



**Overview of the Current Status
Of ESEA Waivers
As Submitted to
The U.S. Department of Education**

April 11, 2013 Update

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Overview of ESEA Flexibility Requests

Attached is a state-by-state chart that provides an overview of the current ESEA flexibility request status of all states, including the District of Columbia. Here are some of the highlights:

- To date, 48 states (plus the District of Columbia, the Department of the Interior/ Bureau of Indian Education, and Puerto Rico) submitted applications for ESEA flexibility of which 35 have been approved.
 - Currently, four states are not participating in the waiver process.¹
 - From the latest round of submissions, Texas and Wyoming have been granted an extension to submit a full application by April 15.
- The 34 states, plus D.C., that have been approved for ESEA flexibility include: Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington and Wisconsin.
- Of the 35 approved, 9 were conditionally approved—which mean they are approved only through the end of the 2012-2013 school year (SY).²
 - Only Oklahoma has had its conditional status removed.
 - New York has conditional approval in regards to incorporating student growth into its accountability determinations but otherwise is approved through the 2013-14 SY.
- Of the 35 approved, 12 have submitted amendments with Oregon’s amendment approval pending.
- Of the 11 states from the first round of ESEA flexibility requests, 9 have added the additional two optional waivers that were added in the additional rounds of applications (labeled “Other Title I Part A Waiver approval letter”).³
- The U.S. Department of Education has posted monitoring reports for 22 of the 35 approved ESEA flexibility requests.
 - The 13 states without monitoring reports include: Colorado, Florida, Georgia, Idaho, Kentucky, Louisiana, Massachusetts, Michigan, Missouri, New Jersey, New Mexico, Oregon, and Rhode Island.
- The 11 states, plus the Bureau of Indian Education and Puerto Rico, with outstanding requests for waivers include: Alabama, Alaska, Hawaii, Illinois, Iowa, Maine, New Hampshire, Pennsylvania, Texas, West Virginia and Wyoming.
 - California’s request was denied, but 9 of its school districts have jointly applied for ESEA flexibility through the [California Office to Reform Education](#) (CORE).
 - Iowa has also been denied, but the latest U.S. Department of Education [press release](#) on ESEA flexibility notes it is pending.

¹Montana and Nebraska have not applied. North Dakota and Vermont applied but then withdrew their requests.

² These states are Arizona, Florida, Georgia, Idaho, Kansas, Nevada, Oklahoma, Oregon, and Washington.

³ It is possible that Indiana applied for the additional flexibility as well, but the linked letter was incorrectly linked to Georgia’s “other Title I Part A waiver approval letter.” Minnesota is the only other state that did not apply for the additional flexibility.

Current Status and Update on ESEA Waivers

State (link to ed.gov website)	Originally Submitted	Application Approved	Amendments to Original Application	Most Current Application	Approved through	Amendment Date and Description (letters hyperlinked)	Monitoring Reports Available	Other letters/ Notes
Alabama	September 6, 2012	Pending					N/A	May 31, 2012 AMO waiver approval letter permitting Alabama to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year.
Alaska	September 6, 2012	Pending					N/A	June 27, 2012 AMO waiver approval permitting Alaska to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year.
Arizona	February 28, 2012	July 19, 2012	No	July 19, 2012	2012–2013 school year (SY) (if meets conditions can extend to 13-14 and then for 14-15)		September 5 – October 2, 2012 : Monitoring Part A report	July 19, 2012 Approval letter- <i>Conditionally approved</i> : “Arizona must submit to the Department for review and approval an amended request incorporating: (1) the final version of the new letter grading system with a graduation rate weight of at least 20 percent, and (2) final guidelines for teacher and principal evaluation and support systems.”
Arkansas	February 28, 2012	June 29, 2012	Yes	October 25, 2012	2013-2014 SY (may extend to 14-15)	October 25, 2012 Amendment Determination Letter : Two changes: 1) ADE proposes to give districts, schools, and subgroups full credit for meeting AMOs when the performance, growth, or graduation rate meet or exceed the percentage at the 90th percentile rank of the State distribution for performance, growth, or graduation rate of the “all students” group, based upon 2011-2012 data.	October 9-22, 2012 : Monitoring Part A report	June 29, 2012 Approval letter.

