



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

RICK SNYDER  
GOVERNOR

MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

July 29, 2011

Dr. Thelma Meléndez de Santa Ana  
Assistant Secretary for Elementary and Secondary Education  
Office of Secondary and Elementary Education  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202

*RE: Michigan Department of Education Request to Waive the Academic Proficiency Requirements of Title I, Part A Sections 1111(b)(2)(F) and 1111(b)(2)(G)*

Dear Dr. Meléndez:

The Michigan Department of Education is writing to request a waiver of the requirements in Title I, Part A, Sections 1111(b)(2)(F) and 1111(b)(2)(G). These sections detail the requirements that all students and subgroups reach 100 percent proficiency on the state assessments by the year 2014. This request is necessary because starting with the 2011-2012 school year, Michigan will implement more rigorous cut scores on all state assessments. These cut scores are reflective of students being career and college ready or on track for career and college readiness. Education Secretary Arne Duncan responded by stating in February 2011: "I applaud Michigan for being honest with students on where they stand. Michigan's education leaders are putting kids first by taking critical steps to help them compete in a global economy."

Michigan is one of few states to reset cut scores to this rigorous standard. We believe that it is imperative to provide students, parents, and education stakeholders with an accurate depiction of the preparation of Michigan students for success in postsecondary education, and therefore have dramatically increased the rigor of our cut scores to reflect this high standard. As a result of this bold move, many schools will experience an initial drop in proficiency rates, which makes the 2014 goal of 100 percent proficiency unreasonable. Given these factors, Michigan is requesting a waiver of the 100 percent proficiency requirement, and extend the deadline to reach the proficiency target to 10 years from the granting of this waiver.

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As previously stated, the Elementary and Secondary Education Act (ESEA) requires that all schools demonstrate that 100 percent of its students are proficient by a target year. Given the new rigor of Michigan's cut scores, we believe 100 percent to be an unreasonable target. Consequently, we also are requesting a waiver to adjust our target percentage to 80 percent of students career and college ready, or on track for career and college readiness. This aligns with our proposed state accreditation system, which sets 80 percent of schools with 80 percent of students on track for career and college readiness as a target at which the accreditation system must be revised.

If granted the requested waivers, Michigan will implement them with respect to the following assurances that:

- It will comply with all of its other Title I, Part A statutory and regulatory obligations under Section 1111 that have not been waived to ensure:
  - Challenging academic standards remain in place
  - An ongoing and effective statewide accountability system
  - A valid and reliable system for determining Adequate Yearly Progress
  - High-quality annual student academic assessments
  - The annual dissemination of local educational agency report cards
- It will comply with all of its other Title I, Part A statutory and regulatory obligations under Section 1116.

Michigan is providing all Local Education Agencies (LEA) in the state with notice and a reasonable opportunity to comment on this request. Michigan is providing such notice by sending a communication to each LEA on July 29, 2011 (attachment A). Copies of the comments that Michigan receives from LEAs in response to this notice will be sent by August 15, 2011. Michigan will also provide notice and information regarding this waiver request to the public in the manner in which the State customarily provides such notice and information to the public, which is by posting information regarding the waiver request on its website (attachment B). Copies of the public comments that Michigan receives in response to this notice will also be sent by August 15, 2011.

Please contact Joseph Martineau, Executive Director for the Bureau of Assessment and Accountability, by phone, 517-241-9526, or e-mail, [martineauj@michigan.gov](mailto:martineauj@michigan.gov), if you have any questions regarding this request. Thank you for your consideration.

Sincerely,



Sally Vaughn, Ph.D.  
Deputy Superintendent/Chief Academic Officer

Enclosures



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

Attachment A

RICK SNYDER  
GOVERNOR

MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

July 29, 2011

**MEMORANDUM**

TO: Local and Intermediate School District Superintendents  
Public School Academy Directors

FROM: Sally Vaughn, Ph.D. *Sally*  
Deputy Superintendent/Chief Academic Officer

SUBJECT: *Michigan Department of Education Request to Waive the Academic Proficiency Requirements of Title I, Part A*

The Michigan Department of Education (MDE) is requesting a waiver of Elementary and Secondary Education Act (ESEA) requirement that 100 percent of all students are proficient on the state assessments by 2014. The state assessments consist of the Michigan Education Assessment Program (MEAP) and Michigan Merit Exam (MME). This request is in response to the new college and career ready cut scores that will go into effect with the 2011-12 school year.

Given the new rigor of the cut scores, the MDE believes a 100 percent proficiency target to be unreasonable. The MDE proposes to reduce the target percentage to 80 percent of students career and college ready, or on track for career and college readiness. This aligns with our proposed state accreditation system, which sets 80 percent of schools with 80 percent of students on track for career and college readiness as a target at which the accreditation system must be revised. Michigan has requested a waiver of the 100 percent proficiency requirement, and extend the deadline to reach the proficiency target to 10 years from the granting of this waiver.

The waiver request may be accessed online at [www.michigan.gov/mde](http://www.michigan.gov/mde) under "Current Topics."

LEAs wishing to comment on the request should submit comments to [arrawaiverresponse@michigan.gov](mailto:arrawaiverresponse@michigan.gov) by August 11, 2011.

cc: Michigan Education Alliance

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## Public Notification for Website

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