optional Q&A/Open Forum with DDOE staff about Race to the Top and/or ESEA Flexibility

From:
Sent: Friday, February 24, 2012 10:07 AM
To:
Subject: Weekly Memo to Chiefs/Charter Directors 2/24
Attachments: 12-0009 mult-school LEAs.doc; DocAnalyImpPlanTch.pdf;
DocAnalyImpPlanSpec.pdf; InSuffDocofSatlesson.pdf;
SampComRecExp.pdf

WEEKLY MEMO TO CHIEFS & CHARTER DIRECTORS
February 24, 2012

U.S. Department of Education: Free Application for Federal Student Aid (FAFSA) Completion Project

The U.S. Department of Education invites additional multi-high school districts to participate in its expanded Free Application for Federal Student Aid (FAFSA) Completion Project by March 2, 2012. Approximately 80 additional multiple high school districts that apply will be selected through a randomized process. There will be opportunities for single high school districts to participate in the future. More information is available in the attachment, "12-0009 multi-school LEAs.doc."

DPAS II UPDATES (4 attachments)

The following updates can be found on the DPAS II webpage at <http://www.doe.k12.de.us/csa/dpasii/default.shtml>

- The revised "**Improvement Plan Documentation Analysis for Teacher Improvement Plans**" is attached to this email and can be found listed under "Document Analysis Forms for Teacher Evaluations" on the main DPAS II webpage.
- The revised "**Improvement Plan Documentation Analysis for Specialist Improvement Plans**" is attached to this email and can be found listed under "Document Analysis Forms for Specialist Evaluations" on the main DPAS II webpage.
- The attached "**Sample of Insufficient Documentation of Satisfactory Teacher Performance**" is located at "Supporting Documentation for DPAS II for Teachers and Specialists" as well as "Teacher Forms".
- The attached "**Sample Commendation, Recommendation, and Expectation Documentation**" can be accessed at "Supporting Documentation for DPAS II Teachers and Specialists."

DPAS II Annual Process Survey Information - The Department in cooperation with Progress Education, Inc. is making preparations for the state's annual DPAS process survey. As in previous years, this survey consists of three levels of collecting feedback from educators throughout the state: 1) Online Survey, 2) One on One Interviews and 3) Focus Groups. Please share the following dates with your staff:

- **Online Survey:** An email containing the survey link will be distributed to all educators on Monday, **April 16th** at 6:00 a.m. The survey will close at midnight, Monday, **April 30th**. Please encourage 100% participation!
- **Statewide One on One Interviews** of randomly selected teachers, specialists and administrators will take place on **May 8th, 9th, and 10th**. (*Schedules will be distributed by*

the end of March to personnel directors and administrators of those who are chosen for the interviews.)

- **Focus Group Discussions** will be held on Tuesday, **May 22nd** (downstate) and Wednesday, **May 23rd** (upstate). *Specific names, locations and times will also be announced by the end of March.*

The Department appreciates your assistance for the success of this year's DPAS II Evaluation Survey!

Grant Opportunity for Eligible LEAs

The Career, Technical, and Title I Resources Workgroup will be issuing two RFPs. The Delaware State Plan for Career and Technical Education (CTE) includes a competitive grant opportunity for eligible LEAs. The purpose of the grants is to develop new or to enhance and/or expand existing CTE pathways. Funds for these RFPs will be available through the Carl D. Perkins Act of 2006 and the College Access Challenge Grant. The combined amount to be awarded will be over \$600,000.00. The grants will be published to the CTE web site on Monday February, 28, 2012 and will also be sent electronically to LEA CTE directors.

DOE Survey Regarding DCAS/DSTP Testing

DOE is sending out a survey to gather information about what types of local rewards or sanctions are used for DCAS testing or have been used for DCAS or DSTP testing. We are interested in what schools may be doing in lieu of the statewide summer school, IIP, and retention consequences suspended in 2008. The survey will differentiate between elementary, middle school, and high school methodology. Information of the perceived effectiveness of the rewards and sanctions will also be elicited.

This information will be used by a Committee that will advise DOE leadership and the Legislature on potential future student consequences. Therefore, it is important that district personnel, school principals, and charter school leaders reply to the survey so that effective and efficient strategies are promoted.

Student Growth Measures – Cohort 5

The Department of Education will convene Cohort 5 in May. Cohort 5 will include any Non-DCAS educator group who did not have the opportunity to date to build the "growth goal" indicators necessary for Component 5 of DPAS II. These "growth goal" indicators are based upon professional standards and/or specific job descriptions. Parameters have been established which provide standardization and rigor.

DOE facilitators will guide Cohort 5 through the same process created for Cohort 4 by Research in Action. To help facilitate this work, DOE will be asking district principals and educators to submit to the Department any "goal indicator" that has been used successfully by them in the past with Component 5 of DPAS II. This will provide a basis for groups to build upon when developing the "growth goal" indicators.

Once the details are finalized, the Department will send a letter to Superintendents, Charter School Administrators and Principals outlining the work.

Common Core Implementation Update

The first statewide Math Cadre meeting will be held on March 5, 2012 at the Collette Center in Dover, Delaware from 8:30-3:30 p.m. The Math Cadre will begin to focus on the following activities:

- Design exemplar K-12 Common Core model lessons based upon the completed Math Learning Progressions.
- Create professional development modules for LEAs around the Illustrative Mathematics Project based upon Dr. McCallum's work using student assessment tasks correlated to specific learning progressions that exist within the Common Core Standards.

Writing Rubrics

- Statewide Writing Rubrics have been updated and completed for the Common Core Standards. The Writing Rubrics are analytically-based which will allow teachers to provide feedback to students and help guide instruction.
- The Writing Rubrics were introduced at the February 22nd Curriculum Cadre meeting. More detailed information surrounding the Writing Rubrics will be demonstrated at the April 20th statewide Literacy Coalition meeting.

Delaware to Submit Application for Elementary and Secondary Education Act (ESEA) Flexibility

The Delaware Department of Education (DDOE) plans to submit an application to the U.S. Department of Education for Elementary and Secondary Education Act (ESEA) Flexibility on February 28th. The final version of the application, along with other information on this application, is available on-line at: <http://www.doe.k12.de.us/infosuites/ddoe/flex.shtml>. The final version reflects significant input from people across the state. If approved, this flexibility would take effect this school year (2011-12). *We expect to have the FINAL up on Tuesday, Feb 28th after we submit to USED.*

DDOE will continue to provide updates as we learn more about the status of our application. If you have any questions in the mean time, please contact Susan Haberstroh (shaberstroh@doe.k12.de.us) or Joanne Reihm (jreihm@doe.k12.de.us).

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Secretary of Education
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ESEA Flexibility FAQs

Principle 1:

1. **How will social studies assessments (4th grade and 7th grade DCAS; US History end-of-course exams) be used to support the waiver, if at all?**

Delaware's ESEA Flexibility Waiver application addresses the required assessment areas of Reading/ELA and Mathematics since they constitute the basis for school and district AYP calculations and Annual Measureable Objectives. Although not explicitly mentioned in the Flexibility application, Delaware Comprehensive Assessment System (DCAS) Social Studies assessment at Grades 4 and 7, along with the End of Course assessment in US History will continue.

2. **Is the Delaware Comprehensive Assessment System (DCAS) being replaced?**

Delaware is a governing state in the SBAC Multi-state Assessment Consortium. SBAC was awarded test development funds by the U.S. Department of Education (USDOE) to support development of next generation student assessments in reading and mathematics. A similar states-led effort, referred to as the PARCC Assessment Consortium, is also engaged in test development. Based on the timelines that SBAC and PARCC have submitted to USDOE, participating states will actively participate in field testing these new standardized assessments during the 2013-2014 school year. When the assessments are fully ready in spring 2014, states will have the opportunity to adopt these assessments in place of, or in addition to their existing state assessments. Delaware Department of Education anticipates a thoughtful and inclusive discussion and decision-making process over the next two years regarding the role of DCAS and the potential role SBAC assessments could play in assessing student achievement.

3. **How will the state test change when Common Core Assessment is implemented?**

Delaware launched its implementation of Common Core Standards during the 2010-2011 school year following the adoption of these standards in Reading and Mathematics by the Delaware State Board of Education. Orientation sessions for teachers, specialists and school administrators were provided during that year, followed by the current efforts to (1) develop exemplary units and lessons based on the Common Core Standards, and (2) engage teachers and specialists in reviews of existing instructional plans within the reading and mathematics content areas and at elementary, middle school, and high school levels. As this curriculum technical assistance moves along, DDOE assessment specialists are engaged in work with our assessment vendor- the American Institutes of Research- to reposition existing test items where necessary and introduce new test items so that the DCAS evolves into an assessment fully aligned to the Common Core Standards. Based on alignment studies of the DCAS completed over the past 1 ½ years, DDOE believes the DCAS already measures certain elements of the Common Core Standards. With the introduction of the repositioned and new items over the next two years, the DCAS will become fully aligned to the Common Core. As this transformation takes place, students and teachers will note more challenging test items at each grade.

Principle 2:

- 1. Related to Focus schools, gaps and subgroups: What if the school's student population is homogeneous, such as 99% African American?**

Delaware has homogeneous schools that would not be identified using an achievement gap method. However, this plan allows for schools to be identified for the Focus category based on either a large achievement gap or low performing subgroups. Thus homogeneous schools could be identified with the low-performing subgroup method. In practice, the low-performing subgroup method did identify a few such schools. In addition, some schools that were more heterogeneous did not show up near the top of the achievement gap list because all subgroups were relatively low performing. However, the low-performing subgroup method identified a few of these schools as well. The two methods used together would greatly enhance the state's ability to identify schools in need of greater support.

- 2. Regarding lowest performing for "the most recent year": Why not use trend data similar to Partnership Zone? What about historically low-performing schools? Why can't more than one year performance be used for focus schools?**

U.S. Department of Education's guidance requires the use of trend data for the achievement gap method but not the low-performing subgroup method. Before determining whether to use trend data for the low-performing subgroup method, DDOE created a list of schools using trend and recent performance for the achievement gap between low income and non-low income students. What we learned from creating that list is that a number of schools did not have sufficient trend data either because they were newly opened schools or they were granted new school status for accountability due to changes in the grade configurations or feeder patterns of the school. Such schools had to be excluded from the achievement gap method analysis due to lack of trend data. Because U.S. Department of Education requires that we evaluate all schools for possible Focus school identification, we decided that we would only use the most recent year of testing data to identify low-performing subgroup schools. Using trend data for both methods would have excluded some schools from consideration altogether, which would not have met the federal requirements of the flexibility application.

