



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

MAR 3 1 2015

The Honorable Hanna Skandera
Secretary of Education
New Mexico Public Education Department
300 Don Gaspar Avenue
Santa Fe, NM 87501

Dear Secretary Skandera:

I am writing in response to New Mexico's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA), so that New Mexico may continue to implement ESEA flexibility through the end of the 2018–2019 school year.

Our ESEA flexibility team, including other senior leaders at the U.S. Department of Education (ED), reviewed New Mexico's request dated March 16, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to approve the renewal of New Mexico's ESEA flexibility request for four years, through the end of the 2018–2019 school year.

My decision to approve the renewal of New Mexico's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling New Mexico to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, New Mexico will be able to continue implementing its plans to promote innovative, locally tailored strategies to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

This letter also provides my approval of New Mexico's amendments to its ESEA flexibility request. A summary of significant approved amendments is enclosed with this letter, and New Mexico's approved request will be posted on ED's website.

New Mexico continues to have an affirmative responsibility to ensure that it and its local educational agencies (LEAs) 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 New Mexico will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and LEAs accountable for the achievement of all students. New Mexico continues to have an affirmative responsibility to ensure that it and its LEAs are in compliance with all requirements not waived under ESEA.

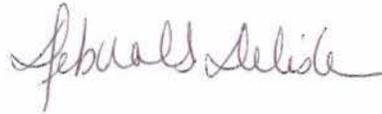
400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

Page 2 – The Honorable Hanna Skandera

If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact me or have your flexibility team contact Michael Wells and Bryan Thurmond at: OSS.NewMexico@ed.gov.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah S. Delisle".

Deborah S. Delisle
Assistant Secretary

Enclosure

cc: Leighann Lenti, Deputy Secretary of Policy and Program

Approved Amendments to New Mexico's ESEA Flexibility Request

The following is a summary of significant amendments New Mexico included as part of its request for renewal of ESEA flexibility. ED approves these amendments because New Mexico's ESEA flexibility request, as amended, continues to be aligned with the principles of ESEA flexibility. Please refer to ED's website (<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/nm.html>) for New Mexico's complete ESEA flexibility request.

- **Principles 2D, 2E & 2F: State-developed Differentiated Recognition, Accountability, and Support – Priority, Focus, and Other Title I Schools**

Revision: New Mexico included a new system for identifying and exiting priority, focus, and other Title I schools (including its lowest performing other Title I schools referred to as “strategic schools”). The new identification process involves a yearly ranking of all Title I schools (based on achievement and graduation rate in high schools, and achievement in elementary/middle schools); the lowest five percent of the ranked schools will be identified as priority schools, while the next lowest 10 percent of schools will be identified as focus schools, and the subsequent lowest 10 percent of schools will be identified as strategic schools.

In addition, consistent with ESEA flexibility requirements regarding the identification of focus schools, New Mexico will include achievement gap and graduation rate provisions that account for both graduation rates below 60 percent and large achievement gaps. To ensure the State will be able to adequately support these schools, New Mexico indicated that it will expand its focus school category, where necessary, even if it must include more than 10 percent of Title I schools. In such a situation, New Mexico will reduce the strategic school percentage by the same amount that the focus school percentage exceeds 10 percent; as such, the total of the three categories will always include the lowest 25 percent of Title I schools.

- **Principle 2: State-developed Differentiated Recognition, Accountability, and Support**

Revision: New Mexico included a temporary transition plan to accommodate changing to assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC) beginning in 2015. This plan reweights the point assignments progressively for two years, after which the weighting returns to the previously approved (current 2014–2015) scheme in the third year.