



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

MAR 3 1 2015

The Honorable June St. Clair Atkinson
Superintendent of Public Instruction
North Carolina Department of Public Instruction
Education Building
301 North Wilmington Street
Raleigh, NC 27601

Dear Superintendent Atkinson:

I am writing in response to North Carolina's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA), so that North Carolina may continue to implement ESEA flexibility through the end of the 2018–2019 school year.

Our ESEA flexibility team, including other senior leaders at the U.S. Department of Education (ED), reviewed North Carolina's request dated March 17, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to approve the renewal of North Carolina's ESEA flexibility request for four years through the end of the 2018–2019 school year.

My decision to approve the renewal of North Carolina's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling North Carolina to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, North Carolina 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.

This letter also provides my approval of North Carolina's amendments to its ESEA flexibility request effective immediately. A summary of significant approved amendments is enclosed with this letter, and North Carolina's approved request will be posted on the ED website.

This renewal is subject to North Carolina's commitment to:

- Demonstrate that a school in North Carolina 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. North Carolina indicated in its renewal request that it will work with its State Board of Education to add an 'A+' designation to the State's methodology for determining School Performance Grades (SPGs) in its new index. In addition, North Carolina will provide ED with the status of accompanying policy updates to ensure schools that receive an 'A' but not an 'A+' address significant achievement or graduation rate gaps in their School Improvement Plans.

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

- Update its plan for holding schools to a 95 percent participation rate requirement. In addition to updating its criteria for focus schools, North Carolina indicated in its renewal request that it will work with its State Board of Education to update the intensive intervention planning process required for schools that miss 95 percent participation to ensure participation rate performance is a meaningful factor and that rigor of schools' plans increases after multiple years of missing targets. North Carolina will also ensure that School Improvement Plans include participation rate data for all assessments, students, and subgroups, and will be used with performance and growth data to differentiate supports for schools.

North Carolina 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 North Carolina 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. North Carolina continues to have an affirmative responsibility to ensure that it and its LEAs are in compliance with all requirements not waived under ESEA.

If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact me or have your flexibility team contact Jessie Harteis at: OSS.NorthCarolina@ed.gov.

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

Sincerely,



Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Lou Fabrizio, Director, Data, Research and Federal Policy

Approved Amendments to North Carolina's ESEA Flexibility Request

The following is a summary of significant amendments North Carolina's ESEA flexibility request. ED approves these amendments because North Carolina'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/nc.html>) for North Carolina's complete ESEA flexibility request.

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

Revision: North Carolina added an index, known as SPGs, to its State-developed differentiated recognition, accountability, and support system. North Carolina's index produces a grade of A-F for each school and takes into consideration achievement and growth on end-of-grade and end-of-course tests for reading, mathematics, and science; ACT and ACT WorkKeys; and four-year high school cohort graduation rate.

Revision: North Carolina updated its criteria for identifying focus schools. Specifically, a school that misses 95 percent participation rate target for any student subgroup for three years will be identified as a focus school rather than be required to count non-participating students as non-proficient.