

OFFICE OF PUBLIC INSTRUCTION

STATE OF MONTANA

Denise Juneau
Superintendent



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August 15, 2011

The Honorable Arne Duncan
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan,

On April 25, 2011, I sent you a letter expressing my intention to maintain Montana's Annual Measurable Objectives (AMOs) at the 2010-11 levels of 83 percent in reading and 68 percent in mathematics. Seven weeks later, on the day we were sending our schools their preliminary AYP determinations under the frozen AMOs, Deputy Assistant Secretary Yudin called to inform me that Montana was out of compliance for delaying our scheduled increase of AMOs. I received written confirmation of that call from you on July 1. On July 7, the Department informed me that a special condition had been placed on our Fiscal Year 2011 ESEA Title I, Part A grant award that required a compliance report by August 15. Please consider this letter such a report. I had several follow-up calls with Deputy Assistant Secretary Yudin about this matter.

Your July 1, 2011, letter stated that Montana has held "flat expectations" for schools during the past three years. I respectfully disagree that AMOs under No Child Left Behind (NCLB) should be considered "expectations." As you know, each state has varying levels of AMOs, varying timelines for increasing AMOs, and varying levels of increases of AMOs. That is, until 2014, when 100 percent of students in America are to be proficient in reading and mathematics.

I know you understand this process, and its outcome, is flawed. If the game of basketball operated like NCLB, every student, despite her or his athletic ability or interest, must make the team; and then, the only way a student can score points is by a slam dunk. Under NCLB rules, free throws don't matter, lay-ups don't matter, three-point shots don't matter, assists don't matter, and rebounds don't matter. Only the slam dunk matters. And, over time, the basket keeps rising in height.

The fact is that Montana schools have steadily increased the percentage of students reaching proficiency or advanced on our state test. Since 2005-06, the percentage of students scoring proficient or advanced in reading has increased from 78 percent to 85 percent this year and, in math, from 61 percent to 68 percent. We should increase our expectations by measuring student growth and celebrate improvement when it occurs. Most Montana schools are doing

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very well and can demonstrate their quality performance; however, they may miss one of the 41 categories they are required to “pass” under NCLB and are, therefore, publicly disgraced, although they may in fact be making progress. This happens most particularly because of the arbitrary and unfounded AMO process.

However, NCLB requires states to increase their AMOs every three years and holding our AMOs steady for the fourth year did place us out of compliance. Our offices were able to agree to a compromise that would place our AMOs at 84.4 percent in reading and 70 percent in mathematics for the 2010-11 school year. This means that we will amend our NCLB accountability workbook to change the trajectory in AMO increases, which will suffice for compliance with the law. A similar compromise – to amend the NCLB accountability workbook - was also established with Utah, Idaho, and South Dakota.

Under this compromise, 16 more schools and 2 additional districts will be placed on the “not making AYP” list. Again, this demonstrates that good schools that are providing a quality education in their communities are placed in the path of, what you pegged as, the “slow motion train wreck,” otherwise known as NCLB’s AMO and AYP process.

I appreciate the hard work of your Department staff to work with us to develop an amicable resolution to Montana’s compliance issue.

Sincerely,

A handwritten signature in blue ink that reads "Denise Juneau". The signature is fluid and cursive, with the first name being more prominent.

Denise Juneau
State Superintendent of Public Instruction

Attachments