



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

SEP 21 2007

Mr. Michael P. Flanagan
Superintendent of Public Instruction
Michigan Department of Education
608 West Allegan Street, 4th Floor
Lansing, MI 48933

Dear Superintendent Flanagan:

It has come to the attention of the U.S. Department of Education (Department) that, because of an error in how the Michigan Department of Education (MDE) has determined the highly qualified status of some secondary special education teachers, MDE has submitted inaccurate highly qualified teacher (HQT) data to the Department. The source of the data problem is that MDE has permitted secondary special education teachers to demonstrate subject competence by passing the State's elementary content test. In order for secondary teachers to be counted as highly qualified, they must demonstrate subject competence at the secondary level in each subject taught. Because of this error, MDE has incorrectly counted an undetermined number of secondary classes taught by special education teachers among the classes taught by highly qualified teachers.

It is unclear, at this point, how many teachers and classes are affected by this problem. The Department understands that most secondary special education teachers in Michigan are highly qualified in at least one subject because they have completed an academic major, and we are also aware that many of these teachers have demonstrated subject competence in additional subjects using allowable methods, such as HOUSSE. We understand that it will take some time to determine exactly how many classes are affected. Department Program Officer Elizabeth Witt has discussed this problem at length with MDE staff members Flora Jenkins and Frank Ciloski.

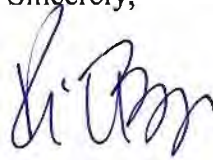
As soon as the source of the error was identified, Ms. Jenkins and Mr. Ciloski began work on correcting it. MDE's willingness to correct the problem is commendable and appreciated. The Department understands that while MDE should be able to re-assess the qualifications of some of the misidentified teachers before MDE submits 2006-07 HQT data to the Department via the Consolidated State Performance Report (CSPR) in December 2007, it is unlikely that MDE will have sufficient time to go through all HQT data. As a result, we understand that the 2006-2007 data submitted in the 2007 CSPR will be somewhat inaccurate.

While the data problem is being corrected, the Department will place conditions on Michigan's ESEA Title I, Part A and Title II, Part A grants. These conditions require

MDE to provide regular reports to the Department on its progress in notifying school districts of the error in defining the qualifications for secondary special education teachers; its progress in re-assessing the qualifications of these teachers; and its efforts to ensure that parents are notified, as required, when teachers who are not highly qualified teach their children. The specific terms of the conditions, including report requirements and due dates, will be attached to the grant award notifications for the portions of Title I, Part A and Title II, Part A funds that will be released in October 2007. The Department anticipates that all data errors will be corrected in time for the MDE to submit complete and accurate data for the 2007-08 school year in December 2008. If the State meets the condition requirements, we do not anticipate imposing any additional sanctions on Michigan.

The Department looks forward to working with the MDE on addressing this important issue. Please contact Elizabeth Witt at (202) 260-5585 or elizabeth.witt@ed.gov, if you have further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Briggs".

Kerri L. Briggs, Ph. D.