- 3. Is the performance that is considered for the sub-group performance for Focus schools the average scaled score or percent proficient? Was reading and math counted 50% each?**

Schools were ranked for Focus school status using the percent proficient. A combined percent proficient for reading and mathematics was obtained by taking the sum of the number of proficient scores in reading and the number of proficient scores in mathematics and dividing by the sum of the number of tested students in reading and the number of tested students in mathematics. In practice, this approximately gives a 50% weight to reading and mathematics for ranking purposes.

4. When will we get information on how schools exit from Focus status?

DDOE is in the process of vetting options based on input received to date.

5. Why aren't schools that made adequate yearly progress excluded from being considered a Focus school?

The federal government is offering this opportunity for a new method for identifying schools in need of improvement that is not based on AYP. The method is designed to identify schools that are persistently low achieving (Partnership Zone), have largest achievement gaps (Focus) or have the lowest performing subgroups (Focus), regardless of their current designation under AYP.

6. Do we have the option of stating we do not have the capacity for the Focus status (like is done for Partnership Zone)?

Secretary Lowery may consider the district and school's capacity to implement the required reforms prior to selecting a school for the Partnership Zone. Once a Partnership Zone school is selected by the Secretary, the school cannot use capacity as a reason not to participate in the Partnership Zone. Similarly, once a school is selected as a Focus school, capacity cannot be used as a reason not to participate or implement the required reforms.

7. Why were the 2011 adequate yearly progress cut scores (floor) used instead of the true baseline for sub-groups that performed under the floor?

The draft showing the 2011 AYP cut scores as the floor was used to get feedback from constituents. The reasoning behind using that for the draft was to not present an assumption that the state was "lowering the bar" for these groups with the Flex application given that the floor of actual performance for those specific groups is lower than the AYP target for the year. Again, this is only a draft and feedback will drive the final version.

8. Because the floor is 2010-11 data, what schools are in each classification?

The Superintendents and/or Charter Directors who had schools in the draft run of our calculation for Focus Schools were notified.

9. If the purpose is to have "ambitious but achievable" targets, what has the discussion been to what is "achievable" for special education students and who has been part of that process?

We received much feedback on this particular target for this particular group in most settings where we shared the draft application—from the State Board, to county town halls, to advocacy groups, to our Delaware Education Advisory Group.

10. Why do we have to use 2010-2011 data to identify focus schools (why can't it be current year) and why would they remain in that status for the duration of the waiver?

U.S. Department of Education requires the state to identify Focus schools and include the list of identified schools with the application at the time of submission. There will be criteria for Focus schools that may allow a school to exit that status prior to the end of the flexibility period. However, it is important to keep in mind that the flexibility period is for three years only and the first year of the flexibility is 2011-12.

11. When can we get the exact calculation for focus schools?

We will have the final calculation once we complete the vetting of all feedback and have our final version of the application to send to USED by mid-February.

12. From the explanation, it appears Reward schools will be named based on last year's data and then set for the period of the flexibility waiver. Is that true? Why is this so? Is this the same for Recognition schools? How would schools that perform well in the interim be recognized? Are tier I, II, and III schools also locked for 3 years like the Focus, and Partnership Zone schools?

A list of Reward schools will be named for the 2011-12 school year based on historical assessment data including spring 2011 DCAS data. The Reward status is for a period of one year (i.e., 2011-12). In 2012-13, schools will be evaluated once again for Reward status based on historical assessment data including Spring DCAS 2012. Recognition schools will also be identified in 2012-13 based on historical assessment data including Spring DCAS 2012. The process will be repeated for 2013-14 for both Reward and Recognition. Therefore, schools that perform well in interim years will have an opportunity to be selected as Reward or Recognition schools. Only the Focus and Partnership classifications locked, though they too can exit if they meet the criteria. All the schools can move between levels of state support based on their year-to-year performance.

13. Will any of the automatic requirements of No Child Left Behind be set in place? Does this mean districts do not need to do the set asides of transportation, Supplemental Educational Services and professional development?

If our plan is approved, it would eliminate all current requirements associated with "school improvement" as outlined in Section 1116 of the Elementary & Secondary Education Act. If the state is granted ESEA flexibility the following school improvement related set asides would no longer be required: 1) the 20 percent local level set aside associated with Choice related transportation and Supplemental Educational Services (SES) required when a local education agency had any Title I schools classified as Under Improvement, Corrective Action or Restructuring; 2) the 10 percent district level set aside for professional development required when a district was classified as Under improvement or Corrective Action; and 3) the 10 percent school level set aside required when a Title I school was classified as Under Improvement, Corrective Action or Restructuring. The non-improvement related set asides would remain in place under the ESEA Flexibility. As

such, districts and charter schools still would be required to set aside 1 percent of their Title I allocation (if they receive \$500,000 or more) for parent involvement activities. Districts also would be required to continue to set aside funds to provide equitable services to eligible students attending private schools. Finally, local education agencies still will be required to set aside funds to meet the needs of homeless students.

14. Schools have been submitting Success plans for years. How do we use these to inform decisions? Are we duplicating efforts?

DDOE is in the process of vetting options based on input received to date.

15. A concern I continue to have is a school can make 26/27 (cells) and not make adequate yearly progress (AYP). A school can make 8/8 and make AYP. Diverse schools have a harder task, and one student can populate many cells. How are these discrepancies figured into the data?

To make AYP, a school must still meet the annual measurable objective targets with or without confidence intervals, meet safe harbor targets with or without confidence intervals or meet growth model targets for all subgroups that meet the minimum N-count of students in order to make AYP. The flexibility does not change this requirement in the current ESEA law.

16. Is it possible Red Clay will receive less money next year for our Title 1 schools?

The ESEA Flexibility does not affect the amount of Title I funding that a local education agency receives through the LEA Consolidated Grant. The amount of Title I funds allocated to LEAs is primarily based on census poverty provided to Delaware Department of Education each year by the U.S. Department of Education. Because census poverty across LEAs can vary from year to year, an LEA's funding amount can change from year to year as well. This would be true regardless of the ESEA Flexibility.

Principle 3:

1. Several school districts are using professional learning community evaluations in lieu of teacher evaluation. Apenas SD in Michigan will give you a good flavor. It is based on C. Danielson. If we value PLCs with fidelity and collaboration, as opposed to a more corrective approach.

Delaware uses a statewide evaluation system that is based on Charlotte Danielson's work. Professional learning community work does not impact all teacher and specialist groups. PLCs focus mainly on assessment and data analysis. Teacher evaluation is based on many more components, as Danielson describes. Planning, instruction, environment, and professional responsibilities are all part of Delaware's evaluation system and are not the focus on PLC work.

- 2. When a teacher is rated highly effective and decides to leave his or her current school to work at a lower achieving school and the lower achieving school does not make adequate yearly progress, will the highly effective teacher lose his or her highly effective rating? Also, the same question, a teacher who is highly effective is transferred from a school because the school lost a unit due to declining enrollment, this highly effective teacher is now transferred to a school that has not made AYP, will this teacher lose his or her highly effective rating?**

Component 5 is computed each year for each teacher regardless of the location of the teacher. So this teacher would be rated the next year in the school of record. Because school adequate yearly progress ratings are not at this time part of the policy plan, the school's AYP rating would not be a factor for consideration anyway.

Principle 4:

No questions

Other:

- 1. How do demographic shifts play into the calculations?**

Demographic shifts in a school's population over time, past or future could certainly change overall performance of a school and perhaps change the subgroups for which a school is responsible. If a previous demographic shift was sufficiently large from one year to the next, the school could have applied for new school status. That would eliminate the school from the achievement gap method due to insufficient trend data. However, it is more likely that shifts would occur over a period of years so that new school status is not an option. In such cases, any changes in performance due solely to the demographic shifts would not be taken into account in the trend analysis for the achievement gap method. There is probably no easy way to take them into account for ranking purposes. However, it would not affect the low performing subgroup method because it does not use trend data. If a school is identified for the Focus category, a thorough needs analysis should include any demographic shifts that have created new challenges for the school. The school's subsequent plan could then include effective strategies for meeting the needs of students in the new or changing demographic groups.

- 2. When will the feedback be used to determine what changes would be made to the state's application?**

DDOE is in the process of vetting options based on input received to date and will share out the next draft as soon as possible.

- 3. Are student consequences on the table? I know there are monetary rewards- a step to grow effective classroom leaders would be to pay for Board Cert Process.**

DDOE is currently working on creating a draft plan for student consequences outside of this ESEA Flexibility application. The Flexibility application deadline is too soon to determine/include student consequences in that document.

4. **Perhaps there is a break in the communication chain. How were local school boards part of this process?**

DDOE provided drafts of the ESEA Flexibility Application to the Delaware School Boards Association (DSBA) in December 2011. DDOE offered to meet with DSBA multiple times.

5. **Was Delaware State Parent Advisory Council involved in this process?**

DDOE met with representatives of the DSPAC on January 23, 2012 and members of Delaware's parent advocacy groups attended various other public vetting opportunities.

6. **I am interested, however, to learn how stakeholders were selected for the Innovation Action Team? I'm a school psychologist, founder and past president of the Meadowood Program PTA, a Red Clay School Board member, a DSEA union member and a parent of three school age children one with significant disability (special ed) issues yet I never heard of DDOE collaborating with stakeholders for this team to develop this plan. Can DDOE please email out a list of IAT members?**

The groups represented on the Innovation Action Team (IAT) were determined approximately three years ago. While the specific persons who represent those organizations may have changed, all previous groups are members of the IAT. Please contact Dan Cruce for additional information regarding the IAT, including a list of the member groups.

7. **What parents were a part of this process? Did you have parents who represented the sub groups that you were referring to last night in your PowerPoint presentation (ELL programs, Spec Ed programs etc.)? Did local school boards have members on this committee?**

All of those groups had representatives at multiple public vetting opportunities across the state. Individual meeting opportunities were also offered.

8. **I appreciate that the State PTA will be a part of this process trying to get more parental involvement, but what about the schools that do not have a PTA, maybe have PTO or no parent group at all, how is the state/districts/schools going to see that these parents have a voice, be more involved etc.? Many parents want to be involved but do not know how to become involved, how are we going to make this happen?**

The county public forums were intended to provide an in-person opportunity to address this need. We also conducted multiple other public engagement opportunities for feedback. Finally, we continually shared the electronic methods for constituents to share feedback and or questions in that manner.

