



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 17, 2012

The Honorable Tom Burnham
Superintendent
Mississippi Department of Education
P. O. Box 771
Jackson, Mississippi 39205

Dear Superintendent Burnham:

Thank you for submitting Mississippi's request for ESEA flexibility. We appreciate the hard work required to transition to college- and career-ready standards and assessments; develop a system of differentiated recognition, accountability, and support; and evaluate and support teacher and leader effectiveness. The U.S. Department of Education (Department) is encouraged that Mississippi and many other States are designing plans to increase the quality of instruction and improve student academic achievement.

As you know, Mississippi's request was reviewed by a panel of six peer reviewers during the week of March 26–30, 2012. During the review, the expert peers considered each component of Mississippi's request and provided comments in the form of Peer Panel Notes that the Secretary will use to inform any revisions to your request that may be needed to meet the principles of ESEA flexibility. The Peer Panel Notes, a copy of which is enclosed with this letter, also provide feedback on the strengths of Mississippi's request and areas that would benefit from further development. Department staff also have carefully reviewed Mississippi's request, taking into account the Peer Panel Notes, to determine consistency with the ESEA flexibility principles.

The peers noted, and we agree, that Mississippi's plan to transition to college- and career-ready standards includes a number of promising activities, including connections between K-12 and higher education and outreach to stakeholders on the new standards. The peer reviewers also complimented Mississippi's timeline for the implementation of college- and career-ready standards as being well-considered and realistic.

At the same time, based on the peer reviewers' comments and our review of the materials Mississippi has provided to date, we have identified certain components of your request that need further clarification, development, or revision. In particular, significant concerns were identified with respect to the following:

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- Mississippi's lack of a high-quality plan for implementing college- and career-ready standards that includes key milestones and activities, detailed timeline, party or parties responsible, evidence, resources, and significant obstacles;
- Mississippi's method of setting annual measurable objectives, which could mask the performance of students performing below proficiency by providing additional weight to students performing at the advanced level;
- Mississippi's use of a subgroup based on the "bottom 25 percent" of students and the lack of accountability and safeguards for individual ESEA subgroups;
- The lack of rigor of Mississippi's interventions and supports for priority schools, focus schools, and other Title I schools; and
- The lack of detail about how Mississippi will finalize guidelines for teacher and principal evaluation and support systems, and how Mississippi will ensure that local educational agencies (LEAs) develop, adopt, pilot, and implement these systems.

The enclosed list provides details regarding these concerns, as well as other key issues raised in the review of Mississippi's request, that we believe must be addressed before the Secretary can approve your request for ESEA flexibility. We encourage Mississippi to consider the all of the peers' comments and technical assistance suggestions in making revisions to its request, but we encourage you to focus primarily on addressing the concerns identified on the enclosed list.

Although the Peer Panel Notes for Mississippi provide information specific to your request, Mississippi also may benefit from comments and technical assistance suggestions made by other peer panels regarding issues common to multiple State educational agencies' (SEA) requests. For this reason, Department staff will reach out to Mississippi to provide relevant technical assistance suggestions and other considerations that may be useful as you revise and refine your request.

We remain committed to working with Mississippi to meet the principles of ESEA flexibility and improve outcomes for all students. We stand ready to work with Mississippi as quickly as possible. In order to ensure prompt consideration of revisions or additional materials, we are asking SEAs to submit those materials by May 1, 2012. However, given the number and level of concerns raised by the peer reviewers, Mississippi may wish to take additional time to revise its request and submit revisions later than this date. Department staff will be in touch to set up a call as early as this week to discuss the timeline and process for providing revisions or materials.

You and your team deserve great credit for your efforts thus far, and we are confident that we will be able to work together to address outstanding concerns. If you have any additional questions or want to request technical assistance, please do not hesitate to contact Grace A. Ross, at 202-260-0967.

