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## SUPERINTENDENT OF PUBLIC INSTRUCTION

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**Randy I. Dorn** · Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

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February 12, 2015

The Honorable Deborah S. Delisle  
Assistant Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

RE: Request to Waive Provision on Use of Student Growth on State Assessments in Teacher and Principal Evaluations in Washington State's School Improvement Grant Schools (SIG)–Cohort III

Dear Assistant Secretary Delisle:

Washington's Office of Superintendent of Public Instruction (OSPI) is requesting a waiver of the federal requirement for LEAs implementing the Transformation model in their SIG–Cohort III school(s) to use student growth data based on a student's score on the State's summative assessments in reading/language arts and mathematics in teacher and principal evaluation under section 1111(b)(3) of the ESEA (from [Federal Register /Vol. 75, No. 208 /Thursday, October 28, 2010 /Notices](#), page 66368).

Washington requests to waive the requirement to use student growth on State summative assessments in reading/language arts and mathematics until 2016-17 (Year 3 for SIG–Cohort III) for the following reasons:

- Four of our School Improvement Grant (SIG) –Cohort III schools participated in the Smarter Balanced Assessment field test administered in spring 2014. Therefore, these schools do not have spring 2014 data on State summative assessments that can serve as baseline data for goal-setting and calculating student growth.
- The launch of Smarter Balanced Interim Assessments has been delayed and will not be usable in a “year-at-a-glance” format until 2015-16.
- Current Washington State law does not require the use of student growth on State summative assessments in teacher and principal evaluation. This challenge was the chief reason Washington's ESEA flexibility was not extended into 2014–15.

Washington proposes the following to address the intent of the SIG Guidance regarding use of student growth in teacher and principal evaluations\*. The proposal is anchored in the rigorous implementation of Washington's Teacher Principal Evaluation Project (TPEP). This evaluation system is the result of a multi-year collaboration between Washington's SEA, Association of Washington State Principals (AWSP), Washington Education Association, and various other stakeholders (see <http://tpep-wa.org/> for additional information). Washington requires each of its 295 school districts to adopt and implement (a) one of three instructional frameworks (Danielson, Marzano, or CEL-5-D) and (b) one of two leadership frameworks (AWSP or Marzano) to use in the teacher and principal evaluation process.

The TPEP structure is impartial to both the instructional and leadership frameworks, that is, districts are required to embed student growth as part of the evaluation process regardless of the frameworks chosen by the district.

- **2015-16:** Beginning in September 2015, multiple measures of student growth will be incorporated in the evaluation for every teacher and principal in Washington. Multiple measures can include classroom-based, school-based, district-based, and/or state-based assessments. Hence, even though student growth on State assessments may not be available, all teachers and principals in Washington State, including those in SIG–Cohort III, will still be evaluated based on other measures of student growth (e.g., classroom-based, school-based, and/or district-based assessments) beginning in 2015-16. Details describing the use student growth in the evaluation process are available at <http://tpep-wa.org/trainingpd/tpep-training-modules/student-growth-module/>.
  - Washington State Criteria Student Growth Rubrics: <http://tpep-wa.org/wp-content/uploads/wa-student-growth-rubrics.pdf>
  - Danielson Comprehensive and Focused Evaluation showing the use of student growth: <http://tpep-wa.org/wp-content/uploads/DAN%20-%20CompVSFocus.pdf>
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- **2016-17 and beyond:** If required, use student growth on State summative assessments in reading/language arts and mathematics as data points for teacher and principal evaluation in SIG schools.

*\*This waiver request and proposal could be revisited if the Washington State Legislature changes the law in the 2015 legislative session requiring the use of student growth on State summative assessments as part of the teacher and principal evaluation process for all LEAs.*

Washington believes this proposal will meet the intent of the SIG Guidance to use student growth in teacher and principal evaluation and honors the collaborative work and processes developed for the Teacher and Principal Evaluation Project.

