

The following is the history of the Local-Flex Demonstration Program in Seattle Public Schools. It is followed by a waiver request to the U.S. Department of Education that, if approved, will enable the District to continue the program for the 2008-2009 school year.

LOCAL-FLEXIBILITY DEMONSTRATION PROGRAM Seattle School District

In November 2003, the U.S. Department of Education entered into a Local-Flex agreement with Seattle Public Schools (SPS). During the two years that the agreement was in effect, SPS made progress in implementing the program strategies included in the five-year Local-Flex plan. SPS is the first and only school district in the country to be granted Local-Flex status under the Local Flexibility Demonstration Program authorized under Title VI of the Elementary and Secondary Education Act, as amended (ESEA).

In October 2005, SPS notified the Department that it would not make Adequate Yearly Progress (AYP) for two consecutive years (2004-2005 and 2005-2006), a legislative requirement for continued participation in Local-Flex. The Department terminated SPS' Local-Flex agreement at the end of school year 2005-2006.

SPS subsequently notified the Department that they felt Local-Flex had advanced their efforts to increase student academic achievement and wanted to continue to exercise Local-Flex authority. In June 2006, SPS submitted a new Local-Flex application to the U.S. Department of Education. The application period covers September 1, 2006 - August 31, 2011. The new application was more targeted to those areas in which SPS was failing to meet AYP. In August 2006, the Department conditionally approved the new Local-Flex plan, pending a formal peer review.

The new SPS Local-Flex application outlined how Seattle would align the Local-Flex program goals with the district's benchmarks. The program goals are:

- All students enrolled in the SPS will reach and exceed State and District standards in Reading and Mathematics.
- The "achievement gap" in Reading and Mathematics will be eliminated by 2013-2014.
- In grades 1-8, the unexcused absence rate will decrease to 1% by 2013-2014.
- In grades 9-12, students will achieve a four-year cohort high school graduation rate of 85% by 2013-2014.

In order to accomplish these goals, SPS aligned its strategies to the District's Improvement Plan (DIP). The DIP was developed during SY 2004-2005 as Seattle Public

Schools became a district in need of improvement under the provision of No Child Left Behind. The new application identified strategies to enhance academic achievement and decrease the achievement. These strategies include:

- providing professional development in the application of research-based practice;
- providing strategies for Mathematics, literacy content and pedagogy;
- improving teacher knowledge in standards-based, culturally responsive teaching and learning, differentiation of instruction and the use of data to inform instruction;
- enhancing the integration of technology in the classroom for teacher productivity; and
 - providing intervention and support service for academic achievement, reentry and substance abuse issues for targeted students.

In the new application, the district requested Local-Flex authority to consolidate funding under four Federal programs (Title II, Part A and D, Title IV, Part A and Title V, Part A). The consolidated funds will be used to:

- Sustain services to schools that exited AYP statues in 2005-2006. Instructional support will be provided to ensure progress made in the existing plan will continue and that staff and resources are allocated to improve student achievement and continue to decrease the achievement gap.
- Provide services to schools that did not make AYP during the 2005-2006 school year for the first time and did not receive services under the previous plan.
- Purchase core instructional resources aligned to Washington State standards in the areas of Literacy and Mathematics as identified in the District's work plan to further advance instructional programs.
- Provide professional development that is focused on culturally responsive pedagogy furthering the goal of equitable access to education for students form all cultures and ensuring effective highly qualified teachers in every classroom.

In the fall of 2007, the Department completed a peer review of the SPS Local-Flex application, and is in the process of such a review. Three educators who have expertise in areas of curriculum and instruction, professional development, educational standards, assessment and accountability, and the diverse educational needs of students independently reviewed the application. Reviewers identified strengths and weaknesses with suggestions and recommendations as to how the application, where applicable, made suggestions as to who the program strategies could be strengthened. The Department provided reviewer feedback to SPS Seattle's Annual Performance Reports described how the district has used the consolidated funds to improve student achievement and close the achievement gap. The reports provided both district-wide and school-level student academic achievement data in reading and mathematics, information on AYP and private school participation. The annual performance reports also provided information related to unexcused absences and percent of cohort students graduating on time by schools targeted for intensive services. SPS has demonstrated overall gains in all three-

grade levels (4, 7, and 10) tested, and has also demonstrated some narrowing of achievement gaps in reading at all grade levels tested and in fourth-grade mathematics. However, SPS had significant subgroups that failed to make AYP. African-American and low-income students failed to make AYP in mathematics in all three grade levels tested and failed to make AYP in seventh-grade reading.

SPS District representatives indicate that the consolidated funds decreased administrative time and costs and allowed more time to focus on providing services to schools and students. They have also stated that the relationship with private schools has improved. Participation in the program has allowed SPS to more effectively develop plans and target funds toward reaching the District's goals. SPS officials found Local-Flex preferable to the flexibility provisions included in Transferability. Local-Flex has allowed Seattle Public Schools to transfer funds to the areas with the highest needs and shift services.

SPS failed to make AYP for SY 2006-07. It is our understanding that SPS will also fail to make AYP for SY 2007-08. The Department is discussed possible options with SPS officials regarding its continued participation in Local Flex. The waiver request was the result of these discussions.

The Waiver Request:

Waiver Request for Seattle Local-Flex Application

Seattle Public Schools (SPS) hereby requests a waiver of section 6154(a)(1) of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act of 2001, insofar as that provision precludes us from continuing to implement our Local-Flex agreement, as conditionally approved in August 2005⁶, if our district fails to make adequate yearly progress for two consecutive years. This waiver request is made under section 9401 of the ESEA.

Our revised Local-Flex application includes the following information that supports this request for a waiver:

- Identification of the Federal programs affected by the Local-Flex proposal;
- A detailed budget that identifies the amount of fiscal year (FY) 2008 funds (and any FY 2007 carryover funds) that would be consolidated from each applicable program to support the Local-Flex proposal;
- A description of how the Local-Flex proposal would increase the quality of instruction for students and improve the academic achievement of students; and
- Specific measurable educational goals and a description of how the activities supported under the Local-Flex proposal would assist us in reaching those goals.

We have provided notice and information to the public regarding this waiver request, as required under section 9401(b)(3) of the ESEA. We have submitted to the U.S.

Department of Education a description of the procedure(s) we used to provide this notice and information, which is the manner in which we customarily provide similar notice and information to the public.

We request that SPS be permitted to implement its revised Local-Flex proposal through the end of the school year in which the ESEA is reauthorized.