

January 14, 2005

Secretary-Designate Margaret Spellings
United States Department of Education
Washington, DC 20202

Dear Ms. Spellings:

Please accept my congratulations on your nomination and certain confirmation as secretary of education – arguably one of the most challenging and rewarding positions in the president’s Cabinet. The opportunity to affect the lives and futures of the nation’s schoolchildren must be extraordinarily exciting. I and the members of my staff look forward to working with you and all those in the U.S. Department of Education who share our passion for this critical work.

I was very pleased to read some of the comments you made at your confirmation hearing last week before the United States Senate Health, Education, Labor and Pensions Committee, noting the states’ need for flexibility and “to be trusted” in carrying out the No Child Left Behind Act (NCLB). As one who works regularly with those “on the front lines,” I particularly appreciated your comment that “. . . we in the administration must engage with those closest to children to embed these [NCLB] principles in a sensible and workable way.”

Certainly, NCLB is a set of responsibilities to which educators in the states and districts have been responding and will continue to respond with energy. We all share the experience-based belief that it has some fundamental strengths but also areas where improvement is needed if we are to truly increase the achievement of all students. We in Connecticut appreciate the changes in interpretations in a number of areas that have happened since the arrival of Raymond Simon as assistant secretary in the Office of Elementary and Secondary Education. These new interpretations have resulted in helpful changes in the implementation of NCLB details. We are seeking, and by means of this letter I am requesting, greater flexibility in six broad areas.

First, Connecticut wishes to continue its effective 20-year history of testing in alternate years (the Connecticut Mastery Test in Grades 4, 6 and 8 and the Connecticut Academic Performance Test in Grade 10). We have always disaggregated data by subgroup (including gender, which NCLB does not require). Our tests are among the most demanding in the country and give us excellent data for use in identifying student strengths and weaknesses and areas in which instructional changes should be made. Adding tests in Grades 3, 5 and 7 will cost millions of dollars and will tell us nothing that

we do not already know about our students' achievement and what we must do to improve it.

Second, the resources that would have to be used to administer and score tests for Grades 3, 5 and 7 could be much better used in an effort that we know will improve student achievement – for example, integrating technology (student use of computers) into the existing testing process or developing formative, ongoing, common assessments that would be used to modify instruction for individual students, rather than to report accountability measures to the public.

Third, we request the option to employ a cohort analysis, rather than NCLB's current year-by-year data analysis that amounts to a series of "snapshots" of how individual groups of students are performing. A cohort analysis will show us how each group of our students is doing over time; this analysis has greater meaning both as an instructional tool and as a way to convey accountability for the same set of children over time.

Fourth, we request that we be allowed to return to our practice of out-of-level testing of special education students when their planning and placement teams determine that this is most appropriate. Currently, we are being required to develop specialized tests that are keyed to the standards of special education students' grade levels, and to assess these students using these tests, even when their PPTs determine that this is not appropriate. We believe that this costly requirement is inappropriate, ineffective and unfair to the students involved.

Next, while the U.S. Department of Education is telling the states they can test English language learners in their primary language, the logic and effectiveness of this approach is questionable. Approximately 160 languages are spoken as the primary language in the homes of Connecticut students; the cost of developing alternative tests would be in the tens of millions of dollars. Limiting the development of alternative testing to the most frequently spoken language – Spanish, spoken by a significant majority of our non-English speakers – would limit the cost but create justified equity questions. Let us suppose, however, that it were economically feasible to develop assessments in all other primary languages. If the ultimate goal is to ensure the English language and literacy skills of all students, testing students in their non-English primary language would miss the point. So, too, would testing students in English the first day they come to the United States and enter our schools. Our proposal is that there be a reasonable length of time – in our view, three years – for students to be in our schools learning English before being tested in English in reading, math and science.

Finally, we in Connecticut believe that the consequences piece of NCLB needs to focus on supports rather than penalties – specific supports that we believe will make a difference in the lives of the students attending schools identified as "not making adequate yearly progress" or "in need of improvement." Connecticut currently has eight

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schools in their fourth year “in need of improvement,” and we have identified a set of four areas in which specific steps must be taken if student achievement in these schools is to increase. These areas are preschool; family resource centers; incentives to retain outstanding teachers, support staff members and administrators; and longer school day and year. (Our specific proposals are attached.) I would welcome the opportunity to discuss with you ways to make the consequences part of NCLB more conducive to real and constructive change.

I hope we have an opportunity to meet in the near future. Once again, my congratulations, and my best wishes for a very rewarding tenure as secretary of education.

Sincerely,

Dr. Betty J. Sternberg
Commissioner of Education

BJS:mh

cc: Mr. Raymond Simon
Assistant Secretary, Office of Elementary and Secondary Education

The Honorable M. Jodi Rell, Governor
State of Connecticut

Members of the Connecticut State Board of Education