Updated: January 25, 2012

Attachment # 3

Secretary Lowery Joins Obama, Duncan for NCLB Waiver Announcement

Release Date: Sep 23, 2011 3:15 PM

Delaware Secretary of Education Dr. Lillian M. Lowery joined President Obama and U.S. Secretary of Education Arne Duncan in Washington, D.C., today as the President announced flexibility from some provisions of the No Child Left Behind act in exchange for aggressive state-led reforms. Lowery welcomed the opportunity to answer their call to apply for a waiver.

“This vision for innovative and aggressive reform -- backed by stringent accountability -- is in line with the work already underway in Delaware,” Lowery said.

For example:

Delaware already is transitioning to college- and career-ready standards and assessments thanks to last year’s adoption of the national Common Core Standards and implementation of our new computer-adaptive DCAS test as well as the state-funded school-day SAT administration.

At the urging of educators and parents, Delaware began the transition to a growth model several years ago, which aligns with USED’s call to develop a system that recognizes and rewards schools that are making progress closing achievement gaps.

Statewide reform efforts, including Delaware’s Partnership Zone, already are focusing extra help and resources to improve student learning in the state’s persistently low-achieving schools.

Delaware also is on the forefront nationally in connecting student progress over time and multiple measures of professional practice to educator evaluations through the addition of a student growth measure to our DPAS II evaluation system.

“The President’s announcement today will help Delaware realize its vision that every single student in our system will graduate college and career ready, with the freedom to choose his or her life’s course,” Lowery said. “This flexibility frees our educators from unfair and outdated federal sanctions and rewards them for the aggressive reforms they are undertaking on behalf of Delaware’s children.”

The President’s press release with more details on the waiver package is provided below.

Obama Administration Offers Flexibility from No Child Left Behind

Today, the Obama Administration outlined how states can get relief from provisions of the Elementary and Secondary Education Act – or No Child Left Behind (NCLB) – in

exchange for serious state-led efforts to close achievement gaps, promote rigorous accountability, and ensure that all students are on track to graduate college- and career-ready.

“To help states, districts and schools that are ready to move forward with education reform, our administration will provide flexibility from the law in exchange for a real commitment to undertake change. The purpose is not to give states and districts a reprieve from accountability, but rather to unleash energy to improve our schools at the local level,” [President Obama said](#).

What this means for you:

For Teachers: A collaborative learning culture where teachers can target instruction towards the needs of students and offer a well-rounded curriculum. Fair and responsible evaluations that are based on multiple measures including peer review, principal observation, and classroom work.

For Principals: Greater flexibility to tailor solutions to the unique educational challenges of their students and recognition for progress and performance.

For Parents: Accurate and descriptive information about their children’s progress and honest accountability that recognizes and rewards success – where schools fall short – targeted and focused strategies for the students most at risk.

For Students: A system that measures student growth and critical thinking to inspire better teaching and greater student engagement across a well-rounded curriculum.

For more information on how this flexibility package may affect you, read our blog post: [What NCLB Flexibility Means for You](#).

Get the Facts:

[Brochure: Looking Back and Moving Forward](#) (PDF)

[Brochure: Supporting State and Local Progress](#) (PDF)

[FAQ: What ESEA Flexibility Means for Students, Teachers, and Parents](#) (MS Word)

Detailed info can be found at [ED.gov's ESEA Flexibility page](#)

On the Blog:

[What NCLB Flexibility Means for You](#)

[Arne Duncan: Providing Our Schools Relief From No Child Left Behind](#)

You are subscribed to News from Secretary Duncan and ED from the U.S. Department of Education.

Delaware's Department of Education is committed to promoting the highest quality education for every Delaware student by providing visionary leadership and superior service.

Contact Info.

Alison Kepner
Delaware Department of
Education
401 Federal Street, Suite #2
Dover, Delaware 19901
Phone: (302) 735-4035
Fax: (302) 739-4654
Email: akepner@doe.k12.de.us

From: Cruce Daniel
Sent: Thursday, October 13, 2011 4:12 PM
To: **Stephanie Kotin** (stephanie_kotin@carper.senate.gov);
rachel_bird@coons.senate.gov; **rachel_bird@coons.senate.gov**;
Doug Gramiak (Doug.Gramiak@mail.house.gov);
Albert.Shields@mail.house.gov
Cc: Lowery Lillian; Bishop Lisa; Ranji Jennifer; Wier Missy; Kuiken Emily;
Kepner Alison; Haberstroh Susan Keene; Reihm Joanne
Subject: Delaware's ESEA Flexibility Application

Stephanie, Rachel, Doug & Albert-

On behalf of Secretary Lowery, I wanted to let you know that DDOE submitted a letter of intent to USED to apply for ESEA flexibility on behalf of the state, local education agencies, and schools. DDOE intends to submit the request during the second submission window, by mid-February 2012.

DDOE wants to ensure our application meets the high bar set forth by USED for strong and comprehensive applications. To that end, we want to allocate enough time to engage key constituencies throughout the state to maximize this opportunity for our students, educators and schools. DDOE is particularly interested in working with state and local leaders over the coming months to identify a new accountability system that reflects our college- and career- ready expectations as well as other efforts underway through state and local education reform plans.

We'll continue to update you as we move forward. However, If you have any questions now, please contact Dr. Susan Haberstroh at shaberstroh@doe.k12.de.us or (302) 735-4008.

Respectfully-
Dan

Daniel E. Cruce, Esq.
Deputy Secretary/Chief of Staff

Delaware Department of Education
401 Federal Street, Suite #2
Dover, DE 19901-3639
302.735.4005 (T) 302.735.4654 (F)

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Please consider the environment before printing this e-mail

From: Cruce Daniel
Sent: Thursday, October 13, 2011 4:13 PM
To: **sfrancis@edsba.org; G. Scott Reihm (sreihm@edasa.org); 'Howard.Weinberg@DSEA.ORG'; Deborah Stevens; Frederika Jenner (frederika.jenner@dsea.org); Meece Gregory; Gray Teri Lowery Lillian; Rogers Linda; Hodges Amelia; Bishop Lisa; Haberstroh Susan Keene; Reihm Joanne; Johnson Donna R; Kepner Alison**
Cc:
Subject: Delaware's ESEA Flexibility Application

Colleagues-

On behalf of Secretary Lowery, I wanted to let you know that DDOE submitted a letter of intent to USED to apply for ESEA flexibility on behalf of the state, local education agencies, and schools. DDOE intends to submit the request during the second submission window, by mid-February 2012.

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Respectfully-
Dan

Daniel E. Cruce, Esq.
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Please consider the environment before printing this e-mail

From: Cruce Daniel
Sent: Saturday, December 10, 2011 12:20 PM
To: Wilson Jim; Taber Rebecca; Dr. David C. Ring Jr.; Schooley Terry; Lowery Lillian; Santiago Yvette; Meece Gregory; Herdman Paul; Francis Sue; Denn Matthew; Ranji Jennifer; Dianasis Ernest; Czeizinger Robert; Gray Teri; Wolfe James; Schoenhals Skip; Rogers Karen Field; Stetter Michael; Rich Daniel; Phillips Alan; Hancharick Terri; Wilson Deborah; Hodges Amelia; Falcon Emily; Laffey Maureen; Strauss Wendy; Haberstroh Susan Keene; Robinson Chad; Morton Michael; Jenner Frederika; Harrell Paul; Reihm Scott; Wilson Jacquelyn; Stevens Deborah; Taylor John; Byrd Rebecca; Jacobson Dori; Corbin Edie; Lopez Wanda; Sokola David; Donohue Diane; Cruce Daniel; Weinberg Howard; Rogers Linda; Lee Susanna; Johnson Donna R; Uhey Ruth; Dupont There; Wolak Marian
Cc: DOE
Subject: Two IAT Calls to Vet Delaware's ESEA Flexibility Application Constituent Feedback
Attachments: ESEA Flexibility Principles 1 3 and 4 DRAFT v2 12 1 11.docx; ESEA Flexibility-Principle 2 DRAFT v10 121011.docx; Timeline for ESEA Flex Application Work 12 10 11.docx

IAT Members-

As you know, your service to the State as a member Delaware's Innovation Action Team (IAT) laid the foundation for our first place Race to the Top application win. The State will forever be in debt to you all for your respective leadership in that endeavor. We are now approaching an opportunity similarly important to that previous work with our State application for flexibility from the current Elementary and Secondary Education Act (ESEA)—often now referred to as No Child Left Behind (NCLB).

DDOE plans to submit an application to USED for ESEA Flexibility in February, 2012. Federal guidance requires Delaware to address the following four principles in our application:

- Principle 1: College- and Career-Ready Expectations for All Students
- Principle 2: State-Developed Differentiated Recognition, Accountability and Support
- Principle 3: Supporting Effective Instruction and Leadership
- Principle 4: Reducing Duplication and Unnecessary Burden

More information on this USED process may be found here: <http://www.ed.gov/esea/flexibility>.

The drafts of all four Principles are attached to this email as is our constituent engagement timeline.

We are in the process of receiving feedback from our constituents on all four Principles now. To keep our work and the final product transparent, we would like to vet this feedback not exclusively within DDOE, but rather with the IAT. We feel this process will best serve our Delaware community.

We know your schedules are extremely busy, so DDOE will do everything possible to handle all details. We will have all feedback organized for discussion. To best facilitate this process, we will conduct two meetings—both by teleconference/webinar. We will also break out the Principles into two groups:

- Principles 1, 3 & 4
 - Friday, 12/16 – Noon–3PM

- Principle 2
 - Tuesday, 12/20 – Noon–3PM

The dial in number and pass code is the same for both:

- Number: 800-391-2548 Pass code: 90526101#

Thank you in advance for your time and leadership. Please RSVP to Lisa Bishop, Special Assistant to the Secretary, at lbishop@doe.k12.de.us to ensure we have enough phone lines for both days.

A meeting invite will go out as well with this information for your calendar.

Respectfully-
Dan

Daniel E. Cruce, Esq.
Deputy Secretary/Chief of Staff
Delaware Department of Education
401 Federal Street, Suite #2
Dover, DE 19901-3639
302.735.4005 (T) 302.735.4654 (F)

Delaware Department of Education to host community meetings

Release Date: Dec 19, 2011 11:15 AM

--Public can learn more about state's federal flexibility application at evening meetings in each county ---

The Delaware Department of Education will host a public meeting in each county to share and seek public feedback on the state's accountability flexibility proposal. In September, President Obama and U.S. Secretary of Education Arne Duncan announced flexibility from some provisions of the No Child Left Behind act in exchange for aggressive state-led reforms. Eleven states submitted applications during the first round this fall, and Delaware is among 30 expected to file in the second round in February.

