



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JUL 1 2008

The Honorable Richard P. Mills  
Commissioner  
New York State Education Department  
111 Education Building  
Albany, New York 12234

Dear Commissioner Mills:

Thank you for submitting a proposal for the U.S. Department of Education's (Department) differentiated accountability pilot. I appreciate the work you and your staff have done to try to develop a more nuanced way of distinguishing between schools and districts in need of intensive intervention and those that are closer to reaching their goals.

As you know, the Department forwarded New York's differentiated accountability proposal to a group of outside peer reviewers who evaluated each proposal to determine whether it was technically sound and consistent with the core principles of the pilot. The peers identified several strengths in New York's proposal, including the proposal's incorporation of an established state accountability plan with reporting assurances, as well as a list of ongoing school improvement efforts. However, the peers also raised significant specific concerns regarding New York's proposal. In particular, the proposal lacked specific detail and supporting research regarding how school interventions address the severity of academic need. In addition, the peers noted the lack of underlying research supporting the differentiation methods. The peers were concerned about how the state will ensure schools where subgroups are not meeting the participation target have interventions to improve both participation and performance, and how the state will handle New York City's unique structure. Based on the peers' concerns and the Department's own analysis of New York's proposal, the Department is not approving New York to participate in the differentiated accountability pilot at this time.

In the fall, the Department will once again invite any interested state to submit a proposal to participate in the differentiated accountability pilot for 2009–10 based on assessments administered in 2008–09. Details about the timing of this review are forthcoming. I encourage New York to submit a revised proposal so that it may be considered for participation in the pilot in 2009–10. To aid you in this effort, I am enclosing a copy of the peer report regarding New York's proposal as well as a memorandum prepared by the peer reviewers that discusses some of the overarching issues the peers identified during their review of all of the proposals that were submitted for the pilot. Additionally, the Department will be hosting a roundtable later this summer to discuss methods of differentiation and evaluation, and I encourage you to participate in that discussion. Please note that the Department intends to continue to limit participation in the pilot to ten states. Accordingly, I encourage you to review the peers' report and

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memorandum carefully, and to contact my staff so that we may discuss ways you may be able to refine New York's proposal.

Again, I appreciate your interest in the differentiated accountability pilot and your continued efforts to ensure quality education for all children.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kerri Briggs".

Kerri L. Briggs, Ph.D.

Enclosures

cc: Governor David Paterson