

**ESEA FLEXIBILITY
Amendment Submission**

Dear Assistant Secretary:

I am writing on behalf of The Tennessee Department of Education to request approval to amend the State’s approved ESEA flexibility request. The relevant information, outlined in the *ESEA Flexibility Amendment Submission Process* document, is provided in the table below.

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
2A	A district received a status of “Achieve” on the achievement side of the accountability model by passing the participation rate test and meeting the majority of applicable achievement AMOs after all safe harbors were applied. The district could still be given a final determination of	A district would receive an achievement result of “Achieve: Not Exemplary” if the district met a majority of its eligible achievement AMOs, but failed to improve in a majority of total measures and/or failed to improve in any of the aggregate measures. These districts would not be eligible to	Districts that achieve a majority of applicable AMOs after all safe harbors have been applied, yet still declined in a majority of total measures and/or declined in any of the aggregate measures (3-8 Math, 3-8 RLA, and the majority of HS measures) should not be given “Exemplary” Status.	Process: <ul style="list-style-type: none"> • Posted all waiver amendments on TDOE website for public comment. • Presented amendments to Superintendent’s Study Council. • Presented amendments to Tennessee School Board Association. • All school directors were notified of the waiver amendments via weekly Director’s Update • Regional Data Analysts stationed in regional CORE Offices were available for questions/comments

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0581.

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	<p>“Exemplary” even if they declined in a majority of total measures and/or declined in any of the aggregate measures (3-8 Math, 3-8 RLA, and the majority of HS measures)</p>	<p>receive a final determination of “Exemplary”.</p>		
<p>2B</p>	<p>As stated in its ESEA Flexibility waiver, Tennessee planned to add AMOs for Algebra II and English III for the 2012-13 school year or when sufficient data is available (ESEA Flexibility Waiver, 42). Tennessee administered Algebra II and English III assessments during the 2011-12 school year. Districts set</p>	<p>For gap closure, combine Algebra I/Algebra II into a measure and English II/English III into a measure by averaging the gaps, weighted by subgroup size. Calculate the gaps in each subject separately and then calculate a weighted average taking into account the number of students tested in the comparison group for each</p>	<p>Combining the gaps provides the same balance between 3-8 and high school measures. This method of combining the gaps is the best option available due to the large differences in proficiency levels between Algebra I/Algebra II and English II/English III. In addition, the method guards against fluctuations from year to year that are caused solely by changes in which students take each test. Finally, weighting according to the number of students in the subgroup prioritizes the students who are impacted by the gaps.</p>	<p>Process:</p> <ul style="list-style-type: none"> • Posted all waiver amendments on TDOE website for public comment. • Presented amendments to Superintendent’s Study Council. • Presented amendments to Tennessee School Board Association. • All school directors were notified of the waiver amendments via weekly Director’s Update • Regional Data Analysts stationed in regional CORE Offices were available for questions/comments.

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	AMOs for Algebra II and English III in January 2013.	subject. Gap targets are then set using the same methodology used for the other subjects.		
2B	No safe harbor exists for gap closure targets; the district either met/missed each eligible gap closure AMO.	The district can meet the Safe Harbor if the subgroup met or exceeded their subgroup target for that subject and the gap stayed the same or decreased.	Although both the subgroup and the comparison group exceeded their targets, the district could still miss the gap target. This safe harbor mechanism will protect districts that do not meet their gap closure AMO due to strong growth in both groups.	Process: <ul style="list-style-type: none"> • Posted all waiver amendments on TDOE website for public comment. • Presented amendments to Superintendent’s Study Council. • Presented amendments to Tennessee School Board Association. • All school directors were notified of the waiver amendments via weekly Director’s Update • Regional Data Analysts stationed in regional CORE Offices were available for questions/comments
2A	Subgroups may not decline in a majority of measures. In 2011-2012, the measures were 3-8 Math, 3-8 Reading/Language,	In 2012-2013, Tennessee began testing Algebra II and English III. Subgroups still may not decline in a majority of measures. In 2012-	Under the current rules including Algebra II and English III as separate subjects would create an imbalance between Elementary/Middle measures (2) and High School measures (4); previously there were 2 measures for each.	Process: <ul style="list-style-type: none"> • Posted all waiver amendments on TDOE website for public comment. • Presented amendments to Superintendent’s Study Council. • Presented amendments to Tennessee School Board Association.

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	HS: Algebra I, and HS: English II.	2013, the measures will be 3-8 Math, 3-8 Reading/Language Arts, Algebra I/II, and English II/III. Algebra I/II and English II/III would not be combined into one proficiency rate that is tested for improvement. Subjects would be considered individually, but both must improve. For example, if a district improved in Algebra I but not Algebra II, Algebra I/II would be considered a decline but if they improved in both it would be considered an improvement.	Algebra I/II and English II/III should not be combined into one proficiency rate used to determine whether the subgroup improved or declined because the subjects have drastically different proficiency rates.	<ul style="list-style-type: none"> • All school directors were notified of the waiver amendments via weekly Director's Update • Regional Data Analysts stationed in regional CORE Offices were available for questions/comments
2B	Graduation rate	Districts and	Districts already achieving	Process:

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	AMO used the same methodology as all other achievement AMOs. The waiver defines no safe harbor provision for graduation rate.	schools with graduation rates above 95 percent will be considered to have achieved the graduation rate goal regardless of the previous year graduation rate.	high graduation rates must continue to grow their graduation rate by very small percentage point increases which translates to a very few number of students in some cases. The change will give more nuanced consideration for districts that already have very high graduation rates.	<ul style="list-style-type: none"> • Posted all waiver amendments on TDOE website for public comment. • Presented amendments to Superintendent’s Study Council. • Presented amendments to Tennessee School Board Association. • All school directors were notified of the waiver amendments via weekly Director’s Update • Regional Data Analysts stationed in regional CORE Offices were available for questions/comments

Attached to this letter is a redlined version of the pages from our approved ESEA flexibility request that would be impacted with strikeouts and additions to demonstrate how the request would change with approval of the proposed amendments. Please contact Erin O’Hara at erin.ohara@tn.gov or by phone at 615-253-8854 if you have any questions regarding these proposed amendments.

The Tennessee Department of Education acknowledges that the U.S. Department of Education may request supplementary information to inform consideration of this request.



 Chief State School Officer

____5/2/13_____
 Date