

**NORTH CAROLINA RENEWAL REQUEST**  
**JANUARY 30, 2015**

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5	Memorandum of understanding or letter from a State network of institutions of higher education (IHEs) certifying that meeting the State’s standards corresponds to being college- and career-ready without the need for remedial coursework at the postsecondary level (if applicable)	N/A
6	State’s Race to the Top Assessment Memorandum of Understanding (MOU) (if applicable)	N/A
7	Evidence that the SEA has submitted high-quality assessments and academic achievement standards to the Department for peer review, or a timeline of when the SEA will submit the assessments and academic achievement standards to the Department for peer review. (if applicable)	51
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**From:** Lynda Fuller  
**Sent:** Thursday, December 18, 2014 1:33 PM  
**To:** Lou Fabrizio  
**Subject:** Re: Public Notice on ESEA Flexibility Renewal

Lou,

The public notice regarding NC's ESEA Flexibility Renewal request was posted at 1 p.m. Dec. 18 to the Public Notices website, <http://www.ncpublicschools.org/publicnotices/notices/2014-15/20141218-01>. Following posting, I sent an email regarding its availability and location to the following listservs:

NC principals  
NC teachers  
NC school administrators  
NC public information officers  
NC education associations  
NC education partners

The notice also will be included in the Dec. 22 weekly message to superintendents. Let me know if you need anything else.

--Lynda  
NCDPI Communications

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**From:** Lou Fabrizio  
**Sent:** Wednesday, December 17, 2014 4:01 PM  
**To:** Vanessa Jeter  
**Cc:** Lynda Fuller; Donna Brown; Lucy Medlin; Rebecca Garland; Tammy Howard  
**Subject:** Public Notice on ESEA Flexibility Renewal

Dear Vanessa and Lynda,

Please post this public notice using the usual process *as soon as possible*. Once that is done, please post on the various listservs that you usually do. I will need to include in our ESEA application to whom the information is sent and on what day(s).

THANKS!

Lou

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Note to USED: The public notice referenced above can be found in Attachment 3 (revised).

## Comments Received From Public Notice

**The comments below are excerpts from the 2015 NC ESEA Renewal Request. They also include comments received from those outside of LEAs.**

In the development of the initial ESEA Flexibility proposal and renewal, North Carolina consulted with its Title I Committee of Practitioners (COP) through face-to-face meetings conducted on November 2, 2011, December 13, 2012 and January 12, 2015. At the January 12, 2015 meeting, information was provided to COP members regarding any proposed changes on the ESEA Flexibility Renewal request including the optional waiver #14. COP members voted unanimously to support the state's proposal to renew flexibility to specific provisions of ESEA.

For the ESEA Flexibility Request Renewal of 2015, public notice was posted on December 18, 2014 on the NCDPI website at <http://www.ncpublicschools.org/publicnotices/notices/2014-15/20141218-01> and also sent to various listservs including: LEA Superintendents and Charter School Directors, NC Principals, NC Teachers, NC Partners in Education, NC Education Organizations and Associations, NC School Administrators, LEP District Coordinators and all LEA Communication Directors. (See Attachment 3 revised). Only three emails were received in response to the public notice. One was from an assistant principal expressing dissatisfaction with the emphasis on high-stakes testing in ESEA and the two others was from a local superintendent who asked for clarifications on the renewal process and wondered if we should be requesting to combine subgroups. Additionally, various aspects of the renewal components were discussed at the following: the State Board of Education meeting on December 4, 2014 in Raleigh; Superintendents' Quarterly meeting on December 5, 2014 in Greensboro; a meeting of the Northwest Principals' Advisory Council on December 9, 2014 in Wilkesboro; AIG Regional Leadership meeting on December 16-17, 2014 with 15 AIG school district leaders representing all 8 SBE regions; a meeting of the P20-W Policy Council (representatives from Early Childhood, K-12, community colleges, university system, Department of Commerce and Independent Colleges and Universities Association) on January 6, 2015 in Raleigh, the Title I Committee of Practitioners' meeting on January 12, 2015 in Durham; a conference call with two members of the Governor's education staff on January 12, 2015; a meeting with several members of the Executive Committee of the North Carolina School Superintendents' Association (NCSSA) on January 13, 2015 in Raleigh; a meeting of the Northwest Superintendents' Advisory Council on January 14, 2015 in Wilkesboro; and a meeting with over 20 local school superintendents and the Executive Director of the NCSSA at the Next Generation Superintendent Development Program in High Point on January 15, 2015.