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						2) ADE proposes to amend its ESEA Flexibility proposal to allow for the use of current year or a three year weighted average for meeting AMOs for graduation rate.		
California	June 15, 2012	State application denied.					N/A	May 10, 2012 CA state board of education decided to apply for select ESEA waivers June 15, 2012 submitted 1 request for ESEA waiver—not the official ESEA flexibility package. December 21, 2012 - CDE provided districts with an update. January 4, 2013 - Application denied. February 28, 2013 - CORE districts submit ESEA Flexibility request. March 22, 2013 CA Department response to CORE district waiver March 26, 2013 - US Department of Education announces it will review CORE district waiver application.
Colorado	November 14, 2011	February 9, 2012	Yes	December 19, 2012	Through the end of the 2013–2014 school year.	Dec. 19, 2012 : Requested 21 st CCLC optional waiver	None available	February 9, 2012 Approval Letter. May 3, 2012: Other Title I Part A Waiver approval letter (.doc)— Added optional waiver 12 and 13 and “A two-year waiver of ESEA section 3122(a)(3)(A)(iii) so that CDE may use, for purposes of AMAO 3, the same targets that is uses in the growth component of its State-developed differentiated recognition, accountability, and support system in reading, writing, and mathematics, in place of the State’s new AMOs.”

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Connecticut	February 28, 2011	May 29, 2012	No	May 29, 2012 (Title page is dated May 24, 2012)	Through the end of the 2013–2014 school year.		September 13- October 2, 2012: Monitoring Part A report	May 29, 2012 Approval letter.
Delaware	February 28, 2011	May 29, 2012	Yes	October 25, 2012 (Title page says last revised Sept. 19, 2012)	Through the end of the 2013–2014 school year.	<p>October 16, 2012 Amendment Determination Letter: Two changes:</p> <p>1) Delaware will include performance in science and social science in addition to English/language arts and mathematics as part of its new accountability system.</p> <p>2) Delaware will implement a plan for incentives and supports in other Title I schools and for building its own, its LEAs', and its schools' capacity based on the work it is doing under its approved Race to the Top plan. Specifically, the State will differentiate its support and incentives for districts and schools within those districts based achievement, growth, and gap closure. In addition, each district will be responsible for identifying schools that miss annual measurable objectives (AMOs) for any subgroup and indicating what each school will do to address the needs of that subgroup in the district's Race to the Top plan.</p> <p>October 25, 2012 Amendment Determination Letter: Two changes:</p> <p>1) State will amend its Race to the Top student achievement goals to align with those in its approved ESEA flexibility request</p> <p>2) State will amend its Race to the</p>	Oct 11-24 2012: Monitoring Part A report	<p>May 29, 2012 Approval letter.</p> <p>Updated application has no mention of “super group” that was in last version on pg. 92.</p>

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						Top targets and goals and ESEA flexibility graduation rate targets, respectively; as amended, these goals will be the same across programs.		
District of Columbia	February 28, 2011	July 19, 2012	No	July 19, 2012	Through the end of the 2013–2014 school year.		October 2 - 25, 2012: Monitoring Part A report	July 19, 2012 Approval Letter.
Florida	November 14, 2011	February 9, 2012	Yes	July 27, 2012 (Title page is dated June 28, 2012)	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)	July 27, 2012 Amendment Determination Letter : Require LEAs to use 15% set-aside for SES in Title I schools	ED website lists “Monitoring Part A report” but link does not work.	February 9, 2012 Approval letter-Conditionally approved : “Florida must: (1) provide an amended request demonstrating that Florida has modified its inclusion policies to ensure that all students, including all English learners and all students with disabilities, are fully included in the State’s system of differentiated recognition, accountability, and support in accordance with ESEA requirements for such inclusion, including by attaching to the amended request evidence of such formal modification of the State’s inclusion policies; and (2) submit an approvable plan to the Department no later than July 15, 2012, as required by step 5 of the corrective action required to resolve the finding in the February 8, 2012 SIG Monitoring Report related to the FDOE’s awarding of its fiscal year 2010 SIG funds.” July 27, 2012: Approval Continuation Letter —Grants extension (until Dec. 31, 2012) to

