



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

March 10, 2014

The Honorable Mick Zais, Ph.D.
State Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Superintendent Zais:

I am writing in response to the South Carolina Department of Education's (SCDE's) request on behalf of the Dorchester School District Two (Dorchester Two) to waive certain statutory and regulatory requirements of Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended (ESEA). Specifically, on August 31, 2014, SCDE submitted a request for approval to exempt Dorchester Two from certain federal standards and assessment requirements under the ESEA and as described in the State's approved ESEA flexibility request.

Through the 2013–2014 General Appropriations Act for South Carolina, Dorchester Two requested and received approval from the South Carolina Education Oversight Committee to participate in a pilot program which allows the district to use alternative assessments to the current State assessments in grades 3 through 8 to measure student performance in English language arts, mathematics, and science and in high school to measure college and career readiness in those subjects. As a result, Dorchester Two is requesting not to administer the assessments approved by the U.S. Department of Education — the Palmetto Assessment of State Standards (PASS) in grades 3 through 8 and the High School Assessment Program (HSAP) — and instead to administer the ACT in grade 11 and the ACT Aspire in grades 3 through 8.

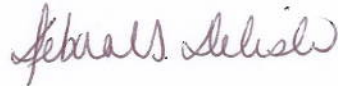
I want to thank you and your staff for providing detailed information regarding this request and also to thank Dorchester Two Superintendent Joseph Pye for meeting with my staff on November 18, 2013 to provide additional information.

I have carefully reviewed SCDE's request. ESEA sections 1111(b)(1)(B) and 1111(b)(3)(C)(i) require a State educational agency (SEA) to apply the same academic achievement standards, and to use the same academic assessments, for all public school children in the State. Approval of the request for Dorchester Two would permit the district to permanently administer assessments that will not be the same as other local educational agencies in South Carolina even after the pilot years. The ESEA requirements that *all* students be held to the same academic achievement standards and be assessed on the same assessments are essential as States, including

South Carolina, move forward to implement new, more rigorous college- and career-ready content standards. Therefore, I am declining to exercise my authority under section 9401 of the ESEA and herewith deny the request to waive the statutory and regulatory requirements under Title I, Part A of the ESEA related to academic achievement standards and assessments.

If you have any questions regarding your assessment system, please contact Monique M. Chism, Ph.D., Director of Student Achievement and School Accountability, at 202-260-1824 or Monique.Chism@ed.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Deborah S. Delisle". The signature is written in a cursive style with a large initial "D".

Deborah S. Delisle

cc: Governor Nikki Haley
Mr. Barry Bolen, Chair, South Carolina State Board of Education
Ms. Elizabeth Jones