UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 21 2014

The Honorable Michael P. Flanagan
Superintendent of Public Instruction
Michigan Department of Education
PO Box 30008
Lansing, MI 48909

Dear Superintendent Flanagan:

This letter is in response to Michigan's April 28, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Michigan may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

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

ED is aware that Michigan will administer different assessments to students in the 2014–2015 school year than the assessments identified in Michigan's previously approved ESEA flexibility request. Because of that, Michigan must provide a high-quality plan that details the steps Michigan will take to administer a high-quality assessment, as defined in the document titled *ESEA Flexibility* (available at: http://www.ed.gov/esea/flexibility/documents/esea-flexibility-acc.doc), in at least grades 3-8 and at least once in high school in reading/language arts and mathematics by the 2014–2015 school year. ED will send Michigan a separate letter detailing the steps Michigan must take to submit this high-quality plan.

This extension is subject to Michigan's commitment to continue working with ED on Michigan's requested amendments to its teacher and principal evaluation and support systems, which may require additional flexibility. Michigan's continued work with ED on its requested amendments to Principle 3 as well as Michigan's progress in implementing its high-quality plan to administer high-quality assessments during the 2014–2015 school year will inform ED's decision regarding renewal of Michigan's ESEA flexibility after the 2014–2015 school year. Michigan has also submitted high-quality plans to meet certain next steps identified during Part B monitoring as part of satisfying the requirement that it resolve those next steps.

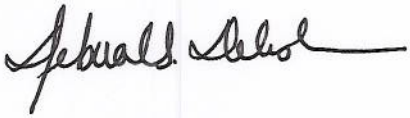
Michigan's progress in implementing those high-quality plans during the 2014–2015 school year will also inform ED's decision regarding renewal of Michigan's ESEA flexibility after the 2014–2015 school year.

Michigan 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.

I am confident that Michigan 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 Leslie Clithero at: leslie.clithero@ed.gov or Todd Stephenson at: todd.stephenson@ed.gov.

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

Sincerely,



Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Venessa Keesler, Deputy Superintendent
Joseph Martineau, Deputy Superintendent
Abbie Groff-Blaszak, Special Assistant

## Approved Amendments to Michigan's ESEA Flexibility Request

The following is a summary of amendments to Michigan's approved ESEA flexibility request. The U.S. Department of Education (ED) approves the following amendments because Michigan'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 Michigan's complete ESEA flexibility request.

### Monitoring (SEA Systems & Processes; Elements 1.B and 2.G)

Revision: For Principle 1, Michigan provided additional information to address how the implementation of college- and career-ready standards in Michigan will be monitored beginning in the 2014–2015 school year. The Michigan Department of Education (MDE) will review evidence of the implementation of college- and career-ready standards at least once a year to identify potential areas of need and support.

### State and Local Report Cards (§1111 of the ESEA; Element 2.B)

Revision: To comply with ED requirements, Michigan added language to its request to indicate it will calculate and display a cohort graduation rate on state and local report cards for the bottom thirty-percent subgroup.

### Set Ambitious but Achievable Annual Measurable Objectives (Element 2.B)

Revision: Under Michigan's previously approved ESEA flexibility request, Michigan's Accountability Scorecards identified schools and districts on a five color spectrum (red-orange-yellow-lime-green), with red indicating the lowest levels of performance and green recognizing those with the highest levels of performance based on student assessment data, graduation or attendance rates, and information on compliance with State and Federal laws. Through this revision, beginning with its 2014 Accountability Scorecards, Michigan will incorporate a sixth color (purple) for new schools and/or schools without proficiency data.

Revision: Beginning with its 2014 Accountability Scorecards, Michigan will change the audit rules for determining a school or district's overall scorecard color by modifying the red cell audit rule for the bottom thirty-percent subgroup such that the highest overall color a school or district is eligible to receive is lime rather than yellow.

### Reward Schools (Element 2.C)

Revision: Michigan adjusted the ways in which reward schools will be recognized beginning in the 2014–2015 school year.

### Priority Schools (Element 2.D)

Revision: Under Michigan's previously approved ESEA flexibility request, each district in Michigan with Title I priority schools was required to set aside 20 percent of the district Title I

allocation to support interventions. Through this revision, beginning in the 2014–2015 school year, Michigan will offer districts the option to begin priority school set-asides in the second year of implementation. Michigan will also allow districts the option to cap their set-asides below 20 percent during the first three years of implementation.

**Focus Schools (Element 2.E)**

Revision: Beginning in the 2014–2015 school year, Michigan will implement a revised plan to ensure that interventions target and support the needs of the students in the bottom thirty-percent subgroup at each focus school.