



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

SEP 19 2014

The Honorable Michael L. Williams
Commissioner
Texas Education Agency
1701 North Congress Avenue
Austin, TX 78701

Dear Commissioner Williams:

This letter is a response to Texas' July 22, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Texas may continue to implement ESEA flexibility through the end of the 2014–2015 school year. Currently, Texas' ESEA flexibility is approved subject to the condition that Texas submit to the U.S. Department of Education (ED) final guidelines for its teacher and principal evaluation and support systems that meet the requirements of ESEA flexibility by May 2, 2014.

Our team has reviewed Texas' request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Texas' ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend Texas' ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Texas to carry out important reforms to improve student achievement and that this extension is in the public interest.

In regard to the condition that Texas submit final guidelines for its teacher and principal evaluation and support systems that meet the requirements of ESEA flexibility, I know that Texas has submitted guidelines for review. However, because peer review of those guidelines has not yet occurred, I am leaving the condition in place for the time being. Based upon the peer review scheduled for October 14–15, 2014, if ED determines that Texas' guidelines meet the requirements of Principle 3 of ESEA flexibility, I will remove the condition at that time.

This extension is subject to Texas' commitment to continue working with ED to resolve any issues regarding its Principle 3 guidelines raised through the peer review process. Once Texas's Principle 3 guidelines have been approved, the full ESEA flexibility approved request will be posted on the ED website. Texas' continued work with ED on the Principle 3 approval process will inform ED's decision regarding renewal of Texas' ESEA flexibility after the 2014–2015 school year.

Texas 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. These laws include Title VI of the Civil

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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.

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 Texas will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact Erin Shackel of my staff at: erin.shackel@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all of Texas' students.

Sincerely,



Deborah S. Delisle
Assistant Secretary

cc: Lizzette Gonzalez Reynolds, Chief Deputy Commissioner
Kalese Hammonds, Chief Advisor for Policy and Operations