



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

SEP 19 2014

The Honorable Thomas R. Bice  
State Superintendent of Education  
Alabama State Department of Education  
50 North Ripley Street  
P.O. Box 302101  
Montgomery, Alabama 36104

Dear Superintendent Bice:

This letter is in response to Alabama's August 28, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Alabama may continue to implement ESEA flexibility through the end of the 2014–2015 school year. Currently, Alabama's ESEA flexibility is approved subject to two conditions: (1) that Alabama provide the final version of its new performance index and, (2) that Alabama provide guidelines for its teacher and principal evaluation and support systems that include a method for including student growth as a significant factor in those systems.

Our team has reviewed Alabama's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Alabama's ESEA flexibility for one year, through the end of the 2014–2015 school year. My decision to extend Alabama's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Alabama to carry out important reforms to improve student achievement and that this extension is in the public interest. I have also determined that Alabama has adequately addressed the condition that it provide a final version of its performance index and I am removing that condition.

In regard to the condition that Alabama submit guidelines for its teacher and principal evaluation and support systems that include a method for including student growth as a significant factor, I know that Alabama has submitted those 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 the U.S. Department of Education (ED) determines that Alabama's guidelines meet the requirements of Principle 3 of ESEA flexibility, I will remove the condition at that time.

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

400 MARYLAND AVE., SW, WASHINGTON, DC 20202  
<http://www.ed.gov/>

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

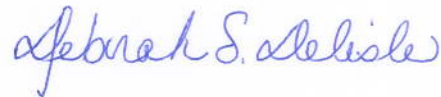
Alabama continues to have an affirmative responsibility to ensure that it and its districts are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of ESEA flexibility. These laws include Title VI of the Civil 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 Alabama 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 Matthew Stern of my staff at: [matthew.stern@ed.gov](mailto:matthew.stern@ed.gov).

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

Sincerely,



Deborah S. Delisle  
Assistant Secretary

cc: Melinda Maddox  
Sherrill Parris  
Mark Kirkheimer