



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

MAY 20 2015

The Honorable Denise Juneau
Superintendent of Public Instruction
Montana Office of Public Instruction
P.O. Box 202501
Helena, MT 59620-2501

Dear Superintendent Juneau:

I am writing in response to the Montana Office of Public Instruction's (MT OPI) request on March 31, 2015, to waive certain statutory and regulatory requirements of Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. Specifically, MT OPI requested to waive accountability determinations based on State assessments administered during the 2014–2015 school year, because this is the first year that the State is administering new, more challenging State assessments in reading/language arts and mathematics aligned to the State's college- and career-ready content standards.

After reviewing MT OPI's request, I am pleased to grant, pursuant to my authority under ESEA section 9401, the following waiver for school year (SY) 2014–2015:

- A one-year waiver of ESEA sections 1116(a)(1)(A) and 1116(c)(1)(A) and the corresponding regulatory provisions to the extent they require a local educational agency (LEA) and a State education agency (SEA), respectively, to use the results from the State's academic assessments to make adequate yearly progress (AYP) determinations for schools and LEAs.

Under this waiver, MT OPI and its LEAs are not required to include results on State assessments administered in the 2014–2015 school year in making AYP determinations for LEAs and schools, respectively. I am granting this waiver because it is likely to increase the quality of instruction and improve the academic achievement of students by enabling MT OPI and its LEAs to focus on administering the new State assessments and setting high achievement standards for the knowledge and skills students need to demonstrate they are ready for college and the workforce.

This waiver is granted to MT OPI on the condition that it will do the following:

- MT OPI will ensure that all students are included in the statewide assessment system in SY 2014–2015.

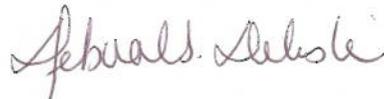
400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

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

- MT OPI and its LEAs will meet all reporting obligations with respect to reporting the achievement and participation rate of students who take the State assessments in SY 2014–2015.
- MT OPI and its LEAs will report performance against the State’s annual measurable objectives (AMOs) using results from the State assessments administered in SY 2014–2015.
- MT OPI and its LEAs will calculate and report AYP for SY 2014–2015 with respect to participation rate and the other academic indicator, including graduation rate for high schools; LEAs and schools that do not make AYP in SY 2014–2015 based on participation rate, graduation rate for high schools, or the other academic indicator for elementary and middle schools would advance to offer the next level of interventions.
- All other schools and LEAs in Montana that have been identified as in need of improvement will carry forward the accountability determinations in SY 2015–2016 that they have in SY 2014–2015; MT OPI and its LEAs will provide the necessary notice to parents as required in ESEA section 1116(c)(6) and (b)(6), respectively, prior to the start of SY 2015–2016.
- MT OPI will continue to administer its State assessments in SY 2015–2016 and will include those results in determining AYP. MT OPI and its LEAs will assign a new rating for 2016–2017 based on whether an LEA or school makes AYP that includes results from the SY 2015–2016 State assessments.

I appreciate the work you are doing to improve your schools and provide a high-quality education for your students. If you have any questions, please contact Alecia Walters at (202) 453-5748 or Robert Salley at (202) 453-6451 or OSS.Montana@ed.gov.

Sincerely,



Deborah S. Delisle
Assistant Secretary

cc: Dennis Parman
BJ Granbery
Jack O’Connor