State (link to ed.gov website)	Originally Submitted	Application Approved	Amendments to Original Application	Most Current Application	Approved through	Amendment Date and Description (letters hyperlinked)	Monitoring Reports Available	Other letters/ Notes
								revise grading system to include graduates with a regular diploma. Oct. 16, 2012: Other Title I Part A Waiver approval letter (.doc)— Added optional waiver 12 and 13 Dec. 19, 2012 Approval Continuation letter —Grants extension to March 29, 2013 because of commissioner transition.
Georgia	November 14, 2011	February 9, 2012	No (But does add additional flexibilities—see other letter)	February 9, 2012	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)		None available	February 9, 2012 Approval letter-Conditionally approved . Georgia must submit the final version of the College- and Career-Ready Performance Index (CCRPI) for federal review prior to the end of the 2012–2013 school year. Website lists May 3, 2012: Other Title I Part A Waiver approval letter (.doc) but actual letter is the CO letter, not GA specific letter June 15, 2012: Other Title I Part A Waiver Approval letter - (listed in Indiana portion of website) Added optional waiver 12 and 13.
Hawaii	September 6, 2012	Pending.					N/A	
Idaho	February 28, 2012	October 17, 2012	No	September 28, 2012	2012-2013 school year must meet conditions prior to extending to 2013-2014 school year		None available	June 15, 2012 AMO Waiver Approval Letter “to permit Idaho to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year that Idaho used to make such determinations based on assessments administered in the 2010–2011SY.”

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								October 17, 2012 Secretary's Approval Letter <i>Conditionally approved</i> “based on the fact that the Department determined that Idaho awarded School Improvement Grant (SIG) funds to ineligible schools.”
Illinois	February 28, 2012	Pending.					N/A	June 27, 2012 AMO Waiver Approval Letter “to permit Illinois to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year that Illinois used to make such determinations based on assessments administered in the 2010–2011” SY.
Indiana	November 14, 2011	February 9, 2012	No (But does add additional flexibilities —see other letter)	February 9, 2012 (Title page is dated February 7, 2012)			June 27 – July 11, 2012: Monitoring Part A report pilot	February 9, 2012 Approval letter. June 28, 2012 Other Title I Part A approval letter (ED website listed this date but linked to GA June 15 th letter)
Iowa	February 28, 2012	Denied.					N/A	June 2012 ED letter to Iowa Department of Education denying approval of waiver request because needed legislative approval for teacher and principal evaluations. June 29, 2012 AMO Waiver Approval “to permit Iowa to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year that Iowa used to make such determinations based on assessments administered in the 2010–2011 SY.”

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Kansas	February 28, 2012	July 19, 2012	No	July 19, 2012 (Title page is dated July 11, 2012)	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)		October 15 - November 14 2012 Monitoring Part A report	<p>May 10, 2012 AMO Waiver Approval “to permit Kansas to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year that Kansas used to make such determinations based on assessments administered in the 2010–2011 SY”</p> <p>July 19, 2012 Approval Letter <i>Conditionally approved.</i> “Kansas must submit to the Department for review and approval an amended request incorporating its final guidelines for teacher and principal evaluation and support systems consistent with all requirements for these systems under principle 3 of ESEA flexibility.”</p>
Kentucky	November 14, 2011	February 9, 2012	Yes	September 28, 2012	Through the end of the 2013–2014 school year.	<p>September 28, 2012: 11 amendments PLUS 3 technical changes (Listed below the 9)</p> <p>1) KDOE will integrate its new teacher and leader evaluation system indicators into its new accountability system in 2014-2015. 2) Differentiated Recognition, Accountability, and Support 3) Reward Schools 4) Kentucky will revise the name of regulation 703 KAR 5:222 to 703 KAR 5:225 each time it appears throughout the request. 5) Develop and Implement a State-Based System of Differentiated</p>	None available	<p>February 9, 2012 Approval letter.</p> <p>May 22, 2012- Other Title I Part A Waiver Approval letter (doc)- Added optional waiver 12 and 13.</p>

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						<p>Recognition, Accountability, and Support (Element 2.A)</p> <p>6) Priority Schools (Element 2.D)</p> <p>7)Incentives and Support for Other Title I Schools (Element 2.F)</p> <p>8) Kentucky will replace all references to the “Leadership Assessment” with “formal review process.”</p> <p>9) AMO: Kentucky will indicate that each school that meets its overall index AMO will be labeled as progressing, in addition to being categorized based on their percentile rankings.</p> <p>10) Priority Schools: Kentucky will require schools and districts that continue to be among the lowest performing schools and districts in the State for two consecutive years to revise their Comprehensive School or District Improvement Plans and post the revised plans on their websites. If a school or district continues to be among the lowest performing schools or districts for a third consecutive year, the school or district must again revise its Comprehensive School or District Improvement Plan, submit the plan for review and approval by the KDOE, and post the revised plans on its website.</p> <p>11) Focus School: Kentucky will remove the criterion that requires that a school miss its overall index AMO in order to be identified as a focus school.</p>		

