



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

AUG 14 2014

The Honorable June St. Clair Atkinson
Superintendent of Public Instruction
North Carolina Department of Public Instruction
Education Building
301 North Wilmington Street
Raleigh, NC 27601

Dear Superintendent Atkinson:

This letter is in response to North Carolina's May 12, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that North Carolina may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed North Carolina's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend North Carolina's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend North Carolina's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling North Carolina to carry out important reforms to improve student achievement and that this extension is in the public interest. This letter also provides my approval of those amendments North Carolina proposed that align with the principles of ESEA flexibility. A summary of North Carolina's approved amendments is enclosed with this letter, and North Carolina's approved request will be posted on the U.S. Department of Education's (ED) website.

North Carolina's progress in implementing its approved ESEA flexibility request during the 2014–2015 school year will inform ED's decision regarding renewal of North Carolina's ESEA flexibility after the 2014–2015 school year. Additionally, if North Carolina remains on track to fully implement teacher and principal evaluation and support systems that meet all the requirements of Principle 3, North Carolina will be eligible for consideration for a longer renewal of ESEA flexibility in the Spring of 2015.

North Carolina continues to have an affirmative responsibility to ensure that it and its districts 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.

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I am confident that North Carolina will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and school districts 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 Shevine Holeman at: shevine.holeman@ed.gov or Mary Moran at: mary.moran@ed.gov. Thank you for your commitment and continued focus on enhancing education for all of North Carolina's students.

Sincerely,



Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Lou Fabrizio, Director, Data, Research and Federal Policy

Approved Amendments to North Carolina's ESEA Flexibility Request

The following is a summary of approved amendments to North Carolina's approved ESEA flexibility request. The U.S. Department of Education (ED) approves these amendments because North Carolina'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/nc.html>) for North Carolina's complete ESEA flexibility request.

- **Develop and Administer Annual, Statewide, Aligned, High-Quality Assessments That Measure Student Growth (Element 1.C)**

Revision: North Carolina changed the way that it will meet the high-quality assessment requirement under ESEA flexibility by indicating that it has developed and begun annually administering Statewide aligned, high-quality assessments that measure student growth in reading/language arts and in mathematics in at least grades 3-8 and once in high school in all local educational agencies rather than administer the Smarter Balanced Assessment Consortium assessments in the 2014–2015 and 2015–2016 school years. Please note that approval of this amendment does not constitute approval of the assessments that North Carolina intends to implement in the 2014–2015 and 2015–2016 school years. North Carolina will need to submit the assessments for peer review when the new assessment peer-review process is available.

Revision: North Carolina established a fifth academic achievement level on its Statewide assessments used to fulfill the assessment requirements under the ESEA and ESEA flexibility. The State now has five rather than four levels. Please note that approval of this amendment does not constitute approval of North Carolina's academic achievement standards. Review and approval of North Carolina's academic achievement standards will take place as part of ED's peer review process when that process resumes.