



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUL - 9 2015

The Honorable David Abbott
Acting Commissioner of Elementary and Secondary Education
Rhode Island Department of Elementary and Secondary Education
255 Westminster Street
Providence, RI 02903

Dear Acting Commissioner Abbott:

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

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Rhode Island's request dated July 2, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Rhode Island's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

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

This letter also provides my approval of Rhode Island's proposed amendments to Principle 2 and Principle 3 of its ESEA flexibility request. A summary of Rhode Island's significant approved amendments is enclosed with this letter.

This renewal is subject to Rhode Island's commitment to:

- Demonstrate that a school in Rhode Island may not receive the highest rating in the State educational agency's differentiated recognition, accountability, and support system if there are significant achievement and graduation rate gaps that are not closing in the school. This demonstration should occur through an amendment to Rhode Island's request and may include an analysis of data that establishes that each reward school identified annually does not have significant within-school achievement or graduation rate gaps that are not closing.
- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Rhode Island is implementing the plan set forth in its ESEA flexibility request to ensure that Priority schools that have not met the State's exit criteria will be prepared to implement

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more rigorous interventions by the start of the 2016–2017 or 2018–2019 school year, as appropriate based on the schools' implementation timelines.

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Focus schools that have not met the State's exit criteria will be prepared to implement more rigorous interventions by the start of the 2016–2017 or 2017–2018 school year, as appropriate based on the schools' implementation timelines.
- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Rhode Island is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to inclusion of student growth in the teacher and principal evaluation and support systems based on State assessments administered no later than the 2016–2017 school year and each year thereafter.

Rhode Island 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 Rhode Island 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 Ashlee Schmidt or Tracey Albert of my staff at: OSS.RhodeIsland@ed.gov.

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

Sincerely,



Heather Rieman
Acting Assistant Secretary

Enclosure

cc: Mary Ann Snider, Director of Educator Excellence and Instructional Effectiveness

Approved Amendments to Rhode Island's ESEA Flexibility Request

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

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

Revision: Rhode Island will not assign schools new ratings under the State system of differentiated recognition, accountability, and support, based on assessments administered in the 2014–2015 school year. Rhode Island will resume assigning school ratings based on assessments administered in the 2015–2016 school year. However, Rhode Island will use results from the assessments administered in the 2014–2015 school year to allow Priority and Focus schools to exit status. Additionally, while results from assessments administered in the 2014–2015 school year will not be used to identify any Priority or Focus schools as “caution,” indicating that the school is not making sufficient progress, these results will be used to identify Priority and Focus schools as “rising” if they have made improvements that show they are on track to exit status.

Revision: Rhode Island amended its request to reset its graduation rate targets using data for the 2013–2014 school year as a baseline.

▪ **Priority Schools (Principle 2.D)**

Revision: Rhode Island amended its request to allow Priority schools to implement a locally created intervention strategy aligned with the turnaround principles as one of the multiple intervention strategies such schools are required to implement. Previously, Priority schools were required to select intervention strategies aligned to the turnaround principles from a State-created menu of options.

Revision: Rhode Island amended its request to clarify the timeline on which it will assign labels to Priority schools to indicate which are on track and which may experience additional State intervention. Rhode Island will label Priority schools as “rising” after two years of implementation and as “caution” after three years of implementation.

Revision: Rhode Island amended its exit criteria for Priority schools to reflect that in order to exit status a school must improve its classification in the State's performance index such that it achieves a classification of “typical” for two consecutive years and have a 95 percent student participation rate in statewide assessments.

▪ **Focus Schools (Principle 2.F)**

Revision: Rhode Island amended its request to allow Focus schools to implement a locally created intervention strategy as one of the multiple intervention strategies such schools are required to implement. Previously, Focus schools were required to select intervention strategies aligned to the turnaround principles from a State-created menu of options.

Revision: Rhode Island amended its request to clarify the timeline on which it will assign labels to Focus schools to indicate which are on track and which may experience additional State intervention. Rhode Island will label Focus schools as “rising” after one year of implementation and as “caution” after two years of implementation of interventions.

Revision: Rhode Island amended its exit criteria for Focus schools to reflect that in order to exit status a school must improve its classification in the State’s performance index such that it achieves a classification of “typical” for two consecutive years and have a 95 percent student participation rate in statewide assessments.

- **Supporting Effective Instruction and Leadership (Principle 3)**

Revision: Rhode Island amended its request to reflect that teachers receiving an evaluation rating of “highly effective” will be evaluated no more than once every three years and teachers receiving an evaluation rating of “effective” will be evaluated no more than once every two years. Previously, Rhode Island’s request indicated that all teachers would be evaluated annually.