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						<p>Kentucky will require schools and districts that continue to be among the schools and districts with the lowest performing subgroups or the greatest achievement gaps in the State for three consecutive years to revise their Comprehensive School or District Improvement Plans and post the revised plans on their websites. If a school or district continues to be among the schools or districts with lowest performing subgroups or the greatest achievement gaps in the State for a fourth consecutive year, the school or district must again revise its Comprehensive School or District Improvement Plan, submit the plan for review and approval by the KDOE, and post the revised plan on its website.</p> <p>Kentucky will require a school to revise its Comprehensive School Improvement Plan if it continues to have significant achievement gaps, even if it is identified as a high progress school.</p> <p>Kentucky will require focus schools that remain in that category of schools for three consecutive years to revise their Comprehensive School Improvement Plans consistent with the requirements specified in Section 9 of 703 KAR 5:225.</p> <p>PLUS 3 technical changes</p> <p>1) Kentucky consolidated the nine Standards and Indicators for School Improvement into five indicators and</p>		

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						revised text accordingly. 2) Kentucky removed a reference to approving School Improvement Grant applications for the Priority schools identified in its approved flexibility request, as such applications have already been approved. 3) Kentucky revised the white paper on its accountability system to reflect 703 KAR 5:225 and the language in its approved flexibility request.		
Louisiana	February 28, 2012	May 29, 2012	No	May 29, 2012	Through the end of the 2013–2014 school year. Can ask for extension at that time.		None available	May 29, 2012 Approval Letter
Maine	September 6, 2012	Pending					N/A	May 15, 2012 AMO Waiver Approval letter “to permit Maine to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year that Maine used to make such determinations based on assessments administered in the 2010–2011SY.”
Maryland	February 28, 2012	May 29, 2012	Yes	January 9, 2013 (Title page notes last revision as February 28, 2013)	Through the 2013–2014 school year. Can ask for extension at that time.	November 5, 2012 : Three revisions- Revision 1: Maryland will revise the baselines and targets for its annual measureable objectives in reading and mathematics so that it includes as non-proficient all students enrolled at the time of testing but that do not take the assessments, consistent with its approved request for ESEA	October 2012 : Monitoring Part A Report	May 29, 2012 Approval Letter. January 9, 2013 Principle 3 Status letter : “determined that Maryland’s guidelines for teacher and principal evaluation and support systems meet the requirements for Principle 3”

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						<p>flexibility.</p> <p>Revision 2: Maryland will revise its four-year graduation rate baselines and targets to use the same cohort for the calculation of its 4- and 5-year graduation rate baselines and targets.</p> <p>Revision 3: Maryland will revise the indicators used to rate high schools in its index. Specifically, in the College- and Career-Readiness indicators, the State will increase the value of the four-year adjusted cohort graduation rate to 12 percentage points.</p> <p>Maryland will also replace the four percentage points of Career Attainment and six percentage points of Attendance with eight percentage points for College- and Career-Preparation which includes AP exam performance (schools receive credit for students who receive a 3 or better on any AP exam) or concentration in career and technology education (same as career attainment) or college enrollment (schools receive credit for students that enroll in a 2- or 4-year credit bearing, public or private, in or out of State, institution). In addition, Maryland will rename its index from the school performance index to the school progress index.</p>		
Massachusetts	November 14, 2011	February 9, 2012	No (But adds additional flexibilities—see other letter)	February 9, 2012 (Title page reads January 18, 2012 resubmission)	Through the 2013–2014 school year. Can ask for extension at that time.		None available	<p>February 9, 2012 Approval Letter.</p> <p>June 15, 2012 Other Title I, Part A Waivers Approval Letter (doc) - Added optional waiver 12 and 13.</p>

