

**Minutes of the
Committee of Practitioners Conference Call Meeting
January 11, 2012**

Call to Order

The conference call meeting was called to order at 10:00 a.m. by Chairperson Becky Guffin.

Attendance

Members present were: Becky Guffin and Lori Bouza.

Staff members present were: Dr. Kris Harms, Betsy Chapman, Christine Christopherson, Beth Schiltz, and Laura Johnson Frame.

ESEA Flexibility Waivers Request

Each committee member received an email copy of the latest draft of the ESEA Flexibility Request that will be submitted to US Education by the end of February.

Excerpt below is from the U.S. Department of Education instructions.

“The U.S. Department of Education (Department) is offering each State educational agency (SEA) the opportunity to request flexibility on behalf of itself, its local educational agencies (LEAs), and its schools, in order to better focus on improving student learning and increasing the quality of instruction. This voluntary opportunity will provide educators and State and local leaders with flexibility regarding specific requirements of No Child Left Behind Act of 2011 (NCLB) in exchange for rigorous and comprehensive State-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. This flexibility is intended to build on and support the significant State and local reform efforts already underway in critical areas such as transitioning to college-and career-ready standards and assessments; developing systems of differentiated recognition, accountability, and support; and evaluating and supporting teacher and principal effectiveness.

The Department invites interested SEAs to request this flexibility pursuant to the authority in section 9401 of the Elementary and Secondary Education Act of 1965 (ESEA), which allows the Secretary to waive, with certain exceptions, any statutory or regulatory requirement of the ESEA for an SEA that receives funds under a program authorized by the ESEA and requests a waiver. Under this flexibility, the Department would grant waivers through the 2013-2014 school year, after which time an SEA may request an extension of this flexibility.”

South Dakota is requesting waivers pertaining to the following:

- ESEA section 1111(b)(2)(E)-(H) – Waive the annual measurable objectives (AMO) and adequate yearly progress pertaining to reading/language arts and mathematics so that SD DOE may develop new AMOs.

- ESEA section 1116(b) – Waive identifying Title I schools for improvement, corrective action, or restructuring so that LEAs and Title I school need not comply with the requirements.
- ESEA section 1116(c) – Waive the identification of LEAs for improvement or corrective action.
- ESEA section 6213(b) and 6224(e) - Waive limitation on the use of funds under the Small, Rural School Achievement and Rural and Low-Income School programs when an LEA does not make AYP.
- ESEA section 1114(a)(1) - Waive the requirement that a school have a poverty percentage of 40 percent or more in order to operate a schoolwide program.
- ESEA section 1003(a) - Waive the requirement that the SEA distribute funds reserved only to LEAs with schools identified for improvement, corrective action, or restructuring.
- ESEA section 1117(c)(2)(A) - Waive the requirement of the SEA to reserve Title I Part A funds to reward Title I school making AYP and to reward the funds to any of the State’s reward schools.
- ESEA section 2141(a),(b), and (c) - Waive the requirement for an LEA and SEA to comply with improvement plans regarding highly qualified teachers so that the LEA and SEA may focus on developing and implementing more meaningful evaluation and support systems.
- ESEA section 6123 - Waive the limits on the amount of funds an SEA or LEA may transfer from certain ESEA programs to other ESEA programs. The waiver would allow transfer of up to 100 percent of the funds it receives under the authorized programs among those programs and into Title I Part A.
- ESEA section 1003(g)(4) - Waiver would allow the SEA to award School Improvement Grant funds to an LEA to implement one of the four SIG models in any of the State’s priority schools.
- One other optional request that would waive the restrictions on the activities of community learning centers under the Twenty-First Century Community Learning Centers (21st CCLC) program under ESEA section 4201(b)(1)(A) and 4204(b)(2)(A) will not be requested by SD DOE.

SD DOE Title I Director Dr. Harms reviewed the document with the members. The committee members asked questions and clarification of the narrative pertaining to the various waivers.

Committee comments will be taken under advisement as the Department continues to develop the application.

Adjournment

The meeting was adjourned at 11:10 a.m.