



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

July 9, 2015

The Honorable Mitchell Chester  
Commissioner of Elementary and Secondary Education  
Massachusetts Department of Elementary and Secondary Education  
75 Pleasant Street  
Malden, MA 02148

Dear Commissioner Chester:

I am writing in response to Massachusetts's June 19, 2015, request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Massachusetts may continue to implement ESEA flexibility.

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Massachusetts's request dated June 15, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Massachusetts's ESEA flexibility request through the end of the 2015–2016 school year, subject to the below conditions.

My decision to renew approval of Massachusetts's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Massachusetts to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, Massachusetts will be able to continue implementing its plan to promote innovative, locally tailored strategies to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. Massachusetts's approved request will be posted on ED's website.

The decision to renew approval of Massachusetts's ESEA flexibility request for one year is based upon the fact that Massachusetts has not yet selected a single achievement assessment for administration to all students in the 2015–2016 school year (as required by section 1111(b)(3)(C)(i) of the ESEA), and Massachusetts cannot ensure that local educational agencies fully implement teacher and principal evaluation and support systems that include student growth as a significant factor for all educators until the 2017–2018 school year. To receive approval to implement ESEA flexibility after the 2015–2016 school year, Massachusetts must submit evidence that the State (1) has selected a single achievement assessment for administration to all students in the 2015–2016 school year, and (2) is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, to remain on track to fully implement its teacher and principal evaluation and support systems that include student growth as a significant factor by the 2017–2018 school year. If Massachusetts resolves these conditions and makes no additional changes to its ESEA flexibility request, I will consider Massachusetts's request for renewal of ESEA flexibility for additional years.

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<http://www.ed.gov/>

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This letter also provides my approval of Massachusetts's other proposed amendments to its ESEA flexibility request. A summary of Massachusetts's significant approved amendments is enclosed with this letter.

Massachusetts continues to have an affirmative responsibility to ensure that it and its local educational agencies (LEAs) 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 Massachusetts will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and LEAs 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 or John Duarte of my staff at: [OSS.Massachusetts@ed.gov](mailto:OSS.Massachusetts@ed.gov).

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

Sincerely,

/s/

Heather Rieman  
Acting Assistant Secretary

Enclosure

cc: Matt Pakos, Director, School Improvement Grant Programs and ESEA Flexibility Lead

## Approved Amendments to Massachusetts's ESEA Flexibility Request

The following is a summary of significant approved amendments Massachusetts included as part of its request for renewal of ESEA flexibility. ED approves these amendments because Massachusetts'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/ma.html>) for Massachusetts's complete ESEA flexibility request.

- **State-Developed Differentiated Recognition, Accountability, and Support (Principle 2)**

Revision: Massachusetts amended its methodology for calculating its Progress and Performance Index (PPI) to assign additional credit in the PPI to schools and districts whose English learner subgroup demonstrates strong growth on the ACCESS English language proficiency assessment.

Revision: Massachusetts will reduce its minimum subgroup size from 30 to 20 students by the 2015–2016 school year. This change will result in a higher number of schools being held accountable for their performance for high needs students.

Revision: Massachusetts has added the requirement that, in order to exit Level Four/Priority school status, a school has to achieve a PPI index of 75 or higher for the school as a whole and for each subgroup. Improvement in additional areas, such as student rates (e.g., attendance), college- and career-readiness, and school climate may also be factored into a decision to remove a school from Level Four/Priority school status. Consideration of these other factors does not override the requirement to achieve a PPI index of 75 or higher.

Revision: Massachusetts has amended its methodology for identifying Focus schools. Among 10 percent of Title I schools in the State considered, the State will first identify as Focus schools, high schools with persistently low graduation rates for any subgroup.

Revision: Massachusetts will retain the 2013–2014 school year accountability ratings for all schools that administered the Partnership for Assessment of Readiness for College & Careers (PARCC) in the 2014–2015 school year. Massachusetts is not applying this approach to the school level designation for schools that administered the Massachusetts Comprehensive Assessment System assessment in the 2014–2015 school year.

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