



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 08 2009

The Honorable Patricia Hamamoto
Superintendent of Education
Hawaii Department of Education
1390 Miller Street, #307
Honolulu, Hawaii 96813

Dear Superintendent Hamamoto:

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 Hawaii. 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 Hawaii'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 Hawaii is participating in several of these endeavors.
 - Enhanced Assessment Grant (EAG): Hawaii, as part of the Pacific Assessment Consortium, received funds in fiscal year 2005 for to design, develop, and disseminate new K-3 English Language Proficiency (ELP) assessments that are appropriate for the large populations of Pacific Islander students in this consortium's states. Amount: \$1,500,866
 - General Supervision Enhancement Grant (GSEG): Hawaii, in partnership with the Regents of the University of Minnesota, South Dakota, Wisconsin, and Tennessee, received funds to work

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

toward development of an alternate assessment based on modified academic achievement standards. (Year 1: \$1,431,440; Year 2: \$1,199,967; Year 3: \$1,199,949)

- Hawaii-specific issues: Finally, I'd like to take this opportunity to remind you of recent concerns that we have raised. Hawaii was 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, Hawaii entered into a compliance agreement with the Department as it revises its alternate assessment based on alternate academic achievement standards.

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 Hawaii. 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 Linda Lingle
Cara Tanimura

Assessment System

Your assessment system is *Approval Pending* as of 2007–08. This means Hawaii’s standards and assessment system does not meet all statutory and regulatory requirements. Specifically, while the Hawaii State Assessment (HSA), and Hawaii’s native language assessment, the Hawaii Aligned Portfolio Assessment (HAPA), for students in grades 3 and 4 in the Hawaiian Language Immersion Program, have met most of the ESEA requirements, we continue to have concerns regarding the alternate assessment based on alternate academic achievement standards (HSAA). As a result, Hawaii entered into a compliance agreement with the Department.

- In addition to re-designing the HSAA per the terms of the compliance agreement, Hawaii submitted evidence regarding the HSA and HAPA for peer review in October. The Department is currently reviewing the results of that review and will provide feedback from that review soon. The most recent list of evidence that Hawaii must submit to demonstrate full compliance was originally sent on October 30, 2007 and is enclosed with this letter.
- Hawaii’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. Hawaii appears to have met these requirements but will need to submit evidence demonstrating that all students were included in the science assessments for 2008.
 - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant. While the re-design of the alternate assessment based on alternate academic achievement standards in science is included in the compliance agreement, Hawaii must submit evidence related to its general test, the HSA, for the March 2009 peer review. Evidence for that review is due three weeks prior to the review. The results of this review for science will be factored into the assessment status. For further details, 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): Hawaii’s 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: Hawaii’s goal for this year is 58 percent of students scoring proficient in reading/language arts and 46 percent in mathematics.
 - AMO type: Hawaii set its AMOs consistent with the statutory requirements, using a mixed method. This means that Hawaii’s AMOs increased in three-year increments through 2009–10, then after two years, then annually for the final two years to reach 100 percent proficient.
- Full academic year definition (for purposes of determining whether a student’s score must be included in AYP determinations): In Hawaii, a student must be enrolled on the start date of test administration to the start date of the next test administration in order to be included in AYP determinations.
- Graduation rate:
 - Currently, Hawaii is using a graduation rate that can be described as a longitudinal cohort rate, which means that Hawaii tracks the same students across time from 9th through 12th grade.
 - 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 Hawaii requires for the district or school to make AYP is 75 percent.

- According to the National Governor's Association (NGA) 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, "Hawaii uses a cohort rate similar to the NGA Compact four-year graduation rate, but has no plans to conform to the Compact formula rate."

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

2.0 – ACADEMIC ACHIEVEMENT STANDARDS

Hawaii State Assessment (HSA):

1. The subject area representation for panels that reviewed the performance level descriptors.
2. A plan and process for future selection of panels to ensure representation of all relevant stakeholder groups.

Hawaii State Alternate Assessment (HSAA):

1. Evidence of approved/adopted alternate academic achievement standards for students with the most significant cognitive disabilities in reading/language arts and mathematics for each of grades 3 through 8 and high school.
2. Evidence that the alternate academic achievement standards 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 students with disabilities assessed using an alternate assessment based on alternate academic achievement standards, an alternate assessment based on grade-level academic achievement standards, and the general HSA assessment with and without 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

HSA:

1. The report of the consequential validity study.
2. Documentation on how Hawaii will address inter-rater agreement rates for the short-answer and extended-response items that were less than the established target.
3. Procedures for the standardization of the accommodation that allows for the explanation of directions using simplified vocabulary.
4. Results of a study conducted to show that the simplified language procedure does not compromise the validity of the HSA score.
5. Evidence that the "read-aloud" accommodation is allowed only for those students who receive that accommodation in instruction and that the score reports indicate the assessment of an altered construct.
6. Results of a study conducted to show that the "read-aloud" accommodation does not compromise the validity of the HSA reading score.

