



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 24, 2012

The Honorable Hanna Skandera  
Secretary of Public Education  
New Mexico Public Education Department  
Jerry Apodaca Education Building  
300 Don Gaspar  
Santa Fe, New Mexico 87501

Dear Secretary Skandera:

Thank you for submitting New Mexico's amended request for ESEA flexibility. We appreciate the time and effort you and your staff took to respond to my December 20 letter outlining the Department's concerns related to New Mexico's request. We are aware that New Mexico is working vigorously on many fronts to increase the quality of instruction and improve student academic achievement.

We believe that New Mexico's amended request addresses many of the Department's prior concerns. New Mexico has provided a substantive plan with key implementation steps for transitioning to college- and career-ready standards and aligned assessments (Principle 1). As we noted in our phone call of January 20, 2012, the areas that may need further development in the implementation plan include addressing the needs of students with disabilities (beyond implementing aligned alternate assessments), the preparation of principals, and working with IHEs to prepare incoming teachers and leaders. New Mexico has also provided a plan for developing guidelines that local educational agencies will use to develop, adopt, pilot, and implement teacher and principal evaluation and support systems (Principle 3). We are continuing to review these plans and are not requesting additional information or revisions with respect to Principle 1 or Principle 3 at this time.

With respect to the proposed system of differentiated recognition, accountability, and support (Principle 2), New Mexico responded to many of the concerns outlined in my December 20 letter. However, as the attachment indicates, there are a number of outstanding concerns that need additional information or revision. Please note that the attached list includes some items that were addressed in New Mexico's resubmission but about which we have some remaining questions.

Again, we appreciate the hard work required to transition to college- and career-ready assessments; develop systems of differentiated recognition, accountability, and support, and evaluate and support teacher and leader effectiveness.

Please let me know if you have any questions regarding this letter or the attached list. Otherwise, we look forward to speaking with you and your team later this week and want to continue to work with you to reach approval.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Yudin', with a long horizontal line extending to the right.

Michael Yudin  
Acting Assistant Secretary

Enclosure

## **PRINCIPLE 1: COLLEGE- AND CAREER-READY EXPECTATIONS FOR ALL STUDENTS**

- Principle 1 is under review based on New Mexico's recent submission.

## **PRINCIPLE 2: STATE-DEVELOPED DIFFERENTIATED RECOGNITION, ACCOUNTABILITY, AND SUPPORT**

- Please address concerns regarding the A-F school grading system (*Principal 2 Overall review*), including:
  - The use of conditioned school status estimates in the school grading model and the transparency of these estimates for parents and educators. *See 2.A.i.*
  - The need for a clear, coherent, and articulated support system for schools. *See 2.A.i.*
  - An accountability and support system that does not utilize subgroups and does not include interventions for subgroups, particularly English Learners and students with disabilities, based on achievement, graduation rates, or performance and progress. *See 2.A.i.a, 2.A.i.c.*
  - The graduation rate is a small portion of the index and early high school dropouts are not counted in other elements (achievement, student growth, and college- career-readiness), which may lead to improved results on these elements due to lower-performing students dropping out. *See 2.A.i., 2.A.i.b.*
  - Please address concern that the AMOs described in the request do not meet the expectations of rigor and do not indicate achievement AMOs for subgroups, and please clarify how New Mexico will use information on whether subgroups of students meet AMOs to inform interventions in its schools. *See 2.B and 2.F.*
- Please address concerns regarding priority, focus, and reward schools, including:
  - By demonstrating that the schools New Mexico provided on its list of reward, priority and focus schools align with the respective definitions of these schools provided in the document titled *ESEA Flexibility*. *See 2.D.iii.a, 2.E.ii.*
  - The lack of a strong or coherent framework for employing intervention strategies and practices that are aligned with the turnaround principles in priority schools, and how those practices will be deployed to improve the quality of instruction, effectiveness of leadership and teaching, student achievement, and, where applicable, graduation rates for all students. *See 2.D.iii.a, 2.D.iii.b.*
  - The amount of progress that priority and focus schools must demonstrate before exiting priority or focus school status and the use of similar school grades for entry and exit. *See 2.D.v, 2.D.v.a.*
- Please provide a timeline for ensuring that LEAs implement interventions in priority schools according to the required time frame. *See 2.D.iv.*
- Please address concerns regarding incentives and supports for other Title I schools. *See 2.F.*

## **PRINCIPLE 3: SUPPORTING EFFECTIVE INSTRUCTION AND LEADERSHIP**

- Principle 3 is under review based on New Mexico's recent submission.