



## Title Programs and Services

785-296-3069

785-296-5867 (fax)

120 SE 10th Avenue • Topeka, KS 66612-1182 • 785-296-6338 (TTY) • [www.ksde.org](http://www.ksde.org)

### Notice of Intent to Submit Title I Waiver Request

The Kansas Department of Education intends to request from the U.S. Department of Education (ED) a waiver on behalf of USD 224 Clifton-Clyde, USD 418 McPherson and USD 500 Kansas City, Kansas Public School Districts. The request is to waive Title I, Part A, Subpart 1, Section 1111(a)(3)(A) and Section 1116(a)(1)(A) of the Elementary and Secondary Education Act (ESEA) to permit these districts the use of the Explore by ACT and the ACT assessments in place of state assessments and to use the results from those assessments in accountability decisions for the 2012-2013 school year.

The Kansas Department of Education (KSDE) is soliciting comments— both supporting and non-supporting – on the waiver below. All comments submitted during the comment period will be read and taken into consideration. Providing comments to the KSDE does not guarantee all comments will be implemented.

This notice meets the notification requirements under Section 9401(b)(3)(A)(i) of the Elementary and Secondary Education Act. **Districts and the public are invited to submit written comments to the KSDE no later than 5:00 PM (CDT) on September 14, 2012.** After that date, the KSDE will submit those comments to the ED. Submit written comments to Judi Miller at [judim@ksde.org](mailto:judim@ksde.org) or via fax at 785-296-5867.

Following is the text of the waiver:

*Kansas is requesting a waiver from the US Department of Education (ED) on behalf of three districts: USD 224 Clifton-Clyde, USD 418 McPherson and USD 500 Kansas City, Kansas Public Schools. This request is to waive Title I, Part A, Subpart 1, Section 1111(a)(3)(A) and Section 1116(a)(1)(A) of the Elementary and Secondary Education Act (ESEA) to permit these three districts to administer the ACT and the Explore by ACT in place of state reading, mathematics and science assessments and to use the results from those assessments in accountability decisions for the 2012-2013 school year. The ED granted a similar waiver for these three districts in 2011-2012.*

*The Kansas State Board of Education and I, as Commissioner of Education, are in favor of the districts' request for a waiver from some of the accountability and assessment requirements in Title I Part A of the Elementary and Secondary Education Act. By approving the waiver request, we believe that USD 224 Clifton-Clyde, USD 418 McPherson and USD 500 Kansas City will continue implementing a model of assessment and accountability that will have students who are college and career-ready by the time they graduate from high school.*

*Dr. Cynthia Lane, the superintendent of USD 500, Mr. Cory Reese, the new superintendent of USD 224, and Dr. Randy Watson, the superintendent of USD 418, presented their district initiatives for system redesign to the Kansas State Board of Education on July 11, 2012. The State Board approved submitting this waiver request to the US Department of Education. The State Board is committed to having models with meaningful standards and assessments which focus on students being college and career ready by the end of high school. The State Board continues to be interested in seeing the impact of each district's initiatives including the use of ACT assessments in three different types of districts:*

- *Kansas City, Kansas is a large urban district (approximately 19, 700 students) with diverse demographics (42% Hispanic, 38% African American) and a high level of poverty (87%);*
- *Clifton-Clyde is a very small rural district (320 students) with little diversity (94% white) and poverty (28%); and*

- *McPherson is a mid-size district with approximately 2490 students and 44% poverty.*

*Dr. Lane shared that the her district's initiative of system redesign, Excellence in Instruction, has a singular goal: Each student will exit high school prepared for college and careers in a global society, and at every level, performance is on-track and on-time for success. Kansas City will open the 2012-2013 school year implementing in full the Common Core Standards and the ACT standards.*

*The Kansas reading and mathematics assessments are administered annually in grades 3-8 and one grade in the high school (grade 11). The science assessment is given in grades 5, 7 and 11.*

*The Kansas City waiver requests having students in grades 3-7 take the Kansas State Assessments, in grade 8 the ACT Explore and in grade 11 the ACT. In addition, Dr. Lane assures us that students with disabilities and English learners will participate with appropriate assessments which may be the Kansas assessments. All students will be included in accountability decisions at all levels, school, district and state.*

#### **USD 500 Kansas City, Kansas Public Schools Proposed Assessments**

<i>Content</i>	<i>Type of Assessment</i>	<i>Applicable Grades</i>	<i>Comments</i>
<i>Reading &amp; Math</i>	<i>Kansas Assessments</i>	<i>Grades 3-7</i>	
	<i>Explore by ACT</i>	<i>Grade 8</i>	
	<i>ACT</i>	<i>Grade 11</i>	
	<i>Kansas Assessment of Modified Measures (KAMM—2%)</i>	<i>Grades 3-8, 11</i>	<i>As appropriate for students with disabilities</i>
	<i>Kansas Alternate Assessment (1%)</i>	<i>Grades 3-8, 11</i>	<i>As appropriate for students with disabilities</i>
<i>Science</i>	<i>Kansas Assessments</i>	<i>Grades 5 and 7</i>	
	<i>ACT</i>	<i>Grade 11</i>	
	<i>Kansas Assessment of Modified Measures (KAMM—2%)</i>	<i>Grades 5 and 7, 11</i>	<i>As appropriate for students with disabilities</i>
	<i>Kansas Alternate Assessment (1%)</i>	<i>Grades 5 and 7, 11</i>	<i>As appropriate for students with disabilities</i>