The state's draft proposal was posted earlier this month [online](#), but the meetings will give Secretary of Education Dr. Lillian M. Lowery the opportunity to explain the provisions to the public and to collect feedback that will inform the state's final submission.

The meeting times and locations are:

6 p.m., Wed., Jan. 4 at the James Gilliam Conference Center, 77 Reeds Way, New Castle.

6 p.m., Wed., Jan. 11 at Kent County Government Building, Room 220, Dover.

6 p.m., Thurs., Jan. 19, Sussex County Government Building, The Circle, Georgetown.

Delaware's Department of Education is committed to promoting the highest quality education for every Delaware student by providing visionary leadership and superior service.

Contact Info.

Alison Kepner
Delaware Department of Education
401 Federal Street, Suite #2
Dover, Delaware 19901
Phone: (302) 735-4035
Fax: (302) 739-4654
Email: akepner@doe.k12.de.us

Tuesday, January 3, 2012

City:
State:
Section: OPINION
Page:
From:
Source:
Edition:
Publication: The News Journal

Flexibility in No Child standards a welcome opportunity

By LILLIAN LOWERY

Almost 10 years ago, the federal No Child Left Behind (NCLB) Act began requiring states to report disaggregated student test scores. Aggregated results had masked serious deficiencies among many of our country's most vulnerable students. The law's great legacy is bringing accountability for states, districts, schools and teachers to the forefront, but it also has its flaws.

Recognizing this, in September, President Obama and U.S. Secretary of Education Arne Duncan offered states the chance to apply for flexibility from certain requirements of the law in exchange for aggressive state-led reform. Eleven states applied during the first round in November, and Delaware is among 30 expected to apply in February for the second round.

If our plan is approved, Delaware will get flexibility in the setting of realistic student proficiency targets. In other words, schools would not be required to meet NCLB's requirement that 100 percent of students achieve proficiency by 2013-14 or be subject to sanctions, such as school improvement, corrective action and restructuring.

Schools also would gain more flexibility with some funding, such as dollars designated for choice and supplemental education services. The purpose is to allow districts and schools the opportunity to adopt and implement meaningful improvements to benefit their students.

This is a welcome opportunity. Obama and Duncan understand the need to move away from the unrealistic and unfair goals of a finite annual target in a finite period of time for all students.

To gain approval, states must address four major reform areas in their applications: college- and career-ready expectations for all students; differentiated recognition, accountability and support for schools based on their performance; supporting effective instruction and leadership; and reducing duplication and unnecessary burden. Thanks to the state's top-ranked federal Race to the Top plan, Delaware already has initiatives in place to meet the first, third

and fourth principles. But the second principle will require major change, namely a new system for school recognition, accountability and support.

Delaware's proposal targets the state's achievement gaps, aiming to reduce by half the number of non-proficient students in 11 subgroups by 2017.

Gone would be the old, and confusing, way of ranking schools with the labels of "superior," "commendable," and "academic watch" and status designation, such as "under improvement." Instead, Delaware would switch to a new system -- developed by Delawareans using guidance delineated by the U.S. Department of Education -- that places schools in classifications ranging from Reward and Recognition (for the top performing schools) to Focus and Partnership Zone (for the lowest performing schools). In addition, there will be a support system for all schools regardless of their possible classification.

Reward and Recognition schools would be eligible for financial awards by revising the current award programs. Focus and Partnership Zone schools would receive the most intense state support and interventions, ensuring these buildings have the assistance they need to meet student needs. Delaware already has some of this work underway, thanks to our Race to the Top-funded Partnership Zone schools, which are undergoing aggressive reforms with the support of the state's School Turnaround Unit.

The state's full draft plan is available online for public review at: www.doe.k12.de.us/infosuites/ddoc/flex.shtml

While this opportunity for change is exciting, I know it also can be confusing. Although flawed, the old system at least is recognizable to educators, parents and other community members. So many new rules, names and school classifications can be overwhelming even to those well versed in education matters.

That's why I hope you will join us at one of three community meetings this month so we can explain this proposal in more detail.

The evening meetings -- one per county -- aim to ensure all questions are answered and feedback considered before I submit our state's plan to federal officials in February. I look forward to seeing you there.

Lillian Lowery is Delaware's Secretary of Education.

COMMUNITY MEETINGS

» 6 p.m., Wednesday at the James Gilliam Conference Center, 77 Reads Way, New Castle

» 6 p.m., Jan. 11 at Kent County Government Building, Room 220, Dover

» 6 p.m., Jan. 19, Sussex County Government Building, The Circle, Georgetown.

Attachment 4 - Evidence of that the State has adopted the standards, consistent with the State's standards adoption process

- A. Delaware transition plan -
<http://www.doe.k12.de.us/infosuites/staff/ci/files/commonstandards/CCSSTransitionPlan.doc>
- B. State Broad vote to adopt CCSS – August 2010 --
<http://www.doe.k12.de.us/news/2010/0819b.shtml>



**TITLE 14 EDUCATION
DELAWARE ADMINISTRATIVE CODE**

1

500 Curriculum and Instruction

501 State Content Standards

1.0 Instructional Programs

- 1.1 Instructional programs offered in the public schools of Delaware shall be in alignment with the appropriate content standards documents. These documents are: English Language Arts Curriculum Framework, Mathematics Curriculum Framework, Science Curriculum Framework, Social Studies Curriculum Framework, Health Education Curriculum Framework and Assessment, Physical Education Content Standards, Visual and Performing Arts Content Standards, Agriscience Curriculum Framework Content Standards, Business Finance and Marketing Education Curriculum Framework Content Standards, World Language Curriculum Framework Content Standards, Technology Education Curriculum Framework Content Standards, Skilled and Technical Sciences Content Standards and the Family and Consumer Sciences Content Standards.
 - 1.1.1 The content standards documents may from time to time hereafter be amended with the approval of the Secretary and the State Board of Education.
 - 1.1.1.1 Effective with the 2010-2011 school year, Delaware Content Standards in English language arts and mathematics shall be comprised of the Common Core Standards developed in partnership with the National Governors Association and the Council of Chief State School Officers.
 - 1.1.2 Integration of the content standards shall be provided for within and across the curricula.
 - 1.1.3 Instructional materials and curricula content shall be kept current and consistent with provisions of 14 DE Admin. Code 502 Alignment of Local School District Curricula to the State Content Standards and 14 DE Admin. Code 503 Instructional Program Requirements.

- 1 DE Reg. 153 (8/1/97)
- 1 DE Reg. 729 (12/1/97)
- 4 DE Reg. 343 (8/1/00)
- 4 DE Reg. 850 (10/1/00)
- 4 DE Reg. 853 (11/1/00)
- 5 DE Reg. 865 (10/1/01)
- 8 DE Reg. 445 (9/1/04)
- 13 DE Reg. 256 (8/1/09)
- 14 DE Reg. 167 (09/01/10)

Attachment 6 – DE MOU with SBAC

SMARTER Balanced Assessment Consortium MOU

Memorandum of Understanding

SMARTER Balanced Assessment Consortium

**Race to the Top Fund Assessment Program: Comprehensive Assessment
Systems Grant Application**

CFDA Number: 84.395B

This Memorandum of Understanding (“MOU”) is entered as of **May 28, 2010**, by and between the **SMARTER Balanced Assessment Consortium** (the “Consortium”) and the **State of Delaware**, which has elected to participate in the Consortium as (check one)

An Advisory State (description in section e),

OR

A Governing State (description in section e),

pursuant to the Notice Inviting Applications for the Race to the Top Fund Assessment Program for the Comprehensive Assessment Systems Grant Application (Category A), henceforth referred to as the “Program,” as published in the Federal Register on April 9, 2010 (75 FR 18171-18185).

The purpose of this MOU is to

- (a) Describe the Consortium vision and principles,
- (b) Detail the responsibilities of States in the Consortium,
- (c) Detail the responsibilities of the Consortium,
- (d) Describe the management of Consortium funds,
- (e) Describe the governance structure and activities of States in the Consortium,
- (f) Describe State entrance, exit, and status change,
- (g) Describe a plan for identifying existing State barriers, and
- (h) Bind each State in the Consortium to every statement and assurance made in the application through the following signature blocks:

(i)(A) Advisory State Assurance

OR

(i)(B) Governing State Assurance

AND

(ii) State Procurement Officer

May 14, 2010

1

(a) Consortium Vision and Principles

The Consortium's priorities for a new generation assessment system are rooted in a concern for the valid, reliable, and fair assessment of the deep disciplinary understanding and higher-order thinking skills that are increasingly demanded by a knowledge-based economy. These priorities are also rooted in a belief that assessment must support ongoing improvements in instruction and learning, and must be useful for all members of the educational enterprise: students, parents, teachers, school administrators, members of the public, and policymakers.

The Consortium intends to build a flexible system of assessment based upon the Common Core Standards in English language arts and mathematics with the intent that all students across this Consortium of States will know their progress toward college and career readiness.

The Consortium recognizes the need for a system of formative, interim, and summative assessments—organized around the Common Core Standards—that support high-quality learning, the demands of accountability, and that balance concerns for innovative assessment with the need for a fiscally sustainable system that is feasible to implement. The efforts of the Consortium will be organized to accomplish these goals.

The comprehensive assessment system developed by the Consortium will include the following key elements and principles:

1. A Comprehensive Assessment System that will be grounded in a thoughtfully integrated learning system of standards, curriculum, assessment, instruction and teacher development that will inform decision-making by including formative strategies, interim assessments, and summative assessments.
2. The assessment system will measure the full range of the Common Core Standards including those that measure higher-order skills and will inform progress toward and acquisition of readiness for higher education and multiple work domains. The system will emphasize deep knowledge of core concepts within and across the disciplines; problem solving, analysis, synthesis, and critical thinking.
3. Teachers will be involved in the design, development, and scoring of assessment items and tasks. Teachers will participate in the alignment of the Common Core Standards and the identification of the standards in the local curriculum.
4. Technology will be used to enable adaptive technologies to better measure student abilities across the full spectrum of student performance and evaluate growth in learning; to support online simulation tasks that test higher-order abilities; to score the results; and to deliver the responses to trained scorers/teachers to access from an

SMARTER Balanced Assessment Consortium MOU

electronic platform. Technology applications will be designed to maximize interoperability across user platforms, and will utilize open-source development to the greatest extent possible.

