UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

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State Dept. of Education
Office of General Counsel

February 22, 2013

The Honorable Mick Zais
State Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Suite 1006
Columbia, SC 29201

Dear Superintendent Zais:

I am pleased to inform you that the U.S. Department of Education (ED) has determined that South Carolina's guidelines for teacher and principal evaluation and support systems, and the corresponding changes South Carolina made to Principle 3 of its approved ESEA flexibility request, meet the requirements for Principle 3 articulated in ED's September 23, 2011, document titled *ESEA Flexibility*.

During the week of July 16, 2012, two peer experts reviewed South Carolina's guidelines and the corresponding changes to Principle 3 of South Carolina's request. Staff from ED also reviewed South Carolina's submission as well as the changes South Carolina made to its guidelines and to Principle 3 of its request in response to the feedback provided following the July peer review. The determination that South Carolina's guidelines meet the requirements of Principle 3 is based on these reviews and the changes South Carolina made in response to that feedback. I congratulate you on submitting guidelines and a process for ensuring that each district in South Carolina develops, adopts, pilots, and implements teacher and principal evaluation and support systems consistent with those guidelines, both of which reaffirm South Carolina's commitment to improving academic achievement and the quality of instruction for all of the State's elementary and secondary school students.

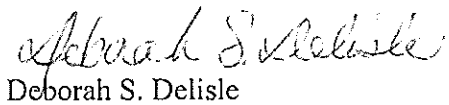
South Carolina's complete request for ESEA flexibility has already been fully approved through the 2013–2014 school year. In the meantime, ED will continue to monitor South Carolina's implementation of ESEA flexibility, including the development and piloting of evaluation and support systems consistent with South Carolina's guidelines. ED expects that South Carolina will continue to meaningfully engage and solicit input from stakeholders, including teachers and principals. In addition, ED will monitor the progress of SCDE toward gaining State Board of Education and legislative approval of the final revised Educator and Evaluation Guidelines.

While ED understands and expects that South Carolina may make changes to its guidelines as a result of ongoing development and piloting efforts, South Carolina should ensure that any such

changes are consistent with Principle 3 of ESEA flexibility by consulting with ED. Depending on the nature and extent of such changes, South Carolina may need to submit a request to amend its approved ESEA flexibility request. If you have any questions regarding the amendment process or anything else related to South Carolina's implementation of ESEA flexibility, please contact Pat Johnson at (202) 260-7813 or Patricia.Johnson@ed.gov.

A copy of South Carolina's approved request for ESEA flexibility, including its guidelines for teacher and principal evaluation and support systems, as well as the revised Principle 3, will be posted on ED's Web site at: www.ed.gov/policy/elsec/guid/esea-flexibility/index.html. Again, I congratulate you on developing guidelines for teacher and principal evaluation and support systems that meet the requirements of ESEA flexibility and thank you for the work that you and your staff have done. I look forward to continuing to support the State as you implement South Carolina's ESEA flexibility request and work to improve the quality of instruction and academic achievement for all students.

Sincerely,



Deborah S. Delisle

cc: Karla Hawkins, Deputy General Counsel