



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 17, 2012

The Honorable John White  
State Superintendent of Education  
Louisiana Department of Education  
P.O. Box 94064  
Baton Rouge, Louisiana 70804

Dear Superintendent White:

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

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

The peers noted, and we agree, that Louisiana's request was particularly strong in regards to the overall quality and organization of the plan for implementing college- and career-ready standards; the rigor of Louisiana's approach to intervening in priority schools by placing them in the Recovery School District, which provides Louisiana with authority to modify all aspects of a school's design; and the use of the Trailblazer Initiative to support local educational agencies (LEAs).

At the same time, based on the peer reviewers' comments and our review of the materials Louisiana 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:

[www.ed.gov](http://www.ed.gov)

400 MARYLAND AVE., SW, WASHINGTON, DC 20202

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

- A timeline for implementing college- and career-ready standards that does not meet the requirement for full implementation of the standards by the 2013–2014 school year;
- Insufficient accountability for subgroups, including no inclusion of subgroup performance in Louisiana’s grading system and a lack of safeguards to ensure that the use of a combined subgroup of non-proficient students does not mask the performance of individual ESEA subgroups; and
- The use of a growth model for school accountability that takes into account student background characteristics.

The enclosed list provides details regarding these concerns, as well as other key issues raised in the review of Louisiana’s request, that we believe must be addressed before the Secretary can approve your request for ESEA flexibility. We encourage Louisiana 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 Louisiana provide information specific to your request, Louisiana 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 Louisiana 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 Louisiana to meet the principles of ESEA flexibility and improve outcomes for all students. We stand ready to work with Louisiana 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, Louisiana 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 Elizabeth Witt, at 202-260-5585.

Sincerely,

Michael Yudin  
Acting Assistant Secretary

Enclosure

## SUMMARY OF ADDITIONAL INFORMATION REGARDING LOUISIANA’S ESEA FLEXIBILITY REQUEST

---

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

- Please provide a timeline for implementing college- and career-ready standards that meets the requirements of ESEA flexibility, including full implementation of the college- and career-ready standards by the 2013–2014 school year. *See 1.B.*
- Please provide additional information on the following activities related to the transition to college- and career-ready standards:
  - How Louisiana will develop instructional materials and supports for teachers of English Learners and students with disabilities. *See 1.B.*
  - How Louisiana 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 Louisiana will transition students with disabilities currently taking an alternate assessment based on modified academic achievement standards to the State’s new, high-quality assessments. *See 1.B.*

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

- Please address concerns regarding Louisiana’s proposed accountability index:
  - Modify Louisiana’s growth model so that it does not control for student background characteristics. *See 2.A.i and 2.A.i.b*
  - Provide a rationale for using a benchmark for the ACT that is lower than the college-readiness benchmark set by ACT. *See 2.A.i and 2.A.i.b.*
  - Provide a rationale for using the “basic” level rather than the “mastery” level as the proficient level of achievement. *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.*
- Please address concerns regarding a lack of accountability for individual ESEA subgroups, particularly the use of a combined subgroup of non-proficient students that could mask the performance of ESEA subgroups, by providing additional safeguards for ESEA subgroups. *See 2.A.i.*
- Please address concerns regarding graduation rate:
  - Modify the calculation of the graduation index so that schools do not receive points for skills certificates, certificates of achievement, and attenders. *See 2.A.i.a.*
  - Provide additional information on how Louisiana will hold schools and LEAs accountable for improving the graduation rates of ESEA subgroups. *See 2.A.i, 2.A.i.a, 2.A.i.b, and 2.C.i.*
- Please address concerns regarding annual measurable objectives (AMO):

- Provide AMOs for the State, LEAs, and schools that are ambitious but achievable, set separately for reading/language arts and mathematics, and applied to each ESEA subgroup. *See 2.B.*
- Increase the rigor of the target for the percent of non-proficient students making more than expected growth. *See 2.B.*
- Please provide a list of reward schools, and demonstrate that Louisiana 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*.
- Please address concerns regarding reward schools:
  - Demonstrate that schools identified as high-progress reward schools are actually making significant progress. *See 2.C.i.*
- Please address concerns regarding priority schools:
  - Provide additional information about the SEA's capacity to serve all schools in the Recovery School District well, particularly rural schools. *See 2.D.ii.*
  - Describe how interventions in priority schools will address the needs of English Learners and students with disabilities. *See 2.D.iii.b.*
- Please address concerns regarding focus schools:
  - 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.*
  - Strengthen Louisiana's proposed exit criteria for focus schools to ensure that they will result in significant progress in improving student achievement and narrowing achievement gaps. *See 2.E.iv.*
- Please address concerns regarding supports and incentives for other Title I schools:
  - Please demonstrate that Louisiana'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.*
  - Provide additional information regarding the instructional practices that will be employed to address the needs of English Learners and students with disabilities in other Title I schools. *See 2.F.i.*
  - Provide additional information on a process to ensure consistent diagnostics and improvement planning based on the needs of all students and all subgroups and focused on closing achievement gaps. *See 2.F.i.*
- Please address concerns regarding SEA, LEA, and school capacity:
  - Describe how Louisiana will monitor the implementation of interventions in priority and focus schools. *See 2.G.i.*
  - Describe a process for the rigorous review and approval of any external providers used by the SEA and its LEAs to support the implementation of interventions in priority and focus schools. *See 2.G.i.*
  - Describe whether Louisiana 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 Louisiana's

- differentiated recognition, accountability, and support system. *See 2.G.ii.*
- Describe how Louisiana will hold LEAs, not just schools, accountable for improving school and student performance. *See 2.G.iii.*

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

- Please address concerns regarding the guidelines for teacher and principal evaluation and support systems:
  - Increase the minimum n-size that is used for the purposes of attributing value-added results to a teacher for high-stakes purposes. *See 3.A.i.*
  - Address the concern that one formal and one informal observation each year may not be sufficient to guide continuous improvement. *See 3.A.i, 3.A.ii.a, and 3.A.ii.d.*
  - Demonstrate that the categories in Louisiana’s evaluation and support system appropriately differentiate among teachers. *See 3.A.i and 3.A.ii.b.*
  - Address the concern that the evaluation and support system applies consequences only to teachers in the ineffective category. *See 3.A.i and 3.A.ii.f.*
- Please address concerns regarding Louisiana’s process for ensuring each LEA develops, adopts, pilots, and implements evaluation and support systems consistent with the guidelines:
  - Provide additional information about Louisiana’s approach to principal evaluation and support. *See 3.B.*
  - Provide additional detail on how Louisiana will ensure inter-rater reliability across schools, LEAs, and evaluators, as well as appropriate implementation of the observation rubric when evaluating instruction of English Learners and student with disabilities. *See 3.A.i and 3.B.*
  - Provide additional detail on the plan for statewide implementation in the 2012–2013 school year. *See 3.A.i and 3.B.*