I would add that one of our regional Educational Service Districts (ESD) received a federal Race to the Top Grant (<http://www.psesd.org/regional-initiatives/race-to-the-top/>). This grant has similar requirements around use of student growth on State assessments. In December 2014, the ESD submitted a request to the U.S. Department of Education to waive the use of student growth on State assessments. We understand that the Department will make its determination about the ESD's request in January or February 2015.

Assistant Secretary Delisle

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Prior to submitting this waiver request, Washington provided all LEAs in the state and the public with notice and a reasonable opportunity to comment on this request. Washington provided such notice by sending an email to each LEA (see attachment A) and posting a public notice online at: <http://www.k12.wa.us/ESEA/PublicNoticesWaivers.aspx> (see attachment B), on February 4, 2015. Copies of all comments that Washington received from LEAs and the public in response to this notice are attached (see Attachment C).

In summary, OSPI assures that, if granted the requested waiver, the agency will submit to the U.S. Department of Education, by September 30, 2015, a report that provides the types of student growth data that will be used in teacher and principal evaluations for SIG–Cohort III for the 2015-16 school year.

If questions arise about this waiver request, please feel free to contact me by phone, at (360) 725-4960 or by email [andrew.kelly@k12.wa.us](mailto:andrew.kelly@k12.wa.us). If needed, we can arrange a conference including staff from the Department; Jeanne Harmon, Director of TPEP for Washington; Dr. Gil Mendoza, Deputy Superintendent K–12 Education; and me.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Andrew E. Kelly".

Andrew E. Kelly, Assistant Superintendent  
Student and School Success

cc: Dr. Gil Mendoza, Deputy Superintendent K–12 Education

## LEA Notice

February 4, 2015

TO: School District Superintendents

FROM: Andrew Kelly, Assistant Superintendent  
Student and School Success

RE: Request to Waive Provision on Use of Student Growth on State Assessments in Teacher and Principal Evaluations in Washington State's School Improvement Grant Schools (SIG)–Cohort III

The Washington Office of Superintendent of Public Instruction (OSPI) is required to notify districts that the agency is requesting from the United States Department of Education (ED) a waiver of the federal requirement for LEAs implementing the Transformation model in their SIG–Cohort III school(s) to use student growth data based on a student's score on the State's summative assessments in reading/language arts and mathematics in teacher and principal evaluation under section 1111(b)(3) of the ESEA (from [Federal Register /Vol. 75, No. 208 /Thursday, October 28, 2010 /Notices](#), page 66368). Comments regarding this request must be submitted to OSPI by **February 11, 2015**. This information will be included in the waiver request to ED. Please direct your comments to Diane Gard, Executive Assistant, at: [diane.gard@k12.wa.us](mailto:diane.gard@k12.wa.us).

Washington requests to waive the requirement to use student growth on State summative assessments in reading/language arts and mathematics until 2016-17 (Year 3 for SIG–Cohort III) for the following reasons:

- Four of our School Improvement Grant (SIG) –Cohort III schools participated in the Smarter Balanced Assessment field test administered in spring 2014. Therefore, these schools do not have spring 2014 data on State summative assessments that can serve as baseline data for goal-setting and calculating student growth.
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Washington proposes the following to address the intent of the SIG Guidance regarding use of student growth in teacher and principal evaluations\*. The proposal is anchored in the rigorous implementation of Washington's Teacher Principal Evaluation Project (TPEP). This evaluation system is the result of a multi-year collaboration between Washington's SEA, Association of Washington State Principals (AWSP), Washington Education Association, and various other stakeholders (see <http://tpep-wa.org/> for additional information). Washington requires each of its 295 school districts to adopt and implement (a) one of three instructional frameworks

(Danielson, Marzano, or CEL-5-D) and (b) one of two leadership frameworks (AWSP or Marzano) to use in the teacher and principal evaluation process.

The TPEP structure is impartial to both the instructional and leadership frameworks, that is, districts are required to embed student growth as part of the evaluation process regardless of the frameworks chosen by the district.