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Michigan	February 28, 2012	July 19, 2012	Yes	January 2, 2013 (Title page says amended December 17, 2012)	Through the 2013–2014 school year. Can ask for extension at that time.	January 2, 2013 : two changes: 1) Revised Plan for color coding schools designated as focus schools under ESEA flexibility on its school scorecard. Originally, MDE planned to color code all focus schools as red (the color reserved for schools with the poorest performance overall). Under revision, MDE will color code each focus school according to school's overall performance under state's acct. system. 2) For accountability determinations based on assessments administered in 2011-12 school year, MDE will use a four-year growth-to-standard trajectory on its model, rather than a three-year trajectory.... The Department will review the growth model in 2013 to determine whether it continues to meet the requirements for growth models for use in accountability determinations based on assessments administered in 2012-13 and beyond.	None available	July 19, 2012 Approval Letter.
Minnesota	November 14, 2011	February 9, 2012	No	February 9, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		September 12 – October 12, 2012 : Monitoring Part A Report	February 9, 2012 Approval Letter
Mississippi	February 28, 2012	July 19, 2012	No	July 19, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		October 16 – November 2012 : Monitoring Part A Report	July 19, 2012 Approval Letter

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Missouri		June 29, 2012	No	June 29, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		None Available	June 29, 2012 Approval Letter
Montana	Has not requested a waiver							August 15, 2011 EdWeek Article “ Ed Dept. Allows Montana to Rewrite Its NCLB History. ” December 7, 2011 Montana Department of Education letter declining ESEA flexibility.
Nebraska	Has not requested a waiver							
Nevada	February 28, 2012	August 8, 2012	No	August 28, 2012 (says revised July 21, 2012)	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)		October 19 – November 9, 2012: Monitoring Part A Report	August 8, 2012 Approval Letter Conditionally approved. “To receive approval to implement ESEA flexibility through the end of the 2013–2014 school year, Nevada must: (1) submit to the Department, beginning on August 31, 2012, bimonthly updates on the progress of completing development of its business rules and developing the NSPF; and (2) submit to the Department by the end of the 2012–2013 school year for review and approval an amended request incorporating the final version of its new school rating system and including as attachments any technical documentation, administrative rules, sample NSPF reports, and other relevant information.”

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New Hampshire	September 6, 2012	Pending.					N/A	
New Jersey	November 14, 2011	February 9, 2012	No (But does add additional flexibilities—see other letter).	February 9, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		None Available	February 9, 2012 Approval Letter June 15, 2012: Other Title I, Part A Waivers Approval Letter - Added optional waiver 12 and 13.
New Mexico	November 14, 2011	February 15, 2012	No (But does add additional flexibilities—see other letter).	February 15, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		None Available	February 15, 2012 Approval Letter June 15, 2012: Other Title I, Part A Waivers Approval Letter - Added optional waiver 12 and 13.
New York	February 28, 2012	May 29, 2012	No	May 29, 2012	Through the end of the 2013–2014 school year with one exception.		June 26, 2012 – January 4, 2013 Monitoring Part A Pilot	May 29, 2012 Approval Letter Has a conditional approval on incorporating “a measure of student growth into its accountability determinations.” Only “approving New York to incorporate a measure of student growth into its accountability determinations based on assessments administered in the 2011–2012 school year.”
North Carolina	February 28, 2012	May 29, 2012	No	May 29, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		August 29 – September 12, 2012 Monitoring Part A	May 29, 2012 Approval Letter
North Dakota	September 6, 2012	Withdraw Application on March 4, 2013.					N/A	

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Ohio	February 28, 2012	May 29, 2012	No	May 29, 2012 (Title page is dated May 24, 2012)	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)		September 24 – October 10, 2012: Monitoring Part A	May 29, 2012 Approval Letter Conditionally approved. “Ohio must submit to the Department for review and approval an amended request incorporating the final version of the A-F grading system, including by attaching to the amended request any technical documentation, legislation, administrative rules, and other relevant information.”
Oklahoma	November 14, 2011	February 9, 2012	Yes	July 27, 2012	2013-14 (may extend to 14-15)	August 16, 2012 Amendment Determination Letter: Removes conditional status, makes four revisions- 1) For 2012-13 SY, Oklahoma will use its adopted and approved A-F grading system as it’s state based system of differentiated recognition, accountability, and support. The amendment explains how the A-F grading system will be used to identify reward, priority, and targeted intervention schools and provides detail on the metrics and weightings of all components within the new systems. Oklahoma also made corresponding changes in other sections of Principle 2. 2) Oklahoma clarified the factors used to determine “Grade +” and “Grade-“ in the A-F grading system. Specifically, instead of requiring that all administrators in a building be rated “effective: for a school to receive a “Grade +”, OK will require that the head principal be rated	September 17 - October 4, 2012: Monitoring Part A	February 9, 2012 Approval Letter Conditionally approved “based on the fact that Oklahoma has not yet finalized its administrative rules for implementing its A-F school grading system.” June 15, 2012: Other Title I, Part A Waivers Approval Letter – Not sure if they have this or not since link leads to Mass letter (http://www2.ed.gov/policy/eseaflex/title-i-waiver/massachusetts-letter.doc) August 16, 2012 Amendment Determination Letter: Removes conditional status.

