

# TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

July 30, 2010

The Honorable Eliot Shapleigh  
Texas Senate  
P.O. Box 12068  
Austin, Texas 78711-2068

Dear Senator Shapleigh:

Thank you for your letters dated July 1, 2010 and July 27, 2010 related to the El Paso Independent School District (EPISD). In your letters, you requested information concerning investigations and audits conducted by the Texas Education Agency (TEA) regarding the EPISD administration of the Texas Assessment of Knowledge and Skills (TAKS) tests, including any documents, emails, letters, and calendar notations of meetings reviewed, sent, or associated with such investigations or audits. Your request includes, but is not limited to Bowie High School from 2007 to date

In accordance with the Texas Public Information Act (TPIA), the state law applicable to governmental bodies in Texas, the Texas Education Agency (TEA) is providing public information, including information that may be confidential, for inspection or duplication in accordance with this Chapter 553 of the Texas Government Code, as you indicate that you are requesting this information under the TPIA (Sec. 552 of the TX Gov't Code) for legislative purposes.

To clarify any misunderstanding, Debbie Ratcliffe's statement in the news article you reference is regarding a September 18, 2009 report requested by and provided to your office in fall 2009. The report presented the enrollment and leaver data for students enrolled in Bowie High School during the 2007-08 school year. When we spoke on the phone, I was under the understanding that you were aware of this report and did not feel it necessary to remind you of its existence. You included excerpts of this report in your July 2010 complaints to the U.S. Department of Education and the TEA. Also, as I emphasized to you on July 1<sup>st</sup> when we spoke, TEA will continue to remain impartial with any questions regarding this matter.

This letter and the attachments are to fulfill your requests under the TPIA:

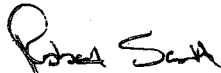
- A report and letter dated January 29, 2007 to EPISD in relation to an on-site audit/investigation of the administration of TAKS. The EPISD was one of the schools selected based on criteria implemented in response to the *Caveon Pilot Study* Report of spring 2005 TAKS data. All information created, maintained, and used in the 2007 audit, including investigative notes, audio recorded interviews, and student identifying information, is included per your request.

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- Notices and correspondence related to an investigation, in process, of a complaint filed by the U.S. Department of Education and you.
- I am again attaching the report TEA provided to your office in the fall of 2009.

If you need additional information, please do not hesitate to send a request to MJ Nicchio ([mj.nicchio@tea.state.tx.us](mailto:mj.nicchio@tea.state.tx.us)) or Lisa Hughes ([lisa.hughes@tea.state.tx.us](mailto:lisa.hughes@tea.state.tx.us)) in our Governmental Relations Office, and they will respond promptly.

Sincerely,



Robert Scott  
Commissioner of Education

RS/mjn

Attachments