*Mr. Reese, the superintendent at Clifton-Clyde presented the district's Ready for Life Model which has four driving components: 1.) Child Awareness, 2.) Character Education, 3.) Career Readiness, and 4.) College Readiness. The district has a strong tradition of high academics.*

*The Clifton-Clyde wavier proposes having students in grade 8 take the ACT Explore and in grade 12 the ACT in reading, mathematics and science instead of the Kansas assessments. Mr. Reese assured us that students with disabilities and English learners will take appropriate assessments and be included in accountability decisions at all levels.*

#### **USD 224 Clifton-Clyde Proposed Assessments**

<i>Content</i>	<i>Type of Assessment</i>	<i>Applicable Grades</i>	<i>Comments</i>
<i>Reading &amp; Math</i>	<i>Kansas Assessments</i>	<i>Grades 3-7</i>	
	<i>Explore by ACT</i>	<i>Grade 8</i>	
	<i>ACT</i>	<i>Grade 12</i>	
	<i>Kansas Assessment of Modified Measures</i>	<i>Grades 3-8, High School</i>	<i>As appropriate for students with disabilities</i>

	<i>(KAMM—2%)</i>		
	<i>Kansas Alternate Assessment (1%)</i>	<i>Grades 3-8, High School</i>	<i>As appropriate for students with disabilities</i>
<i>Science</i>	<i>Kansas Assessments</i>	<i>Grades 5 and 7</i>	
	<i>ACT</i>	<i>Grade 12</i>	
	<i>Kansas Assessment of Modified Measures (KAMM—2%)</i>	<i>Grades 5 and 7, High School</i>	<i>As appropriate for students with disabilities</i>
	<i>Kansas Alternate Assessment (1%)</i>	<i>Grades 5 and 7, High School</i>	<i>As appropriate for students with disabilities</i>

*Dr. Randy Watson, superintendent of USD 418, presented an update on his district’s Citizenship, College, and Career Readiness, C<sup>3</sup> initiative. His district continues to reach to higher standards so students will be college and career ready when they graduate from McPherson schools.*

*Dr. Watson is asking that ED approve the use of the Explore at not only grade 8 but also grades 6 and 7. Dr. Watson assures us that students with disabilities and English language learners will continue to participate with appropriate assessments and be included in accountability decisions.*

### ***USD 418 McPherson’s Proposed Assessments***

<i>Content</i>	<i>Type of Assessment</i>	<i>Applicable Grades</i>	<i>Comments</i>
<i>Reading &amp; Math</i>	<i>Kansas Assessments</i>	<i>Grades 3-5</i>	
	<i>Explore by ACT</i>	<i>Grades 6, 7 and 8</i>	
	<i>ACT</i>	<i>Grade 12</i>	
	<i>Kansas Assessment of Modified Measures (KAMM—2%)</i>	<i>Grades 3-8, High School</i>	<i>As appropriate for students with disabilities</i>
	<i>Kansas Alternate Assessment (1%)</i>	<i>Grades 3-8, High School</i>	<i>As appropriate for students with disabilities</i>
<i>Science</i>	<i>Kansas Assessments</i>	<i>Grades 5</i>	
	<i>Explore by ACT</i>	<i>Grade 7</i>	
	<i>ACT</i>	<i>Grade 12</i>	
	<i>Kansas Assessment of Modified Measures (KAMM—2%)</i>	<i>Grades 5 and 7, High School</i>	<i>As appropriate for students with disabilities</i>
	<i>Kansas Alternate Assessment (1%)</i>	<i>Grades 5 and 7, High School</i>	<i>As appropriate for students with disabilities</i>

*The Kansas State Department of Education staff will work with the districts to ensure that their students are assessed and the districts and their schools are held accountable for students learning and meeting higher standards. KSDE will include the assessment results from the ACT and the Explore in the accountability calculations using the new annual measurable objectives (AMOs) in the recently approved Kansas ESEA Flexibility Request.*

*KSDE will continue to use the scores that were established by ACT as predictive of earning a B or higher in corresponding credit-bearing college coursework, and with respect to the Explore, achievement levels indicating a student is on track to meet ACT achievement level as Meets Standard (proficient) in the calculations. Scores below a B on the indicated achievement levels are included as Approaches Standard (below proficient) in the new AMO calculations for reducing the percent of non-proficient students.*

*The Kansas State Department of Education staff notified these districts of the State's intent to submit a waiver request to the US Department of Education on their behalf following the July 11, 2012 State Board meeting. Kansas provided notice and information regarding the waiver request to the public in the manner in which Kansas customarily provides such notice by publishing it on the department's Federal Programs website at <http://www.ksde.org/Default.aspx?tabid=121>. Written comments will be accepted through September 14, 2012. Any comments received will be shared with the US Department of Education.*

*We would appreciate having a decision on this waiver request this fall. If the waiver is not approved, these districts need to know so they'll have sufficient time to order state assessments and make arrangements to administer these assessments. The assessment window opens February 13, 2013.*

*Please contact Judi Miller by phone at 785-296-5081 or by email at [judim@ksde.org](mailto:judim@ksde.org) if you have any questions regarding this request. Thank you for your consideration of this request.*