5. A sophisticated design will yield scores to support evaluations of student growth, as well as school, teacher, and principal effectiveness in an efficient manner.
6. On-demand and curriculum-embedded assessments will be incorporated over time to allow teachers to see where students are on multiple dimensions of learning and to strategically support their progress.
7. All components of the system will incorporate principles of Universal Design that seek to remove construct-irrelevant aspects of tasks that could increase barriers for non-native English speakers and students with other specific learning needs.
8. Optional components will allow States flexibility to meet their individual needs.

(b) Responsibilities of States in the Consortium

Each State agrees to the following element of the Consortium's Assessment System:

- Adopt the Common Core Standards, which are college- and career-ready standards, and to which the Consortium's assessment system will be aligned, no later than December 31, 2011.

Each State that is a member of the Consortium in 2014–2015 also agrees to the following:

- Adopt common achievement standards no later than the 2014–2015 school year,
- Fully implement statewide the Consortium summative assessment in grades 3-8 and high school for both mathematics and English language arts no later than the 2014–2015 school year,
- Adhere to the governance as outlined in this document,
- Agree to support the decisions of the Consortium,
- Agree to follow agreed-upon timelines,
- Be willing to participate in the decision-making process and, if a Governing State, final decision, and
- Identify and implement a plan to address barriers in State law, statute, regulation, or policy to implementing the proposed assessment system and to addressing any such barriers prior to full implementation of the summative assessment components of the system.

(c) Responsibilities of the Consortium

The Consortium will provide the following by the 2014-15 school year:

1. A comprehensively designed assessment system that includes a strategic use of a variety of item types and performance assessments of modest scope to assess the full range of the Common Core Standards with an emphasis on problem solving, analysis, synthesis, and critical thinking.
2. An assessment system that incorporates a required summative assessment with optional formative/benchmark components which provides accurate assessment of all students (as defined in the Federal notice) including students with disabilities, English learners, and low- and high-performing students.
3. Except as described above, a summative assessment that will be administered as a computer adaptive assessment and include a minimum of 1–2 performance assessments of modest scope.
4. Psychometrically sound scaling and equating procedures based on a combination of objectively scored items, constructed-response items, and a modest number of performance tasks of limited scope (e.g., no more than a few days to complete).
5. Reliable, valid, and fair scores for students and groups that can be used to evaluate student achievement and year-to-year growth; determine school/district/state effectiveness for Title I ESEA; and better understand the effectiveness and professional development needs of teachers and principals.
6. Achievement standards and achievement level descriptors that are internationally benchmarked.
7. Access for the State or its authorized delegate to a secure item and task bank that includes psychometric attributes required to score the assessment in a comparable manner with other State members, and access to other applications determined to be essential to the implementation of the system.
8. Online administration with limited support for paper-and-pencil administration through the end of the 2016–17 school year. States using the paper-and-pencil option will be responsible for any unique costs associated with the development and administration of the paper-and-pencil assessments.

SMARTER Balanced Assessment Consortium MOU

9. Formative assessment tools and supports that are developed to support curricular goals, which include learning progressions, and that link evidence of student competencies to the summative system.
10. Professional development focused on curriculum and lesson development as well as scoring and examination of student work.
11. A representative governance structure that ensures a strong voice for State administrators, policymakers, school practitioners, and technical advisors to ensure an optimum balance of assessment quality, efficiency, costs, and time. The governance body will be responsible for implementing plans that are consistent with this MOU, but may make changes as necessary through a formal adoption process.
12. Through at least the 2013–14 school year, a Project Management Partner (PMP) that will manage the logistics and planning on behalf of the Consortium and that will monitor for the U.S. Department of Education the progress of deliverables of the proposal. The proposed PMP will be identified no later than August 4, 2010.
13. By September 1, 2014, a financial plan will be approved by the Governing States that will ensure the Consortium is efficient, effective, and sustainable. The plan will include as revenue at a minimum, State contributions, federal grants, and private donations and fees to non-State members as allowable by the U.S. Department of Education.
14. A consolidated data reporting system that enhances parent, student, teacher, principal, district, and State understanding of student progress toward college- and career-readiness.
15. Throughout the 2013–14 school year, access to an online test administration application, student constructed-response scoring application and secure test administration browsers that can be used by the Total State Membership to administer the assessment. The Consortium will procure resources necessary to develop and field test the system. However, States will be responsible for any hardware and vendor services necessary to implement the operational assessment. Based on a review of options and the finance plan, the Consortium may elect to jointly procure these services on behalf of the Total State Membership.

(d) Management of Consortium Funds

All financial activities will be governed by the laws and rules of the State of Washington, acting in the role of Lead Procurement State/Lead State, and in accordance with 34 CFR 80.36. Additionally, Washington is prepared to follow the guidelines for grant management associated with the American Recovery and Reinvestment Act (ARRA), and will be legally responsible for the use of grant funds and for ensuring that the project is carried out by the Consortium in accordance with Federal requirements. Washington has already established an ARRA Quarterly reporting system (also referred to as *1512 Reporting*).

Per Washington statute, the basis of how funding management actually transpires is dictated by the method of grant dollar allocation, whether upfront distribution or pay-out linked to actual reimbursables. Washington functions under the latter format, generating claims against grant funds based on qualifying reimbursables submitted on behalf of staff or clients, physical purchases, or contracted services. Washington's role as Lead Procurement State/Lead State for the Consortium is not viewed any differently, as monetary exchanges will be executed against appropriate and qualifying reimbursables aligned to expenditure arrangements (i.e., contracts) made with vendors or contractors operating under "personal service contracts," whether individuals, private companies, government agencies, or educational institutions.

Washington, like most States, is audited regularly by the federal government for the accountability of federal grant funds, and has for the past five years been without an audit finding. Even with the additional potential for review and scrutiny associated with ARRA funding, Washington has its fiscal monitoring and control systems in place to manage the Consortium needs.

- As part of a comprehensive system of fiscal management, Washington's accounting practices are stipulated in the State Administrative and Accounting Manual (SAAM) managed by the State's Office of Financial Management. The SAAM provides details and administrative procedures required of all Washington State agencies for the procurement of goods and services. As such, the State's educational agency is required to follow the SAAM; actions taken to manage the fiscal activities of the Consortium will, likewise, adhere to policies and procedures outlined in the SAAM.
- For information on the associated contracting rules that Washington will adhere to while serving as fiscal agent on behalf of the Consortium, refer to the Revised Code of Washington (RCW) 39.29 "Personal Service Contracts." Regulations and policies authorized by this RCW are established by the State's Office of Financial Management, and can be found in the SAAM.

(e) Governance Structure and Activities of States in the Consortium

As shown in the SMARTER Balanced Assessment Consortium governance structure, the Total State Membership of the Consortium includes Governing and Advisory States, with Washington serving in the role of Lead Procurement State/Lead State on behalf of the Consortium.

A **Governing State** is a State that:

- Has fully committed to this Consortium only and met the qualifications specified in this document,
- Is a member of only one Consortium applying for a grant in the Program,
- Has an active role in policy decision-making for the Consortium,
- Provides a representative to serve on the Steering Committee,
- Provides a representative(s) to serve on one or more Work Groups,
- Approves the Steering Committee Members and the Executive Committee Members,
- Participates in the final decision-making of the following:
 - Changes in Governance and other official documents,
 - Specific Design elements, and
 - Other issues that may arise.

An **Advisory State** is a State that:

- Has not fully committed to any Consortium but supports the work of this Consortium,
- Participates in all Consortium activities but does not have a vote unless the Steering Committee deems it beneficial to gather input on decisions or chooses to have the Total Membership vote on an issue,
- May contribute to policy, logistical, and implementation discussions that are necessary to fully operationalize the SMARTER Balanced Assessment System, and
- Is encouraged to participate in the Work Groups.

Organizational Structure

Steering Committee

The Steering Committee is comprised of one representative from each Governing State in the Consortium. Committee members may be a chief or his/her designee. Steering Committee Members must meet the following criteria:

- Be from a Governing State,
- Have prior experience in either the design or implementation of curriculum and/or assessment systems at the policy or implementation level, and
- Must have willingness to serve as the liaison between the Total State Membership and Working Groups.

Steering Committee Responsibilities

- Determine the broad picture of what the assessment system will look like,

SMARTER Balanced Assessment Consortium MOU

- Receive regular reports from the Project Management Partner, the Policy Coordinator, and the Content Advisor,
- Determine the issues to be presented to the Governing and/or Advisory States,
- Oversee the expenditure of funds in collaboration with the Lead Procurement State/Lead State,
- Operationalize the plan to transition from the proposal governance to implementation governance, and
- Evaluate and recommend successful contract proposals for approval by the Lead Procurement State/Lead State.

Executive Committee

- The Executive Committee is made up of the Co-Chairs of the Executive Committee, a representative from the Lead Procurement State/Lead State, a representative from higher education and one representative each from four Governing States. The four Governing State representatives will be selected by the Steering Committee. The Higher Education representative will be selected by the Higher Education Advisory Group, as defined in the Consortium Governance document.
- For the first year, the Steering Committee will vote on four representatives, one each from four Governing States. The two representatives with the most votes will serve for three years and the two representatives with the second highest votes will serve for two years. This process will allow for the rotation of two new representatives each year. If an individual is unable to complete the full term of office, then the above process will occur to choose an individual to serve for the remainder of the term of office.

Executive Committee Responsibilities

- Oversee development of SMARTER Balanced Comprehensive Assessment System,
- Provide oversight of the Project Management Partner,
- Provide oversight of the Policy Coordinator,
- Provide oversight of the Lead Procurement State/Lead State,
- Work with project staff to develop agendas,
- Resolve issues,
- Determine what issues/decisions are presented to the Steering Committee, Advisory and/or Governing States for decisions/votes,
- Oversee the expenditure of funds, in collaboration with the Lead Procurement State/Lead State, and
- Receive and act on special and regular reports from the Project Management Partner, the Policy Coordinator, the Content Advisor, and the Lead Procurement State/Lead State.

