



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 3, 2014

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

Dear Secretary Schopp:

This letter is a response to South Dakota's May 12, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that South Dakota may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed South Dakota's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend South Dakota's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend South Dakota's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling South Dakota to carry out important reforms to improve student achievement and that this extension is in the public interest. I have also determined that South Dakota's monitoring next steps have been adequately addressed. This letter also provides my approval of South Dakota's proposed amendments to Principles 1 and 2 of its ESEA flexibility request. A summary of South Dakota's approved amendments is enclosed with this letter, and South Dakota's approved request will be posted on the U.S. Department of Education's (ED) website.

This extension is subject to South Dakota's commitment to continue working with ED on South Dakota's requested changes to its teacher and principal evaluation and support systems, which may require additional flexibility. South Dakota's continued work with ED on its requested changes to Principle 3 will inform ED's decision regarding renewal of South Dakota's ESEA flexibility after the 2014–2015 school year.

South Dakota 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. 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.

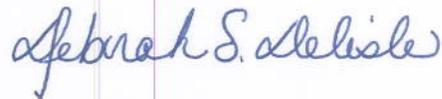
400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

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

I am confident that South Dakota will continue to implement the reforms described in its approved ESEA flexibility request 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 Emily Bank at: emily.bank@ed.gov or Tahira Rashid at: tahira.rashid@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all of South Dakota's students.

Sincerely,

A handwritten signature in blue ink that reads "Deborah S. Delisle". The signature is written in a cursive style.

Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Mary Stadick-Smith, Deputy Secretary
Abby Javurek-Humig, Director, Division of Assessment and Accountability

Approved Amendments to South Dakota's ESEA Flexibility Request

The following is a summary of amendments to South Dakota's approved ESEA flexibility request. The U.S. Department of Education (ED) approves 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/esea/flexibility) for South Dakota's complete ESEA flexibility request.

2.A.i: State Developed System of Differentiated Recognition, Accountability and Support

Revision: Change in calculation methodology for attendance rate indicator in the School Performance Index (SPI). Beginning in the 2014-2015 school year, change calculation of attendance rate from average daily attendance to the percentage of students meeting attendance targets.

Revision: Change in data years used of achievement indicator in the SPI. Achievement indicator in the SPI was originally based on one year of data. Beginning with results of 2015 assessments, system will build to include 3 years of data.

Revision: Change to college- and career-ready indicator in the SPI. Prior approved system calculated college-readiness score based on ACT only. The indicator will include 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.

Revision: Change to college- and career-ready indicator in the SPI. Prior approved system calculated college-readiness score based on ACT only. Schools will have the option to include the National Career Readiness Certificate / ACT Work Keys as a measure of Career Readiness in the SPI, starting with assessments being given in the 2015 year for the 2016 graduating class.

Revision: Change in SPI indicators and weighting. SPI indicators will be: 1) student achievement; 2) Academic Growth-Elem and MS or High School Completion for High School; and 3) Attendance. Effective Teacher and Leaders and School Climate will still be evaluated but not as part of the SPI.

2.D and 2.E: Priority Schools and Focus Schools

Revision: Change to requirements for schools not exiting status after a certain period of time. Prior approved system indicated that priority schools not exiting priority status after one cycle are required to implement an intervention model and focus schools not exiting focus status after three years become Priority Schools. Revision includes the option for priority and focus schools to hold status and not implement next level of interventions if they have made significant gains and monitoring by the SEA indicates that sustainable interventions are being faithfully applied.

2.E: Focus Schools

Revision: Clarification of required interventions in focus schools and alignment to turnaround principles. Change to monitoring process for focus schools.

2.F: Provide Incentives and Support for Other Title I Schools

Revision: Clarification of requirements for Other Title I schools closest to becoming priority or focus schools.

2.G: Build SEA, LEA, and school capacity to improve student learning

Revision: Clarification of data review process.