



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 8 2009

The Honorable Susan Castillo
Superintendent of Public Instruction
Oregon Department of Education
255 Capitol Street NE
Public Service Building
Salem, Oregon 97310

Dear Superintendent Castillo:

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 Oregon. 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 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 Oregon'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 Oregon is participating in several of these endeavors.
 - General Supervision Enhancement Grant (GSEG): Oregon, in partnership with Ohio and Minnesota, is working towards the development of an alternate assessment based on modified academic achievement standards. (Year 1: \$1,075,314; Year 2: \$840,567; and Year 3: \$887,319).
 - Statewide Longitudinal Data Systems Grant: The Oregon DATA Project: Direct Access to Achievement; Amount: \$4,705,977.

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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.

- Enhanced Assessment Grant (EAG): Oregon, in partnership with several states and the University of Oregon, received funding in fiscal year 2005 to investigate the technical adequacy of decision-making for the participation of students with disabilities in large-scale testing. Amount: \$1,061,204.

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 Oregon. 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 Ted Kulongoski
Doug Kosty
Tony Alpert

Assessment System

Your assessment system is *Approval Pending* as of 2007–08. This means Oregon’s standards and assessment system does not quite meet all statutory and regulatory requirements of Section 1111(b)(1) and (3) of the *Elementary and Secondary Education Act* (ESEA), as amended by the *No Child Left Behind Act of 2001*. Specifically, Oregon’s general assessment meets all ESEA requirements, but there were concerns over the alternate assessment for grade 10.

- Enclosed with this letter is the most recent list of evidence regarding the Oregon assessment system that was sent on December 3, 2007. Oregon recently submitted evidence of its assessments in October 2008. The Department will provide feedback regarding that review shortly.
- Oregon’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. Oregon met these requirements.
 - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant.

Accountability System

- Minimum group size (the state-defined minimum number of students necessary to have valid and reliable AYP determinations): Oregon’s minimum group size is 42 over two years (21 per year). (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: Oregon’s goal for this year is 60 percent of students scoring proficient in reading/language arts and 59 percent in mathematics.
 - AMO type: Oregon set its AMOs consistent with the statutory requirements, using a mixed method. This means that Oregon’s AMO’s first increased in three-year increments through 2010–11 and then annually through 2013–14 to reach 100 percent proficient.
- 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 Oregon, a student must be enrolled for one-half of the instructional days prior to the testing date in order to be included in AYP determinations.
- Graduation rate:
 - Currently, Oregon is using a graduation rate that can be described as a completer rate, meaning it divides the number of students who receive a regular high school diploma by the number of graduates and dropouts from 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 Oregon requires for the district or school to make AYP is 68.1 percent in the current year or using two-year weighted average.
 - According to the National Governor’s Association (NGA) 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Oregon “is taking steps to report the NGA 4-year compact rate by 2009.”

SUMMARY OF ADDITIONAL EVIDENCE THAT OREGON MUST SUBMIT TO MEET ESEA REQUIREMENTS FOR THE OREGON ASSESSMENT SYSTEM

2.0 – ACADEMIC ACHIEVEMENT STANDARDS

1. Evidence of approved/adopted alternate academic achievement standards for students with the most significant cognitive disabilities in reading/language arts and mathematics for high school.
2. Evidence that the alternate academic achievement standards in high school include, for each content area:
 - a. At least three levels of achievement, including two levels of high achievement (e.g., proficient and advanced) that determine how well students are mastering a state’s academic content standards and a third level of achievement (e.g., basic) to provide information about the progress of lower-achieving students toward mastering the proficient and advanced levels of achievement;
 - b. Descriptions of the competencies associated with each achievement level; and
 - c. Assessment scores (“cut scores”) that differentiate among the achievement levels.
3. Documentation that the state has reported separately the number and percentage of those high school students with disabilities assessed based on alternate academic achievement standards, those assessed on an alternate assessment based on grade-level standards, if any, and those included in the regular assessment (including those administered with appropriate accommodations).
4. Evidence that the state has documented the involvement of diverse stakeholders in the development of its alternate academic achievement standards.

4.0 – TECHNICAL QUALITY

1. For the high school alternate assessment, evidence that the state has documented validity (in addition to the alignment of the alternate assessment with the content standards), as described in the Standards for Educational and Psychological Testing (AERA/APA/NCME, 1999).
2. For the high school alternate assessment, evidence that the state has provided documentation of the standards-setting process including a description of the selection of judges, methodology employed, and final results.
3. For the high school alternate assessment, evidence that the state has considered the issue of reliability, as described in the Standards for Educational and Psychological Testing (AERA/APA/NCME, 1999).
4. Evidence that the state has taken steps, such as bias review of items, to ensure fairness in the development of the high school alternate assessment.
5. Evidence that the state has established:
 - a. Clear criteria for the administration, scoring, analysis, and reporting components of its high school alternate assessment; and
 - b. A system for monitoring and improving the on-going quality of its alternate assessment.

5.0 – ALIGNMENT

1. Evidence that the state has taken steps to ensure alignment between its alternate assessments for grades 6 through 8 and for high school and the state’s academic content and alternate academic achievement standards.
2. Evidence that the state has developed ongoing procedures to maintain and improve alignment between the high school alternate assessment and content standards over time, particularly if gaps have been noted.

7.0 – REPORTING

1. Complete set of reports for the high school alternate assessment for individual students, schools, and districts.