

APPENDIX A

North Dakota's Request to Waive section 3122 (a)(3)(A)(iii) of the Elementary and Secondary Education Act Based on Assessments Administered in the 2014-2015 School Year

On behalf of all local educational agencies (LEAs) in North Dakota, the North Dakota Department of Public Instruction (NDDPI) is submitting a request to waive section 3122 (a)(3)(A)(iii) of the Elementary and Secondary Education Act based on assessments administered during the 2014-2015 school year, per a directive from the U.S. Department of Education (USDE), received on September 3, 2015.

North Dakota applies for this waiver to permit the State to allow LEAs to continue implementing the same Title III sanctions that it was using in 2014-2015, if the reason for missing AMAO 3, based on 2014-2015 assessments, is due to the AYP indicators for North Dakota which are participation rate, graduation rate, and attendance rate. North Dakota will calculate AMAO 3 based on assessments administered in the 2014-2015 school year and report this information publicly.

The following are the two primary differences of this waiver from previous years:

- ✓ Schools and districts that do not make AMAO 3 based on the modified AYP for the 2014-2015 assessment (participation rate, graduation rate, and attendance rate) in elementary and middle schools would advance to the next level of interventions.
- ✓ Schools and districts that meet AMAO 3 based on the modified AYP for the 2014-2015 assessment (participation rate, graduation rate, and attendance rate) in elementary and middle schools would be in a freeze and remain in the interventions from the 2014-2015 school year.

The Title III sanctions for AMAO 1 and 2 will remain unchanged.

Please feel free to contact Lodee Arnold, Assistant Director in the Office of Indian/Multicultural Education, by phone or email at (701) 328-1876 or larnold@nd.gov, if you have any questions regarding this request. Thank you for your consideration.