



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 8 2009

The Honorable Bill Talbott
Commissioner
Vermont Department of Education
120 State Street
Montpelier, VT 05620-2501

Dear Commissioner Talbott:

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 Vermont. 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 Vermont'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. Vermont is not currently participating in these endeavors.

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 Vermont. 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

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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.

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 Jim Douglas
Gail Taylor
Michael Hock

Assessment System

Your assessment system met the requirements to be considered *Approval Pending*. This means Vermont's standards and assessment system does not 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 (NCLB) of 2001. As a result, Vermont has entered into a compliance agreement with the Department regarding the alternate assessment based on alternate achievement standards in reading/language arts, mathematics, and science.

- Because your state's assessment system is not fully approved, Vermont must submit evidence enclosed with this letter and that was originally sent on December 19, 2007.
- Vermont'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. Vermont has met these requirements.
 - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant. 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): Vermont's minimum group size is 40. (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: Vermont's AMO for this year is 418 and 395 points on the state's performance index in grades 3-8 and high school in reading/language arts and mathematics, respectively (with 500 points indicating all students are proficient).
 - AMO type: Vermont set its AMOs consistent with the statutory requirements, using staircase method. This means that Vermont's grades 3-8 and high school AMOs in reading/language arts and mathematics increased first after two years then in three-year increments to reach 100 percent proficient.
- Confidence interval: The state applies a confidence interval of 99 percent.
- Full academic year definition (for purposes of determining whether a student's score must be included in AYP determinations): In Vermont, a student must be continuously enrolled from the first day of school to the last in order to be included in AYP determinations.
- Graduation rate:
 - Currently, Vermont is using a graduation rate that can be described as a longitudinal cohort rate, which means that Vermont 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 Vermont requires for the district or school to make AYP is 75 percent based on a two-year average.
 - According to the National Governor's Association (NGA) 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Vermont began reporting the NGA Compact 4-year graduation rate in June 2008.

- Vermont uses a performance index when calculating AYP, which provides half credit to schools and districts for any student scoring in the low range of Substantially Below Proficient, 250 points for students scoring in the high range of Substantially Below Proficient, 375 points for students scoring Partially Proficient and full credit, 500 points, for students scoring at Proficient or Advanced. Vermont's AMOs were set based on this performance index.

SUMMARY OF ADDITIONAL EVIDENCE THAT VERMONT MUST SUBMIT TO MEET ESEA REQUIREMENTS FOR THE VERMONT STANDARDS AND 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 each of grades 3 through 8 and at least one grade in the 10-12 grade span.
2. Documentation of the development of academic achievement descriptors for the alternate assessment in the content area of science.
3. 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.
4. Evidence that the Board or other authority has adopted all alternate achievement standards.
5. Documentation that the State has reported separately the number and percent of those students with disabilities assessed on the alternate assessment based on alternate achievement standards, those assessed on an alternate assessment based on grade-level standards, and those included in the regular assessment (including those administered that assessment with appropriate accommodations).
6. 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. 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 alternate assessments, evidence that the State has provided documentation of the standard setting process, including a description the selection of judges, methodology employed, and final results.
3. For the alternate assessment(s), 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 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.

5.0 - ALIGNMENT

1. Evidence that the Alternate Grade-Level Expectations (AGEs) and all associated tasks across grade spans submitted for the PAAGE are aligned with State academic content standards in reading and mathematics.
2. Evidence that the State has developed on-going procedures to maintain and improve alignment between the alternate assessment and standards over time, particularly if gaps have been noted.

7.0 - REPORTING

1. Evidence that the State will produce individual student alternate assessment reports in terms of the State's revised alternate achievement standards. With respect to such individual student reports:
 - a. 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
 - b. 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.