

**ESEA FLEXIBILITY  
Amendment Submission**

Dear Assistant Secretary:

I am writing on behalf of Ohio Department of Education (SEA) to request approval to amend the State’s approved ESEA flexibility request. The relevant information, outlined in the *ESEA Flexibility Amendment Submission Process* document, is provided in the table below.

Please note: We have included a sample amendment for your information. Please add rows as necessary to request multiple amendments.

| <b>Flexibility Element Affected by the Amendment</b>                              | <b>Brief Description of Element as Originally Approved</b> | <b>Brief Description of Requested Amendment</b>  | <b>Rationale</b>  | <b>Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result</b>  |
|---|--|--|---|---|
| 2. A State-Based System of Differentiated Recognition, Accountability and Support | No provision included in original application              | Beginning with the 2013-14 school year and beyond, Ohio will display its NAEP math and reading data, disaggregated by subgroup, in an Excel “download file” saved to the report card web page. | <p>In prior years, Ohio provided a URL link to its NAEP data on the “Resources” page of the report card web application. In Ohio’s ESEA Flexibility Part B Monitoring Report, the USDOE indicated that this level of reporting does not comply with the guidance provided in ED’s <i>State and Local Report Cards Under Title I, Part A</i> released on February 8, 2013.</p> <p>The amendment is being requested as part of Ohio’s plan for revising its report cards to comply with the requirements contained in the February 8, 2013 guidance document.</p> | This amendment is being requested to bring Ohio into compliance with reporting requirements outlined in Ohio’s ESEA Flexibility Part B Monitoring Report. Stakeholders will be engaged in the |

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-0581.

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|   |   |  |   | coming weeks to ensure that they are aware of the changes.   |
| 2. A State-Based System of Differentiated Recognition, Accountability and Support | No provision included in original application       | For the 2013-14 school year and beyond, both the AMO download files and the school and district report cards will include the reading and math participation rates and the attendance rate disaggregated for each student group. | <p>In prior years, Ohio reported these data only in the AMO download files saved to the report card web application. In Ohio’s ESEA Flexibility Part B Monitoring Report, the USDOE indicated that this level of reporting does not comply with the guidance provided in ED’s <i>State and Local Report Cards Under Title I, Part A</i> released on February 8, 2013.</p> <p>The amendment is being requested as part of Ohio’s plan for revising its report cards to comply with the requirements contained in the February 8, 2013 guidance document.</p> | This amendment is being requested to bring Ohio into compliance with reporting requirements outlined in Ohio’s ESEA Flexibility Part B Monitoring Report. Stakeholders will be engaged in the coming weeks to ensure that they are aware of the changes. |
| 2. A State-Based System of Differentiated Recognition,                            | No provision included in original application       | For 2013-14 and beyond, Ohio will include in its download files  | In prior years, Ohio’s teacher quality data reported only the “percentage of classes” for each element that was required to be reported. In Ohio’s ESEA Flexibility Part B Monitoring Report, the USDOE indicated that this level of reporting does not comply with the guidance provided in  | This amendment is being requested to bring Ohio into compliance with reporting   |

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| Accountability and Support                                |  | additional teacher quality data, including the “number of classes” for each element that is reported.   | <p>ED’s <i>State and Local Report Cards Under Title I, Part A</i> released on February 8, 2013.</p> <p>The amendment is being requested as part of Ohio’s plan for revising its report cards to comply with the requirements contained in the February 8, 2013 guidance document.</p>  | requirements outlined in Ohio’s ESEA Flexibility Part B Monitoring Report. Stakeholders will be engaged in the coming weeks to ensure that they are aware of the changes.                                |
| 2.B Ambitious but Achievable Annual Measurable Objectives | For a detailed description and criteria of setting ambitious but achievable annual measurable objectives, please see pages 62 – 83 of Ohio’s | Ohio proposes to remove attendance rate as a demotion criteria in its AMO calculation, but it will continue to be reported on the school and district report cards. | <p>A major goal of Ohio’s ESEA Flexibility Waiver was to establish different levels of autonomy, support and interventions for LEAs and schools based on their overall performance on the six accountability components outlined in the waiver rather than using just one measure as had been the case in the previous accountability system.</p> <p>As part of the new system, Ohio established ambitious, but achievable AMO targets in reading proficiency, math proficiency and graduation rate. The calculation also included demotions to an LEA’s or school’s preliminary Gap Closing letter grade for having low subgroup performance on any of the AMOs, low attendance rate or low participation rate. Ohio intended for this calculation to</p> | <p>The Ohio Department of Education (ODE) has been communicating in an ongoing manner with LEA and community representatives affected by the legislation.</p> <p>Communication has included meetings</p> |

