



OKLAHOMA STATE DEPARTMENT OF EDUCATION

August 10, 2012

OKLAHOMA REQUEST TO WAIVE 14-DAY NOTICE REQUIREMENT FOR PUBLIC SCHOOL CHOICE

Deborah Delisle
Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW Room 3W 315
Washington, DC 20202

Dear Assistant Secretary Delisle,

On behalf of the State of Oklahoma, this is a request for a one-year waiver of the Title I, Part A requirement for a local educational agency (LEA) to provide parents of eligible students with notice of their public school choice options at least 14 days before the start of the school year (34 C.F.R. § 200.37(b)(4)(iv)). This waiver would apply with respect to students in schools that are newly identified for improvement for the 2012-2013 school year, as defined by the Elementary and Secondary Education Act (ESEA), and the ESEA Flexibility Waiver, which identifies a school as a C³, Priority, or Focus School.

A waiver of the 14-day notice requirement is necessary to give Oklahoma and its LEAs sufficient time to carry out the assessment timeline as planned and thereby ensure statistically valid and reliable school improvement determinations. Oklahoma must be able to ensure valid and reliable determinations so that schools and LEAs can properly implement school improvement interventions to increase the quality of instruction for students and ultimately improve the academic achievement of students.

Oklahoma adopted a new accountability system utilizing the A-F Grading System. Oklahoma will determine A-F Grades and school improvement determinations based on assessments administered during the 2011-2012 school year in accordance with the requirements of section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA) and the ESEA Flexibility Waiver. As stated above, Oklahoma believes that providing Oklahoma with the time necessary to carry out its assessment timeline as planned will allow the State to ensure that school improvement decisions for the 2012-2013 school year are based on valid and reliable school identification determinations.

Prior to submitting this waiver request, Oklahoma will provide the public and all LEAs in the State with notice and an opportunity to comment on this request. Methods of notification will include, but may not be limited to, posted on the Oklahoma State Department of Education Web site; a message to the Oklahoma Title I Directors Listserv; and a phone conference with the Oklahoma Title I Committee of Practitioners. Copies of comments that Oklahoma may receive from the public and LEAs in response to the notice and request for comment will be attached to the waiver request.

Oklahoma hereby assures that, if it is granted the requested waiver, it and its LEAs will meet the following conditions:

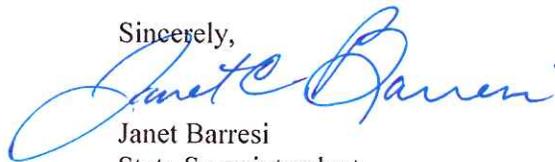
- All LEAs within the State will comply with the statutory requirement in section 1116(b) to provide notice of public school choice within 14 days of notification of School Improvement Status;
- The State will encourage all LEAs to provide notice of public school choice as early as possible and, ideally, at least 14 days before the start of the school year or as soon as identification determinations are known; and
- LEAs that offer public school choice earlier to students in some schools than to students in other schools will reserve a portion of the available transportation slots for students in the schools who receive the later notice, in accordance with Public School Choice Non-Regulatory Guidance.

Oklahoma will ensure compliance with these conditions by providing appropriate guidance regarding these conditions to its LEAs. In particular, Oklahoma intends to provide information via Webinars, School Improvement Listserv, and a School Improvement Overview meeting detailing the requirements.

Oklahoma further assures that, if it is granted the requested waiver, it will submit to the U.S. Department of Education, by September 30, 2013, a report that provides the total number of LEAs within the State that had schools that entered or exited improvement status in the 2012-2013 school year, and the total number of LEAs within the State that took advantage of the waiver and provided some parents notice of public school choice within 14 days from being identified as a C3, Priority, or Focus School for the 2012-2013 school year.

Please feel free to contact Gina Scroggins, Executive Director, School Support/School Improvement by phone at (405) 521-4513, or email at <Gina.Scroggins@sde.ok.gov> if you have any questions regarding this request. Thank you for your consideration.

Sincerely,



Janet Barresi
State Superintendent
Oklahoma State Department of Education
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105-4599
(405)521-3301

c: Kerri White, Assistant State Superintendent, Office of Educational Support
c: Gina Scroggins, Executive Director School Support/School Improvement and School Turnaround (SIG)