



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

The Honorable Robert Scott
Commissioner of Education
Texas Education Agency
1701 North Congress Ave.
Austin, Texas 78701-1494

OCT 12 2011

Dear Commissioner Scott:

I am writing in response to Texas' request to amend its state accountability plan under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. Following discussions between the U.S. Department of Education (Department) and your staff, you made certain changes to Texas' accountability plan, which are included in the amended plan that Texas submitted to the Department on June 28, 2011. I am pleased to approve Texas' amended plan, which we will post on the Department's website. A summary of Texas' requested amendments is enclosed with this letter. As you know, any further requests to amend Texas' accountability plan must be submitted to the Department for review and approval as required by section 1111(f)(2) of Title I of the ESEA.

Please also be aware that approval of Texas' accountability plan for Title I, including the amendments approved herein, does not indicate that the plan complies with Federal civil rights requirements, including 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*, and requirements under the *Individuals with Disabilities Education Act*.

I am confident that Texas will continue to advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement the standards, assessments, and accountability provisions of the ESEA, please do not hesitate to contact Grace Ross (Grace.Ross@ed.gov) of my staff.

Sincerely,

Michael Yudin
Acting Assistant Secretary

Enclosure

cc: Criss Cloudt, Associate Commissioner for Assessment,
Accountability and Data Quality

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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 Texas' Accountability Plan

The following is a summary of the State's amendment requests. Please refer to the Department's website (www.ed.gov/admins/lead/account/stateplans03/index.html) for Texas' complete accountability plan.

Acceptable amendments

The following amendments are aligned with the statute and regulations:

A single statewide Accountability System applied to all public schools and LEAs (Element 1.1)

Revision: Texas seeks to add clarification regarding the evaluation of AYP for "short-term campuses" that serve students in grades evaluated for AYP but that usually have no students meeting the full academic year definition. Specifically, Texas has clarified that these campuses *will be* evaluated for AYP if any number of students are included in the accountability subset and will also be evaluated for graduation rate as applicable. Additionally, the performance of students meeting the full academic year (or accountability subset) definition on these campuses is included in the district and State AYP evaluations.

Including all schools in Adequate Yearly Progress (AYP) determinations (Element 1.2)

Revision: Based on a May 2010 Title I monitoring finding, Texas seeks to modify its workbook to ensure that all public schools, including Pre-K and K-2 schools, have an AYP determination. For AYP determinations, the State will pair campuses with no students in grades tested (*e.g.*, campuses with grades Pre-K, K, 1, or 2) with a school that includes a tested grade.

High School graduation rates goals and targets (Elements 1.2 and 7.1)

Revision: Having implemented the regulatory adjusted cohort graduation rate beginning with 2011 AYP determinations, Texas seeks to maintain its high school graduation rate targets for 2010-2011 at the same level as 2009-2010. The targets are 75 percent for the 4-year adjusted cohort graduation rate and 80 percent for the 5-year adjusted cohort graduation rate. For districts and campuses that fail to meet the performance standards on the 4-year graduation rate and 5-year graduation rate, the AYP performance requirements on the graduation rate are met if there is a 10.0 percent decrease in the difference between the prior year 4-year graduation rate and the 90.0 percent goal, or an increase of 1.0 percentage point on the 4-year graduation rate.

Discontinuing the use of the Texas growth model (Element 3.1 and 5.3)

Revision: Texas requests to revise this element to reflect the decision of the Texas Commissioner of Education to discontinue the use of the Texas Projection Measure (TPM) in State and federal accountability for 2011.

Updated information on required ethnicity for student group definitions for AYP purposes (Element 5.1)

Revision: For the 2009-10 school year, Texas updated student population figures for five ethnic groups.