Sincerely,



Michael Yudin
Acting Assistant Secretary

Enclosure

SUMMARY OF ADDITIONAL INFORMATION REGARDING MISSISSIPPI'S ESEA FLEXIBILITY REQUEST

CONSULTATION

- Please provide more specific information on the steps Mississippi took to meaningfully engage organizations representing English Learners or describe how Mississippi will meaningfully engage organizations representing English Learners as it continues to develop and implement ESEA flexibility. *See Consultation Question 2.*

PRINCIPLE 1: COLLEGE- AND CAREER-READY EXPECTATIONS FOR ALL STUDENTS

- Please address the concern regarding the lack of a coherent plan with integrated components that LEAs and schools could follow in implementing college- and career-ready standards by providing a high-quality plan that includes the following elements: key milestones and activities, detailed timeline, party or parties responsible, evidence, resources, and significant obstacles. *See 1.B.*
- Please provide additional information on the following activities related to the transition to college- and career-ready standards:
 - The steps Mississippi will take to work with the State's teacher and principal preparation programs to better prepare incoming teacher and principals to provide instruction and leadership aligned to the new standards. *See 1.B.*
 - How Mississippi will increase the rigor of its current assessments to prepare students and teachers for the new assessments (*e.g.*, raising achievement standards, augmenting or revising current assessments, using the "advanced" performance level instead of "proficient"). *See 1.B.*
 - How Mississippi will provide professional development and curriculum and instructional supports to all teachers of English Learners and students with disabilities, including general education teachers. *See 1.B.*

PRINCIPLE 2: STATE-DEVELOPED DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT

- Please address concerns regarding Mississippi's Quality of Distribution Index (QDI):
 - Address the concern that providing additional weight to students performing at the advanced level could mask the performance of students performing below proficiency. *See 2.A.i and 2.A.i.b.*
 - Address the concern that awarding points for students performing at the basic level without differentiating among students who have improved from the below basic level, remained at the basic level, or declined from the proficient level may not create the appropriate incentives for improvement. *See 2.A.i and 2.A.i.b.*
 - Address the concern that test participation is considered separately from the index score and might lead to unintended consequences such as schools not testing certain students. *See 2.A.i and 2.A.i.b.*
 - Address the concern that Mississippi's n-size of 40 is too high and could mask the performance of small subgroups of students. *See 2.A.i.a.*

- Please address concerns regarding a lack of accountability for individual ESEA subgroups, particularly the use of combined subgroups of the lowest-achieving 25 percent of students and the highest-achieving 25 percent of students that could mask the performance of ESEA subgroups, by providing additional safeguards for ESEA subgroups. *See 2.A.i.a and 2.A.i.b.*
- Please address concerns regarding graduation rate by providing additional information on how Mississippi will hold schools and LEAs accountable for improving graduation rates, including the graduation rates of ESEA subgroups. *See 2.A.i.a and 2.A.i.b.*
- Please address concerns regarding AMOs:
 - Address the concern that Mississippi's new AMOs are not ambitious but achievable, given that they do not require any improvement for schools with a QDI of 200 or above and that schools may meet their AMOs without increasing the percentage of students at the proficient level of achievement. *See 2.B.*
 - Address the concern regarding the difficulty for the public to understand the information provided by the QDI and for educators to use the information to inform diagnostics and improvement planning. *See 2.B.*
- Please demonstrate that Mississippi has identified the required number of priority, focus, and reward schools that meet the respective definitions of those groups of schools in ESEA flexibility. Refer to the document titled *Demonstrating that an SEA's Lists of Schools meet ESEA Flexibility Definitions*. *See 2.C.ii, 2.D.ii and 2.E.ii.*
- Please address concerns regarding reward schools:
 - Provide additional information on Mississippi's system for recognizing and, if applicable, rewarding, its highest-performing and high-progress schools, including specific information on the recognition and rewards that will be provided. *See 2.C.iii.*
 - Describe the tangible rewards that Mississippi will provide to reward schools, such as bonuses, grants, or increased autonomy. *See 2.C.iii.*
- Please address concerns regarding priority schools:
 - Provide specific interventions aligned to the turnaround principles that will be implemented in priority schools; a mechanism for how these will be selected and implemented; a description of how the needs of English Learners, students with disabilities, and low-achieving students will be addressed; and a description of how the SEA will ensure that priority schools implement these interventions. *See 2.D.iii.a.*
 - Describe the steps Mississippi will take to ensure meaningful consequences for priority schools that do not make progress after full implementation of interventions. *See 2.D.iii.a and 2.D.iii.b.*
 - Clarify that all LEAs with one or more priority schools will implement, for at least three years, meaningful interventions aligned with all of the turnaround principles in each priority school starting no later than the 2014–2015 school year, including by addressing all of the turnaround principles. *See 2.D.iv and 2.D.v.*
 - Demonstrate that Mississippi's proposed exit criteria for priority schools are rigorous and will result in significant progress in improving student achievement and narrowing achievement gaps. *See 2.D.v.*
- Please address concerns regarding focus schools:
 - Provide a timeline for identifying the needs of focus schools and implementing interventions based on those needs. *See 2.E.iii.*

