

**ESEA FLEXIBILITY  
Amendment Submission**

Dear Assistant Secretary:

I am writing on behalf of the South Dakota Department of Education (SD DOE) 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.

<b>Flexibility Element(s) Affected by the Amendment</b>	<b>Brief Description of Element as Originally Approved</b>	<b>Brief Description of Requested Amendment</b>	<b>Rationale</b>	<b>Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result</b>
2.A	Attendance was to be based on school average daily attendance rate	Moving from ADA to % of students meeting attendance targets in school year 2014-15.	ADA masks data for pockets of students with chronic attendance concerns; change provides districts and state with data needed to help target interventions	-- Discussion with school administration relating to usefulness of indicator at October 2012 Roadshows  --Board of Education Discussion May, July, November 2013  -- Accountability Work Group Discussions, December 2012; March, August, November 2013  --Secretary’s Advisory Council Discussion, November 2013  --COP Discussion, November

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>2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.</p>
2.A	Achievement based on 1 year data	Beginning with results of 2015 assessments, system will build to include three years of data (full three	➤ There was concern from the field that using only one year	-- Discussion with school administration relating to variability of indicator at October

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		years with 2016-17 assessment results)	<p>of data will make the system overly sensitive to fluctuations of one or two outlying students, especially for small schools.</p> <p>➤ Embedding multiple years of data when new assessments are implemented will provide a more consistent picture of student achievement at these schools.</p>	<p>2012 Roadshows</p> <p>--Board of Education Discussion May, July, November 2013</p> <p>-- Accountability Work Group Discussions, December 2012; March, August, November 2013</p> <p>--Secretary's Advisory Council Discussion, November 2013</p> <p>--Committee of Practitioners Discussion, November 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some</p>

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				official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.
2.A	College Readiness based only on ACT scores	Including the use of Smarter Balanced and Accuplacer results to measure college readiness in addition to ACT scores, starting with assessments being given in the 2015 year for the 2016 graduating class.	<ul style="list-style-type: none"> <li>➤ This will allow a college readiness score to be calculated for all students, not just those taking the ACT. This also gives schools credit for working with students in their senior year to enable them to enter credit bearing courses at public universities upon graduation.</li> </ul>	<p>-- Discussion with school administration relating to concerns surrounding use of voluntary assessment as only measure for indicator at October 2012 Roadshows</p> <p>--Board of Education Discussion May, July, November 2013</p> <p>-- Accountability Work Group Discussions, December 2012; March, August, November 2013</p> <p>--Secretary's Advisory Council Discussion, November 2013</p>

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				<p>-- Committee of Practitioners Discussion, November 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.</p>
2.A	College and Career Readiness	Including the option for schools choosing to use the National Career Readiness Certificate as a measure	➤ The Board of Education requested the state look for a separate measure of	-- Discussion with school administration relating to concerns surrounding use of voluntary

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	based only on ACT scores	<p>of Career Readiness, starting with assessments being given in the 2015 year for the 2016 graduating class. Schools not electing to use the assessment will earn all points for this indicator from College Ready measures.</p>	<p>career readiness to include in the system. The South Dakota Department of Labor has been using the NCRC WorkKeys assessment as a measure of career readiness for job seekers in the state for several years. Funding was secured to allow for either juniors or seniors in a high school to take the assessment. This is voluntary, and schools may choose to use it in the way that best matches the needs of their students.</p>	<p>assessment as only measure for indicator at October 2012 Roadshows</p> <p>--Board of Education Discussion May, July, November 2013</p> <p>-- Accountability Work Group Discussions, December 2012; March, August, November 2013</p> <p>--Secretary's Advisory Council Discussion, November 2013</p> <p>-- Committee of Practitioners Discussion, November 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came</p>

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				<p>mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.</p>
2.A & 2.B	<p>Teacher and Principal Effectiveness and School Climate Results receive School Performance Index (SPI) indicator points</p>	<p>Moving from five indicators to three. SPI indicators will be: 1) Student Achievement; 2) Academic Growth for Elementary/Middle School OR High School Completion for High School; and 3) Attendance for Elementary/Middle School OR College and Career Readiness for High School. Effective Teachers and Leaders and School Climate will still be evaluated but not as part of the SPI.</p>	<p>➤ SD DOE wanted the SPI to consist of measures of student performance and to ensure that the assessment of effective teachers and leaders and school climate remain objective. Teacher and principal evaluation remain critical components of the accountability system, though</p>	<p>-- Discussion with school administration relating to concerns surrounding use of subjective measures and potential to create perverse incentives at October 2012 Roadshows</p> <p>--Presentations at SD School Superintendents Association Conference, July 16-17, 2013</p> <p>--Presentations and Discussion of Process at South Dakota Board of Education meetings, May, July,</p>