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						<p>“effective” before a school can receive a “Grade +”</p> <p>3) Oklahoma will provide an opportunity for an LEA to review data and make corrections or seek an appeal of a school’s grade and designation as a priority school.</p> <p>4) Oklahoma will require that teachers in priority schools participate in professional development identified as appropriate by the Oklahoma State Department of Education. Teachers in C3 schools will participate in all professional development and interventions required of other priority schools unless the state director determines that equivalent interventions are already being provided.</p>		
Oregon	November 14, 2011	July 19, 2012	Yes	July 19, 2012 but has pending revisions.	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)	Has interim revision pending.	None available	<p>July 19, 2012 Approval Letter <i>Conditionally approved</i> “is based on the fact that Oregon will use the 2012–2013 school year to study and refine its new report card, which will be an integral part of its new differentiated recognition, accountability, and support system.”</p> <p>January 18, 2013 Principle 3 status letter- “on October 1, 2012, Oregon submitted to the Department revised “Interim Guidelines for Teacher and Administrator Evaluation and Support Systems.” Based on our review of Oregon’s Interim Guidelines and the corresponding changes to Principle 3 of its ESEA</p>

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								flexibility request, we have determined that Oregon has not yet adopted guidelines for teacher and principal evaluation and support systems that meet all requirements of ESEA flexibility.... Oregon's approval of ESEA flexibility was also subject to the condition that Oregon finalize its new report card, which will be an integral part of the new differentiated recognition, accountability, and support system that, under its approved request, Oregon will implement by the beginning of the 2013–2014 school year. Please keep in mind that Oregon must submit evidence that satisfies both conditions before receiving approval to continue implementing ESEA flexibility during the 2013–2014 school year.”
Pennsylvania	March 1, 2013	Pending.					N/A	Pennsylvania Department of Education ESEA Flexibility website
Rhode Island	February 28, 2012	May 29, 2012	No	May 29, 2012	Approval letter is not hyperlinked correctly.		None Available	May 29, 2012 Approval Letter (links to Ohio approval letter).
South Carolina	February 28, 2012	June 29, 2012	Yes	November 29, 2012	Through the 2013–2014 school year. Can ask for extension at that time.	No letter highlighting amendments	October 23 – November 8, 2012 Monitoring Part A	June 29, 2012 Approval Letter

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South Dakota	February 28, 2012	June 29, 2012	No	June 29, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		October 17–November 5, 2012 Monitoring Part A	June 29, 2012 Approval Letter
Tennessee	November 14, 2011	February 9, 2012	Yes	August 31, 2012	Through the 2013–2014 school year. Can ask for extension at that time.	August 31, 2012 Amendment Determination Letter: One revision: “TDOE will revise its annual measurable objective (AMO) baselines based on 2010-2011 assessment results and, accordingly, its yearly AMOs as proposed in its original ESEA flexibility request. Resetting its AMOs is necessary in order to (1) apply the one and two percent “caps” on the percentage of proficient and advanced scores of students with disabilities who take the State’s alternate assessment based on alternate academic standards and alternate assessment based on modified academic achievement standards, respectively; (2) not include gifted students in calculating the baselines and AMOs for the students with disabilities subgroup; (3) include English Learners who have exited the limited English proficient (LEP) subgroup within the last two years in calculating the baselines and AMOs for the LEP subgroup; and (4) reflect in the baselines and AMOs the waivers that the Department granted the State on July 20th, 2012 to allow it to use, with	September 26 - October 9, 2012 Monitoring Part A	February 9, 2012 Approval Letter July 20, 2012: Other Title I, Part A Waivers Approval Letter – Added optional waiver 12 and 13 and “ESEA sections 1111(b)(1)(B) and 1111(b)(3)(C)(i) and the corresponding regulatory provisions so that TDOE can use, with respect to a student who is not yet enrolled in high school but who takes Algebra I or English II and the corresponding EOC assessment, the student’s score on that assessment for federal accountability purposes for the grade in which the student is enrolled.”

