



# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

OCT 29 2010

ASSISTANT SECRETARY

The Honorable Robert Scott  
Commissioner  
Texas Education Agency  
1701 North Congress  
Austin, Texas 78701

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 Department and your staff, Texas made changes to its accountability plan, which are now included in the amended plan that Texas submitted to the Department on July 19, 2010. I am pleased to approve Texas' amended plan, which we will post on the Department's website. A summary of Texas' requested amendment 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, assessment, and accountability provisions of the ESEA, please do not hesitate to contact Vicki Robinson ([Vicki.Robinson@ed.gov](mailto:Vicki.Robinson@ed.gov)) or Grace Ross ([Grace.Ross@ed.gov](mailto:Grace.Ross@ed.gov)) of my staff.

Sincerely,

Thelma Meléndez de Santa Ana, Ph.D.

Enclosure

cc: Governor Rick Perry  
Criss Cloudt

## **Amendments to Texas' Accountability Plan**

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

### **Uniform averaging of data to make AYP determinations (Element 1.2)**

Revision: Texas will use "uniform averaging", aggregating two or more years of assessment results for making AYP determinations in small schools and districts with fewer than 50 total students in the grades tested (summed across grades 3-8 and 10) for either reading/language arts or mathematics, or no students in the grades tested, one or a combination of the following methods:

- Use the pairing relationships established for the state accountability system for campuses with no students in grades tested.
- Evaluate districts and campuses on test results for fewer than 50 students.
- Aggregate two or more years of assessment results.
- Assign the district AYP status to schools with too few students to evaluate.