



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

SEP 8 2010

Mr. Robert Scott  
Commissioner of Education  
Texas Education Agency  
William B. Travis Building  
1701 North Congress Avenue  
Austin, TX 78701-1494

Dear Commissioner Scott:

I am writing in response to your September 3, 2010 letter to Secretary Duncan and the accompanying application for funding under the Education Jobs Fund (Ed Jobs) program. As officials of the U.S. Department of Education (Department) indicated to you and representatives of Governor Perry during an August 27, 2010 meeting in Washington, D.C., the Department will work cooperatively with the State in its submission of an application that meets the requirements of section 101 of Public Law 111-226. During that meeting, we also indicated that an application with conditional assurances, such as those that were included in your September 3, 2010 submission, would not be consistent with the statutory requirements. As such, we cannot award Ed Jobs funds to Texas at this time.

Based on our conversations with you and other State officials, it is our understanding that the State envisions submitting an application at a later date that does not contain conditional assurances. Please inform us as soon as possible when the State intends to submit such an application. If Texas submits an approvable application, the Department will award the State its Ed Jobs allocation without delay so that local school districts may hire or retain teachers and other employees to provide educational and related services during the 2010-2011 school year. The funds could be used for obligations that occur from August 10, 2010 (the date of enactment of the Ed Jobs statute) through September 30, 2012.

If you have any questions, please contact Dr. Joseph Conaty at [Joseph.Conaty@ed.gov](mailto:Joseph.Conaty@ed.gov) or 202-260-8230.

We look forward to accomplishing our shared goal of providing elementary and secondary school students in Texas the benefits of the Ed Jobs program.

Sincerely,

A handwritten signature in black ink, appearing to read "Thelma Meléndez de Santa Ana".

Thelma Meléndez de Santa Ana, Ph.D.