



# UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

ASSISTANT SECRETARY

JAN 14 2014

Mr. Mick Zais  
State Superintendent of Education  
South Carolina Department of Education  
1429 Senate Street  
Columbia, SC 29201

Dear Superintendent Zais:

I am writing in response to South Carolina's request to amend its approved ESEA flexibility request. As you know, on July 19, 2012, the Department of Education (Department) approved South Carolina's flexibility request. On October 31, 2013, South Carolina submitted an amended request to allow its local educational agencies (LEAs) to delay by one year using the results of their teacher and principal evaluation and support systems, which include student growth as a significant factor, to inform personnel decisions. South Carolina proposes to use educator effectiveness ratings to inform personnel decisions beginning in August 2016, rather than in August 2015. I am pleased to approve South Carolina's amended request.

South Carolina has also requested additional amendments that are being considered separately. Any further requests to amend South Carolina's ESEA flexibility request must be submitted to the Department for review and approval.

South Carolina 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 as well as their implementation of all other Federal education programs. 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 South Carolina will continue to implement the reforms it proposed under 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 Elizabeth Witt of my staff at [elizabeth.witt@ed.gov](mailto:elizabeth.witt@ed.gov). Thank you for all you do to enhance education for all of South Carolina's students.

Sincerely,

Deborah S. Delisle

cc: Karla Hawkins, South Carolina Department of Education