



## UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 9, 2015

The Honorable Joy Hofmeister  
State Superintendent of Public Instruction  
Oklahoma State Department of Education  
Oliver Hodge Building  
2500 North Lincoln Boulevard  
Oklahoma City, OK 73105

Dear Superintendent Hofmeister:

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

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Oklahoma's request dated June 25, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Oklahoma's ESEA flexibility request for one year through the end of the 2015–2016 school year, subject to the below conditions.

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

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

To receive approval to implement ESEA flexibility beyond the 2015–2016 school year, Oklahoma must meet the following conditions:

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Oklahoma is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to inclusion of student growth based on student performance data from the 2016–2017 school year and each year thereafter, as a significant factor in its teacher and principal evaluation and support systems.

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*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 by August 1, 2016, that Oklahoma has implemented the plan set forth in its ESEA flexibility request for adopting new college- and career-ready standards that the State will implement beginning in the 2016-2017 school year pursuant to state legislation, which includes approval by the Oklahoma State Board of Education of the new content standards and certification by the State network of institutions of higher education that students who meet the standards will not require remediation at the post-secondary level.
- Demonstrate by August 1, 2016, that Oklahoma has created and is prepared to implement a high-quality plan for developing high-quality assessments in reading/language arts and mathematics, aligned to its new college- and career-ready standards, which will be administered no later than the 2017–2018 school year.

If Oklahoma resolves these conditions and makes no additional changes to its ESEA flexibility request, I will consider Oklahoma’s request for renewal of ESEA flexibility for additional years.

In addition to the conditions discussed above, this renewal is subject to Oklahoma’s commitment to:

- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that a school in Oklahoma may not receive the highest rating in the SEA’s differentiated recognition, accountability, and support system if there are significant achievement or graduation rate gaps that are not closing in the school.
- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Oklahoma is continuing to make progress in ensuring that its system of differentiated recognition, accountability, and support considers graduation rates in a meaningful way and includes differentiated interventions and supports to improve low graduation rates, particularly for each of the ESEA student subgroups.
- Demonstrate, during ED’s monitoring and follow-up of ESEA flexibility implementation, that Oklahoma is implementing the plan set forth in its ESEA flexibility request to ensure that Focus and Priority schools that have not met the State’s exit criteria and are identified in the State’s next cohort of Focus and Priority schools will be prepared to implement more rigorous interventions by the start of the 2016–2017 school year.

Oklahoma 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 Oklahoma 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 Nkemjika Ofodile or Christopher Fenton of my staff at: [OSS.Oklahoma@ed.gov](mailto:OSS.Oklahoma@ed.gov).

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

Sincerely,

/s/

Heather Rieman  
Acting Assistant Secretary

Enclosure

cc: Dr. Cindy Koss, Deputy Superintendent  
Gloria Bayouth, Executive Director

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

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

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

Revision: Oklahoma modified its system of differentiated recognition, accountability, and support to include a business rule requiring that any school that has a graduation rate in the lowest 20 percent in the State will be designated as a Focus school, if it is not designated as a Priority school.

- Revision: Oklahoma added language to clarify that, beginning with data from the 2013–2014 school year, it will no longer “bank” assessment scores of middle school students who take advanced coursework and aligned assessments. Rather it will use the assessment scores in the year the assessments are administered.

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

Revision: Oklahoma updated its request to provide additional information regarding its tiered system of interventions for Priority schools. Schools that have not met Priority school exit criteria, after implementing interventions for three or more years, will receive increased support, recommended action steps, required follow-up visits, and additional professional development focused on school improvement elements and strategies.

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

Revision: Oklahoma updated its request to provide additional information regarding its tiered system of interventions for Focus schools. Schools that have not met Focus school exit criteria, after implementing interventions for two or more years, will receive increased support, recommended action steps, required follow-up visits, and additional professional development focused on school improvement elements and strategies.