



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

OCT 09 2014

The Honorable John Huppenthal  
Superintendent of Public Instruction  
Arizona Department of Education  
1535 West Jefferson Street  
Phoenix, AZ 85007

Dear Superintendent Huppenthal:

This letter is in response to Arizona's August 29, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Arizona may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed Arizona's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Arizona's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend Arizona's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Arizona to carry out important reforms to improve student achievement and that this extension is in the public interest. I have also determined that Arizona's monitoring next steps for Principle 2 have been adequately addressed through submission of documentation and other information, including a high-quality plan for implementation in the 2014–2015 school year. Finally, I have determined that Arizona has met the ESEA flexibility requirement that its system of differentiated recognition, accountability, and support look at graduation rate by including graduation rate in its school grading system at 15 percent and committing to put in place appropriate safeguards to ensure that each school with a low graduation rate that is not identified as a priority, focus, or pre-intervention school will implement appropriate interventions to address graduation rate in its Title I improvement plan. Accordingly, I am lifting the condition related to inclusion of graduation rate in Arizona's school grading system. This letter also provides my approval of the amendments to Principles 1 and 2 that Arizona proposed that align with the requirements of ESEA flexibility. I am deferring approval of Arizona's amendment regarding implementation of the turnaround principles in online schools at this time. The U.S. Department of Education (ED) will continue to work with Arizona during the extension period to help the State develop an acceptable approach.

With regard to Principle 3, Arizona has demonstrated that it has the authority to require its local educational agencies to implement teacher and principal evaluation and support systems consistent with Principle 3 of ESEA flexibility. Therefore, I am removing Arizona's high-risk status. However, Arizona has not yet satisfied its Principle 3 condition, which requires the State to submit final guidelines for teacher and principal evaluation and support systems that meet the requirements of ESEA flexibility.

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.*

Accordingly, I am maintaining that condition and, consistent with my letter of August 21, 2014, will continue to work with Arizona to ensure that its final guidelines satisfy all elements of Principle 3.

This extension is thus subject to Arizona's commitment to continue working with ED on Arizona's teacher and principal evaluation and support systems as well as the turnaround principles in online priority schools. Arizona's progress in implementing its approved ESEA flexibility request during the 2014–2015 school year, as well as Arizona's continued work with ED on Principles 2 and 3, will inform ED's decision regarding renewal of Arizona's ESEA flexibility after the 2014–2015 school year. A summary of Arizona's approved amendments is enclosed with this letter, and Arizona's amended request will be posted on ED's website.

Arizona 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 Arizona 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 Millie Bentley-Memon of my staff at: [millicent.bentley-memon@ed.gov](mailto:millicent.bentley-memon@ed.gov).

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

Sincerely,



Deborah S. Delisle  
Assistant Secretary

Enclosure

cc: Chris Kotterman, Deputy Director, Policy Development and Government Relations



## **Approved Amendments to Arizona's ESEA Flexibility Request**

The following is a summary of approved amendments to Arizona's ESEA flexibility request. ED approves these amendments because Arizona's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website:

(<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/in.html>) for Arizona's complete ESEA flexibility request.

### **Consultation**

Revision: Arizona provided evidence that the State solicited feedback regarding this submission from the public, but did not receive any comments.

### **Develop and Administer Annual, Statewide, Aligned, High-Quality Assessments That Measure Student Growth (Element 1.C)**

Revision: Arizona withdrew from participation in the Partnership for the Assessment of Readiness for College and Careers consortium in May 2014 for reasons related to the procurement process required by Arizona law. The State thus requested an amendment to exercise Option B under Principle 1.C. Arizona submitted a high-quality plan to adopt and implement a high-quality assessment aligned to Arizona's college- and career-ready standards in the 2014–2015 school year, selected from the respondents to the request for proposals issued by the State Board.

### **Develop and Implement a State-Based System of Differentiated Recognition, Accountability, and Support (Element 2.A)**

Revision: Arizona plans to pilot during 2014–2015 a parallel monitoring system for extremely small schools that do not have sufficient data to receive an A-F letter grade. Arizona charged a committee to create a Measure of Academic Progress for Schools (MAPS) that will be used to monitor these schools' curriculum, instruction, assessment, and teacher quality. In the fall of 2014, the Arizona Department of Education (ADE) will verify the MAPS's accuracy through site visits and other means.

### **Reward Schools (Element 2.C)**

Revision: Arizona amended the way in which it provides meaningful public recognition, leadership opportunities, and financial rewards to its reward schools on an annual basis.

### **Priority Schools (Element 2.D)**

Revision: Arizona amended the timeline and its systems and processes to support the bottom five percent of schools with leadership, talent management, instructional infrastructure, and differentiated support and accountability to significantly increase and sustain performance of its failing and lowest-performing schools.

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

Revision: Arizona amended its systems and processes to ensure that focus schools will implement interventions aligned with the reasons for identification.

**Provide Incentives & Support for Other Title I Schools (Element 2.F)**

Revision: Arizona amended the planning process that is required of Pre-Intervention schools to align this process with Arizona's Standards for Effective local educational agencies (LEAs) and Continuous Improvement Plans.

**Build State Educational Agency (SEA), LEA and School Capacity to Improve Student Learning (Element 2.G)**

Revision: Arizona amended its systems and processes for building SEA, LEA, and school capacity to improve student learning by enhancing its Continuous Improvement Planning process and modifying its systems for monitoring and providing technical assistance to support LEA implementation of interventions in priority and focus schools.