- **2015-16:** Beginning in September 2015, multiple measures of student growth will be incorporated in the evaluation for every teacher and principal in Washington. Multiple measures can include classroom-based, school-based, district-based, and/or state-based assessments. Hence, even though student growth on State assessments may not be available, all teachers and principals in Washington State, including those in SIG–Cohort III, will still be evaluated based on other measures of student growth (e.g., classroom-based, school-based, and/or district-based assessments) beginning in 2015-16. Details describing the use of student growth in the evaluation process are available at <http://tpep-wa.org/trainingpd/tpep-training-modules/student-growth-module/>.
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*\*This waiver request and proposal could be revisited if the Washington State Legislature changes the law in the 2015 legislative session requiring the use of student growth on State summative assessments as part of the teacher and principal evaluation process for all LEAs.*

Washington believes this proposal will meet the intent of the SIG Guidance to use student growth in teacher and principal evaluation and honors the collaborative work and processes developed for the Teacher and Principal Evaluation Project.

I would add that one of our regional Educational Service Districts (ESD) received a federal Race to the Top Grant <http://www.psesd.org/regional-initiatives/race-to-the-top/>. This grant has similar requirements around use of student growth on State assessments. In December 2014, the ESD submitted a request to the U.S. Department of Education to waive the use of student growth on State assessments. We understand that the Department will make its determination about the ESD's request in January or February 2015.

In summary, OSPI assures that, if granted the requested waiver, the agency will submit to the U.S. Department of Education, by September 30, 2015, a report that provides the types of student growth data that will be used in teacher and principal evaluations for SIG–Cohort III for the 2015-16 school year.

If you have any questions regarding this information, please contact Andrew Kelly, Assistant Superintendent, Student and School Success at (360) 725-4960 email [andrew.kelly@k12.wa.us](mailto:andrew.kelly@k12.wa.us).

## Public Notice

### **Public Notice from the Washington Office of Superintendent of Public Instruction (OSPI) for Waiver Request to the U.S. Department of Education**

#### **Notice to the public of OSPI's intent to apply to the U.S. Department of Education for a waiver to waive the provision on use of student growth on state assessments in teacher and principal evaluations in Washington state's school improvement grant schools (SIG)–Cohort III**

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## LEA and Public Comments

**From:** ANN VARKADOS [mailto:avarkados@bethelsd.org]

**Sent:** Thursday, February 05, 2015 4:44 PM

**To:** Diane Gard

**Subject:** Lending support to Washington State's request to waive the requirement to use student growth in teacher/principal evaluations until 2016-2017

I strongly lend my support to Washington State's application to the Department of Education. The reasons listed below are valid and provide our state and school communities adequate time to implement systems supporting the use of Smarter Balanced Assessment. Also, allows for time for gathering baseline data for goal setting and accurate calculation of student growth. Our state legislature is consumed with addressing the Supreme Court McCleary decision regarding school funding and might not have adequate time to address student growth and teacher evaluation challenge.

Dr. Ann Varkados, Assistant Superintendent of Teaching & Learning

253-683-6017

253-683-6016

253-683-6018 (fax)

[avarkados@bethelsd.org](mailto:avarkados@bethelsd.org)

**From:** Aaron Leavell [mailto:aaron.leavell@bremertonschools.org]

**Sent:** Friday, February 06, 2015 3:23 PM

**To:** Diane Gard

**Subject:** Input

Hi Diane:

Here is a little quick input for the Waiver that you are requesting:

We really need it to say specifically for the school year 2017-2018 since the next presidential election is Nov 2016 with new ESEA in place for spring 2017 and applied 2017-2018.

This gives us an opportunity to have three years of growth data from Smarter Balance and to revise our current data system to provide assessment data that is useful for teachers.

We need to utilize new state LAP interventions and measure the results from those. Providing the tools and materials teachers need to teach the standards is a must and revising/adopting new curricula aligned to common core standards is needed. Thanks for asking.

Sincerely,

Aaron

Dr. Aaron Leavell

Superintendent

Bremerton School District