



## **Commissioner Williams reaffirms state's interests as waiver discussions continue**

AUSTIN – Commissioner of Education Michael Williams today reaffirmed the goals and parameters he previously set as talks with federal officials continue regarding the state's conditional waiver for specific provisions of the Elementary and Secondary Education Act (ESEA), commonly known as the No Child Left Behind (NCLB) Act of 2001.

The State of Texas secured a conditional waiver from the U.S. Department of Education (USDE) in 2013 giving the Texas Education Agency (TEA) and more than 1,200 school districts and charters relief from certain ESEA provisions. However, the waiver was granted provisionally as USDE reviewed specifics related to new teacher and principal evaluation systems in Texas.

“Well before this waiver, TEA’s work to develop new teacher and principal evaluation and support systems was under way with the clear intent of offering it to districts as a resource to improve instruction,” said Commissioner Williams. “I have always made it clear to federal officials that as part of the waiver process TEA could not exceed its current authority nor would we do anything to erode our state’s strong commitment to local control in public education. My position on this front has not, and will not, change.”

Commissioner Williams reaffirmed his position after receiving a letter from USDE providing the first formal feedback related to the teacher and principal evaluation systems in the state’s request for ESEA flexibility.

In her letter to Commissioner Williams, U.S. Department of Education Assistant Secretary Deborah Delisle wrote: “Based on the review of Texas’ guidelines and taking into account the feedback from the expert peers, I have determined that Texas has not yet adopted guidelines for teacher and principal evaluation and support systems that meet all requirements of ESEA flexibility, nor does it have a process for ensuring that each district in Texas develops, adopts, pilots, and implements teacher and principal evaluation and support systems consistent with those guidelines as required by ESEA flexibility.”

Commissioner Williams noted that much of the feedback provided by federal officials and peer reviewers centered on items that would require either statutory changes to TEA authority or specific mandates to all school districts from the state level. While continuing talks with the USDE to gather more information and a better understanding of specific concerns, the

Commissioner will also be seeking input from state leadership and education stakeholders on the potential future of the state’s waiver.

“TEA first pursued this federal waiver at the urging of the state’s superintendents and educators,” said Commissioner Williams. “Now that we have more specifics from the federal government on what they are seeking, I will be discussing our status with key Texas stakeholder groups and others in the coming weeks.”

Under key components of the state’s waiver, Texas schools are no longer designated as having met or made Adequate Yearly Progress (AYP). Instead of federal designations for all schools in Texas, only the lowest performing 15 percent of schools are identified as Priority or Focus Schools. Those schools are subject to a series of federally-prescribed interventions.

Additionally, Texas school districts are no longer required to set aside 20 percent of their Title I federal dollars to provide Supplemental Educational Services (SES) for students at low-performing campuses. A district is now free to use those funds on academic intervention programs it deems most effective for its students.

The NCLB waiver granted to Texas does not affect any student assessments currently required under federal law.

Commissioner Williams emphasized that regardless of what occurs with the federal waiver, the state will launch new evaluation systems for teachers and principals in 2016-2017. The systems are currently being piloted in 64 school districts and charters across the state. The new appraisal system will replace the current state-recommended instrument for evaluating teachers – the Professional Development and Appraisal System (PDAS) – which has been in place since 1997. Under state law, districts and charters are not required to use the state-designed evaluation system, but most do.

All materials related to the state’s waiver request – including the latest letter from USDE – is available for viewing on the TEA website at [http://tea.texas.gov/Texas\\_Schools/Waivers/NCLB\\_Waiver\\_Information/](http://tea.texas.gov/Texas_Schools/Waivers/NCLB_Waiver_Information/).

###