



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG - 6 2015

The Honorable Thomas R. Bice
State Superintendent of Education
Alabama State Department of Education
50 North Ripley Street
Montgomery, AL 36104

Dear Superintendent Bice:

I am writing in response to Alabama's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Alabama may continue to implement ESEA flexibility.

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Alabama's request dated July 14, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Alabama's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

My decision to renew approval of Alabama's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Alabama to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, Alabama will be able to continue implementing its plans to promote innovative, locally tailored strategies to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. Alabama's approved request will be posted on ED's website.

This letter also provides my approval of Alabama's amendments to its ESEA flexibility request. A summary of Alabama's significant approved amendments is enclosed with this letter.

I have also determined that Alabama's guidelines for teacher and principal evaluation and support systems meet the requirements for Principle 3 articulated in ED's June 7, 2012, document titled *ESEA Flexibility*.

This renewal is subject to Alabama's commitment to:

- Provide to ED, by December 31, 2015, additional information on its progress in carrying out the plan set forth in its ESEA flexibility request that will lead to implementation of high-quality statewide assessments in high school for reading/language arts, mathematics, and science that are aligned to its college- and career-ready standards in the 2015–2016 school year and each year thereafter.
- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Alabama is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to inclusion of student growth in teacher and principal evaluation and support systems based on State assessments administered no later than the 2016–2017 school year and each year thereafter.

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<http://www.ed.gov/>

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

- Demonstrate, as soon as possible but no later than October 31, 2015, that Alabama has implemented the plan set forth in its ESEA flexibility request to release school year 2013–2014 State and local report cards.
- Demonstrate, by October 31, 2015, that Alabama has identified and publicly recognized and/or rewarded high-progress and highest-performing reward schools for the 2015–2016 school year.
- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Alabama is implementing its plan to ensure that the six priority schools that are not yet fully implementing interventions aligned with all of the turnaround principles do so at the beginning of the 2015–2016 school year.
- Provide ED with quarterly performance updates (every three months from the date of this approval letter) regarding its progress toward full implementation of ESEA flexibility.

Alabama continues to have an affirmative responsibility to ensure that it and its local educational agencies (LEAs) are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of ESEA flexibility. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

I am confident that Alabama will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and LEAs accountable for the achievement of all students. If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact Ashlee Schmidt or Rachel Provencher of my staff at: OSS.Alabama@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all of Alabama’s students.

Sincerely,

(b)(6)

Ann Whalen
Delegated to perform the functions
and duties of Assistant Secretary for Elementary
and Secondary Education

Enclosure

cc: Sherrill Parris, Deputy State Superintendent of Education
Melinda Maddox, Assistant State Superintendent of Education
Shanthia Washington, Coordinator of Accountability

Approved Amendments to Alabama's ESEA Flexibility Request

The following is a summary of significant amendments Alabama included as part of its request for renewal of ESEA flexibility. ED approves these amendments because Alabama's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website (<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/al.html>) for Alabama's complete ESEA flexibility request.

- **State-Developed Recognition, Accountability, and Support (Principle 2)**

Revision: Alabama amended its statewide differentiated recognition, accountability, and support system. The State educational agency (SEA) will no longer utilize a School Performance Index and A-F letter grade system to identify schools and districts for differentiated supports. Alabama will assess school and district performance against Annual Measurable Objectives (AMOs) as well as graduation rate targets and attendance targets to evaluate progress and provide support as needed. Additionally, Alabama no longer plans to use a District Performance Index to identify Priority Districts. The School Performance Index will not be used to identify priority schools, but the SEA will continue to identify priority schools in alignment with the Federal definition in the document titled *ESEA Flexibility*. To identify focus schools, the SEA will analyze achievement gaps between the two lowest-performing subgroups in a school and the highest-performing subgroup, rather than analyzing the gap between the lowest-performing subgroup and the highest-performing subgroup.

Revision: Alabama revised its AMOs for grades three through eight and high school to account for the administration of new statewide assessments in the 2013–2014 school year and to reflect a new methodology to establish annual proficiency improvement targets. The State established AMOs in annual, equal increments towards the goal of reducing by half the difference between the percentage of students proficient in school year 2013–2014 and a proficiency goal within six years. The proficiency goal is determined by taking the percentage of students at the ninetieth percentile for the “all students” subgroup and adding the average improvement the State expects in each subject area (six percentage points for English language arts and twelve percentage points for mathematics).

Revision: Alabama adjusted its expectations for how schools and districts can meet their graduation rate targets. Schools and districts may either achieve the target established by the State or improve by two percentage points from the prior year.

Revision: Alabama revised its methodology for identifying reward schools to reflect the following: (1) the School Performance Index will no longer be used to identify reward schools since the SEA removed the School Performance Index from its statewide differentiated recognition, accountability, and support system; (2) reward schools are now required to have graduation rates above the statewide average or above 90 percent (whichever is higher); and (3) school performance over multiple years is considered, rather than performance over three years.

Revision: Alabama adjusted its exit criteria for priority schools identified as a result of having graduation rates below 60 percent. The SEA will require such schools to, along with making other improvements, increase their graduation rates to 65 percent or higher for two consecutive years.