UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUL - 9 2015

The Honorable Rafael Román Meléndez
Secretary of Education
Puerto Rico Department of Education
P.O. Box 190759
San Juan, PR 00919

Dear Secretary Román Meléndez:

I am writing in response to Puerto Rico's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Puerto Rico may continue to implement ESEA flexibility.

Our team, including my staff and other senior leaders at the U.S. Department of Education (ED), reviewed Puerto Rico's request dated June 10, 2015. Pursuant to section 9401(d)(2) of the ESEA, I am pleased to renew approval of Puerto Rico's ESEA flexibility request for three years, through the end of the 2017–2018 school year.

My decision to renew approval of Puerto Rico's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Puerto Rico to carry out important reforms to improve student achievement and that this renewal is in the public interest. With this renewal, Puerto Rico 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. Puerto Rico's approved request will be posted on ED's website.

This letter also provides my approval of Puerto Rico's amendments to its ESEA flexibility request. A summary of significant approved amendments is enclosed with this letter. I have also determined that Puerto Rico's guidelines for teacher and principal evaluation and support systems meet the requirements for Principle 3 articulated in ED's June 7, 2012, document titled *ESEA Flexibility*.

This renewal is subject to Puerto Rico's commitment to:

- Demonstrate, during ED's monitoring and follow-up of ESEA flexibility implementation, that Puerto Rico is implementing the plan set forth in its ESEA flexibility request, including timeline and milestones, that will lead to incorporation of student growth in its educator evaluation and support system for all teachers based on State assessments administered no later than school year 2016–2017;
- As soon as possible but no later than September 30, 2015, provide ED a plan, including a specific timeline, by which it will report to the public regarding college-going and college credit accumulation rates; and
- As soon as possible but no later than September 30, 2015, provide a specific timeline for updating and releasing its State and local report cards.

Puerto Rico continues to have an affirmative responsibility to ensure that it and its schools 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 Puerto Rico will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools 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 Jessica McKinney, Megan Oberst, or Zaid Abuhouran of my staff at: OSS.PuertoRico@ed.gov.

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

Sincerely,

Heather Rieman

Heather Rieman
Acting Assistant Secretary

Enclosure

cc: Enid V. Madera Toro, Esq., Puerto Rico Department of Education
Harry Valentín González, Puerto Rico Department of Education

Approved Amendments to Puerto Rico's ESEA Flexibility Request

The following is a summary of significant amendments that Puerto Rico included as part of its request for renewal of ESEA flexibility. ED approves these amendments because Puerto Rico'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/pr.html) for Puerto Rico's complete ESEA flexibility request.

- **Consultation**

  Revision: Puerto Rico has formalized and expanded the role of a Central Level Parent Engagement office to provide improved communication with parents and stakeholders, including parents of subgroups of students with limited Spanish proficiency and students with disabilities.

- **College- and Career-Ready Expectations for All Students (Principle 1)**

  Revision: Puerto Rico has updated and enhanced coordination with its Institutes of Higher Education (IHEs) around the reporting of college-going rates. During the 2014–2015 school year, Puerto Rico uncovered various aspects of its IHEs' data collection and reporting rates that prevented the reporting of college-going and credit accumulation data for public school graduates. The approved renewal request includes additional steps to facilitate collecting and publicly reporting this information.

- **State-Developed Differentiated Recognition, Accountability, and Support (Principle 2)**

  Revision: Puerto Rico has included additional detail on the development and approval process of each school's Authentic and Comprehensive School Plan (PCEA) for intervention and supports. The comprehensive school planning process (PCE), and related needs assessment process, originally described in Puerto Rico's 2013 ESEA flexibility request, has been updated to become the PCEA. The new PCEA process ensures all aspects of its differentiated supports to schools are included in school-level planning.

  Revision: Puerto Rico has created Eclectic Models of Professional Learning Communities (MECPAs) to support Professional Learning Communities (PLCs). Puerto Rico created a new program to support the implementation of PLCs. This pilot program is expected to enable Puerto Rico to scale the use of PLCs in the future. The model is designed to strengthen the data-based academic culture with the goal of improving students' academic achievement.

  Revision: Puerto Rico has shifted to an External Evaluator role when building school capacity to improve student learning. Puerto Rico modified the role of the External Evaluator to focus on providing monitoring and performance management services to Central Level and District staff. The revised role/ description of services formalizes the administrative and management processes Puerto Rico uses to implement ESEA flexibility, manage and improve the State's capacity to collect, analyze, and make decisions based on implementation data, and to identify key areas where technical and management support is needed.

Revision: Puerto Rico is leveraging ESEA Section 1116(b)(10) funds to improve school and student improvement. Puerto Rico will use the funds that it would otherwise be required to reserve for certain schools that were identified for improvement to support a number of new and existing school improvement initiatives. As a result, those funds will be used to support educational leadership in non-School Improvement Grant-funded Priority and Focus schools.

- **Supporting Effective Instruction and Leadership (Principle 3)**

Revision: Puerto Rico has included the addition of an online system to provide school directors and District and Central Level staff the appropriate tools to ensure compliance of interventions. Puerto Rico created an online platform, the Support and Academic Monitoring System (SAMA), to capture information about services provided to schools at the District level. This modification increases the efficiency of Puerto Rico's operations by systematizing and automating processes that were previously executed using paper/personal visits.