HSAA:

1. Evidence that the State has documented validity (in addition to the alignment of the HSAA with the academic content standards) as described in the Standards for Educational and Psychological Testing (AERA/APA/NCME, 1999).
2. Evidence that the State has provided documentation of the standards-setting process, including a description the selection of judges, methodology employed, and final results.

3. 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 ensured that its alternate assessment system is fair and accessible to eligible students, including students with limited English proficiency.
5. Evidence that the State has taken steps, such as bias review of items, to ensure fairness in the development of the alternate assessment.
6. When different test forms or formats are used for the alternate assessment, evidence that the State has ensured that the meaning and interpretation of results are consistent.
7. Evidence that the State has established:
 - a. Clear criteria for the administration, scoring, analysis, and reporting components of its alternate assessment; and
 - b. A system for monitoring and improving the on-going quality of its alternate assessment.

Hawaii Aligned Portfolio Assessment (HAPA):

1. Evidence that the cut scores for 2007 operationalize the content-specific performance level descriptors that are used for both the HAPA and HSA. This evidence should include documentation related to the process of reviewing the 2006 cut scores for use in 2007, including a description of the preparation of the panel(s) for their task, a demographic description of the participants, and results of their deliberations.
2. Evidence that Hawaii's scoring for oral fluency is valid and consistent in the same way across scorers.
3. Evidence showing that all students are being included in the assessment program.
4. Documentation of the comparability of the oral fluency tasks for the HAPA and the items from the HSA.

5.0 – ALIGNMENT

HSA:

1. The blueprints for reading and mathematics for each required tested grade with the number of items developed for each of the standards.
2. Documentation to show that the full range of knowledge is assessed for each required tested grade for reading and mathematics.
3. Results of the item review panel including number of items reviewed, rejected, and revised, as well as alignment to benchmark and depth of knowledge levels for each required tested grade for reading and mathematics.
4. Documentation of how Hawaii addressed each of the cells in the alignment studies that resulted in ratings of "weak" or "no" alignment including the number and extent of changes made.

HSAA:

1. Evidence that the State has taken steps to ensure alignment between its alternate assessments and the State's academic content and alternate achievement standards.
2. Evidence that the State has developed on-going procedures to maintain and improve alignment between the alternate assessment(s) and academic content and alternate academic achievement standards over time, particularly if gaps have been noted.

HAPA:

1. Evidence demonstrating how Hawaii has addressed or will address the concerns from the Rob Ely Report.
2. Documentation specifying how Hawaii addressed or will address the comments related to Source of Challenge identified by reviewers participating in the alignment studies.

6.0 – INCLUSION

HSA:

1. Statewide spring 2007 participation rates for reading and mathematics in the required grades. Totals should be disaggregated by gender, ethnicity, special education status, limited English proficiency status, economically disadvantaged status, and migrant status.

HSAA:

1. Evidence that the State has implemented alternate assessments for students whose disabilities do not permit them to participate in the regular assessment even with accommodations.
2. Evidence of guidelines and training that the State has in place to ensure that all students with disabilities taking the alternate assessment are included appropriately in the State assessment system.
3. Evidence that the State has developed clear guidelines for Individualized Education Program (IEP) teams to apply in determining which assessment is most appropriate for a student.
4. Regarding the alternate academic achievement standards:
 - a. Evidence that the State has developed clear guidelines for IEP teams to apply in determining when a child's cognitive disability justifies assessment based on alternate academic achievement standards; and
 - b. Evidence of the steps the State has taken to help regular and special education teachers and other appropriate staff know how to administer the alternate assessment(s), including making use of accommodations, for students with the most significant cognitive disabilities.

7.0 – REPORTING

HSA:

1. Samples of the school-level achievement reports disaggregated by required subgroups by grade level and subject area for 2007.
2. Statewide achievement results disaggregated by the required subgroups by grade level and subject areas for 2007.

HSAA:

1. Evidence that the State's reporting system facilitates appropriate, credible, and defensible interpretation and use of its alternate assessment data.
2. 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, including:
 - a. Evidence that these individual student reports express results in terms of the State's 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 assessment is administered.

HAPA:

1. Complete set of reports for individual students, schools, and districts.