



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Randall I. Dorn
Superintendent of Public Instruction
Washington Department of Public Instruction
Old Capitol Building
600 Washington St. S.E.
Olympia, WA 98504-7200

Dear Superintendent Dorn:

I am writing in response to Washington's request on October 1, 2015 to waive section 3122(a)(3)(A)(iii) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, regarding adequate yearly progress (AYP) for English Learners as included in annual measurable achievement objective (AMAO) 3 under Title III, for school year 2014–2015. Washington requested this waiver because it administered new assessments in reading and mathematics that are aligned to college- and career-ready standards in spring of 2015.

After reviewing Washington'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 the achievement component of AMAO 3 (ESEA section 3122 (a)(3)(A)(iii)), to permit local educational agencies (LEAs) receiving Title III subgrants that do not meet the annual measurable objective (AMO) component of AMAO 3 for the 2014–2015 school year due to the transition to new assessments to continue the same Title III interventions in the 2015–2016 school year that they implemented in 2014–2015.

Under this waiver, if an LEA meets AMAO 1, AMAO 2, participation rate, graduation rate, and the other academic indicator for elementary and middle schools in 2014–2015, but misses the AMO component of AMAO 3, it maintains its status and continues the interventions from the 2014–2015 school year in 2015–2016.

I am granting this waiver because it is likely to increase the quality of instruction for English learners (ELs) and improve their academic achievement by providing affected LEAs within Washington the opportunity to focus on setting high achievement standards for the knowledge and skills that ELs need to demonstrate they are ready for college and the workforce.

This waiver is granted to Washington on the condition that it will implement the following assurances:

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

- Washington and its LEAs will calculate AMAO 3 based on assessments administered in the 2014–2015 school year and report this information publicly, in addition to reporting the results of the assessments.
- Washington and its LEAs will resume annual accountability determinations, including AMAO 3, based on State assessments administered in the 2015–2016 school year.
- Washington and its LEAs will continue to ensure that LEAs receiving Title III subgrants provide high-quality language instruction educational programs to the ELs and comply with all Title III requirements.

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 Diane Bragdon or Ashlee Schmidt at OSS.Washington@ed.gov.

Sincerely,

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

cc: Title III State Director – Mea Moore