



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN 14 2016

The Honorable Tony Smith
Superintendent of Education
Illinois State Board of Education
100 North First Street
Springfield, IL 62777

Dear Superintendent Smith:

I am writing in response to your letter of April 29, 2016, requesting reconsideration of my decision to place Illinois on “high-risk” status, pursuant to 2 C.F.R. §§ 200.207 and 3474.10. Your letter was written in response to my letter on April 15, 2016, which notified you of my decision to place Illinois’ fiscal year 2015 grant award under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), on “high-risk” status.

My decision to place Illinois on “high-risk” status was based on the fact that Illinois did not administer the same assessment to all high school students, as required by section 1111(b)(3)(C)(i) of the ESEA, as amended by NCLB. Instead, Illinois continued to permit local educational agencies (LEAs) to select which reading/language arts and mathematics assessments to administer in high school from a series of three assessments in each subject in the 2014–2015 and 2015–2016 school years. This decision resulted in districts throughout Illinois holding high school students to different academic content and achievement standards in reading/language arts and mathematics in violation of section 1111(b)(1)(B) of the ESEA based solely on their zip code, and afforded inconsistent information to parents and the public about student achievement among districts in Illinois.

A high-quality, annual statewide assessment system that includes all students and evaluates students within each grade or grade span against the same academic achievement standards is essential to provide local leaders, educators, and parents with the information they need to identify the resources and supports that are necessary to help every student succeed in school and in a career. Such a system is also crucial for continued work to improve equity of educational opportunities and to close achievement gaps among subgroups of historically underserved students by holding all students to the same high expectations regardless of where they live. The importance of holding all students to the same high academic content and achievement standards and administering them the same high-quality assessments is substantiated through continuation of these requirements in the recently enacted reauthorization of the ESEA, known as the Every Student Succeeds Act (ESSA).

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In your request for reconsideration, you have confirmed that Illinois permitted each LEA to select which reading/language arts and mathematics assessments to administer in high school in the 2014–2015 and 2015–2016 school years from a series of three assessments in each subject available in the State’s academic assessment system. You explained the State’s initial plan for the 2014–2015 school year and thereafter had been to administer all three assessments in each subject. Due to budget constraints, however, you indicated that Illinois was only able to offer one assessment in reading/language arts and one assessment in mathematics in high school in the 2014–2015 and 2015–2016 school years. Although you explained that Illinois initially decided to require LEAs to administer the English language arts III and Algebra II or Mathematics III assessments in all high schools.

You further explained that you decided to allow LEAs to choose among the series of three assessments in each subject available for high school students. In your request, you suggested that this decision was consistent with section 1111(b)(3) of the ESEA, as amended by NCLB, because all high school students were assessed using a reading/language arts and mathematics assessment from the same academic assessment system.

After carefully considering your request for reconsideration, I have decided to maintain the “high-risk” designation on Illinois’ Title I, Part A grant award pursuant to 2 C.F.R. §§ 200.207 and 3474.10. While I recognize the difficult budgetary situation in Illinois, and understand that cost constraints limit the State’s ability to offer more than one assessment in each subject, it is not clear why it would be more costly to administer the same assessment statewide rather than allowing LEAs to choose from a menu of options. Moreover, while I appreciate that input from your LEAs was taken into consideration, the decision to allow LEAs to select from among the available high school academic assessments is not consistent with the requirements under sections 1111(b)(3)(C)(i) and 1111(b)(1)(B) of the ESEA, as amended by NCLB, that all students be assessed using the same statewide academic assessments and their achievement measured against the same academic content and achievement standards. To comply with these requirements, Illinois must administer the same assessment to all students in reading/language arts and mathematics at least once in high school and hold all students to the same high academic standards.

The “high-risk” designation will be reflected as a condition on Illinois’ fiscal year 2015 and 2016 Title I, Part A grant awards and will include a description of the terms and conditions the State must comply with in order to remove the “high-risk” status. Specifically, to remove the “high-risk” status, Illinois first must provide evidence, by August 31, 2016, that it will select and administer the same statewide assessment in reading/language arts and mathematics to all students in high school in the 2016–2017 school year, and that the State will commit to doing so each year thereafter, consistent with the requirements of the ESSA. Next, the State must demonstrate that it administered the same statewide academic assessment in reading/language arts and mathematics to all high school students in the 2016–2017 school year. If Illinois is unable to meet this requirement, ED may withhold a portion of the State’s Title I, Part A administrative funds.

In your request for reconsideration, you pointed to the provision in the ESSA for States to permit an LEA to administer a locally selected, nationally recognized high school academic assessment in place of the State’s high school academic assessments (see section 1111(b)(2)(H) of the

ESEA, as amended by the ESSA), as support for permitting assessment options for LEAs in Illinois. This provision is not available to LEAs until after the 2016–2017 school year and, then, it will only be available under specific circumstances approved by a State and subject to ED peer review. ED recently completed negotiated rulemaking on the assessment requirements in Title I, Part A of the ESSA, including this provision of the ESSA, and we will be releasing for public comment the proposed regulation that achieved consensus during that process. You may view the consensus language of the proposed regulations at: www2.ed.gov/policy/elsec/leg/essa/index.html.

I value our continued relationship with Illinois and remain committed to working with you, which I hope will lead to removal of the “high-risk” status on your State’s Title I, Part A grant award. If you have any additional questions, please do not hesitate to contact Karen Dorsey Hargrove or Joseph Lee Suh of my staff at: OSS.Illinois@ed.gov.

Thank you for your continued commitment to enhancing education for all of the students in Illinois.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Whalen', with a large, stylized loop at the end.

Ann Whalen
Senior Advisor to the Secretary
Delegated the Duties of Assistant
Secretary for Elementary and Secondary
Education

cc: Jason Helfer, Deputy Superintendent of Teaching and Learning
Angela Chamness, Division Administrator, Division of Assessments