



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 08 2009

The Honorable Eric Smith
Commissioner
Florida Department of Education
325 West Gaines Street
Tallahassee, Florida 32399

Dear Commissioner Smith:

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 Florida. 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. 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 enclosed.
- 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 Florida'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 Florida is participating in several of these endeavors.
 - Two percent transition flexibility: Florida 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. Florida is eligible for this flexibility because it is developing an alternate assessment based on modified academic achievement standards for students with certain disabilities.
 - Differentiated Accountability: Florida was approved to include its differentiated accountability model as part of its system of interventions beginning in the 2008–09 school year through the

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2011–12 school year. Through this pilot, Florida has also been approved to reverse the order of services that schools in their first year of improvement may offer students supplemental educational services.

- Growth Model: The Department approved Florida to use its growth model in making AYP determinations beginning with the 2006–07 school year and, on December 22, 2008, granted a four year extension for use of the growth model through 2011–12.
- Districts in need of improvement: Hillsborough County Public Schools is participating in this pilot, which allows districts that are in need of improvement to provide supplemental educational services.
- Statewide Longitudinal Data Grant (SLDG): In 2006, Florida received a State Longitudinal Data System Grant of \$1,577,602.
- Teacher Incentive Fund (TIF) Grant:
 - Hillsborough County Public Schools. Total amount: \$7,199,682 (Year 1: \$3,088,827; Year 2: \$4,110,855)
 - School Board of Miami-Dade County. Total amount: \$6,453,218 (Year 1: \$2,691,841; Year 2: \$3,761,377)
 - School Board of Orange County. Total amount: \$11,985,377 (Year 1: \$6,595,095; Year 2: \$5,390,282)

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 Florida. 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 Charlie Crist
Jay Pfeiffer
Juan Copa

Assessment System

Your assessment system received *Full Approval with Recommendations* for reading/language arts and mathematics on June 27, 2007. Since that time, Florida has revised its alternate assessment based on alternate academic achievement standards which are currently being reviewed. The list of remaining evidence for the new alternate assessment is enclosed with this letter. Science assessments will soon affect approval status as well. I encourage you to consider whether there are any other areas in which the Department can provide or facilitate technical assistance to Florida in meeting the statutory or regulatory requirements or as you consider changes to your current assessment system.

- Florida'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. Florida has met these requirements.
 - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant. Because Florida did not submit evidence of its science assessments for the October 2008 peer review, it must submit evidence for the March 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): Florida's minimum group size is the greater of 30 students or 15 percent of enrollment, up to 100 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: Florida's goal for this year is 65 percent of students scoring proficient in reading/language arts and 68 percent in mathematics.
 - AMO type: Florida set its AMOs consistent with the statutory requirements, using an annual adjustment. This means that AMOs increase in equal increments every year.
- Full academic year definition (for purposes of determining whether a student's score must be included in AYP determinations): In Florida, a student must be enrolled for both enrollment surveys in October and February in order to be included in AYP determinations.
- Graduation rate:
 - Currently, Florida is using a graduation rate that can be described as a longitudinal cohort rate, which means that Florida divides the number of students who graduated with a regular diploma by the number of 1st-time entering 9th graders four years previously, accounting for transfers in and out.
 - 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 Florida requires for the district or school to make AYP is 85 percent or improvement of at least one percent.
 - According to the National Governor's Association 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Florida had the capability of calculating the 4-year rate in 2006.

SUMMARY OF ADDITIONAL EVIDENCE THAT FLORIDA MUST SUBMIT TO MEET ESEA REQUIREMENTS FOR THE FLORIDA STANDARDS AND ASSESSMENT SYSTEM

2.0 – ACADEMIC ACHIEVEMENT STANDARDS

1. Documentation of the alternate academic achievement standards, including cut scores, performance level descriptors for each of the performance levels (basic, proficient, and advanced) within each access point (participatory, supported, and independent) for reading and mathematics.
2. Evidence that alternate academic achievement standards have been formally adopted by the state.
3. Documentation of the academic achievement standards-setting panels, including evidence of the inclusion of individuals with knowledge of special education and individuals with content expertise for all content areas and grades.

3.0 – FULL ASSESSMENT SYSTEM

1. Evidence of a coherent assessment system, including the design of the current alternate assessment based on alternate academic achievement standards.

4.0 – TECHNICAL QUALITY

1. The completed technical manual for the FAA, including evidence of validity and reliability, as described in the Standards for Educational and Psychological Testing, and the standards-setting process and results.
2. Evidence that, in its consideration of validity, Florida considered how the access limitations inherent in its test design might pose a significant constraint on the meaningfulness of assessment scores.
3. The final standards-setting report.
4. Evidence that students' responses are scored with fidelity to the rubric and scored accurately.
5. A plan to regularly monitor the administration and scoring procedures.
6. Evidence related to the quality of score analysis and reporting processes.
7. A process for examining and improving the quality of Florida's alternate assessment system over time.

5.0 – ALIGNMENT

1. Evidence of alignment among the state's academic content standards, alternate academic achievement standards, and alternate assessments, including:
 - a. Evidence that addresses the comprehensiveness, cognitive complexity, and balance aspects of alignment quality among the state's standards and its alternate assessment;
 - b. Evidence that addresses alignment quality given the fact that construct coverage differs across access points within each item;
 - c. Evidence that addresses alignment quality given the fact that different students take different sets of items within a test form;
 - d. Evidence that addresses the degree to which the assessment reflects the range of achievement defined in the performance level descriptors and the access points;
 - e. Specific recommendations for improving alignment quality; and
 - f. The state's plan for addressing any identified gaps and weaknesses in alignment.

7.0 – REPORTING

1. Evidence that the state’s reporting system facilitates appropriate, credible, and defensible interpretation and use of its alternate assessment data.
2. Evidence that, for each content area and grade tested, the state provides a summary report that includes the number of students enrolled or number tested/not tested as evidence that all students are tested.
3. Evidence that the state reports participation and assessment results for all students and for each of the required subgroups in its reports at the school, district, and state levels.
4. Evidence that the state has provided for the production of individual interpretive, descriptive, and [non-clinical] diagnostic reports that indicate relative strengths and instructional needs:
 - a. Evidence that these individual student reports express results in terms of the State's alternate academic achievement standards rather than numerical values such as scale scores or percentiles;
 - b. Evidence that these individual student reports provide information for parents, teachers, and principals to help them understand and address a student's specific academic needs. This information must be displayed in a format and language that is understandable to parents, teachers, and principals, for example, through the use of descriptors that describe what students know and can do at different performance levels. The reports must be accompanied by interpretive guidance for these audiences; and
 - c. Evidence that the state ensures that these individual student reports will be delivered to parents, teachers, and principals as soon as possible after the alternate assessment is administered.
5. Evidence that the state has ensured that student-level assessment data are maintained securely to protect student confidentiality.
6. Evidence that the state has provided for the production of itemized score analyses by subdomains or standards (item-by-item reports not required) so that parents, teachers, and principals can interpret and address the specific academic needs of students