



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 23, 2015

The Honorable Hanseul Kang
State Superintendent of Education
The District of Columbia Office of the State Superintendent of Education
810 First Street NE, 9th floor
Washington, D.C. 20002

Dear Superintendent Kang:

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

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed the District of Columbia's request dated June 19, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of the District of Columbia's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

My decision to renew approval of the District of Columbia's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling the District of Columbia to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, the District of Columbia 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. The District of Columbia's approved request will be posted on ED's website.

This letter also provides my approval of the District of Columbia's proposed amendments to Principle 1 and Principle 2 of its ESEA flexibility request. A summary of the District of Columbia's significant approved amendments is enclosed with this letter.

This renewal is subject to the District of Columbia's commitment to:

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that the District of Columbia's Reward school identification methodology continues to ensure that a school may not receive the highest rating in its differentiated recognition, accountability, and support system if there are significant achievement or graduation rate gaps that are not closing in the school by providing an analysis of data that establishes that

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each Reward school identified annually does not have significant within-school achievement or graduation gaps that are not closing.

- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Focus schools exiting in the 2015–2016 school year, based on the exit criteria that apply for that year only, maintain their improved achievement in school year 2016–2017 and that the District of Columbia is reapplying its original exit criteria established in its ESEA flexibility request to exit Focus schools after the 2015–2016 school year.

The District of Columbia 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 the District of Columbia 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 Patrick Carr or Eric Larson of my staff at: OSS.DC@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all students in the District of Columbia.

Sincerely,

A black rectangular redaction box covering the signature of Heather Rieman.

Heather Rieman
Acting Assistant Secretary

Enclosure

cc: Etai Mizrav, Education Policy and Compliance Specialist

Approved Amendments to the District of Columbia's ESEA Flexibility Request

The following is a summary of significant amendments to the District of Columbia's ESEA flexibility request. ED approves these amendments because the District of Columbia'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/dc.html>) for the District of Columbia's complete ESEA flexibility request.

- **College- and Career-Ready Expectations for All Students (Principle 1)**

Revision: The District of Columbia phased out its Composition test, which was previously a stand-alone assessment. Content from the Composition test will now be included as part of the Partnership for Assessment of Readiness for College and Careers (PARCC) English Language Arts assessment.

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

Revision: The District of Columbia will not assign schools new "Developing" or "Rising" ratings under the District of Columbia's system of differentiated recognition, accountability, and support based on assessments administered in the 2014–2015 school year. The District of Columbia will resume assigning these category ratings based on assessments administered in the 2015–2016 school year.

Revision: The District of Columbia provided allowances for a Priority or Focus charter school that is closing to focus on closure activities instead of the normal school improvement interventions and monitoring.

Revision: Priority schools will now implement interventions aligned with the turnaround principles for three full years before the District of Columbia assumes approval authority of their improvement plans.

Revision: Currently classified Priority schools are required to meet the School Index Score exit criteria for two years to exit status, except that any Priority school that met the criteria for two years prior to the implementation of PARCC is still required to meet the criteria once the new assessment is incorporated into the accountability system in the 2015–2016 school year.

Revision: Currently classified Focus schools are required to meet the School Index Score exit criteria for one year to exit status, except that any Focus school that met the criteria for one year prior to the implementation of PARCC is still required to meet the criteria once the new assessment is incorporated into the accountability system in the 2015–2016 school year.

Revision: Schools that implemented the Restart model are able to exit Priority status based on one year of meeting the exit criteria instead of three, provided that they remain in Priority school status for at least three years and meet the exit criteria in all of the years for which they have a valid School Index Score or graduation rate.