

**ESEA FLEXIBILITY
Amendment Submission**

Dear Assistant Secretary:

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

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
<p>AMENDMENT REQUEST #1</p> <p>2A.i State Developed Recognition, Accountability and Support</p>	<p>See pages 38-39 of waiver.</p> <p>Originally, South Dakota proposed Indicator #3: College and Career Readiness of the School Performance Index for high schools to be based on three factors:</p> <p>1. Percent of students taking the ACT test</p>	<p>South Dakota proposes to eliminate #1 -- % of students who take the ACT -- from the College and Career Ready calculation, and weight #2 and #3 equally, with each of them accounting for 50% of the points for this indicator.</p>	<p>South Dakota has placed emphasis on stakeholder input. Stakeholders felt that this particular component placed an unfair burden on schools that have no control over the number of students taking the ACT.</p>	<p>During the public hearing held before the State Board of Education on Aug. 23 to address the state’s new administrative rules for accountability, the board received several written comments encouraging the elimination of this component of the College and Career Readiness Indicator from the School Performance Index. The board was strongly encouraged to eliminate this portion and place emphasis on the scores of the ACT test rather than the % of students taking the test. The State Board of Education voted to eliminate the % of students taking the ACT from the College and Career Ready calculation.</p>

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.

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
	2. Percent of ACT student scores whose math sub-score is 20 or higher 3. Percent of ACT student scores whose English sub-score is 18 or higher			
AMENDMENT REQUEST #2 2A(i) State Developed Recognition, Accountability and Support	See pages 38-39 of waiver. Originally South Dakota proposed Indicator #3: College and Career Readiness of the School Performance Index for high schools to be based on three factors: 1. Percent of students taking	South Dakota proposes to add a specific career-ready measure to the calculation of the College and Career Readiness indicator of the School Performance Index by the 2014-2015 school year.	South Dakota has placed emphasis on stakeholder input. Stakeholders felt that a specific career ready element was an essential component in this indicator. As the ACT does not measure <u>career</u> readiness, stakeholders strongly encouraged the department to pursue additional options for this indicator.	During the public hearing held before the State Board of Education on Aug. 23 to address the state's new administrative rules for accountability, discussion occurred encouraging the addition of a specific career readiness component to the calculations of Indicator #3: College and Career Readiness. The State Board of Education voted to add a specific career ready calculation by the 2014-15 school year.

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
	<p>the ACT test</p> <p>2. Percent of ACT student scores whose math sub-score is 20 or higher</p> <p>3. Percent of ACT student scores whose English sub-score is 18 or higher</p>			
<p>AMENDMENT REQUEST #3</p> <p>2A.i State Developed Recognition, Accountability and Support</p>	<p>See pages 34-40 of the waiver.</p> <p>Originally, South Dakota’s plan did not incorporate the use of a confidence interval or a similar method of leveling volatility for small n-size schools when calculating the indicators within the School</p>	<p>South Dakota proposes to apply a confidence interval when calculating the indicators within the School Performance Index.</p>	<p>South Dakota has many small school districts, and a confidence interval will help ensure accurate representation of performance within these schools.</p>	<p>During the public hearing held before the State Board of Education on Aug. 23 to address the accountability rules, the board received several written comments encouraging the inclusion of a confidence interval. The State Board of Education voted to include a confidence interval in the SPI calculation.</p>

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result
	Performance Index.			
<p>AMENDMENT REQUEST #4</p> <p>2A.i State Developed Recognition, Accountability and Support</p>	<p>See page 34 of the waiver.</p> <p>Originally, as an incentive to encourage continuous improvement, schools whose Gap and Non-Gap Groups met their AMO targets in reading and math would earn 5 additional School Performance Index points.</p>	<p>South Dakota proposes to eliminate the ability for schools to earn additional SPI points.</p>	<p>After further consideration, we believe that the additional five points could unduly skew the rank ordering of schools based on their SPI scores.</p>	<p>During the public hearing held before the State Board of Education on Aug. 23 to address the accountability rules, the board received a written comment about this issue. The State Board of Education voted to remove the additional SPI points.</p>

Flexibility Element(s) Affected by the Amendment	Brief Description of Element as Originally Approved	Brief Description of Requested Amendment	Rationale	Process for Consulting with Stakeholders, Summary of Comments, and Changes Made as a Result

Sent with 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[s]. Please contact Mary Stadick Smith at mary.stadicksmith@state.sd.us or by phone at (605)773-7228 if you have any questions regarding these proposed amendments[s].

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

Dr. Melody Schopp

Sept. 13, 2012

Chief State School Officer

Date