- Provide specific examples of and justifications for the interventions that focus schools will be required to implement, and how those interventions will be based on the needs of the students in the schools. *See 2.E.iii.*
- Describe the steps Mississippi will take to ensure meaningful consequences for focus schools that do not make progress after full implementation of interventions. *See 2.E.iv.*
- Demonstrate that Mississippi's proposed exit criteria for focus schools are rigorous and will result in significant progress in improving student achievement and narrowing achievement gaps. *See 2.E.iv.*
- Please address the following concerns regarding supports and incentives for other Title I schools:
 - Demonstrate that Mississippi's new AMOs, along with other measures, are used to identify other Title I schools that are not making progress in improving student achievement and closing achievement gaps, and to provide incentives and supports for those schools. *See 2.F.i.*
 - Describe additional incentives and supports for improvement other than not being identified as a priority or focus school, including interventions focused on the specific needs of students, including English Learners and students with disabilities, and a mechanism for how these will be selected and implemented. *See 2.F.i and 2.F.ii.*
 - Describe additional mechanisms for accountability for ESEA subgroups beyond public reporting, including how Mississippi will ensure that schools and LEAs with persistently low-performing ESEA subgroups will address the needs of those subgroups. *See 2.F.i.*
 - Address the concern that Mississippi does not specify any consequences for schools that do not improve. *See 2.F.ii.*
- Please address concerns regarding SEA, LEA, and school capacity:
 - Provide additional information on Mississippi's proposed statewide system of support (SSOS), including a timeline for finalizing the development of the SSOS and a description of how the SSOS will provide the necessary support to schools and LEAs. *See 2.A.i, 2.A.i.a, and 2.G.i*
 - Provide additional information on Mississippi's process for ensuring timely and comprehensive monitoring of, and technical assistance for, LEA implementation of interventions in priority and focus schools. *See 2.G.i.*
 - Provide additional information on Mississippi's process for ensuring sufficient support for implementation of interventions in priority schools, focus schools, and other Title I schools. *See 2.G.ii.*
 - Provide additional information on how Mississippi will hold LEAs accountable for improving school and student performance beyond public reporting, including by describing a system of incentives and supports for struggling LEAs. *See 2.G.iii.*

PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP

- Please address concerns regarding the plan for developing and adopting guidelines for evaluation and support systems:
 - Provide a description of the components that Mississippi plans to include in its guidelines for teacher and principal evaluation and support systems to ensure that these guidelines meet the requirements of ESEA flexibility. *See 3.A.i.*

- Ensure that continuous feedback is sought directly from teachers and principals (including teachers of students with disabilities and English Learners) as guidelines for local teacher and principal evaluation and support systems are developed and implemented. *See 3.A.i.*
- Please address concerns regarding Mississippi's process for ensuring each LEA develops, adopts, pilots, and implements evaluation and support systems consistent with the guidelines:
 - Describe how the pilot and field testing will include teachers of English Learners and students with disabilities. *See 3.B.*
 - Describe how Mississippi will finalize its student growth model and its weighting in the evaluation system. *See 3.B.*
 - Clarify the steps Mississippi will take to prepare for implementing its principal evaluation system in fall of 2013, one year in advance of the teacher evaluation system. *See 3.B.*
 - Explain how Mississippi plans to work with teachers and administrators, or as appropriate, their designated representatives, in order to implement the evaluation and support plans outlined in the request. *See 3.B.*
 - Describe how Mississippi will ensure that LEAs create teacher and principal evaluation and support systems that include as a significant factor data on student growth for all students, consistent with the definition for student growth in ESEA flexibility. *See 3.B.*