



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 17, 2012

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

Dear Superintendent Huppenthal:

Thank you for submitting Arizona'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 Arizona and many other States are designing plans to increase the quality of instruction and improve student academic achievement.

As you know, Arizona'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 Arizona'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 Arizona's request and areas that would benefit from further development. Department staff also have carefully reviewed Arizona's request, taking into account the Peer Panel Notes, to determine consistency with the ESEA flexibility principles.

The peers noted, and we agree, that Arizona's request was particularly strong in Principles 1 and 3. For example, Arizona's request provided a realistic and high quality plan under Principle 1 to transition to college- and career-ready standards. The peers also expressed confidence that the extensive capacity-building activities for Principle 3 will enable the development and implementation of teacher and principal evaluation and support systems.

At the same time, based on the peer reviewers' comments and our review of the materials Arizona has provided to date, we have identified certain components of your request that need further clarification, additional 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.*

- The lack of ambitious but achievable annual measurable objectives (AMO) for all students and all subgroups based solely on proficiency;
- The lack of adequate protections for subgroup accountability, including the use of a combined subgroup that could mask achievement gaps for individual student subgroups; and
- Insufficient inclusion of graduation rates for all students and ESEA subgroups in Arizona's differentiated recognition, accountability and support system.


The enclosed list provides details regarding these concerns, as well as other key issues raised in the review of Arizona's request, that we believe must be addressed before the Secretary can approve your request for ESEA flexibility. We encourage Arizona to consider 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 Arizona provide information specific to your request, Arizona 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 Arizona 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 Arizona to meet the principles of ESEA flexibility and improve outcomes for all students. We stand ready to work with Arizona as quickly as possible. In order to ensure prompt consideration of revisions or additional materials, we are asking SEAs to submit those revisions or materials by May 1, 2012. 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 Millie Bentley-Memon, at 202-401-1427.

Sincerely,



Michael Yudin  
Acting Assistant Secretary

Enclosure

# SUMMARY OF ADDITIONAL INFORMATION REGARDING ARIZONA'S ESEA FLEXIBILITY REQUEST

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## CONSULTATION

- Please provide more specific information on the steps Arizona took to meaningfully engage and solicit input on Principles 1 and 2 of its request from teachers and their representatives, or describe how Arizona will meaningfully engage these stakeholders as it continues to develop and implement ESEA flexibility. *See Consultation Question 1.*
- Please provide more specific information on the steps Arizona took to meaningfully engage and solicit input on its request from representatives of Native American communities, including Indian tribes, or describe how Arizona will meaningfully engage these stakeholders as it continues to develop and implement ESEA flexibility. *See Consultation Question 2.*

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

- Please provide a plan to prepare local educational agencies (LEA) to support Native American and migrant students in the transition to college- and career-ready standards. *See 1.B. Part B.*

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

- Please address concerns regarding Arizona's proposed accountability system:
  - Strengthen the inclusion of graduation rates in Arizona's accountability system, including subgroup graduation rates. *See 2.A.i*
  - Clarify the impact of assessment participation rates in Arizona's A-F school rating system. *See 2.A.i.*
  - Explain the basis for selecting the cut-points used to assign A-F letter grades, demonstrate that the cut points for each letter grade are rigorous, and clarify whether the system could permit a school with low percentages of growth or low proficiency rates to receive an A or B rating. *See 2.A.i.a.*
  - Clarify how Arizona will include students who participate in the AIMS-A in the achievement composite portion of the A-F rating system. *See 2.A.i.*
  - The potential lack of accountability for individual ESEA subgroups in Arizona's proposed system, particularly due to the use of the bottom 25 percent combined subgroup that could mask the performance of ESEA subgroups. *See 2.A.i.b and 2.E.1.b.*
- Please provide AMOs for the State, LEAs, and schools that are ambitious but achievable, based solely on proficiency, set separately for reading/language arts and mathematics, applied to each ESEA subgroup, and require subgroups that are further behind to make greater rates of progress. *See 2.B and 2.F.*
- Please address concerns regarding reward, priority, and focus schools:
  - Demonstrate that Arizona has identified the required number of focus, and reward schools that meet the respective definitions in ESEA flexibility. Refer to the document titled *Demonstrating that an SEA's Lists of Schools meet ESEA Flexibility Definitions.*

- Describe specific interventions for English Learners, students with disabilities, and student groups with low graduation rates that will be used by priority and focus schools, and how these interventions will close achievement gaps. *See 2.D.iii.b.*
- Demonstrate that Arizona’s proposed exit criteria for priority and focus schools are rigorous and will result in significant progress in improving student achievement and narrowing achievement gaps. *See 2.E.i.b.*
- Please describe in further detail Arizona’s plan for providing incentives and supports, including supports for English learners and students with disabilities, in other Title I schools that, based on the State’s proposed AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gaps. *See 2.F.i and 2.F.ii.*
- Please describe whether Arizona will leverage funds that LEAs were previously required to reserve under ESEA section 1116(b)(10) to support the implementation of interventions in priority schools, focus schools, and other Title I schools identified under Arizona’s differentiated recognition, accountability, and support system. *See 2.G.ii.*

### **PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP**

- Please provide further detail on how Arizona will guide professional development for teachers and principals based on evaluation results. *See 3.A.ii.e.*
- Please address concerns regarding the scope and duration of the LEA pilot of a teacher and principal evaluation system in two schools over 30 days. *See 3.B.*
- Please describe how Arizona 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 of student growth in ESEA flexibility. *See 3.B.*
- Please explain how Arizona 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.*