



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

May 5, 2020

The Honorable Richard Woods
Superintendent of Education
Georgia Department of Education
205 Jesse Hill Jr. Dr. SE
Atlanta, GA 30334

Dear Superintendent Woods:

I am writing in response to the request the Georgia Department of Education (GaDOE) submitted to the U.S. Department of Education (Department) on April 2, 2020. GaDOE requested to extend the waiver it received on November 21, 2019, under section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), related to GaDOE's calculation of the adjusted cohort graduation rate (ACGR).

Last November, GaDOE received a one-year waiver, for reporting the ACGR based on data from the 2018-2019 school year, of ESEA sections 8101(23)(A)(ii)(I)(bb) and 8101(25)(A)(ii)(I)(bb). Under ESEA sections 8101(23)(A)(ii) and 8101(25)(A)(ii), a State may only include in the numerator the sum of: (1) the number of students in the cohort who earn a regular high school diploma and (2) students with the most significant cognitive disabilities in the cohort who are assessed using an alternate assessment aligned to alternate academic achievement standards (AA-AAAS) under section 1111(b)(2)(D) and awarded a State-defined alternate diploma. The waiver permitted GaDOE to include in the numerator for the four-year and extended-year ACGR any student with the most significant cognitive disabilities who took Georgia's AA-AAAS and received a regular high school diploma, as defined in Georgia, because the student would otherwise have met the definition for a State-defined alternate diploma, even though the State currently awards the student a regular diploma, as the State was working toward establishing an alternate diploma.

In granting the one-year waiver, I understood that Georgia would need the waiver for an additional four years and I noted that future consideration to extend the waiver would be contingent upon Georgia adopting a State-defined alternate diploma for the class entering 9th grade in the 2020-2021 school year. In its waiver extension request, GaDOE shared that on February 20, 2020, the Georgia State Board of Education adopted an alternate diploma that is standards-based and aligned with the State requirements for the regular high school diploma. This alternate diploma will be available to students with the most significant cognitive disabilities who take Georgia's AA-AAAS and who enter 9th grade in the 2020-2021 school year, with the first class of students eligible to graduate earning a State-defined alternate diploma in 2024.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
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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.

After reviewing GaDOE’s request, I find that the waiver has been effective in enabling the State to carry out the activities for which the waiver was requested and the waiver has contributed to improved student achievement. I also find that granting an extension of the waiver is in the public interest, so I am approving a four-year extension of the waiver, for reporting the ACGR based on the 2019-2023 school years, of ESEA sections 8101(23)(A)(ii)(I)(bb) and 8101(25)(A)(ii)(I)(bb). This will permit GaDOE to include in the numerator for the four-year and extended-year ACGR any student with the most significant cognitive disabilities who takes Georgia’s AA-AAAS and receives a regular high school diploma, as defined in Georgia. This extension is granted to provide consistency in the graduation rate data reported publicly during this transition period.

Please be aware that GaDOE is still expected to submit the Individuals with Disabilities Education Act (IDEA) Section 618 Part B Exiting data based on the reporting instructions provided in the EDFacts file specification 009. This will include appropriately applying the Part B Exiting definitions for reporting children with disabilities who graduate with a regular high school diploma; children with disabilities who receive a certificate; and children with disabilities who graduate with an alternate diploma.

Thank you for your efforts on behalf of students in Georgia. If you need any assistance regarding the implementation of this waiver, please contact my staff at: OESE.TitleI-a@ed.gov.

Sincerely,

A handwritten signature in black ink that reads "Frank T. Brogan". The signature is fluid and cursive, with the first name "Frank" and last name "Brogan" clearly legible.

Frank T. Brogan
Assistant Secretary for
Elementary and Secondary Education