The Honorable Mark Murphy  
Secretary of Education  
Delaware Department of Education  
John G. Townsend Building  
401 Federal Street  
Dover, Delaware 19901  

Dear Secretary Murphy:  

I am writing in response to the Delaware Department of Education’s (DDOE’s) request to amend its approved ESEA flexibility request. Following discussions between the U.S. Department of Education (Department) and your staff regarding the proposed revisions to Delaware’s approved request, the Department has determined that the revised request continues to be consistent with principles of ESEA flexibility. For this reason, I am approving DDOE’s amended request, which we will post on the Department’s website. A summary of DDOE’s requested amendments is enclosed with this letter. As you know, any further requests to amend DDOE’s ESEA flexibility request must be submitted to the Department for review and approval.  

DDOE continues to have an affirmative responsibility to ensure that it and its districts 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 as well as their implementation of all other Federal education programs. 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.  

I am confident that DDOE will continue to implement the reforms it proposed under its approved ESEA flexibility request and advance its efforts to hold schools and school districts accountable for the achievement of all students. If you have any questions regarding the implementation of your ESEA flexibility request, please do not hesitate to contact Victoria Hammer of my staff at Victoria.Hammer@ed.gov.  

Sincerely,  

Deborah S. Delisle  
Assistant Secretary  

Enclosure  

cc:  Governor Jack Markell  
Joanne Reihm, Education Associate  

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The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.
Amendments to the Delaware Department of Education's Approved ESEA Flexibility Request

The following is a summary of the Delaware Department of Education's amendment requests. The Department is approving the following amendments because Delaware's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to the Department's website (www.ed.gov/admins/lead/account/stateplans03/index.html) for Delaware's original and amended ESEA flexibility requests.

- **Develop and Implement a State-Based System of Differentiated Recognition, Accountability, and Support (Element 2.A)**

  **Revision:** Delaware will include performance in science and social science in addition to English/language arts and mathematics as part of its new accountability system.

- **Incentives and Support for Other Title I Schools (Element 2.F)**
  **Building State Educational Agency (SEA), Local Educational Agency (LEA), and School Capacity to Improve Student Learning (2.G)**

  **Revision:** 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 on 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.