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|   | redlined copy of the ESEA Flexibility Request.      |  | <p>be balanced with each of the AMOs and each demotion criteria having equal importance in determining the final Gap Closing letter grade.</p> <p>After the 2013 report card calculations were completed, the state discovered that the Gap Closing calculation was not balanced and for many LEAs and schools, the attendance rate demotion played a much larger role in determining the final grade than the other pieces of the calculation. Moreover, the state discovered that because of the way the attendance rate demotion was applied, the Gap Closing component was playing a much larger role than some of the other accountability components in determining the level of autonomy, support and interventions assigned to LEAs and schools.</p> <p>The proposed amendment is being requested as a way to “correct” the imbalance and ensure that the principles outlined in the waiver can continue to be implemented in a way that will lead to increased student achievement for all student groups.</p> <p>As part of this amendment request, attendance rate remains a priority in the unified accountability system. Ohio will continue to monitor and report each LEA’s and school’s</p> | with key stakeholder groups, and discussions with individual stakeholders as well as telephone conversations, and email communications. |

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|   |   |  | <p>attendance rate on the report cards and Excel spreadsheet download files, and attendance rate data will continue to be available on the agency’s “Advanced Reports” application.</p> <p>This proposed amendment does not conflict with the ESEA principles, nor does it diminish accountability; rather, it allows for increased flexibility and efficiency and will ensure that LEAs and schools are properly identified for support and intervention leading to improved student achievement for all student groups.</p> |   |

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| 3.B Ensure LEAs Implement Teacher and Principal Evaluation and Support Systems | Ensuring LEAs Implement and Meet Timelines   | Allow the few remaining LEAs whose collective bargaining agreements expire after 2014-15 to implement the Ohio Teacher Evaluation System beginning in in 2015-16. | <p>Language in SB 316 allowed a very small number of LEAs, less than 10%, to delay implementation of the Ohio Teacher Evaluation System beyond the 2014-15 school year by extending the expiration dates their existing collective bargaining agreements. The law was subsequently modified to close this gap but the state superintendent has no authority to require these districts to implement before the expiration of their existing bargaining agreements.</p> <p>The districts affected are not participating in RttT and this delay does not apply to the Ohio Principal Evaluation System.</p> | ODE staff has been in personal contact with superintendents at each of these districts and has assurance that they will implement as required at the expiration of their collective bargaining agreements.   |
| 3.B Ensure LEAs Implement Teacher and Principal Evaluation and Support Systems | Phase-out Highly Qualified Teacher requirement and replace HQT on the Local Report Card (LRC) with effectiveness | Implement a dual system of HQT requirements and effectiveness ratings to inform decisions and on the Local Report Card.   | Because state legislators support the continued use of HQT and community (charter) schools are not required to use new state evaluation systems we request to adjust the plan to move to using effectiveness ratings <i>in place of</i> HQT for equitable distribution and on the LRC in 2014-15. Using both HQT and effectiveness ratings also allows Ohio to more easily adjust to any federal changes involving HQT when the ESEA is reauthorized.   | ODE staff has been field-testing various iterations of a new tool to use effectiveness ratings for equitable distribution that is streamlined so that using the dual system will not be an increased burden. |

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|  | s ratings. Use effectiveness ratings in place of HQT for determining equitable distribution of teachers. |   |                  |  |

Attached to this letter is a redlined version of the pages from our approved ESEA flexibility request that would be impacted with strikeouts and additions to demonstrate how the request would change with approval of the proposed amendment. Please contact Dr. John Richard at john.richard@education.ohio.gov or by phone at 614-466-5795 or 877-644-6338 if you have any questions regarding this proposed amendment.

The Ohio Department of Education acknowledges that the U.S. Department of Education may request supplementary information to inform consideration of this request.



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Chief State School Officer

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*April 7, 2014*

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Date