



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 8 2009

The Honorable Veronica C. Garcia
Secretary of Education
State of New Mexico Public Education Department
300 Don Gaspar
Santa Fe, New Mexico 87501

Dear Secretary Garcia:

As we approach our seventh year of implementing the accountability provisions of the Elementary and Secondary Education Act, I want to take a moment to thank you and your colleagues for all your hard work to help realize the goals of the *No Child Left Behind Act of 2001* (NCLB) which has led to real and meaningful improvements in student achievement. These outcomes are due, in no small part, to the efforts of the dedicated educators in your state. We have seen an increased attention on high expectations for every child, an improvement in student performance across the board and a decrease in achievement gaps.

As Secretary Spellings is fond of saying, "what gets measured, gets done." With that in mind, I want to take this opportunity to update you on the status of some NCLB cornerstones with respect to New Mexico. Detailed information on specific components of your state's assessment and accountability system is contained in an attachment to this letter.

- **Assessment system:** An assessment system that produces valid and reliable results is fundamental to an accountability system that holds schools and districts accountable for educating all students. Please accept my congratulations on New Mexico's standards and assessment system meeting all statutory and regulatory provisions required for reading/language arts and mathematics as of 2007-08. Information regarding both the reading/language arts and mathematics assessment system used in determining adequate yearly progress for schools and districts in your state as well as details of the 2007-08 administration of science assessments are attached.
- **Accountability components:** The Department's new Title I regulations provide for greater scrutiny to states' accountability systems, including establishing a uniform and more accurate measure of calculating high school graduation rate that is comparable across states and requiring that states ensure that statistical measures maximize the inclusion of students and student subgroups in accountability determinations. Hence, the regulations also require that all states submit portions of their Accountability Workbook for peer review. In the attachment to this letter you will find information on New Mexico's minimum group size, annual measurable objectives, confidence interval, full academic year definition, and graduation rate.
- **Departmental flexibilities:** Over the past several years, the Secretary has offered several flexibilities to states, such as growth model and differentiated accountability pilots, assessing students with disabilities and recently arrived limited English proficient students, and discretionary grant programs, such as the Teacher Incentive Fund, Enhanced Assessment Grants, and State Longitudinal Data System Grants. I am pleased to note that New Mexico is participating in several of these endeavors.
 - **Teacher Incentive Fund (TIF) Grant:** The Northern New Mexico Network for Rural Education, a Non-Profit Organization, is partnering with two New Mexico school districts: Espanola Schools and Taos Municipal Schools. Total Amount: \$3,981,270 (Year 1: \$571,074; Year 2: \$1,656,596; and Year 3: \$1,753,600)

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- Two percent transition flexibility: New Mexico was approved in 2007–08 to include a proxy calculation for any school or district that did not make AYP due to the students with disabilities subgroup. New Mexico is eligible for this flexibility because the SEA is developing an alternate assessment based on modified academic achievement standards for certain students with disabilities.

In addition, for your information, I am enclosing a file that provides information across all states on the current assessment status, participation in flexibilities offered by the Department, AYP information, and discretionary grants. I wish you continued success in raising the achievement in New Mexico. NCLB has focused our attention on closing achievement gaps and increasing the awareness of those students who have often been left behind: economically disadvantaged, limited English proficient, and students with disabilities. I have enjoyed the opportunity to work with you and all your colleagues across the country on such important issues.

Sincerely,



Kerri L. Briggs, Ph.D.

Enclosures

cc: Governor Bill Richardson
Carlos Martinez

Assessment System

Your assessment system is currently *Fully Approved*. This means New Mexico’s assessment system includes academic content standards in reading/language arts, mathematics, and science; student achievement standards and assessments in each of grades 3 through 8 and one grade in high school in reading/language arts and mathematics; as well as alternate achievement standards and alternate assessments for students with the most significant cognitive disabilities in five grade bands: 3-4, 5-6, 7-8, 9-10, and 11-12 in reading/language arts, mathematics, and science.

New Mexico’s general science assessments are not yet fully compliant.

- In 2007–08, the Department required that the state meet four minimal criteria related to the content area of science: have science content standards; have a general and alternate science assessment; include all students in one of the science assessments (i.e. either the general and alternate); and report the results of the science assessments. New Mexico met these requirements.
- I know that New Mexico submitted evidence regarding your general science assessment for review from October 25 through November 2, 2008. My staff will be sharing the peer notes and formal feedback as soon as possible. Beginning with the 2008–09 school year, science assessments will be included in the states’ assessment status. For additional detail, please see the enclosed fact sheet.

Accountability System

- Minimum group size (the state-defined minimum number of students necessary to have valid and reliable AYP determinations): New Mexico’s minimum group size is 25. (The average across all states is approximately 30 students.)
- Annual measurable objectives (AMO) (the yearly target for the percentage of students required to be proficient or above for a school to make AYP):
 - 2008–09: New Mexico’s goal for this are as follows:

Report Year	Test Year	AMO TYPE	Reading AMO	Math AMO
2009	2008-09	P/K-05	63.00	50.00
2009	2008-09	P/K-06	59.00	47.00
2009	2008-09	P/K-08	60.00	44.00
2009	2008-09	06-08	57.00	41.00
2009	2008-09	07-08	60.00	41.00
2009	2008-09	07-12	60.00	43.00
2009	2008-09	09-12	60.00	46.00
2009	2008-09	P/K-12	60.00	45.00

- AMO type: New Mexico set its AMOs consistent with the statutory requirements, using a stair-step method. This means that New Mexico’s predetermined intermediate goals increase in equal increments.
- Confidence interval: The state applies a confidence interval of 99 percent to the percentage of students scoring proficient or above in the school.
- Full academic year definition (for purposes of determining whether a student’s score must be included in AYP determinations): In New Mexico, a student must be enrolled on enrolled from 120th day prior year to 120th day current year, for a period not to exceed 365 days in order to be included in AYP determinations.
- Graduation rate:
 - Currently, New Mexico’s graduation rate divides the number of 12th-grade graduates by the number of 12th-graders enrolled on the school’s 40th day of enrollment that same school year.

- As required by the recently issued Title I regulations, states must report graduation rate data, in the aggregate and disaggregated by subgroup, using the four-year adjusted cohort graduation rate beginning with report cards providing assessment results for the 2010-11 school year.
- The graduation rate target New Mexico requires for the district or school to make AYP is 90 percent or meeting or exceeding the previous year's rate meeting or exceeding the three-year average.
- According to the National Governor's Association 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, New Mexico will report the compact rate in 2009.