SMARTER Balanced Assessment Consortium MOU

Executive Committee Co-Chairs

- Two Co-chairs will be selected from the Steering Committee States. The two Co-chairs must be from two different states. Co-chairs will work closely with the Project Management Partner. Steering Committee members wishing to serve as Executive Committee Co-chairs will submit in writing to the Project Management Partner their willingness to serve. They will need to provide a document signed by their State Chief indicating State support for this role. The Project Management Partner will then prepare a ballot of interested individuals. Each Steering Committee member will vote on the two individuals they wish to serve as Co-chair. The individual with the most votes will serve as the new Co-chair.
- Each Co-chair will serve for two years on a rotating basis. For the first year, the Steering committee will vote on two individuals and the one individual with the most votes will serve a three-year term and the individual with the second highest number of votes will serve a two-year term.
- If an individual is unable to complete the full term of office, then the above process will occur to choose an individual to serve for the remainder of the term of office.

Executive Committee Co-Chair Responsibilities

- Set the Steering Committee agendas,
- Set the Executive Committee agenda,
- Lead the Executive Committee meetings,
- Lead the Steering Committee meetings,
- Oversee the work of the Executive Committee,
- Oversee the work of the Steering Committee,
- Coordinate with the Project Management Partner,
- Coordinate with Content Advisor,
- Coordinate with Policy coordinator,
- Coordinate with the Technical Advisory Committee (TAC); and
- Coordinate with Executive Committee to provide oversight to the Consortium.

Decision-making

Consensus will be the goal of all decisions. Major decisions that do not reach consensus will go to a simple majority vote. The Steering Committee will determine what issues will be referred to the Total State Membership. Each member of each group (Advisory/Governing States, Steering Committee, Executive Committee) will have one vote when votes are conducted within each group. If there is only a one to three vote difference, the issue will be re-examined to seek greater consensus. The Steering Committee will be responsible for preparing additional information as to the pros and cons of the issue to assist voting States in developing consensus and reaching a final decision. The Steering Committee may delegate this responsibility to the Executive Committee. The Executive Committee will decide which decisions or issues are votes to

SMARTER Balanced Assessment Consortium MOU

be taken to the Steering Committee. The Steering Committee makes the decision to take issues to the full Membership for a vote.

The Steering Committee and the Governance/Finance work group will collaborate with each Work Group to determine the hierarchy of the decision-making by each group in the organizational structure.

Work Groups

The Work Groups are comprised of chiefs, assessment directors, assessment staff, curriculum specialists, professional development specialists, technical advisors and other specialists as needed from States. Participation on a workgroup will require varying amounts of time depending on the task. Individuals interested in participating on a Work Group should submit their request in writing to the Project Management Partner indicating their preferred subgroup. All Governing States are asked to commit to one or more Work Groups based on skills, expertise, and interest within the State to maximize contributions and distribute expertise and responsibilities efficiently and effectively. The Consortium has established the following Work Groups:

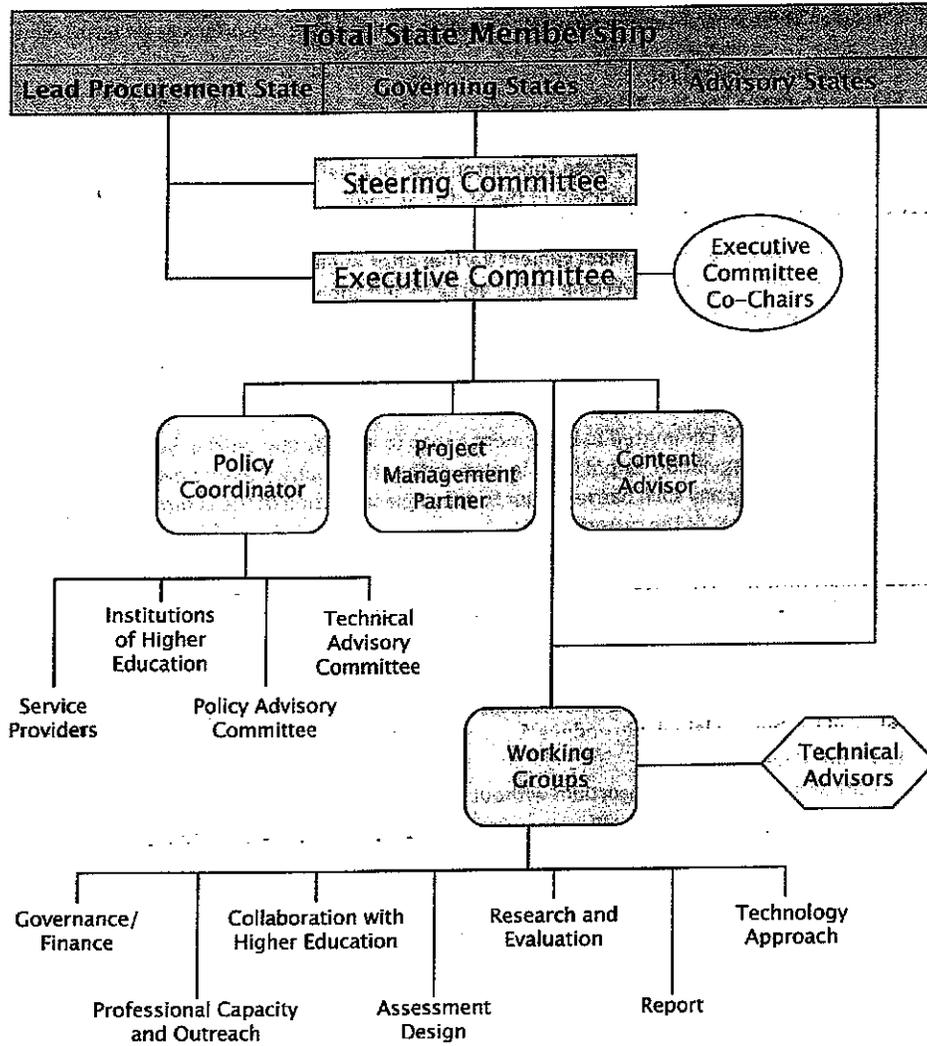
- Governance/Finance,
- Assessment Design,
- Research and Evaluation,
- Report,
- Technology Approach,
- Professional Capacity and Outreach, and
- Collaboration with Higher Education.

The Consortium will also support the work of the Work Groups through a Technical Advisory Committee (TAC). The Policy Coordinator in collaboration with the Steering Committee will create various groups as needed to advise the Steering Committee and the Total State Membership. Initial groups will include

- Institutions of Higher Education,
- Technical Advisory Committee,
- Policy Advisory Committee, and
- Service Providers.

An organizational chart showing the groups described above is provided on the next page.

SMARTER Balanced Assessment Consortium Organizational Structure



SMARTER Balanced Assessment Consortium MOU

(f) State Entrance, Exit, and Status Change

This MOU shall become effective as of the date first written above upon signature by both the Consortium and the Lead Procurement State/Lead State (Washington) and remain in force until the conclusion of the Program, unless terminated earlier in writing by the Consortium as set forth below.

Entrance into Consortium

Entrance into the Smarter Balanced Assessment Consortium is assured when:

- The level of membership is declared and signatures are secured on the MOU from the State's Commissioner, State Superintendent, or Chief; Governor; and President/Chair of the State Board of Education (if the State has one);
- The signed MOU is submitted to the Consortium Grant Project Manager (until June 23) and then the Project Management Partner after August 4, 2010;
- The Advisory and Governing States agree to and adhere to the requirements of the governance;
- The State's Chief Procurement Officer has reviewed its applicable procurement rules and provided assurance that it may participate in and make procurements through the Consortium;
- The State is committed to implement a plan to identify any existing barriers in State law, statute, regulation, or policy to implementing the proposed assessment system and to addressing any such barriers prior to full implementation of the summative assessment components of the system; and
- The State agrees to support all decisions made prior to the State joining the Consortium.

After receipt of the grant award, any request for entrance into the Consortium must be approved by the Executive Committee. Upon approval, the Project Management Partner will then submit a change of membership to the USED for approval. A State may begin participating in the decision-making process after receipt of the MOU.

Exit from Consortium

Any State may leave the Consortium without cause, but must comply with the following exit process:

- A State requesting an exit from the Consortium must submit in writing their request and reasons for the exit request,
- The written explanation must include the statutory or policy reasons for the exit,
- The written request must be submitted to the Project Management Partner with the same signatures as required for the MOU,
- The Executive Committee will act upon the request within a week of the request, and
- Upon approval of the request, the Project Management Partner will then submit a change of membership to the USED for approval.

SMARTER Balanced Assessment Consortium MOU

Changing Roles in the Consortium

A State desiring to change from an Advisory State to a Governing State or from a Governing State to an Advisory State may do so under the following conditions:

- A State requesting a role change in the Consortium must submit in writing their request and reasons for the request,
- The written request must be submitted to the Project Management Partner with the same signatures as required for the MOU, and
- The Executive Committee will act upon the request within a week of the request and submit to the USED for approval.

SMARTER Balanced Assessment Consortium MOU

(g) Plan for Identifying Existing State Barriers

Each State agrees to identify existing barriers in State laws, statutes, regulations, or policies by noting the barrier and the plan to remove the barrier. Each State agrees to use the table below as a planning tool for identifying existing barriers. States may choose to include any known barriers in the table below at the time of signing this MOU.

