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

Dear Secretary Duncan:

On behalf of the students, parents, teachers, school and district staff, and the citizens of the states of Maine and New Hampshire, we write to you to communicate the intentions of our states regarding our development of state accountability systems.

We applaud your recent actions to provide states with flexibility to meet the current ESEA statute, acknowledging the failure in current federal law. Like you, we have made a deep commitment to support the learning of each child in our states, a commitment that ensures each student graduates from our schools ready for college, employment, and productive citizenship. And like you, we believe that attaining such goals requires us to rethink our state accountability systems, our support for teacher effectiveness and quality instruction, and implementation of the Common Core. The achievement goals you have called for in the ESEA Flexibility opportunity are very much alive and supported across our states.

Unfortunately, the current timeline and the waiver guidelines will not work in New Hampshire and Maine, a common reality for numerous rural states. Our schools—which already provide significant personalized learning for students—are tightly connected with their communities. Hurriedly creating a system that lists and labels schools will not work in communities ready to collaborate for student success. Furthermore, the available approved methods of interventions are not viable for many schools in rural states where we routinely struggle to attract quality administrators and teachers. Being able to remove ineffective educators is not a solution in hard to staff schools. Alternatively, we need to create ways to cultivate the teachers we have, recruit the teachers we need, and create learning environments that will retain these quality people.

Realizing this, we have employed numerous strategies to engage educators, legislators, business leaders, professional organizations, school board/school district representatives, and community-based organizations, along with citizens, to review what we need from a new state accountability system. Our engagement with our stakeholders has identified a clear need for a better state system, but one that will take us longer than a few months to create and one that differs from the guidance in your ESEA Flexibility offer.

It is our collective belief that New Hampshire and Maine—in order to create an accountability system that meets the needs of the learners in our states—need to implement a fundamentally new

theory of change regarding accountability. Our intention is to fully engage our citizens in creating a learner-centered accountability system that will assess both student learning and the learning strategies employed in our schools, develop a differentiated identification and support system, build capacity within our schools and districts to thoughtfully engage in improvement, engage parents and community members as collaborators, and implement changes that are data-driven and effective—to systematically improve student learning for each student.

This system has to be plausible and focus on the needs of our states. It must be credible with our educators, a reality largely lacking in current ESEA legislation. Rushing to create and implement a plan without this broad involvement will result in a less thoughtful system that ill serves the students in our states. While our thinking is still in development, we have been working with colleagues across state lines through the New England Secondary School Consortium to start this process.

We are not interested in engaging in this work solely to obtain a waiver from the federal government; we are interested in engaging in this work to improve learning for our students. We see this effort aligning and supporting our intention to create a learner-centered, proficiency-based education system that meets the learning needs of each student. The current federally mandated accountability system -- with its emphasis on age-based grade levels, its inflexibility with time, and its fixed achievement levels -- fails to recognize students on an individual level and stands in the way of creating a true learner-centered system.

To provide the necessary relief we require to create this new system and pursuant to Section 9401 of the Elementary and Secondary Education Act, we will retain our AMOs at the 2010/2011 levels for the 2011/12 school year. Our intention is to develop our new state accountability systems over the next 18 months for full implementation with the 2013-2014 school year. We plan on working as critical friends across state lines, acknowledging our different policy context, but believing that such a collaboration will push us to create more thoughtful and beneficial systems. In coming weeks, we will be meeting with stakeholders in our respective states to lay out a detailed plan for the development of a new accountability system, and pledge to keep the Department apprised of our progress.

We are excited to engage in this new endeavor, and would welcome collaboration with the U.S. Department of Education. We believe the intentions we state above fit within current federal law and the spirit of your efforts to provide flexibility in support of improved learning and accountability systems. Like you, we recognize that NCLB is broken. We believe a new accountability system based on our developing idea will better identify schools most in need, motivate educators to teach a rich and rigorous course of study, and—above all—improve learning opportunities for our students and increase their achievement. We intend to develop state accountability systems that engage and value our greater publics, encourage change for improvement not compliance, and make a positive difference in the lives of our students. We look forward to future engagement with you and your staff in our efforts.

Sincerely,

Virginia M. Barry, Ph.D.
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New Hampshire Department of Education

Stephen L. Bowen, M. Ed.
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