



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 15 2009

The Honorable Sandy Garrett
Superintendent of Public Instruction
Oklahoma State Department of Education
Hodge Education Building
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105-4599

Dear Superintendent Garrett:

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 Oklahoma. This letter, which includes more current information regarding the state's assessment system, replaces the one sent to you on January 8. 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 Oklahoma'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 Oklahoma'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 Oklahoma is participating in several of these endeavors.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
www.ed.gov

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

- General Supervision Enhancement Grant: Oklahoma, in partnership with SRI International, received funds to work toward development of an AA-MAAS. (Year 1: \$399,693; Year 2: \$299,913; Year 3: \$299,842)
- Teacher Incentive Fund Grant: Project SMART–System to Motivate and Reward Teachers; Beggs School Districts #4, in partnership with eight high-need local education agencies, plans to develop, implement, and sustain a teacher and principal performance-based compensation system. Total Amount: \$971,179 (Year 1: \$507, 514; Year 2: 463,665)
- Enhanced Assessment Grant:
 - Oklahoma, in partnership with 13 states, received fiscal year 2003 funds to investigate the validity of accommodations in math and English proficiency assessments for limited English proficient students with disabilities (LEP/SD). Amount: \$835,887
 - Oklahoma, in partnership with 15 states, received fiscal year 2002 funds to improve assessments so that they 1) will more closely match content standards, 2) will be applicable for students with disabilities, and 3) will increase capacity for linking across grades. Amount: \$1,442,453

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 Oklahoma. 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 Brad Henry
Jennifer Stegman

Assessment System

Your assessment system met the requirements to be considered *Fully Approved*. This means that Oklahoma's system includes academic content and student achievement standards in reading/language arts, mathematics, and science; alternate achievement standards for students with the most significant cognitive disabilities in those subjects; assessments in each of grades 3 through 10 in reading/language arts and mathematics; and alternate assessments for each subject and meets all statutory and regulatory requirements. I encourage you to consider whether there are any areas in which the Department can provide or facilitate technical assistance to Oklahoma in meeting the statutory or regulatory requirements or as you consider changes to your current assessment system.

- Oklahoma'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 or alternate); and report the results of the science assessments. Oklahoma appears to meet these requirements and will need to submit evidence that all students were included in the science assessments to document full compliance with the requirements.
 - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant. Since Oklahoma has not brought in its science assessments for peer review to date, it must do so by March 2009 at the latest. Beginning with the 2008-09 school year, science assessments will be included in the states' assessment status. For additional details, please see the enclosed fact sheet.
- I know that Oklahoma submitted evidence regarding your revised academic achievement standards for Algebra in September 2008. My staff has shared the peer notes with you and will send formal feedback as soon as possible.
- Oklahoma has developed an alternate assessment based on modified academic achievement standards (AA-MAAS) and in 2007–08 included in AYP determinations the scores of students who were proficient or above (up to a 2.0 percent cap at the district and state levels) on this assessment. Oklahoma must submit the remaining evidence required for approval of this assessment as outlined in the September 3, 2008 letter and enclosed.
- The Oklahoma Alternate Assessment Program (OAAP, Oklahoma's alternate assessment based on alternate achievement standards) must be submitted to the Department for peer review during the March 2009 review. Please note that evidence is due three weeks prior to the review as outlined in the December 19, 2008 letter from Zollie Stevenson, Jr., Director of Student Achievement and School Accountability Programs.

Accountability System

- Minimum group size (the state-defined minimum number of students necessary to have valid and reliable AYP determinations): Oklahoma's minimum group size is 30. (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: Oklahoma's AMO for this year is 914 and 932 points on the state's performance index in grades 3-8 and high school in reading/language arts and mathematics, respectively (with 1500 points indicating all students are proficient).
 - AMO type: Oklahoma set its AMOs consistent with the statutory requirements, using a mixed method. This means that Oklahoma's AMO's first increased after two years, then in three year increments through 2008–09, then after two years, then annually through 2013–2014.
- Confidence interval: The state 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 Oklahoma, a student must be continuously enrolled

beginning within the first ten days of the school year and not had an enrollment lapse of ten or more consecutive days in order to be included in AYP determinations.

