



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

**MAR 3 1 2015**

The Honorable Steven R. Staples  
Superintendent of Public Instruction  
Virginia Department of Education  
PO Box 2120  
Richmond, VA 23218

Dear Superintendent Staples:

I am writing in response to Virginia's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA), so that Virginia may continue to implement ESEA flexibility through the end of the 2018–2019 school year.

Our ESEA flexibility team, including other senior leaders at the U.S. Department of Education (ED), reviewed Virginia's request dated March 20, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to approve the renewal of Virginia's ESEA flexibility request for four years, through the end of the 2018–2019 school year.

My decision to approve the renewal of Virginia's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Virginia to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, Virginia will be able to continue implementing its plans to promote innovative, locally tailored strategies to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

This letter also provides my approval of Virginia's amendments to its ESEA flexibility request. A summary of significant approved amendments is enclosed with this letter, and Virginia's approved request will be posted on ED's website.

This renewal is subject to Virginia's commitment to:

- Work with ED to finalize by June 30, 2015 the amendment to its exit criteria for focus schools so that the exit criteria continue to include at least one criterion requiring schools to demonstrate sufficient academic progress to exit focus status.

Virginia continues to have an affirmative responsibility to ensure that it and its local educational agencies (LEAs) 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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<http://www.ed.gov/>

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

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I am confident that Virginia will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and LEAs accountable for the achievement of all students. Virginia continues to have an affirmative responsibility to ensure that it and its LEAs are in compliance with all requirements not waived under ESEA.

If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact me or have your flexibility team contact Collette Roney at: [OSS.Virginia@ed.gov](mailto:OSS.Virginia@ed.gov).

Thank you for your commitment and continued focus on enhancing education for all of Virginia's students.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah S. Delisle".

Deborah S. Delisle  
Assistant Secretary

Enclosure

cc: Veronica Tate, Director Office of Program Administration and Accountability

## Approved Amendments to Virginia's ESEA Flexibility Request

The following is a summary of significant amendments that Virginia included as part of its request for renewal of ESEA flexibility. ED approves these amendments because Virginia'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/va.html>) for Virginia's complete ESEA flexibility request.

- **State-Developed Differentiated Recognition, Accountability, and Support (Principle 2)**

Revision: Virginia revised categories for the *Virginia Index of Performance (VIP)* Incentives Program used to identify reward schools; specifically, Virginia deleted the Competence to Excellence Award and added the Board of Education Distinguished Achievement Award.

- **Supporting Effective Instruction and Leadership (Principle 3)**

Revision: Virginia revised its teacher and principal evaluation and support system to implement value tables in place of Student Growth Percentiles.