UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 15 2009

The Honorable Gerald L. Zahorchak
Secretary of Education
Pennsylvania Department of Education
333 Market Street
Harrisburg, Pennsylvania 17126

Dear Secretary Zahorchak:

As we approach our seventh year of implementing the *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *No Child Left Behind Act of 2001* (NCLB), I want to take a moment to thank you and your colleagues for all your hard work to help realize the goals of 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 to 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 Pennsylvania. 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 all public schools and districts accountable for educating all students. Please accept my congratulations on Pennsylvania's standards and assessment system meeting all statutory and regulatory provisions required for reading/language arts and mathematics as of 2006–07. Information regarding the reading/language arts and mathematics assessments used in determining adequate yearly progress for schools and districts in your state as well as details of the state's 2007–08 administration of science assessments are attached.

- Accountability components: The Department's new Title I regulations provide for greater scrutiny of states' accountability systems, including establishing a uniform and more accurate measure of calculating high school graduation rates 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 Pennsylvania's minimum group size, annual measurable objectives, confidence interval, full academic year definition, performance index, 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 Pennsylvania is participating in several of these endeavors.

- Growth Model Pilot: Pennsylvania's growth model has been conditionally approved for implementation for the 2009–10 school year using the assessment results from the 2008–09 school year. The proposal has been conditionally approved by the Department contingent on Pennsylvania's adoption of the performance index core principles as established in my letter of December 2, 2008.
- Teacher Incentive Fund Grants:
    - School District of Pittsburgh (A collaboration with the district's Excellence for All initiative, by incentivizing school principals based primarily on student achievement gains in 64 schools); Total Amount: $2,984,501 (Year 1: $1,472,016 and Year 2: $1,512,485)
    - School District of Philadelphia (Pilot a performance-based staff development and compensation system using TAP model in six urban charter schools and an additional six charter schools in year 3); Total Amount: 7,129,776 (Year 1: 1,443,017; Year 2: 2,048,208; and Year 3: 3,638,551)
- Statewide Longitudinal Data Systems Grant: The Pennsylvania Pathways to Performance strategic plan created a vision and roadmap to improve the state's implementation of NCLB. Central to this plan is the establishment of the Pennsylvania Information Management System (PIMS) to address substantial gaps in Pennsylvania Department of Education's (PDE) capacity to harness data to support NCLB and state priorities. Amount: $4,008,875
- Two percent transition flexibility: Pennsylvania 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. Pennsylvania is eligible for this flexibility because the SEA is developing an alternate assessment based on modified academic achievement standards for certain students with disabilities.
- Enhanced Assessment Grant: Pennsylvania Department of Education 2002 award: $1,810,567 and Pennsylvania Department of Public Instruction 2006 award: $708,537
- General Supervision Enhancement Grants:
    - Consortia led by the Regents of the University of Minnesota along with the states of Wisconsin and Michigan to refine the alternate assessment based on alternate academic achievement standards. (Year 1: $470,000;Year 2: $450,000 and Year 3: $450,000)
    - Lancaster-Lebanon Intermediate Unit 13 (IU 13), one of 29 intermediate units across Pennsylvania and Pennsylvania Training and Technical Assistance Network (PATTAN) are working on the development of an alternate assessment based on modified academic achievement standards. (Year 1: $400,000; Year 2: $300,000; Year 3: $300,000)

- Pennsylvania-specific issues: Finally, I'd like to take this opportunity to remind you of recent concerns that we have raised. Pennsylvania's performance index does not meet the requirements as outlined in my letter of December 2, 2008. Pennsylvania must amend its performance index and demonstrate that its meets the requirements in advance of AYP determinations based on the school year 2008–09 assessment results if Pennsylvania wishes to implement its growth model proposal for 2008–09 AYP determinations.

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 Pennsylvania. NCLB has focused our attention on closing achievement gaps and increasing the

awareness of those students who have often been left behind: economically disadvantaged students, students from racial and ethnic minorities, limited English proficient students, 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 Ed Rendell
Shula Nedley

Assessment System

Your assessment system met the requirements to be considered *Fully Approved*. This means that Pennsylvania's assessment system includes assessments in grades 3-8 and high school in reading/language arts and mathematics.

- Pennsylvania's 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. Pennsylvania met these requirements.
  - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant. Because Pennsylvania did not submit evidence of its science assessments for the October 2008 peer review, it must submit evidence for the March 23–27, 2009 peer review. Evidence for this review is due three weeks prior to the review. 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): Pennsylvania' minimum group size is 40 students. (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: Pennsylvania's AMOs for this year in mathematics is 56 percent of students proficient in grades 3-8 and in high school and in reading/language arts 63 percent of students proficient in grades 3-8 and in high school.
  - AMO type: Pennsylvania set its AMOs consistent with the statutory requirements, using a mixed method. This means that Pennsylvania' AMOs increased every three years, then annually beginning in 2010–2011 through 2013–2014 to reach 100 percent proficient.
- Confidence interval: Pennsylvania applies a confidence interval of 95 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 Pennsylvania, a student must be enrolled in the same school on October 1 until the close of the testing window in order to be included in AYP determinations for the school.
- Graduation rate:
  - Currently, Pennsylvania is using a graduation rate that can be described as a completer rate, which means that Pennsylvania divides the number of graduates by the number of graduates plus dropouts from the previous four years.
  - As required by the recently published Title I regulations beginning with report cards providing assessment results for the 2010-2011 school year, States must report graduation rate data, in the aggregate and disaggregated by subgroup, using the four-year adjusted cohort graduation rate.
  - The graduation rate target Pennsylvania requires for a district or school to make AYP is 80 percent or improvement from the previous year.
  - According to the National Governor's Association 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Pennsylvania will report the Compact formula rate in 2010.
- Pennsylvania uses a performance index when calculating AYP, which provides 100 points for scoring Proficient and Advanced; 80 points for scoring High-Basic; 60 points for scoring Low-Basic; 40 points for scoring High-Below Basic; 20 points for scoring Low-Below Basic; and 0 points for Untested students. Pennsylvania did not set the AMOs based on the performance index.