



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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TO: LEA and ISD Superintendents, Directors and Authorizers of
Public School Academies

FROM: Jeremy M. Hughes, Ph.D.
Deputy Superintendent/Chief Academic Officer

DATE: May 4, 2006

SUBJ: ADEQUATE YEARLY PROGRESS (NCLB)

Some disappointing policy decisions by the U.S. Department of Education recently will have an impact on the AYP status of hundreds of Michigan Schools.

NCLB requires that each state's assessment system be subjected to a peer review and approval as valid assessment of the state's standards. Michigan's peer review was scheduled for November 2005. In October, we submitted voluminous material to the U. S. Department of Education on our state assessment system (MEAP and MI-Access). We received the results of the review on March 22, 2006.

In a similar way, on February 3 we submitted to USDOE proposed amendments to our NCLB Accountability Workbook that had been approved by the State Board of Education in January. Chief among those was a request to increase the minimum group size for subgroups of students - from our current 30, to 30-plus-10% of the total number of students tested. The State Board supported this amendment as a way to provide equity between large and small schools. We received a response to these requests on April 20, 2006.

Assessment System – the USDOE has ruled that our MI-Access assessments of "Supported Independence" and "Participation" do not meet the requirements of alternate assessments (they do not yield separate scores in ELA and Mathematics). As a result, we may not use student scores from these assessments to calculate AYP. Furthermore, we may not count any of the students who took these two assessments as "participating" in assessment for purposes of reaching the minimum 95%.

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Accountability Workbook – the USDOE has denied our request to increase the minimum group size. As a result, the current group size of 30 will continue to be applied to the calculation of AYP.

Because these decisions from USDOE have arrived only recently and will require computer programming changes to calculate AYP, there will be a delay in issuing the report cards to elementary and middle schools.

When he learned of the USDOE rulings, Superintendent Mike Flanagan sent a letter to Education Secretary Margaret Spellings to protest the rulings, defend the position of the Michigan Department of Education and the State Board of Education and to ask for re-consideration. He was in Washington DC last week and took advantage of the opportunity to speak personally with Assistant Secretary Henry Johnson and Deputy Secretary Ray Simon. Mike was there to meet with other Chief State School Officers and inspired comments and debate within the group about NCLB as it is headed for reauthorization. He will continue to push for fair and equitable implementation among all states.