Barrier	Issue/Risk of Issue (If known)	Statute, Regulation, or Policy	Governing Body with Authority to Remove Barrier	Approximate Date to Initiate Action	Target Date for Removal of Barrier	Comments
State may have to update legislation to support grant	Risk	Statue	Legislature	January 2013	June 2013	Specifics Unknown
Regulation update may be necessary to support grant	Risk	Regulation	State Board	September 2010	December 2011	Specifics Unknown
State will want to assure financial sustainability	Risk	Policy	Delaware Department of Education	Ongoing	September 2014	Specifics Unknown
State will not want to adopt an assessment lesser than available	Risk	Policy	Delaware Department of Education	September 2010	September 2014	Specifics Unknown
State may need to exit the consortium	Issue	Policy	U.S. Department of Education	July 2014	September 2014	Approval Language is Unclear

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SMARTER Balanced Assessment Consortium MOU

(h) Bind each State in the Consortium to every statement and assurance made in the application through the following signature blocks

<p>(h)(i)(A) ADVISORY STATE SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances.</p> <p><i>(Required from all "Advisory States" in the Consortium.)</i></p> <p>As an <u>Advisory State</u> in the SMARTER Balanced Assessment Consortium, I have read and understand the roles and responsibilities of Advisory States, and agree to be bound by the statements and assurances made in the application.</p>	
<p>State Name: DELAWARE</p>	
<p>Governor or Authorized Representative of the Governor (Printed Name): Governor Jack Markell</p>	<p>Telephone: (302) 744-4101</p>
<p>Signature of Governor or Authorized Representative of the Governor: <i>Jack Markell</i></p>	<p>Date: 6/9/2010</p>
<p>Chief State School Officer (Printed Name): Dr. Lillian M. Lowery, Secretary of Education</p>	<p>Telephone: (302) 735-4000</p>
<p>Signature of the Chief State School Officer: <i>Lillian M. Lowery</i></p>	<p>Date: 6/10/2010</p>
<p>President of the State Board of Education, if applicable (Printed Name): Dr. Teri Quinn Gray</p>	<p>Telephone: (302) 735-4010</p>
<p>Signature of the President of the State Board of Education, if applicable: <i>Teri Quinn Gray</i></p>	<p>Date: 6/10/2010</p>

SMARTER Balanced Assessment Consortium MOU

<p>(h)(i)(B) GOVERNING STATE SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances</p> <p><i>(Required from all "Governing States" in the Consortium.)</i></p> <p>As a <u>Governing State</u> in the SMARTER Balanced Assessment Consortium, I have read and understand the roles and responsibilities of Governing States, and agree to be bound by the statements and assurances made in the application.</p> <p>I further certify that as a Governing State I am fully committed to the application and will support its implementation.</p>	
<p>State Name:</p>	
<p>Governor or Authorized Representative of the Governor (Printed Name):</p>	<p>Telephone:</p>
<p>Signature of Governor or Authorized Representative of the Governor:</p>	<p>Date:</p>
<p>Chief State School Officer (Printed Name):</p>	<p>Telephone:</p>
<p>Signature of the Chief State School Officer:</p>	<p>Date:</p>
<p>President of the State Board of Education, if applicable (Printed Name):</p>	<p>Telephone:</p>
<p>Signature of the President of the State Board of Education, if applicable:</p>	<p>Date:</p>

SMARTER Balanced Assessment Consortium MOU

(h)(ii) STATE PROCUREMENT OFFICER SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances.	
<i>(Required from all States in the Consortium.)</i>	
I certify that I have reviewed the applicable procurement rules for my State and have determined that it may participate in and make procurements through the SMARTER Balanced Assessment Consortium.	
State Name: DELAWARE	
State's chief procurement official (or designee), (Printed Name): Karen Field Rogers Associate Secretary/Chief Financial Officer Financial Reform & Resource Management	Telephone: (302) 735-4025
Signature of State's chief procurement official (or designee): 	Date: 6/10/10

The following represents our request to become a Governing State:



DEPARTMENT OF EDUCATION

The Townsend Building
401 Federal Street Suite 2
Dover, Delaware 19901-3639
DOE WEBSITE: <http://www.doe.k12.de.us>

Lillian M. Lowery, Ed.D.
Secretary of Education
Voice: (302) 735-4000
FAX: (302) 739-4654

August 23, 2011

Joseph Willhoff, Ph.D.
Executive Director
SMARTER Balanced Assessment Consortium
Old Capitol Building
PO Box 47200
600 Washington Street, S.E.
Olympia, WA 98504-7200

Dear Dr. Willhoff:

This letter concerns Delaware's request to change to 'Governing State' status

As you are aware, Delaware has participated in the *SMARTER* Balanced Assessment Consortium (SBAC) since the beginning as an Advisory state. We have held similar status in the other Assessment Consortium. Through our work and interactions with both consortiums, we have recognized the many ways in which the work and direction of SBAC components mirror our own efforts and values with regard to formative and summative assessment here in Delaware. As you are aware, Delaware launched an online adaptive assessment that we refer to as the Delaware Comprehensive Assessment System (DCAS) at the beginning of the 2010-2011 school year. We have gained valuable experience and insight into the potential for online adaptive assessment in the role of informing instructional decision-making at the classroom and school level and are endeavoring to design policy and procedure around the application of DCAS results to inform our teacher evaluation system initiative. Additionally, the Delaware Department of Education and the Governor's Office have received reports from Delaware staff directly involved in the various SBAC committees. This feedback has included the value placed on stakeholder input and the extent to which SBAC leadership is endeavoring to assure a quality framework for the assessments with clear linkages to the Common Core Standards and the best practices in assessment.

Based on our solid experiences with SBAC to date, and in order to participate to a greater extent in the critical decisions and work in the months ahead, we as a state now apply for **Governing State** status in the *SMARTER* Balanced Assessment Consortium. In accordance with this, we therefore agree to abide by the assurances and requirements outlined in the Memorandum of Understanding section for Governing States.

EDUCATION INFO LINE
(877) 838-3787

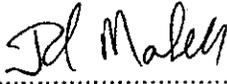
THE DELAWARE DEPARTMENT OF EDUCATION IS AN EQUAL OPPORTUNITY EMPLOYER. IT DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, SEXUAL ORIENTATION, MARITAL STATUS, DISABILITY, AGE OR VIETNAM ERA VETERAN'S STATUS IN EMPLOYMENT, OR ITS PROGRAMS AND ACTIVITIES.

TEACHER CERTIFICATION INFO:
(888) 759-9133

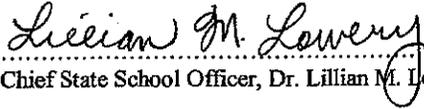
J. Willhoft, Ph.D. Executive Director
SMARTER Balanced Assessment Consortium
August 23, 2011

By our signatures, you have our full support for the work of the consortium. It is our hope that our application for **Governing State** status can be acted upon at your earliest convenience. If you require additional information in support of this request for change of status to Governing State, please contact Dr. Linda Rogers, Associate Secretary, Teaching and Learning Branch.

Yours truly,



.....
Governor Jack Markell



.....
Chief State School Officer, Dr. Lillian M. Lowery



.....
President of the State Board of Education, Dr. Teri Quinn Gray

MWS:je

Attachment 7:**Standards and Assessment Peer Review**

The State of Delaware implemented a new computer-adaptive test for operational use during the 2010–2011 school year. This new test, referred to as the Delaware Comprehensive Assessment System (DCAS), replaced the previously used paper-and-pencil test referred to as the Delaware State Testing Program (DSTP). As a result of this change in assessments, the Delaware Department of Education is currently working with Research in Action, Inc. (RIA) and the American Institutes for Research (AIR) to meet the requirements of the USDOE Standards and Assessment Peer Review of the DCAS.

The following represents our current timeline in this effort:

Who	What	When (NLT)	Milestone
RIA	Update current evidence in the inventory; amend response template; organize files from October	27-Jan-12	
All Parties	Conference Call re: status of Technical Report etc.	30-Jan-12	
RIA	Submit evidence RFI to DDOE	31-Jan-12	Y
AIR	Draft Volume I of technical documentation	3-Feb-12	Y
RIA/DDOE	Deadline for Volume I feedback	10-Feb-12	
DDOE	Response to RFI	14-Feb-12	
RIA	Preliminary Peer Review Template completed and on-site briefing in Dover, Delaware	15-Feb-12	Y
AIR	Draft Volume IV of technical documentation	17-Feb-12	Y
RIA/DDOE	Deadline for Volume IV feedback	24-Feb-12	
AIR	Final TM completion and ready for submission	1-Mar-12	Y
RIA	Inventory evidence; Amend Preliminary Peer Review Template; Identify any last minute issues	2-Mar-12	
DDOE	Response to issues and provide CoA	2-Mar-12	
RIA	Internal deadline for evidence and Peer Review response document pending DDOE approval	9-Mar-12	Y
All Parties	Risk assessment and CoA-Final briefing	13-Mar-12	
RIA	Dr. Lowery letter and file transfer via .ftp to DDOE	14-Mar-12	
DDOE	Transmission (CD) and 1 paper copy of files to USED	15-Mar-12	Y

Attachment 8 - Average statewide proficiency for 2010-11 in reading and mathematics

<http://dstp.doe.k12.de.us/DCASOR/Summary1.aspx?a=Reading>

<http://dstp.doe.k12.de.us/DCASOR/summary1.aspx?a=Math>

TABLE 2: REWARD, PRIORITY, AND FOCUS SCHOOLS

Provide the SEA’s list of reward, priority, and focus schools using the Table 2 template. Use the key to indicate the criteria used to identify a school as a reward, priority, or focus school.

TABLE 2: REWARD, PRIORITY, AND FOCUS SCHOOLS

LEA Name	School Name	School NCES ID #	REWARD SCHOOL	PRIORITY SCHOOL	FOCUS SCHOOL
<i>TBD</i>	<i>TBD Highest Performing Reward School</i>	<i>TBD</i>	A		
<i>TBD</i>	<i>TBD High Progress Reward School</i>	<i>TBD</i>	B		
<i>Capital</i>	<i>Dover High</i>	<i>100019000050</i>		C.	
<i>Capital</i>	<i>Fairview Elementary</i>	<i>100019000052</i>			V.
<i>Capital</i>	<i>Washington Elementary</i>	<i>100019000057</i>			V.
<i>Capital</i>	<i>William Henry Middle</i>	<i>100019000058</i>			V., VI.
<i>Christina</i>	<i>Bancroft Elementary</i>	<i>100020000233</i>		C.	
<i>Christina</i>	<i>Bayard Middle</i>	<i>100020000232</i>			VI.
<i>Christina</i>	<i>Glasgow High</i>	<i>100020000239</i>		IV.	
<i>Christina</i>	<i>Kirk Middle</i>	<i>100020000235</i>			VI.
<i>Christina</i>	<i>Newark High</i>	<i>100020000238</i>			V.
<i>Christina</i>	<i>Oberle Elementary</i>	<i>100020000343</i>			VI.
<i>Milford</i>	<i>Banneker Elementary</i>	<i>100108000107</i>			V., VI.
<i>Moyer Academy Charter</i>	<i>Moyer Academy Charter</i>	<i>100002300253</i>			VI.
<i>New Castle County Votech</i>	<i>Howard High School of Technology</i>	<i>100128000297</i>		IV.	
<i>Positive Outcomes Charter</i>	<i>Positive Outcomes Charter</i>	<i>100000500013</i>		IV.	
<i>Red Clay</i>	<i>A I duPont Middle</i>	<i>100130000272</i>			VI.
<i>Red Clay</i>	<i>Baltz Elementary</i>	<i>100130000264</i>			VI.
<i>Red Clay</i>	<i>Lewis Dual Language Elementary</i>	<i>100130000258</i>		C.	
<i>Red Clay</i>	<i>Marbrook Elementary</i>	<i>100130000255</i>		C.	
<i>Red Clay</i>	<i>Warner Elementary</i>	<i>100130000250</i>			VI.

