



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 18 2009

The Honorable Patti Harrington  
Superintendent of Public Instruction  
Utah State Office of Education  
PO Box 144200  
Salt Lake City, Utah 84114-4200

Dear Superintendent Harrington:

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 Utah. 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 Utah'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 Utah'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 Utah is participating in several of these endeavors.
  - Enhanced Assessment Grantee (2007) for \$1,357,223.
  - Statewide Longitudinal Data System Grant: Utah has received a statewide longitudinal data system grant in the amount of \$4,561,763.

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- Reversal of Supplemental Educational Services (SES) and Public School Choice (PSC): Utah is participating in the SES and PSC Flip pilot statewide in 2008-09 to provide SES to Title I schools in the first year of improvement.
- Finally, I'd like to take this opportunity to remind you of recent concerns that we have raised. Utah was four days late with AYP determinations in 2008. Providing timely notification to local educational agencies (LEAs) and the public is a vital component of a meaningful accountability system and ensures parents have full knowledge of their options as soon as possible regarding public school choice and supplemental educational services. Please note that the recently issued Title I regulations require an LEA to notify parents of their choice options sufficiently in advance of, but no later than 14 calendar days before, the start of school. To meet this requirement, an LEA must have timely notice from the state of whether its schools have made AYP.

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 Utah. 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 Jon Huntsman, Jr.  
Judy Park



### Assessment System

Utah's assessment system is currently *Fully Approved*. This means that Utah has a fully compliant assessment system that includes assessments in grades 3-8 and high school in reading/language arts and mathematics and assessments in three grade spans (grades 3-5, 6-9, and 10-12) in science. 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): Utah's minimum group size is 10. (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: Utah's goal for this year is 83 percent of students in grades 3-8 and 82 percent of high school students scoring proficient in reading/language arts and 78 percent of students in grades 3-8 and 72 percent of high school students in mathematics.
  - AMO type: Utah set its AMOs consistent with the statutory requirements using a mixed method. This means that Utah's AMOs increased in stair steps every two years until 2012, at which point they increase annually.
- Full academic year definition (for purposes of determining whether a student's score must be included in AYP determinations): In Utah, a student must be enrolled continuously for at least 160 days in order to be included in AYP determinations.
- Graduation rate:
  - Currently, Utah is using a graduation rate that can be described as a 3-year completer rate, meaning that it takes the number of graduates divided by the number of graduates plus the number of students that dropout each of the previous three 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 Utah requires for the district or school to make AYP is 85.7 percent or improvement from the previous year.
  - According to the National Governor's Association 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Utah indicated it would have the capability of reporting the NGA Compact 4-year graduation rate in 2008.