



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 23, 2015

The Honorable Brad Neuenswander
Interim Commissioner of Education
Kansas State Department of Education
900 SW Jackson Street, Rm 600
Topeka, KS 66612

Dear Interim Commissioner Neuenswander:

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

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Kansas's request dated June 11, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Kansas's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

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

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

This renewal is subject to Kansas's commitment to:

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Kansas is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to: (1) inclusion of student growth in the teacher and principal evaluation and support systems based on State assessments administered no later than the 2016–2017 school year and each year thereafter; and (2) the use of results from teacher and principal evaluation and support systems to inform personnel decisions beginning in the 2016–2017 school year.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<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.

Kansas 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 Kansas 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 Amy Bae or Deanna Klingensmith of my staff at: OSS.Kansas@ed.gov.

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

Sincerely,

/s/

Heather Rieman
Acting Assistant Secretary

Enclosure

cc: Colleen Riley, Title I Director
Sandra Guidry, Assistant Director

Approved Amendments to Kansas's ESEA Flexibility Request

The following is a summary of significant approved amendments to Kansas's ESEA flexibility request. ED approves these amendments because Kansas'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/ks.html>) for Kansas's complete ESEA flexibility request.

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

Revision: Kansas will not assign schools new ratings under the State system of differentiated recognition, accountability, and support, based on assessments administered in the 2014–2015 school year. Kansas will resume assigning school ratings based on assessments administered in the 2015–2016 school year.

- **Reward schools (Principle 2.C)**

Revision: Kansas will identify Title I highest-performing reward schools based on assessments administered in the the 2014–2015 school year and submit that list to ED. Kansas will delay recognizing and/or rewarding reward schools until after the 2016 state assessments. Starting with assessments administered in the 2015–2016 school year, Kansas will identify and publicly recognize or reward both highest-performing and high-progress reward schools.

- **Develop and adopt guidelines for local teacher and principal evaluation and support systems (Principle 3.A)**

Revision: LEAs will incorporate student growth in their educator evaluation and support systems based on local assessments administered in the 2014–2015 school year. LEAs will incorporate student growth in their educator evaluation and support systems based on state assessments administered in the 2016–2017 school year. LEAs will use results from teacher and principal evaluation and support systems to inform personnel decisions beginning in the 2016–2017 school year.