Attachment 9

LEA Name	School Name	School NCES ID #	REWARD SCHOOL	PRIORITY SCHOOL	FOCUS SCHOOL
<i>Seaford</i>	<i>Fred Douglass Elementary</i>	<i>100153000157</i>			V., VI.
<i>Seaford</i>	<i>West Seaford Elementary</i>	<i>100153000160</i>			V.

Total # of Reward Schools: 2

Total # of Priority Schools: 8

Total # of Focus Schools: 14

Total # of Title I schools in the State: 132

Total # of Title I-participating high schools in the State with graduation rates less than 60%: 0

Key	
<p><u>Reward School Criteria:</u></p> <ul style="list-style-type: none"> A. Highest-performing school B. High-progress school <p><u>Priority School Criteria:</u></p> <ul style="list-style-type: none"> C. Among the lowest five percent of Title I schools in the State based on the proficiency and lack of progress of the “all students” group D-1. Title I-participating high school with graduation rate less than 60% over a number of years D-2. Title I-eligible high school with graduation rate less than 60% over a number of years <ul style="list-style-type: none"> I. Tier I or Tier II SIG school implementing a school intervention model 	<p><u>Focus School Criteria:</u></p> <ul style="list-style-type: none"> II. Has the largest within-school gaps between the highest-achieving subgroup(s) and the lowest-achieving subgroup(s) or, at the high school level, has the largest within-school gaps in the graduation rate III. Has a subgroup or subgroups with low achievement or, at the high school level, a low graduation rate IV. A Title I-participating high school with graduation rate less than 60% over a number of years that is not identified as a priority school

Attachment 10: DPAS II Guidelines

<http://www.doe.k12.de.us/csa/dpasii/default.shtml>

Attachment 11: DPAS II Regulations

106A Teacher Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised

<http://regulations.delaware.gov/AdminCode/title14/100/106A.shtml#TopOfPage>

107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised

<http://regulations.delaware.gov/AdminCode/title14/100/107A.shtml#TopOfPage>

108A Administrator Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised

<http://regulations.delaware.gov/AdminCode/title14/100/108A.shtml#TopOfPage>

Appendix A

<http://www.doe.k12.de.us/dess/files/dessadv/DESSAdvCommWebsiteDir.pdf>

Delaware Education Support System Advisory Council

Name	Agency	Title & Group
Nick Buono	New Castle County Vo-Tech	CTE Teacher
Daniel Curry	Lake Forest School District	Superintendent, Chair DESS
Jodi Dallas	Christina School District	Teacher
Mervin Daugherty	Red Clay Consolidated School District	Superintendent
Matt Denn	Governor's Office	Lieutenant Governor
Marilyn Dollard	Christina School District	Professional Standards Board
Lori Duerr	Colonial School District	School Improvement
Gail Fowler	Laurel School District	Special Education Director
Susan Francis	Executive Director Delaware School Boards Association	School Board Representative
Teri Quinn Gray	State Board of Education	Board Member
Phyllis Handler	Delaware Teacher Center	Teacher Center Representative
Sylvia Henderson	Milford School District	Student Support Services
Barbara Hicks	George Washington University	Sr. Research Associate & Resource Committee Representative
Tina Huff	Capital School District	Assistant Superintendent for Academic Services
Esther Jackson	Newark Charter School	Director, Instruction
Frederika Jenner	Delaware State Education Association	DSEA President
Jeff Klein	Appoquinimink School District	Research Coordinator
Charles Michels	Professional Standards Board	Professional Standards Board Representative
Debbie Panchisin	Appoquinimink School District	Curriculum Director Elementary/Title I
Patty Patterson	Wesley College	Director of Graduate Studies in Higher Education
Charity Phillips	Delmar School District	Asst. Superintendent, Curriculum Director/Title I
Charles Pollard	The Jefferson School	Board of Directors President - Private Schools
Jennifer Ranji	Governor's Office	Governor's Office
Scott Reihm	Delaware Association of School Administrators	Executive Director
Yvonne Johnson	Delaware PTA	President

Yvette Santiago Rayton Sianjina	Hispanic Council Education Department Delaware State University	Community Member Interim Chair, Higher Education
Sandy Smith Debbie Stevens	Indian River School District Delaware State Education Association	Curriculum Director/Title I Director of Instructional Advocacy
Carol Vukelich	University of Delaware Delaware Center for Teacher Education	Center Director
Dan Weinles Jackie Wilson Deborah Zych	Christina School District University of Delaware Polytech School District	Data Research DASL Superintendent

**Department of Education Staff
Delaware Education Support System**

Dan Cruce
Brian Curtis
Susan Haberstroh
Amelia Hodges
Scott Kessel
Theresa Vandrzyk Kough
Lillian Lowery
Joanne Reihm
Linda Rogers
Christopher Ruszkowski
Mike Stetter
Brian Touchette

Updated 5/24/12



SPONSOR: Sen. Sokola & Rep. Schooley

DELAWARE STATE SENATE
145th GENERAL ASSEMBLY

SENATE BILL NO. 151

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AN ACADEMIC ACHIEVEMENT
AWARD PROGRAM.

1 WHEREAS, the General Assembly wishes to encourage schools to help students to achieve, and also wishes to
2 demonstrate the type of responsible and innovative approach to education that will elicit support from the United States
3 Department of Education; and

4 WHEREAS, the State of Delaware will receive \$32,433,643 in federal funds this year from the American
5 Recovery and Reinvestment Act as a one-time supplement to the state's funding under Title 1 (federal assistance for
6 education of economically disadvantaged students); and

7 WHEREAS, the United States Department of Education has permitted states receiving Title 1 funding
8 enhancements created by the American Recovery and Reinvestment Act to "reserve a portion of its Title I, Part A ARRA
9 funds for a State Academic Achievement Awards program"; and

10 WHEREAS, Academic Achievement Awards programs are created by the federal Elementary and Secondary
11 Education Act, and must be targeted at schools that (a) significantly close the achievement gap , or (b) exceed their
12 adequate yearly progress (as defined by the State of Delaware) for two or more consecutive years; and

13 WHEREAS, the United States Department of Justice has emphasized that states creating such Academic
14 Achievement Awards programs "must distribute not less than 75 percent of the amount reserved to schools in the highest
15 quartile of schools in the State based on the percentage of students from low-income families"; and

16 WHEREAS, Title 1 funds awarded by the ARRA may be obligated through September 30, 2011;

17 NOW THEREFORE BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

18 Section 1. This Act shall be known as the "Delaware Academic Awards Achievement Pilot Program."

19 Section 2. Amend Title 14, Chapter 17 of the Delaware Code by adding a new Section 1724 that shall read as
20 follows:

21 "Sec. 1724. Academic Achievement Awards Pilot Program.

22 (a) The purpose of this Section is implementation of an Academic Achievement Awards Pilot Program
23 (“Awards Program”) using federal Title 1 funds provided by the American Recovery and Reinvestment Act of 2009.

24 (b) No later than September 1, 2009, the Governor shall appoint a Grants Committee for the Awards Program.
25 The committee shall consist of two representatives of the Governor, one representative chosen by the Governor from a list
26 of names submitted by the Delaware State Education Association, one representative chosen by the Governor from a list of
27 names submitted by the Delaware Association of School Administrators and one representative chosen by the Governor
28 from a list of names submitted by the Delaware State PTA.

29 (c) On July 1, 2010 the Grants Committee shall select five Delaware public schools to receive grants of
30 \$150,000 each, to be funded by federal Title 1 monies received by the Delaware Department of Education as part of the
31 American Recovery and Reinvestment Act. At least four of those schools shall be in the highest quartile of Delaware
32 public schools with respect to the percentage of student population from low-income families, based upon standards created
33 by the Grants Committee.

34 (d) Awards under subsection (c) shall be given to schools that have significantly closed the achievement gap
35 and/or schools that have exceeded their adequate yearly progress for two or more consecutive years.

36 (e) Any school receiving an award under subsection (c) shall, within 30 days of receiving notice of its award,
37 create a School Award Allocation Committee to determine the school’s use of the grant funds. The committee shall consist
38 of two persons appointed by the school’s principal, a school-level teacher representative and a school level paraeducator as
39 selected by the president of their respective bargaining units (or, if no such bargaining unit exists, a teacher and a
40 paraeducator democratically elected by their peer groups), and two representatives chosen by the school’s parent-teacher
41 organization (or, if no such group exists, two parents at the school appointed by the Delaware State PTA). A plan for
42 allocation of an award must be approved by at least four members of a school’s School Award Allocation Committee.

43 (f) The School Award Allocation Committee must approve the use of the school’s award funds by September 1,
44 2010. Funds can be used for any purpose that is consistent with state and federal law. Any funds not approved will be
45 forfeited to the Delaware Department of Education and awarded to another school in 2011.

46 (g) The award process described in subsections (c) through (f) shall be repeated beginning on July 1, 2011, with
47 the exception that (i) more than five schools may receive awards if any funds have been forfeited pursuant to subsection (f),
48 (ii) awards larger than \$150,000 may be made if sufficient ARRA funds dedicated to this purpose exist; and (iii) any funds
49 forfeited on September 2, 2011 shall be distributed in an expedited fashion pursuant to rules promulgated by the Delaware
50 Department of Education, in order to comply with federal ARRA deadlines.

51 (h) Absent enactment of new legislation by the General Assembly, the Awards Program shall cease to exist on
52 October 1, 2011.

53 (i) As used in this section, 'achievement gap' shall mean the gap in objectively measured academic performance
54 between (i) economically disadvantaged students, students from racial minority groups, students with disabilities, and
55 students with limited English proficiency, and (ii) all other students.

56 (j) As used in this section, 'adequate yearly progress' shall have the meaning assigned to it by Delaware
57 Department of Education Regulation 103 or its successor."

SYNOPSIS

This Act creates a pilot Academic Achievement Awards program, which would use federal stimulus funds to make financial awards to schools that significantly close the achievement gap and schools that exceed their adequate yearly progress for two or more consecutive years. The awards are focused on schools that have high percentages of economically disadvantaged students.

Author: Senator Sokola