



Sept. 30, 2013

Commissioner Williams: Texas secures conditional NCLB waiver

AUSTIN - Commissioner of Education Michael Williams today announced that the State of Texas has secured a conditional waiver from the U.S. Department of Education for specific provisions of the Elementary and Secondary Education Act (ESEA), commonly known as the No Child Left Behind (NCLB) Act of 2001. Commissioner Williams initiated the waiver process earlier this year to give the Texas Education Agency (TEA) and more than 1,200 school districts and charters additional flexibility.

"Successfully navigating this waiver process proved to be both lengthy and complex, but it was a task I believed necessary to bring some relief from burdensome federal mandates to our school districts," said Commissioner Williams. "At TEA, we will now work with superintendents statewide to implement key provisions of this waiver to the benefit of all our students."

Under key components of the state's NCLB waiver, Texas schools will no longer be 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 will be identified as Priority or Focus Schools. Those schools will be subject to a series of federally-prescribed interventions.

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

"My decision to place a condition on the approval of Texas' request is based on the fact that Texas has not yet finalized its guidelines for teacher and principal evaluation and support systems," write U.S. Secretary of Education Arne Duncan in a Sept. 30th letter to Commissioner Williams. "However, I have determined that, in the 2013-2014 school year, Texas is able to fully meet the ESEA flexibility principles while it continues to finalize its new guidelines for teacher and principal evaluation and support systems."

From the beginning of the waiver process, Commissioner Williams pointed out to federal officials that Texas has been a national leader in the college- and career-readiness movement. Texas was the first state to develop and implement college- and career-readiness curriculum standards, the first state to assess those standards, and is the first state to implement an accountability system to hold schools accountable for preparing students for postsecondary success.

"The underlying message throughout our negotiations with the federal government has been Texans know what's best for Texas schools," said Commissioner Williams. "I believe our school districts will appreciate the additional flexibility this waiver provides while also adhering to our strong principles on effective public education."

Commissioner Williams announced the state's intent to file for a waiver from certain federal NCLB requirements shortly after assuming office last year. TEA submitted its initial waiver request in February after seeking input from superintendents, educators, business leaders and the general public on the scope of the waiver request. TEA staff immediately entered into negotiations with their federal counterparts.

Commissioner Williams also visited with U.S. Secretary of Education Arne Duncan - in person and by phone - on several occasions to discuss provisions of the Texas waiver. Texas superintendents have also been kept apprised of the NCLB negotiations during the Commissioner's visits with them across the state over the past several months.

The NCLB waiver granted to Texas does not affect any student assessments currently required under federal law. The waiver is effective for the 2013-2014 school year. The complete [waiver request](#) - including the approval letter from Secretary Duncan - is available for viewing on the Texas Education Agency website.