



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 14 2014

The Honorable Carey M. Wright  
State Superintendent of Education  
Mississippi Department of Education  
PO Box 771  
Jackson, MS 39205

Dear Superintendent Wright:

I am writing in response to Mississippi's February 25, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Mississippi may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed Mississippi's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Mississippi's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend Mississippi's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Mississippi to carry out important reforms to improve student achievement and that this extension is in the public interest. I have also determined that Mississippi's monitoring next steps have been adequately addressed.

This letter also provides my approval of Mississippi's proposed amendments to Principle 2 of its ESEA flexibility request, presented through the request for extension, with the exception discussed below. These amendments reflect and incorporate Mississippi's business rules for its accountability system. A summary of Mississippi's approved amendments is enclosed with this letter, and Mississippi's amended request will be posted on the U.S. Department of Education's (ED) website.

Through documentation Mississippi submitted with its ESEA flexibility extension request, our team learned that it is Mississippi's current practice to use the assessment score of a student who takes advanced, high school level, mathematics coursework prior to high school for Federal accountability twice: Mississippi holds the score until the student's tenth grade year, and then applies the score at both the school where the student took the assessment and the high school the student attends. Mississippi may not continue this practice, because it is inconsistent with ESEA section 1111(b)(3), which requires annual assessments in mathematics in grades 3 through 8 and once in high school that are to be used as the primary means of determining school and district accountability. Accordingly, for the 2014–2015 school year and all future years, Mississippi must use, for Federal accountability purposes, the results of different assessments for any given student – *i.e.*, if a student takes an advanced, high school level Statewide mathematics assessment in middle school and the results are counted for middle school accountability, the student must take another advanced, high school level Statewide mathematics assessment in high school and the results must be used for high school accountability.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202  
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Additionally, I understand that Mississippi's business rules for its accountability system indicate that students with severe cognitive disabilities who take an alternate assessment, based on alternate academic achievement standards, are not included in the identification of the lowest 25 percent subgroup. ESEA section 1111(b)(2)(A)(i) requires a State accountability system to take into account the achievement of all public elementary school and secondary school students. ED will work with Mississippi prior to renewal of ESEA flexibility to ensure that students with the most significant cognitive disabilities are fully included, as appropriate, in Mississippi's accountability system.

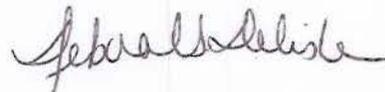
Mississippi has submitted high-quality plans to meet certain next steps identified during Part B monitoring as part of satisfying the requirement that it resolve these next steps. In addition to addressing the issues discussed above, Mississippi's progress in implementing its high-quality plans during the 2014–2015 school year will inform ED's decision regarding renewal of Mississippi's ESEA flexibility after the 2014–2015 school year. Additionally, if Mississippi remains on track to fully implement teacher and principal evaluation and support systems that meet all the requirements of Principle 3 in the 2014–2015 school year, Mississippi will be eligible for consideration for a longer renewal of ESEA flexibility.

Mississippi continues to have an affirmative responsibility to ensure that it and its districts 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 Mississippi will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and school districts 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 Collette Roney at: [collette.roney@ed.gov](mailto:collette.roney@ed.gov).

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

Sincerely,



Deborah S. Delisle  
Assistant Secretary

Enclosure

cc: Dr. Kim Benton, Chief Academic Officer  
Staci Curry, Director, Accountability Services

## **Amendments to Mississippi's Approved ESEA Flexibility Request**

The following is a summary of amendments to Mississippi's approved ESEA flexibility request. The U.S. Department of Education (ED) approves the following amendments because Mississippi's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website for Mississippi's approved ESEA flexibility request ([www.ed.gov/eSEA/flexibility](http://www.ed.gov/eSEA/flexibility)).

- **Develop and Implement a State-Based System of Differentiated Recognition, Accountability and Support (2.A)**

Revision: Establishes an A-F accountability index for schools, which serves as a unified system for State and Federal accountability. Within this index, schools receive points for proficiency, growth, growth of the lowest 25 percent of students, graduation rates, college- and career-readiness, and acceleration.

Revision: Reduces the n-size for accountability from 30 to 10.

Revision: Establishes safeguards in the accountability index to ensure test participation; a school that does not meet the 95 percent test participation requirement for the all students group will drop one letter grade.

Revision: Establishes a transitional timeline allowing schools to maintain accountability labels from 2013–2014 (based on 2012–2013 assessments results) for 2014–2015, if the prior year label is higher than the 2014–2015 label (based on 2013–2014 assessment results). Requires schools to implement interventions in the 2014–2015 school year based upon 2013–2014 assessment results.

- **Reward Schools (Element 2.C)**

Revision: Provides an additional method for identification of reward schools; schools identified as A schools in Mississippi's accountability index will also be recognized as reward schools.

- **Priority Schools (Element 2.D)**

Revision: Changes the priority schools exit criteria. To exit priority school status, schools must: 1) not have received an F grade in Mississippi's accountability index for the final two years of implementation; 2) meet 5 of 9 leading indicators and 3 of 6 lagging indicators/achievement metrics, and 3) have a community-based council in place and functioning.

- **Focus Schools (Element 2.E)**

Revision: Changes the focus schools exit criteria. To exit focus school status, schools must have not have received a D or F grade in Mississippi's accountability index for two consecutive years.