UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

September 19, 2006

Dear Chief State School Officer:

As September unfolds and the 2006–07 school year begins, I want to take this opportunity to update you on the Department's priorities. Our primary goal continues to be that all students reach grade-level standards by 2013–14 school year. Toward that end, the Department is committed to helping States with several of the most important and most challenging elements of the *No Child Left Behind Act of 2001* (NCLB). These challenges include having each State have a fully approved assessment system in 2006–07 that meets the requirements of NCLB, and improving the assessments for limited English proficient (LEP) students. I also write to describe the implementation of the growth model pilot and the changes in the process for States to amend their accountability workbooks.

Standards and Assessment Systems

The linchpin of NCLB remains a valid and reliable standards and assessment system. This is a vital step in ensuring that school systems have the information necessary for providing all students the tools and resources necessary to reach proficiency. The Department will continue to work closely with States that have a standards and assessment system that has not yet received full approval. It is our goal to have all States receive full approval as soon as possible, but not later than the end of the 2006–07 school year.

This summer, the Department received States' timelines and several requests for reconsideration of States' approval status. The Department is in the process of reviewing the timelines and responding to the requests for reconsideration. Where necessary, we have conducted additional peer reviews of the evidence that States submitted.

In an effort to accommodate States' schedules and planning, the Department has scheduled several peer reviews for the next school year. These reviews will be held on September 20–22, 2006; January 24–26, 2007; and March 21–23, 2007. A peer review will also be held in May 2007 and is tentatively scheduled for May 16–18, 2007. I request that you take these dates into account when determining when to submit evidence for peer review. However, I also recognize that evidence may be ready at various points throughout the next year and States may decide that the most appropriate course of action is to submit evidence at more than one point in time. For example, a State may decide to submit for peer review its alternate assessment for students with the most significant

cognitive disabilities prior to administering it in spring 2007, but may need to wait to submit alternate achievement standards until after administration. Toward that end, the Department will continue to schedule rolling reviews as necessary. I encourage all States to work with my staff to determine the best course of action for submitting the remaining evidence necessary to come into full compliance.

LEP Partnership

To follow up on Secretary Spelling's announcement on July 27, 2006, the Department initiated a partnership with States to help improve the assessment of LEP students. This partnership is one piece of the on-going technical assistance the Department is providing to States. The recently completed peer reviews of States' standards and assessment systems indicated that properly including and assessing LEP students is a challenge across many States. It is also an area where coordinated effort would be beneficial. Collectively, we need to better understand what these students know and don't know and we need to build knowledge and develop strategies and tests to maximize the participation of LEP students in the academic life of our schools.

The first step in that partnership consisted of a meeting of 25 States in Washington, DC on August 28–29, 2006. Several experts provided details regarding ways to design appropriate assessments, including accommodations, for LEP students. In addition, States met in small groups with researchers to discuss State-specific issues regarding a plan of action to have in place a fully compliant assessment system, including validly and reliably assessing LEP students, by the end of the 2006–07 school year. In addition, several multi-State proposals were discussed, including concrete steps necessary to implement these proposals, which would further the field of LEP instruction and assessment.

The second step in the partnership includes all 52 States and will take place in Washington, DC on October 28–29, 2006. States are invited to bring key staff involved in the State assessment and accountability effort for LEP students. The Department will provide State teams with opportunities to hear from and interact with some of the nation's top researchers with an eye toward both short-term approaches to improvement the assessment of LEP students and long-term, multi-State initiatives. We will provide further information regarding this conference as the agenda and participants are finalized.

Following these two meetings, the Department will work with States to address particular concerns raised during the peer review of States' standards and assessment system. In addition, the Department will begin working with all interested States on several long-term, multi-State efforts to improve the assessment of English language learners.

Growth Models

As you know, North Carolina and Tennessee were approved to implement a growth model as part of their accountability systems in 2005–06. This fall, we will begin to

collect data from these two States to evaluate the effect and effectiveness of the growth models.

We are once again encouraging States to submit proposals for the 2006–07 school year to be one of eight additional States that may be approved to participate in the growth model pilot. Please note that States will be expected to implement their proposal based on the assessments given in the 2006–07 school year. The Department will have a two-prong approach to reviewing proposals this fall:

- States whose models were reviewed by the peers in April 2006 but not approved by the Department submitted revised proposals by September 15. These States will be peer reviewed on October 16–17.

- The Department also encourages any additional interested States, including those that previously submitted a proposal for the 2006–07 school year, to submit a proposal by November 1. The Department will conduct a process similar to that used last year to determine whether the proposal meets the "bright lines" and growth-model core principles and thereby warrants submission to the peers for review. The Department is recruiting a new group of nationally recognized experts to serve as peer reviewers for this round of review. The peers will once again be made up of individuals from academia, the private sector, and State and local practitioners. More details will be forthcoming when they are available.

It is important to note that the general requirements and core principles for growth model proposals have not changed; I refer any interested State to Secretary Spelling's original announcement of November 18, 2005, and the Department's peer review guidance of January 25, 2006. Both of these documents, in addition to State submissions from last year and additional fact sheets, may be found at: http://www.ed.gov/admins/lead/account/growthmodel/index.html. One document I would like to particularly highlight is the cross-cutting document written by the peer reviewers after reviewing the original 2005–06 proposals. In this document the peers address several overarching issues, such as the use of confidence intervals and the resetting of growth trajectories, which will again help inform the Department's decision-making process. This document may be found at: http://www.ed.gov/admins/lead/account/growthmodel/cc.doc.

Amendments to State Accountability Plans

As you know, any changes to a State's accountability plan must be submitted to the Department for review and approval *before* they are implemented, and a State may not make accountability determinations using an accountability plan that has not been fully approved by the Department. To better meet the States' timelines in making accountability determinations, it is necessary to alter the timeline for States' requests to amend their accountability workbooks. Hence, for the 2006–07 school year, amendments will be due to the Department no later than February 15, 2007. States may submit proposals earlier than this, but we encourage States to submit all proposals for the year at

one time. We believe this schedule will better allow the Department to make timely decisions and not delay the ability of States to make timely accountability determinations. Further information regarding the process to amend State accountability plans can be found at: http://www.ed.gov/policy/elsec/guid/stateletters/index.html#accountability.

The Department continues to work on the proposed regulation regarding an assessment based on modified achievement standards. We will share information with you as it becomes available and we will provide guidance with the regulation as it is finalized to help States develop an appropriate assessment and implement this new regulation. I would like to commend you for the work you are doing to meet the requirements of NCLB and improve the educational systems for our children across the nation. Achievement continues to rise across the States. I am encouraged by the progress that has been made to date, and I know that together we can continue the hard work necessary to give all children access to high-quality education and meet the goal of grade-level proficiency by 2013–14. I look forward to working with each of you in the coming year and beyond. As always, please let me or Catherine Freeman (Catherine.Freeman@ed.gov or 202-401-3058) of my staff know if you have any concerns or areas where the Department can help you achieve the goals of NCLB.

Sincerely,

Henry L. Johnson

cc: Governors