It was through feedback from these meetings that North Carolina's Renewal Request includes flexibility on the participation rate for the ACT and a change in the inclusion of non-proficient scores to be added when a school misses participation rates three years in a row. It also was from these meetings that the request for seeking flexibility on the double testing was included as it is described on page 64. In general, there were concerns raised by some individuals about the amount of testing that occurs and how they hope that getting the Renewal approved would not prevent the State from seeking some other changes (or amendments) to the Renewal if new legislation is passed or other circumstances change in the future. These individuals were assured that the USED has a process for requesting amendments in the future.

For the 2015 ESEA Flexibility Renewal, NCDPI provided the Superintendent's Parent Advisory Council (SPAC) with information and an opportunity for feedback on January 22, 2015. The SPAC was established in November of 2013 to examine important processes, policies, and initiatives and to ensure that the needs of parents and their families are included as decisions are made in the State. The SPAC is comprised of parent representatives from various communities across North Carolina. Members work together to:

- Identify common needs and goals among the parents of students enrolled in Public Schools of North Carolina.
- Provide the Superintendent with feedback and insight from the parent's perspective on State processes, policies and initiatives.
- Bring to the Superintendent's attention existing and emerging issues expressed by parents in the communities they represent.
- Facilitate communication between and among the parents and parent organizations from different communities.
- Serve as a forum for sharing innovations and best practices from around the state.

The SPAC agenda included a discussion of the inclusion of the A–F School Performance Grades and the new waiver offered to eliminate double testing for some students. The SPAC asked if the A–F grading system was a federal or state requirement and staff clarified that it was required by the General Assembly of North Carolina. No further discussion or feedback was provided by the SPAC members.

For the 2015 ESEA Flexibility Renewal, a meeting was held with two staff members of the North Carolina Association of Educators (NCAE) to discuss the various components of the Request. As a result of that meeting, the President of NCAE submitted a letter of support that can be seen in Attachment 3.

## PUBLIC NOTICES 2014-15

PUBLIC NOTICES 2014-15 :: DECEMBER 18, 2014

### North Carolina Department of Public Instruction To Request Renewal of the Elementary and Secondary Education Act (ESEA) Flexibility

Notice is hereby given that the North Carolina Department of Public Instruction (NCDPI) will submit a request to the US Department of Education (USED) to renew North Carolina's ESEA flexibility so that North Carolina can continue to implement ESEA flexibility through the end of the 2018-19 school year. As part of the renewal process, North Carolina proposes to incorporate the following into its currently approved ESEA flexibility request.

- Implement the A-F accountability model for grading schools (*per NC General Statutes § 115C-83.11. School performance scores and grades*)
- Request that the 95% participation rate annual measurable objective (AMO) be determined for the school as a whole and not for individual subgroups for The ACT. However, individual subgroup participation rates will be reported. The ACT assessment administration dates are set by ACT and there are only two allowable dates for students to participate. This inhibits schools' abilities to ensure that all students are tested if some are absent on the two days when the test is administered.
- Propose a timeline for identifying the next cohort of Focus and Priority Schools based on using data from the 2012-13, 2013-14 and 2014-15 school years and starting to serve the next cohort of Focus and Priority Schools in the 2015-16 school year.
- Propose an amended methodology for identifying the next cohort of Focus Schools which also looks at whether the lowest performing subgroup in a school with gaps is performing higher than the state for that subgroup.

The state also proposes to request the following new waiver offered for the first time through the renewal process even though there isn't a likelihood of having excess funds to distribute under current resource allocations.

- The requirement in ESEA section 1003(a) for a State Education Agency (SEA) [i.e. – NCDPI] to distribute funds reserved under that section only to local school districts with schools identified for improvement, corrective action, or restructuring. The SEA requests this waiver so that, when it has remaining section 1003(a) funds after ensuring that all priority and focus schools have sufficient funds to carry out interventions, it may allocate section 1003(a) funds to its school districts to provide interventions and supports for low-achieving students in other Title I schools when one or more subgroups miss either AMOs or graduation rate targets or both over a number of years.

Additionally, the state is seeking comments on the following new waiver also being offered for the first time through the renewal process.

- The requirements in ESEA sections 1111(b)(1)(B) and 1111(b)(3)(C)(i) that, respectively, require the SEA to apply the same academic content and academic achievement standards to all public schools and public school children in the State and to administer the same academic assessments to measure the achievement of all students. The SEA requests this waiver so that it is not required to double test a student who is not

