



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 11, 2013

The Honorable Richard Ross
Superintendent of Public Instruction
Ohio Department of Education
25 South Front Street
Columbus, OH 43215

Dear Superintendent Ross:

I am writing in response to Ohio's June 21, 2013 request to extend approval of its ESEA flexibility request through the end of the 2013–2014 school year. Currently, Ohio's ESEA flexibility request is approved through the end of the 2012–2013 school year, subject to the condition that Ohio submit to the U.S. Department of Education (ED) for review and approval an amended request incorporating the final version of the A-F grading system that Ohio intended to study and refine during the 2012–2013 school year, and that it intended to begin fully implementing in the 2013–2014 school year.

As a result of a State statute passed in late 2012, Ohio will not begin using its A-F grading system for its schools in the 2013–2014 school year as it had originally planned. Rather, it will delay implementation of that system until the 2014–2015 school year. Ohio will still continue to meet all requirements of ESEA flexibility, as it did in the 2012–2013 school year by continuing to implement its transitional accountability system. Accordingly, I have determined that the condition on Ohio's ESEA flexibility request is moot. I also note that on June 21, 2013, Ohio submitted an amended ESEA flexibility request to ED that reflects the new timeline for the A-F grading system and demonstrates that Ohio will continue to meet all requirements of ESEA flexibility during the 2013–2014 school year.

In light of the foregoing, I am lifting the condition on the approval of Ohio's ESEA flexibility request, granting Ohio's request to extend approval of its ESEA flexibility request through the end of the 2013–2014 school year, and approving the amended ESEA flexibility request it submitted on June 21, 2013. Please note that prior to the end of the 2013–2014 school year, like other Window 1 and Window 2 States approved to implement ESEA flexibility, Ohio may request an additional extension of the waivers granted through ESEA flexibility. Please also note that this approval is not an approval of the A-F grading system that I understand Ohio intends to implement in the 2014–2015 school year. In order to receive approval to implement any system of differentiated recognition, accountability, and support that differs from the system that Ohio is being approved to use today through the end of the 2013–2014 school year, Ohio will be required to submit a final version of that system to ED for review and approval.

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.

On June 21, 2013, Ohio also submitted an amendment request to ED regarding the use of Title I funds to support a particular program. Please note that this amendment request remains under review and will be addressed with a separate response.

Ohio 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, as well as their implementation of all other Federal education programs. 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 Ohio will continue to implement the reforms it proposed under its approved ESEA flexibility request, as amended, and advance its efforts to hold schools and school districts accountable for the achievement of all students. If you have any questions regarding the implementation of Ohio's ESEA flexibility request, please not hesitate to contact Elizabeth Ross of my staff at: elizabeth.ross@ed.gov.

Sincerely,

/s/

Alexander T. Goniprow
Deputy Assistant Secretary
Management and Planning

cc: Tina Thomas-Manning, Associate Superintendent, Division of Accountability and Quality Schools