



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable June St. Clair Atkinson
Superintendent of Public Instruction
North Carolina Department of Public Instruction
NC Education Building
6301 Mail Service Center
Raleigh, North Carolina 27699-6301

Dear Superintendent Atkinson:

I am writing in response to North Carolina's request to amend its State accountability plan under Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB). Following our discussions with your staff, the approved changes are now included in an amended State accountability plan that North Carolina submitted to the Department on May 15, 2007, which we will post on the Department's website. A summary of the amendments submitted for the 2006-07 school year is enclosed with this letter. The Department will continue working with you on the additional requests submitted on February 16 that are intended to be included for the 2007-08 school year. As you know, any further requests to amend the North Carolina accountability plan must be submitted to the Department for review and approval as required by section 1111(f)(2) of Title I.

Please also be aware that approval of North Carolina's accountability plan for Title I, including the amendments approved above, does not indicate that the plan complies with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act.

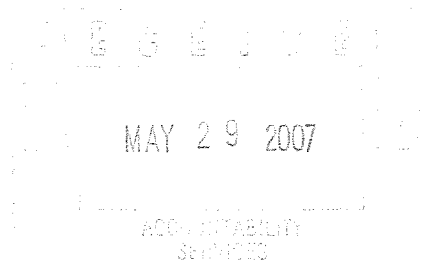
I am confident that North Carolina will continue to advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement the standards, assessment, and accountability provisions of NCLB, please do not hesitate to contact Patrick Rooney (Patrick.Rooney@ed.gov) or Zollie Stevenson (Zollie.Stevenson@ed.gov) of my staff.

Sincerely,

Kerri L. Briggs, Ph.D.
Acting Assistant Secretary

Enclosure

cc: Governor Michael Easley
Lou Fabrizio



Amendments to the North Carolina Accountability Plan

The following is a summary of the State's amendment requests. Please refer to the Department's website (www.ed.gov/admins/lead/account/stateplans03/index.html) for the complete North Carolina accountability plan.

Acceptable amendments

The following amendments are aligned with the statute and regulations.

- **Calculating adequate yearly progress (AYP) (Element 3.2)**

Revision: North Carolina administered new Algebra I and English I end-of-course (EOC) assessments for the first time during the 2006–07 school year. In order to combine the results from 10th-graders taking the new assessments with those 10th-graders who have banked scores from the former editions of the Algebra I and English I EOC assessments to calculate AYP, the State will equate the new assessment scores to the old scale using an equi-percentile method. The State will use the current annual measurable objectives (AMOs) for this year's reporting of AYP at the high school level. North Carolina will determine the statewide average cut-point for having 70.8 percent proficient last year and determine the cut-point where 70.8 percent are proficient on the new assessment. The State will use these cut-points to determine whether a subgroup made Safe Harbor.

- **Including Students with Disabilities (Element 5.3)**

Revision: North Carolina will take advantage of the interim flexibility regarding determining AYP for the students with disabilities subgroup, using option 2 in our guidance (refer to: <http://www.ed.gov/policy/elsec/guid/secletter/070207.html>). Schools and districts will include as proficient (up to a 2.0 percent cap at the district and State level) students who take the North Carolina alternate assessment based upon modified academic achievement standards (the North Carolina EXTEND2). Please note that approval of this amendment by the Department does not constitute approval of the NCEXTEND2 assessment by the Department as part of our responsibility to ensure that State standards and assessment systems meet NCLB requirements.

- **Graduation rate (Element 7.1)**

Revision: With the implementation of a 4-year cohort graduation rate beginning in the 2005–06 school year, North Carolina notes that the cohort graduation rate is more rigorous than the previous graduation rate calculation. North Carolina will change its graduation rate target from 90 to 80 percent. North Carolina notes that this new target is higher than the statewide average of 68 percent in 2005–06. To attain the graduation rate, any district, school, or student group will be required to have a 4-year cohort graduation rate of 80 percent or an increase of at least 0.1 percentage points from the previous year's graduation rate.

Unacceptable amendments

The following amendments are not aligned with the statute and regulations and are therefore not approved.

▪ **Confidence interval on growth model calculations (Element 3.2)**

The Department cannot approve North Carolina's proposal to apply a 68 percent confidence interval to the percentages of students either scoring proficient or on track to proficiency as part of North Carolina's growth model. The Department has brought together two panels of outside experts to review State growth model proposals and to make recommendations to the Secretary regarding the growth model pilot. As noted by the first peer review panel in its "cross cutting issues" document (refer to:

<http://www.ed.gov/admins/lead/account/growthmodel/cc.doc>), "the justification for employing confidence intervals around the AYP status target is based largely on reducing the impact of score volatility due to changes in the cohorts being assessed from one year to another, and thus reducing the potential for inappropriately concluding that the effectiveness of the school is improving or declining. Under the growth model the issue of successive cohorts is no longer in play since we are measuring the gains over time that are attained by individual students."