

**New Jersey School Boards Association
New Jersey Education Association
New Jersey Principals and Supervisors Association
New Jersey Association of School Business Officials
New Jersey Association of School Administrators**

To: Lucille Davy, Acting Commissioner, NJ Department of Education

From: LEE Group

Date: March 20, 2006

RE: Recommendations for NCLB Accountability Workbook

The members of the LEE Group respectfully request consideration of the recommendations below when determining what changes to the Consolidated State Accountability Workbook for *No Child Left Behind* (NCLB) to submit to the US Department of Education by April 1, 2006. The LEE Group supports NCLB's goal of closing the achievement gap. However, the Group believes New Jersey should change its implementation of the law to take advantage of the maximum flexibility being offered by the US Department of Education.

N-size. The LEE Group recommends a uniform n-size for all subgroups no smaller than 35. The current n-size of 20 for all subgroups except special education is much too small and over-identifies schools as *in need of improvement*. The small n-size combined with "bundling" or aggregation only compounds the problem.

The n-size of 35 for special education is preferable for all subgroups in order for New Jersey to take advantage of additional flexibility requiring a uniform n-size. The LEE Group supports a uniform n-size to the extent that it will allow the state to take advantage of other flexibility in the future, including the additional 2% flexibility for special education testing.

Confidence intervals. The LEE Group recommends the use of confidence intervals to the maximum extent allowable under federal law for both *Adequate Yearly Progress* and *Safe Harbor* calculations, and applauds the NJ Department of Education's willingness to consider the use of confidence intervals in this year's round of changes to the Accountability Workbook. The LEE Group has recommended and strongly supported their use since the first year of the Accountability Workbook's implementation and continues to believe that they will provide a realistic adjustment to assessment performance results.

Aggregation or "bundling." The LEE Group recommends that the NJ Department of Education return to averaging grades separately and reverse the decision made last year to aggregate data across grades. "Bundling" compounds the problem of

small n-sizes which increase sample error. It is evident from last year's results that the number of schools identified for *in need of improvement* has increased in part, due to the bundling of grades together. This type of data manipulation has nothing to do with student performance and is leaving New Jersey behind in the race for 100% proficiency by 2014.

HSPA banking. The LEE Group supports the flexibility to “bank” HSPA scores for the purposes of AYP, and looks forward to working with the NJDOE on the implementation of this change going forward.

5th, 6th and 7th Grade Tests. The LEE Group supports the Commissioner's efforts in evaluating the assessments for grades 5, 6 and 7 and looks forward to working with the NJDOE on the implementation of future changes.

The LEE Group is encouraged by the NJ Department of Education's willingness to work with stakeholders and is looking forward to future discussions on other areas for flexibility within the Accountability Workbook, specifically graduation rate, growth models, indexing, calculation of safe harbor and the use of alternate proficiency assessments for the special education population. The LEE Group would be happy to meet with members of the NJDOE on a regular basis to start these discussions in advance of next year's deadline for submission of changes for approval by the US Department of Education.

Thank you again for your consideration.