



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN 28 2010

Senator Eliot Shapleigh
State Senator
The Senate of the State of Texas
PO Box 12068
Capitol Station
Austin, Texas 78711

Dear Senator Shapleigh:

We received your May 19, 2010 letter to Secretary of Education Duncan regarding issues at Bowie High School in the El Paso Independent School District (EPISD), and as Director of the Student Achievement and School Accountability Programs (SASA) in the Office of Elementary and Secondary Education (OESE) I have been requested to respond.

In your letter, you charge that EPISD "disappeared" 55 percent of the students entering Bowie High School in 2007 through such means as transfers, deportation, sending students to charter schools, holding students back in 9th grade, or promoting students to the 11th grade. You also charge that the motivation behind these actions was to avoid sanctions, publicity, and enforcement actions under phase four of the *No Child Left Behind Act*.

The actions you specify are serious and require further investigation. Every State education agency (SEA), including the Texas Education Agency (TEA), is required by the *No Child Left Behind Act* to have in place a complaint procedure to receive and respond to allegations of non-compliance with school laws and rules. I will be forwarding your complaint to the TEA and will request that TEA investigate your complaint regarding EPISD and Bowie High School. I will also ask TEA to respond, in writing, to me within 30 business days unless more time is needed to complete the investigation. Upon receipt of TEA's findings and any actions that TEA may take based on its investigation, I will forward this information to you for your review and comment.

Sincerely,

Zollie Stevenson, Jr., Ph.D.
Director
Student Achievement and School
Accountability Programs

cc: Cory Green

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