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						respect to a student who is not yet enrolled in high school but who takes Algebra I or English II and the corresponding end of course assessment, the student's score on that assessment for federal accountability purposes for the grade in which the student is enrolled.”		
Texas	Pending—granted extension						N/A	March 1, 2013 Texas submitted application March 7, 2013 US ED letter granting extension to April 15 because “its submission was an interim framework.”
Utah	February 28, 2012	June 29, 2012	No	June 29, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		September 25 – November 7, 2012 Monitoring Part A	June 29, 2012 Approval Letter
Vermont	February 28, 2012	Withdrew Application on May 15, 2012					N/A	
Virginia	February 28, 2012	June 29, 2012	Yes	March 5, 2013 –but link says March 15 th (http://www.2.ed.gov/policy/eseaflex/approved-requests/vaa/mend31513.pdf)	Through the 2013–2014 school year. Can ask for extension at that time.	March 5, 2013 : AMO revision “The proposed amendment changes VDOE’s approved methodology for setting annual measurable objectives (AMOs) because the approved methodology resulted in AMOs that did not require subgroups further behind to make greater rates of progress, and therefore did not meet the requirements of ESEA flexibility. Under Virginia’s proposed	October 11–31, 2012 Monitoring Part A	June 29, 2012 Approval Letter

State (link to ed.gov website)	Originally Submitted	Application Approved	Amendments to Original Application	Most Current Application	Approved through	Amendment Date and Description (letters hyperlinked)	Monitoring Reports Available	Other letters/ Notes
						methodology, the starting point for each subgroup would still be the proficiency rate of the school at the 20th percentile of enrollment for that subgroup, but the ending point would be the same for all subgroups: halfway to the school at the 90th percentile of enrollment for the “all students” subgroup. To meet the AMOs, a school must meet the AMOs or the prior year’s pass rate, whichever is higher, up to 90 percent, for all students and every subgroup. Schools that do not meet the higher of the AMOs or the prior year’s pass rate may also be determined to have met the AMOs if: 1. The percent of students not proficient is reduced by at least 10 percent from the prior year. 2. The proficiency rate exceeds the AMO and is within five percent of the previous year’s rate.”		
Washington	November 14, 2011	July 6, 2012	Yes	February 27, 2013	2012-2013 school year (if meets conditions can extend to 13-14 and then for 14-15)	No letter highlighting amendments	September 25 – October 2012 Monitoring Part A	July 6, 2012 Approval Letter . <i>Conditionally approved</i> “is based on the fact that Washington will use the 2012–2013 school year to study and refine its new accountability index.”
West Virginia	September 6, 2012	Pending.					N/A	May 11, 2012 AMO Waiver Approval Letter “to permit West Virginia to use the same AMOs to make AYP determinations based on assessments administered in the 2011–2012 school year that West

State (link to ed.gov website)	Originally Submitted	Application Approved	Amendments to Original Application	Most Current Application	Approved through	Amendment Date and Description (letters hyperlinked)	Monitoring Reports Available	Other letters/ Notes
								Virginia used to make such determinations based on assessments administered in the 2010–2011 school year.”
Wisconsin	February 28, 2012	July 6, 2012	No	July 6, 2012	Through the 2013–2014 school year. Can ask for extension at that time.		September 6 - 26, 2012 Monitoring Part A	July 6, 2012 Approval Letter
Wyoming	Pending—granted extension						N/A	March 1, 2013 Wyoming submitted application March 7, 2013 US ED letter granting extension to April 15 because what Wyoming “submitted, while brief, reflected recent legislation related to the State’s transition to college- and career-ready standards; implementation of a more nuanced system of differentiated recognition, accountability, and support; and development and implementation of more accurate teacher and principal evaluation and support systems. The State further indicated that, given additional time, it could describe more comprehensively its plans for reform in each of these areas as required for an approvable request for ESEA flexibility.”