



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

The Honorable Alexa Posny
Commissioner of Education
Kansas State Department of Education
120 SE 10th Avenue
Topeka, Kansas 66612-1182

JAN 15 2009

Dear Commissioner Posny:

I am writing regarding the second review of Kansas' alternate assessments based on modified academic achievement standards (AA-MAAS), the Kansas Assessments of Modified Measures (KAMM), under section 1111 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), and the regulations in 34 C.F.R. §§ 200.1(e), 200.6(a)(3). Kansas' leadership in developing and implementing these assessments is commendable, and I appreciate Kansas' commitment to instruction and assessment based on challenging academic achievement standards for all students with disabilities.

In March 2008, Kansas, along with five other states, submitted evidence of its AA-MAAS for peer review. Based on comments received from that review, Kansas submitted additional evidence and, on October 25, 2008, a panel of outside peers and Department staff reviewed that evidence. Although the KAMM does not yet meet all the regulatory requirements, Kansas has made significant progress in meeting most of those requirements. Notably, the evidence provided indicates that the KAMM meets the requirements for modified academic achievement standards, alignment with grade-level content standards, and inclusion of all students. Kansas must still provide final evidence to demonstrate compliance with the requirements for technical quality and reporting. I have enclosed the list of evidence that Kansas must provide to demonstrate full compliance with the regulations.

I appreciate the steps Kansas has taken toward meeting the requirements for AA-MAAS, and I know you are anxious to receive approval of the KAMM. We are committed to helping you get there and remain available to provide technical assistance as you continue to complete work on the KAMM. We will schedule an additional peer review when you have the necessary evidence available.

As explained in my letter of January 8, 2009, which accompanied the January 2009 Assessment Fact Sheet, at this time, a State's AA-MAAS does not factor into the status assigned to its standards and assessment system. Thus, the need for Kansas to submit additional evidence regarding the KAMM does not impact the approval status of Kansas' standards and assessment system, which, as stated in my letter of May 25, 2007, is currently Full Approval with Recommendations.

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Please note that the Department will provide in a separate letter feedback on the additional evidence provided by Kansas pertaining to its science assessments that was also peer reviewed in October. If you have any questions or would like to discuss this further, please do not hesitate to contact Clayton Hollingshead (Clayton.Hollingshead@ed.gov) or Abigail Rogers (Abigail.Rogers@ed.gov) of my staff.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Briggs", written over the word "Sincerely,".

Kerri L. Briggs, Ph.D.

Enclosure

cc: Governor Kathleen Sebelius
Judi Miller
Tom Foster

SUMMARY OF ADDITIONAL EVIDENCE THAT KANSAS MUST SUBMIT TO MEET REGULATORY REQUIREMENTS FOR KANSAS' ALTERNATE ASSESSMENTS BASED ON MODIFIED ACADEMIC ACHIEVEMENT STANDARDS

4.0 – TECHNICAL QUALITY

1. Evidence demonstrating that scores are related to internal or external variables as intended.
2. Evidence of validity examining intended and unintended consequences of the KAMM.
3. Evidence demonstrating a system for monitoring and improving the on-going quality of the assessment.
4. Evidence demonstrating the use of accommodations and/or accommodated administrations for students with disabilities and limited English proficient students allow for valid inferences about these students' knowledge and skills and can be combined meaningfully with scores from non-accommodated administrations.

7.0 – REPORTING

1. Reports for each assessment demonstrating participation and assessment results for all students and for each of the required subgroups in each report at the State, LEA, and school level.
2. Parent/student report, or accompanying enclosure, providing interpretive guidance to parents.
3. Evidence demonstrating the student reports are delivered to parents, teachers, and principals as soon as possible after the assessment is administered.