



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 30, 2014

The Honorable Terry Holliday
Commissioner of Education
Kentucky Department of Education
Capital Plaza Towers
500 Metro Street
Frankfort, KY 40601

Dear Commissioner Holliday:

This letter is in response to Kentucky's request to amend, in two respects, its approved flexibility request under the Elementary and Secondary Education Act of 1965, as amended (ESEA), which we received on October 15, 2013, and to acknowledge the impact these amendments would have on the State's Race to the Top Phase 3 grant (awarded December 2011). Specifically, Kentucky requests that its local educational agencies (LEAs) have until the 2015–2016 school year (SY) to use the results of their teacher and principal evaluation and support systems that meet the requirements of ESEA flexibility to inform personnel decisions. Additionally, Kentucky requests to amend the timeline for integrating its teacher and principal evaluation and support systems into its State accountability system to SY 2015–2016 to coincide with LEAs' use of evaluation results to inform personnel decisions.

After careful review, Kentucky's amendments are approved. Please note that these amendments do not change the timeline of Kentucky's commitment to implement teacher and principal evaluation and support systems that meet the requirements of ESEA flexibility, including using, as a significant factor, data on student growth for all students and other measures of professional practice. Consistent with Kentucky's approved ESEA flexibility request, Kentucky must fully implement those systems no later than SY 2014–2015. However, with this additional flexibility, LEAs in Kentucky may have until SY 2015–2016 to begin using the results of the new evaluation systems to inform personnel decisions. Similarly, Kentucky may begin integrating its teacher and principal evaluation and support systems into its State accountability system in SY 2014–2015. Please see the Department's recent guidance for additional information regarding this flexibility with respect to teacher and principal evaluation and support systems [available at: <http://www2.ed.gov/policy/elsec/guid/esea-flexibility/college-career-ready/index.html>].

With respect to Kentucky's Race to the Top Phase 3 grant, these amendments will not change Kentucky's performance measures and outcomes, nor will they substantially change the scope and

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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.

objectives of the work. It is the Department's understanding that the State will begin to report the percentage of teachers in participating LEAs who are evaluated as exemplary, accomplished or developing, or ineffective by its qualifying evaluation system in the Race to the Top Annual Performance Report for SY 2013-2014. While this additional flexibility will delay the State's ability to meet its commitment to use evaluation outcomes to inform personnel decisions (as described in Kentucky's Race to the Top Phase 2 application), the Department expects that the State will work toward this commitment in the grant period and fully fulfill it during SY 2015-2016.

Kentucky must make necessary changes to its ESEA flexibility request that are related to these amendments. Kentucky may do so in the redlined request that it submits, as necessary, as part of the ESEA flexibility extension process or as part of any other approved changes to the ESEA flexibility request that require redlined changes.

We are confident that Kentucky will continue to implement the reforms it proposed under its approved ESEA flexibility request and its Race to the Top Phase 3 grant 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. If you need any additional assistance regarding your Race to the Top Phase 3 grant, please do not hesitate to contact Karen Dorsey Hargrove at Karen.Dorseyhargrove@ed.gov.

Sincerely,

//s//

Deborah S. Delisle
Assistant Secretary for
Elementary and Secondary
Education

//s//

Ann Whalen
Director, Policy and Program Implementation
Implementation and Support Unit