



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN 12 2013

The Honorable Melody Schopp
Secretary of Education
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

JUN 17 2013

Dear Secretary Schopp:

I am writing in response to the South Dakota Department of Education's (SDDOE) request to amend its approved ESEA flexibility request. Following discussions between the U.S. Department of Education (ED) and your staff, regarding the proposed revisions to South Dakota's approved request, ED has determined that the revised request continues to be consistent with principles of ESEA flexibility. For this reason, I am approving SDDOE's amended request, which we will post on the ED's website. A summary of SDDOE's requested amendments is enclosed with this letter. Any further requests to amend SDDOE's ESEA flexibility plan must be submitted to ED for review and approval.

SDDOE 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 SDDOE 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 have any questions regarding the implementation of your ESEA flexibility request, please do not hesitate to contact Emily Bank of my staff at: emily.bank@ed.gov.

Sincerely,

Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Mary Stadick Smith, Deputy Secretary

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

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Amendment to the South Dakota Department of Education's Approved ESEA Flexibility Request

The following is a summary of the South Dakota Department of Education's amendment request. The U.S. Department of Education (ED) is approving the following amendments because South Dakota's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility.

Please refer to ED's website: www.ed.gov/admins/lead/account/stateplans03/index.html for South Dakota's original and amended ESEA flexibility requests.

AMENDMENT REQUESTS #1

2A.i State Developed Recognition, Accountability and Support

Revisions: South Dakota requests to remove the measure of percent of students who take the ACT from the College and Career Readiness calculation.

AMENDMENT REQUEST #2

2A.i State Developed Recognition, Accountability and Support

Revisions: South Dakota proposes to eliminate the ability for schools to earn additional School Performance Index points for schools whose GAP and non-GAP combined subgroups meet their AMO targets in reading and math in a given year.

AMENDMENT REQUEST #3

2A.i State Developed Recognition, Accountability and Support

Revisions: South Dakota proposes to use only the four-year cohort graduation rate for the High School Completion Rate indicator for the 2012–2013 school year, and include the GED rate in subsequent years.

AMENDMENT REQUEST #4

2.B Annual Measureable Objectives (AMOs)

Revisions: South Dakota is now requesting to revise its waiver to clearly indicate that assessment data from the 2011–2012 school year would serve as the base year for AMO targets.

AMENDMENT REQUEST #5

2.D.iii Priority Schools

Revisions: Removed the implementation of Response to Intervention in year one of implementation of interventions.

AMENDMENT REQUEST #6

2.D.iv Priority Schools

Revisions: South Dakota is now proposing to use a four-year timeline for working with its designated Priority Schools. The first of the four years (2012–2013) will be considered a planning year; the remaining three years will be implementation years starting in 2013–2014. Implementation of interventions aligned with all of the turnaround principles must begin no later than year one, 2013-2014.