- Graduation rate:
 - Currently, Oklahoma is using a graduation rate that can be described as a completer rate, which means that the number of graduates is divided by the number of graduates plus dropouts from each of the previous four years.
 - 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 Oklahoma requires for the district or school to make AYP is 68.9 percent or improvement from the previous year.
 - According to the National Governor's Association (NGA) 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Oklahoma will begin implementing the four-year NGA Compact 4-year graduation rate by 2010.
- Oklahoma currently uses a performance index to make AYP determinations, which provides one point to schools and districts for students scoring at Level 1 (Unsatisfactory), two points for students scoring at Level 2 (Limited) and three points for students scoring at Levels 3 and 4 (Proficient and Advanced). Oklahoma's AMOs were set based on this performance index.

To support Oklahoma’s preparation for the successful completion of the peer review process, peer reviewer comments and staff recommendations have been organized and coded to reflect Critical Elements in the *Standards and Assessments Peer Review Guidance: Information and Examples for Meeting Requirements of the No Child Left Behind Act of 2001 (Revised December 21, 2007 to include modified academic achievement standards)**

2.0 – Academic Achievement Standards

1. Evidence that the standards-setting process included persons knowledgeable about the State’s academic content standards and special educators who are knowledgeable about students with disabilities. (2.6)

4.0 – Technical Quality

1. Additional evidence of validity, including: (a) that OMAAP assessment items are tapping the intended cognitive processes and that the items and tasks are at the appropriate grade level; (b) that the OMAAP and item scores are related to internal or external variables as intended; (c) that decisions based on the results of its assessments are consistent with the purposes for which the assessments were designed; (d) whether the OMAAP produces intended and unintended consequences; (4.1c, 4.1e, 4.1f, 4.1g)
2. A clearer explanation of the impact on reliability and validity of fewer items and shorter tests, especially for the sub-domain scores, for the OMAAP than the general assessments, including descriptions of improvements the State may have subsequently initiated for future test administrations; (4.2)
3. Evidence of steps the State takes to ensure consistency of test forms over time. (4.4a)

5.0 –Alignment

1. Evidence demonstrating that for each grade tested the OMAAP assessments are aligned comprehensively to grade-level academic content standards (PASS), meaning that the assessments reflect the full range of the PASS; (5.2i)
2. Evidence demonstrating that for each grade tested the OMAAP assessments reflect the same degree and pattern of emphasis as the PASS; (5.4)
3. Evidence of how Oklahoma has ensured alignment between the PASS and the modified achievement standards; (2.5)
4. Documentation of the procedures the State will use to maintain and improve alignment between the OMAAP and PASS over time, including evidence that the State will make modifications to the academic achievement standards only, basing the OMAAP on modified grade-level academic achievement standards, and not make modifications to the grade-level academic content standards (PASS). (5.7)

6.0 – Inclusion

1. Evidence that that students who are assessed based on modified academic achievement standards have access to the curriculum (PASS), including instruction, for the grade in which the students are enrolled; (6.2.2d)
2. Documentation of the establishment of and monitoring the implementation of guidelines for developing IEPs for students taking the OMAAP that include goals based on academic content

* Available at <http://www.ed.gov/policy/elsec/guid/saaprguidance.doc>

standards, specifically the academic content standards for the grade in which the student is enrolled (PASS); (6.2.2c)

3. Evidence that use of documents, such as the *Criteria Checklist for Assessing Students with Disabilities on State Assessments*, which serve as the required guidelines for alternate assessments aligned to modified achievement standards and also to address other requirements (i.e., that students eligible to be assessed based on alternate or modified academic achievement standards may be from any of the disability categories listed in the IDEA; that for OMAAP eligible students the student's disability has precluded the student from achieving grade-level proficiency as demonstrated by objective evidence of the student's academic performance; and that an OMAAP-eligible student's progress to date in response to appropriate instruction, including special education and related services designed to address the student's individual needs, is such that, even if significant growth occurs, the IEP Team is reasonably certain that the student will not achieve grade-level proficiency within the year covered by the student's IEP) is mandatory. (6.2 generally, and specifically 6.2.1b, 6.2.2ai, 6.2.2aii)