



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JUN 08 2014

The Honorable Mick Zais
State Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Columbia, SC 29201

Dear Superintendent Zais:

I am writing in response to South Carolina's request to amend its approved ESEA flexibility request. On November 29, 2012, the Department of Education (ED) approved South Carolina's flexibility request. On September 30, 2013, with additional revisions submitted on February 21, 2014, South Carolina submitted an amended request including twenty-three changes.

I am pleased to approve South Carolina's amended request through the 2013–2014 school year. South Carolina has also incorporated the requested twenty-three amendments into the request for extension of these waivers through the 2014–2015 school year that it submitted on March 4, 2014. Approval of these twenty-three amendments should not be construed as approval of the full request for extension. South Carolina's amended request will be posted on ED's website. A summary of South Carolina's amendments is enclosed with this letter. Any further requests to amend South Carolina's ESEA flexibility request must be submitted to ED for review and approval.

South Carolina 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 South Carolina will continue to implement the reforms it proposed under 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 Elizabeth Witt of my staff at: elizabeth.witt@ed.gov.

Sincerely,

Deborah S. Delisle

Enclosure

cc: Karla Hawkins, South Carolina Department of Education

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

Amendments to South Carolina's Approved ESEA Flexibility Request

The following is a summary of amendments to South Carolina's approved ESEA flexibility request. The U.S. Department of Education (ED) approves the following amendments because South Carolina's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to the Department's website for South Carolina's complete ESEA flexibility request at: www.ed.gov/admins/lead/account/stateplans03/index.htm.

▪ **Principle 2 (all elements)**

Revision: Replaces "AYP" or "new AYP" with "ESEA Grades," to conform to common usage in the State.

Revision: Replaces "student proficiency" with "student achievement" when referring to a specific scale score in each of the State assessments.

Revision: Adds "State" to the text where appropriate to indicate that a State matrix will be posted, in addition to local matrices, as part of required report cards.

Revision: Changes the N size for the "All Students" group to $N > 0$.

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

Revision: Adjusts the ESEA grade calculation formula to allow schools some credit for achieving a mean that is above Proficient but below the annual measurable objective (AMO) by assigning between 0.6 and 0.9 points. Further, the amendment caps improvement for schools that have means that are lower than Proficient and at 0.5 rather than 0.9. The change stabilizes school ratings.

Revision: Updates the implementation plan to show that system data will be run annually and makes a slight adjustment to when school grades will be announced. The revision also reflects the re-naming of the State educational agency's (SEA) office that works with data.

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

Revision: Reduces weights for percent tested in English language arts (ELA) and mathematics by five percent each, and increases the four academic achievement measures in elementary and middle schools from 80 percent to 90 percent of the total composite index score.

Revision: Aligns SC-ALT results with PASS results so that SC-ALT results will be included in each of the calculations at the school, district, and state level.

▪ **Set Ambitious but Achievable Annual Measurable Objectives (Element 2.B)**

Revision: Adjusts the ESEA grade calculation formula to allow schools some credit for achieving a mean that is above Proficient but below the AMO by assigning between 0.6 and 0.9 points. Further, the amendment caps improvement for schools that have means that are lower than Proficient and at 0.5 rather than 0.9. The change stabilizes school ratings. This revision is the same as one of the revisions to Element 2.A.i.

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

Revision: Clarifies the steps for identifying reward schools and provides a definition for “significant achievement gap” used in calculations. Schools with such gaps are excluded for the list of Title I schools eligible to be considered as reward schools.

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

Revision: Allows for the possibility that funds may be awarded to a larger number of the highest performing and highest progress schools than originally planned, if funds are available.

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

Revision: Clarifies the steps for identifying priority schools and indicates that priority schools will be identified annually. The methodology no longer automatically identifies a School Improvement Grant (SIG) school as a priority school unless an SIG school falls in the lowest five percent of schools.

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

Revision: Allows schools and local educational agencies (LEAs) to decide which interventions best meet the identified needs of priority and focus schools and no longer requires them to use choice and supplemental educational services.

Revision: Clarifies that the same technical assistance is provided to federal priority schools and to State-identified Palmetto Priority Schools. The proposed amendment also makes changes to the procedures by which priority school technical assistance will be provided.

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

Revision: Adjusts the timeline by which reward school implementation tasks occur.

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

Revision: Adjusts the exit criteria for priority schools to eliminate additional steps that went beyond flexibility requirements.

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

Revision: Clarifies the methodology for identifying focus schools and indicates they will be identified annually. The change also redefines what constitutes a “significant achievement gap,” in making focus school determinations.

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

Revision: Clarifies that 1003(a) funds were provided to focus schools by formula in school year (SY) 2012–2013 and clarifies that, in the future, the SCDE will use 1003(a) funds, as well as its own Statewide System of Support funds, to support focus schools. The SCDE also indicates that it will review both needs and available funding on an annual basis to determine funding levels for this purpose.

Revision: Clarifies that the focus school list will be refreshed annually and allows a focus school to exit status as soon as it is no longer in the bottom 10 percent of Title I schools.

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

Revision: Reiterates the revised exit criteria for focus school described above in Element 2.E.iii.

- **Providing Incentives and Supports for Other Title I Schools (Element 2.F)**

Revision: Requires that additional improvement plans at the school level be included in existing ESEA-required plans for “D” or “F” schools. These plans will include a description of how supplemental funds will be used to address weaknesses identified by the ESEA Grades system. Rather than securing outside providers to assist schools in implementing improvement plans, the SCDE will first work to identify and provide assistance from within the staff at the SCDE. The amendment clarifies the source of funds to support these schools. “C” schools would no longer be required to submit plans.

Revision: Indicates that the Office of Federal and State Accountability will offer monthly professional development sessions to focus on Title III improvement.

- **Build SEA, LEA, and School Capacity to Improve Student Learning (Element 2.G)**

Revision: Reflects a change in the SEA’s approach to building school capacity. The changes eliminate silos and provide a more consistent message about reform that can be delivered by all offices in the SCDE.