



**THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK**

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Commissioner of Education  
President of the University of the State of New York  
89 Washington Ave., Room 111  
Albany, New York 12234

E-mail: [commissioner@mail.nysed.gov](mailto:commissioner@mail.nysed.gov)  
Twitter: @JohnKingNYSED  
Tel: (518) 474-5844  
Fax: (518) 473-4909

August 7, 2014

Ms. Deborah Delisle  
Assistant Secretary  
Office of Elementary and Secondary Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Assistant Secretary Delisle:

Thank you for approving the renewal of New York State's Elementary and Secondary Education Act (ESEA) flexibility waiver for the 2014-15 school year. The New York State Education Department (SED) worked with stakeholders from across the state to ensure that the renewal request described New York's continued commitment to implementing educational reforms directly tied to increasing student achievement.

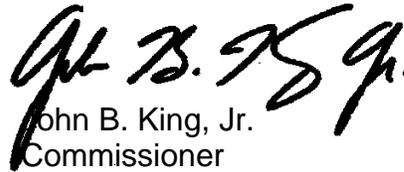
As you are aware, in order to ensure renewal of New York's flexibility waiver prior to the start of the 2014-15 school year, SED agreed to temporarily withdraw amendment requests related to students with disabilities and English language learner (ELL) assessment and accountability from its 2014-15 ESEA flexibility renewal request. With this letter, we are formally resubmitting those amendments for your consideration. Additionally, we are also submitting a new amendment request pertaining to Career and Technical Education assessments.

USDE had previously agreed that it would continue a dialogue with SED concerning how the issues raised by New York's student with disabilities and ELL amendment requests might best be addressed. We continue to believe strongly that current ESEA assessment requirements for certain students (i.e., newly arrived ELL's and students with severe disabilities who are ineligible to participate in the New York State Alternate Assessments) are counterproductive and that our amendments would result in improved instruction for these students without the lowering of standards. Our past record of innovative educational reforms coupled with our experience with diverse groups of districts, schools, and students can serve as a resource to USDE as it grapples with the challenges faced by all states in the implementation of new college- and career-ready assessments. We are eager to continue our dialogue with you at your earliest convenience with the goal of securing approval of these assessment adjustments for the 2014-15 school year. We look forward to setting up a meeting through our USDE liaison, Victoria Hammer, in the coming weeks.

If you have any questions regarding the enclosed amendments, please contact Assistant Commissioner Ira Schwartz at [ischwartz@mail.nysed.gov](mailto:ischwartz@mail.nysed.gov).

We look forward to your support as we continue our efforts to create an educational system in New York that graduates all of our high school students college- and career-ready.

Sincerely,



John B. King, Jr.  
Commissioner

Enclosure(s)

cc: Cosimo Tangorra, Jr.  
Ken Wagner  
Ira Schwartz  
James Delorenzo  
Angelica Infante