UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUL 2 3 2015

The Honorable Glenda Ritz
Superintendent of Public Instruction
Indiana Department of Education
115 West Washington Street
South Tower, Suite 600
Indianapolis, IN 46204

Dear Superintendent Ritz:

I am writing in response to Indiana's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Indiana may continue to implement ESEA flexibility.

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Indiana's request dated July 14, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Indiana's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

My decision to renew approval of Indiana's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Indiana to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, Indiana will be able to continue implementing its plans to promote innovative, locally tailored strategies to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. Indiana's approved request will be posted on ED's website.

This letter also provides my approval of Indiana's amendments to its ESEA flexibility request, except for one pending amendment. A summary of Indiana's pending amendment and one significant amendment is enclosed with this letter.

This renewal is subject to Indiana's commitment to:

- Provide to ED by the date included in its ESEA flexibility request, December 31, 2015, a summary of its progress in carrying out its plan to administer in school year 2015–2016 high-quality assessments in high school aligned to Indiana's academic content standards and alternate assessments for students with the most significant cognitive disabilities based on alternate academic achievement standards aligned to Indiana's academic content standards.

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Indiana is implementing the plan set forth in its ESEA flexibility request, including timeline and

milestones, which will lead to inclusion of student growth in its principal evaluation and support system based on State assessments administered no later than the 2015–2016 school year and each year thereafter.

Indiana continues to have an affirmative responsibility to ensure that it and its local educational agencies (LEAs) are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of ESEA flexibility. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

I am confident that Indiana will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and LEAs accountable for the achievement of all students. If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact Melissa Siry or Alecia Walters of my staff at: OSS.Indiana@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all students in Indiana.

Sincerely,

Ann Whalen
Delegated the authority to perform the functions and duties of Assistant Secretary for Elementary and Secondary Education

Enclosure

cc: Jeffrey Coyne, Director of Federal Relations

Pending Amendment to Indiana's ESEA Flexibility Request

As outlined in its ESEA flexibility request, Indiana intends to submit an amendment no later than February 1, 2016 outlining its new system of differentiated recognition, accountability, and support that was approved by the Indiana State Board of Education in May 2015 and is awaiting final ruling by the Governor. Indiana will use this new system to generate school ratings for the 2016–2017 school year for all LEAs in the State and for all Title I schools in these LEAs.

Approved Amendment to Indiana's ESEA Flexibility Request

The following is a summary of one significant amendment to Indiana's ESEA flexibility request. ED approves this amendment because Indiana's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website (http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/in.html) for Indiana's complete ESEA flexibility request.

- **State-Developed Differentiated Recognition, Accountability, and Support (Principle 2)**

  Revision: Indiana updated its criteria for identifying Reward Schools. In addition to receiving an "A" on the State's accountability index for the two previous years, a high-performing school must also meet or exceed annual measurable objectives in all subgroups, including the "all students" group, for English/language arts (ELA) and mathematics. Note that a school cannot receive an "A" on the State's accountability index if it has achievement gaps that are not closing. A high-progress school must be a Title I school that shows high growth in the "all students" group in ELA and mathematics, does not have significant achievement and graduation gaps across any of its subgroups, and for which annual assessment data indicates subgroup achievement and graduation gaps are narrowing.