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			<p>schools do not receive points for them. Climate remains an important focus of Priority School work.</p>	<p>August, October, November 2013; March 2014</p> <p>--Discussion with Secretary's Advisory Council, March and August, 2013; Public Comment reviewed with council May 2014 (Council membership includes school administrators, teachers and representatives of SDEA, SASD/ASBSD)</p> <p>--Presentation at Associated School Boards/School Administrators Joint Convention, August, 2013</p> <p>-- Presentation at Systems Change Conference, October 2013</p> <p>--Presentation at Principals Conference, January 2013</p> <p>--Presentation at SDEA</p>



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				<p>Conference, January 2013</p> <p>--Continuous work with CTL January 2013-April 2014</p> <p>--Committee of Practitioners Discussion, November 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in</p>

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				the state. Official written comment is attached with this submission.
2E	Focus school designation did not include SST oversight of schools	<ul style="list-style-type: none"> <li>➤ Clarification of required interventions and alignment to turnaround principles</li> <li>➤ SD DOE will monitor progress of Focus Schools through three data reviews conducted by members of the SSRAS and SSTs</li> </ul>	<ul style="list-style-type: none"> <li>➤ Since implementation of the waiver, SD DOE worked to clarify and streamline process by which it works with Focus Schools. Much of this work had been updated at the time of USED Part B monitoring, but needs to be updated in the waiver to reflect current processes.</li> </ul>	<p>-- Discussion with current Focus schools and SSTs over the course of implementation</p> <p>--Board of Education Discussion May, July, November 2013</p> <p>-- Accountability Work Group Discussions, December 2012; March, August, November 2013</p> <p>--Secretary’s Advisory Council Discussion, November 2013</p> <p>--Committee of Practitioners Discussion, November 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11,</p>

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				<p>2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.</p>
2.F	Only included information about trainings and supports available to all schools;	<ul style="list-style-type: none"> <li>➤ SD DOE Internal process for identifying Watch List of schools most at danger of becoming Focus or Priority Schools.</li> <li>➤ Title I schools close to the Priority and/or Focus School designation may seek many of</li> </ul>	<ul style="list-style-type: none"> <li>➤ Much of this work had been updated at the time of USED Part B monitoring, but needs to be updated in the waiver to reflect current</li> </ul>	<p>-- COP Discussions, October 2012; February, May, June 2013</p> <p>--Board of Ed Discussions July 2013</p> <p>-- Accountability Work Group Discussion March 2013</p>

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	no information about targeted supports or monitoring for Other Title I schools	<p>the same supports as Priority and Focus Schools, including data retreats and state-sponsored professional development opportunities.</p> <ul style="list-style-type: none"> <li>➤ Schools on internal watch list may be selected for additional on-site monitoring.</li> </ul>	<p>processes.</p> <ul style="list-style-type: none"> <li>➤ SDDOE recognizes the need to work more closely with those schools most at risk of becoming Focus and/or Priority schools to address the achievement gap</li> </ul>	<p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.</p>
2.D & 2.E	Priority Schools not exiting Priority status after 1	Option for Priority and Focus schools to keep status and not implement next level of interventions if they have made significant gains (closing the	<ul style="list-style-type: none"> <li>➤ Data shows that there are instances where Priority and Focus schools can make significant progress, but may still be</li> </ul>	<p>-- Discussion with current Focus schools and SSTs over the course of implementation</p> <p>-- Committee of Practitioners</p>

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	<p>cycle are forced to implement an intervention model; Focus schools not exiting Focus status after 3 years become Priority Schools</p>	<p>achievement gap by at least 25%) and monitoring by the SEA indicates that sustainable interventions are being faithfully applied</p>	<p>classified as Priority or Focus Schools. In instances where significant progress is made, this allows SD DOE to continue to work to support schools instead of replacing staff.</p>	<p>Discussions, October 2012; February, May, June 2013</p> <p>--Board of Ed Discussions July 2013</p> <p>-- Accountability Work Group Discussion March 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment</p>

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2G	Minimal information included relating to data analysis and monitoring plans	Clarifies process by which SD DOE looks at data for all schools including Focus and Priority schools via: Report Card review process; SD LEAP monitoring; SST work and monitoring of SST relationships; Consolidated Application and School Needs Analysis data	Much of this work had been updated at the time of USED Part B monitoring, but needs to be updated in the waiver to reflect current processes.	<p>-- Ongoing Discussions with current Focus and Priority schools and SSTs</p> <p>-- COP Discussions, October 2012; February, May, June 2013</p> <p>--Board of Ed Discussions July 2013</p> <p>-- Accountability Work Group Discussion March 2013</p> <p>--E-mailed summary and posted the solicitation for public comment on website, May 1 – 11, 2014</p> <p>SD DOE received feedback from educators encouraging us to move forward with the waiver application. The feedback came mostly verbally at the meetings</p>

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				noted above. We received some official written comments. The majority of comments received were supportive of the work being done to advance accountability in the state. Official written comment is attached with this submission.

Please contact Mary Stadick Smith at [mary.stadicksmith@state.sd.us](mailto:mary.stadicksmith@state.sd.us) or by phone at (605) 773-7228 if you have any questions regarding this proposed amendment.

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



**June 30, 2014**

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*Chief State School Officer*

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*Date*