



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 17, 2012

The Honorable Deborah A. Gist
Commissioner of Elementary and Secondary Education
Office of the Commissioner
Rhode Island Department of Education
255 Westminster Street
Providence, Rhode Island 02903

Dear Commissioner Gist:

Thank you for submitting Rhode Island's request for ESEA flexibility. We appreciate the hard work required to transition to college- and career-ready standards and assessments; develop a system of differentiated recognition, accountability, and support; and evaluate and support teacher and leader effectiveness. The U.S. Department of Education (Department) is encouraged that Rhode Island and many other States are designing plans to increase the quality of instruction and improve student academic achievement.

As you know, Rhode Island's request was reviewed by a panel of six peer reviewers during the week of March 26–30, 2012. During the review, the expert peers considered each component of Rhode Island's request and provided comments in the form of Peer Panel Notes that the Secretary will use to inform any revisions to your request that may be needed to meet the principles of ESEA flexibility. The Peer Panel Notes, a copy of which is enclosed with this letter, also provide feedback on the strengths of Rhode Island's request and areas that would benefit from further development. Department staff also have carefully reviewed Rhode Island's request, taking into account the Peer Panel Notes, to determine consistency with the ESEA flexibility principles.

The peers noted, and we agree, that Rhode Island's request was particularly strong in Principles 1 and 3. Peers and Department staff also commend Rhode Island for its goal of holding more schools accountable for subgroup performance under the proposed system, and for presenting an instructional improvement system that has the potential to link fine-grained diagnosis of learning challenges to effective interventions.

At the same time, based on the peer reviewers' comments and our review of the materials Rhode Island has provided to date, we have identified certain components of your request that need further clarification, additional development, or revision. In particular, significant concerns were identified with respect to the following:

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

- The use of the proposed combined subgroups in the accountability system; and
- The monitoring of local educational agencies' (LEA) selection and implementation of appropriate interventions in priority schools, focus schools, and other Title I schools.

The enclosed list provides details regarding these concerns as well as other key issues raised in the review of Rhode Island's request that we believe must be addressed before the Secretary can approve your request for ESEA flexibility. We encourage Rhode Island to consider all of the peers' comments and technical assistance suggestions in making revisions to its request, but we encourage you to focus primarily on addressing the concerns identified on the enclosed list.

Although the Peer Panel Notes for Rhode Island provide information specific to your request, Rhode Island also may benefit from comments and technical assistance suggestions made by other peer panels regarding issues common to multiple State educational agencies' (SEA) requests. For this reason, Department staff will reach out to Rhode Island to provide relevant technical assistance suggestions and other considerations that may be useful as you revise and refine your request.

We remain committed to working with Rhode Island to meet the principles of ESEA flexibility and improve outcomes for all students. We stand ready to work with Rhode Island as quickly as possible. In order to ensure prompt consideration of revisions or additional materials, we are asking SEAs to submit those materials by May 1, 2012. Department staff will be in touch to set up a call as early as this week to discuss the timeline and process for providing revisions or materials.

You and your team deserve great credit for your efforts thus far, and we are confident that we will be able to work together to address outstanding concerns. If you have any additional questions or want to request technical assistance, please do not hesitate to contact Sue Rigney, at 202-260-0931.

Sincerely,

Michael Yudin
Acting Assistant Secretary

Enclosure

ADDITIONAL INFORMATION REGARDING RHODE ISLAND'S ESEA FLEXIBILITY REQUEST

PRINCIPLE 2: STATE-DEVELOPED DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT

- Please address the concerns regarding the use of combined subgroups:
 - Demonstrate that the proposed subgroups maximize the number of schools and students included in the accountability system. *See 2.A.i.*
 - Provide information regarding the positions of stakeholders on the use of the combined subgroups for accountability. *See 2.A.i.*
 - Clarify membership in the Performance Reference Group. *See 2.A.i.*
 - Assure that all students are held to the same performance targets, including students in different geographic settings (*i.e.*, urban, urban ring, suburban). *See 2.A.i and 2.A.i.a.*
- Please address concerns regarding a lack of accountability for individual ESEA subgroups by providing additional safeguards to ensure that the use of two combined subgroups does not mask the performance of individual subgroups.
- Please address concerns regarding Rhode Island's composite index:
 - Clarify how points for the growth component of the composite index are combined across different groups. *See 2.A.i.*
 - Clarify how graduation rate and graduation annual measurable objectives (AMOs) are combined in the high school graduation rate component of the index. *See 2.A.i.*
 - Clarify how test participation will be included in the accountability system to maintain strong accountability for assessing all students. *See 2.A.i.*
 - Clarify references to AMOs as either separate annual targets in reading/language arts and mathematics or composite index AMOs. *See 2.A.i.*
- Please demonstrate that Rhode Island's list of reward, priority and focus schools meets the definitions in ESEA flexibility. Refer to the document titled *Demonstrating that an SEA's List of Schools Meet ESEA Flexibility Definitions*. *See 2.C.i, 2.D.i, and 2.E.i.*
- Please address concerns regarding priority schools, focus schools, and other Title I schools:
 - Ensure that all LEAs with one or more priority schools will implement meaningful interventions aligned with all of the turnaround principles in each priority school, starting no later than the 2014-2015 school year, including by implementing all turnaround principles simultaneously in each priority school. *See 2.D.iii.*
 - Clarify how the SEA ensures that the LEAs will implement interventions in focus schools that are based on the needs of students, independent of the combined subgroups, and are likely to improve the performance of low-performing students and reduce achievement gaps. *See 2.E.i.b and 2.E.iii.*
 - Describe the steps Rhode Island will take to ensure meaningful consequences for priority and focus schools that do not make progress after full implementation of interventions. *See 2.D.iii.b and 2.E.iv.*
 - Describe how Rhode Island's accountability system will provide incentives and supports for Warning and other Title I schools that are based on Rhode Island's AMOs in reading/language arts and mathematics and other measures. *See 2.F.*

- Please describe whether Rhode Island will leverage funds that LEAs were previously required to reserve under ESEA section 1116(b)(10) to support the implementation of interventions in priority schools, focus schools, and other Title I schools identified under Rhode Island’s differentiated recognition, accountability, and support system. *See 2.G.ii.*

PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP

- Please address concerns regarding how LEAs will use Student Learning Objectives in a consistent manner. *See 3.A.ii.c.iii.*
- Please explain how Rhode Island plans to work with teachers and administrators or, as appropriate, their designated representatives, in order to implement the evaluation and support plans outlined in the request. *See 3.B.*
- Please describe how Rhode Island will ensure that LEAs create teacher and principal evaluation and support systems that include as a significant factor data on student growth for all students, consistent with the definition for student growth in ESEA flexibility. *See 3.B.*