



**Department of Public Instruction**  
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[www.nd.gov/dpi](http://www.nd.gov/dpi)

School Year 2015-2016

Dear Parents/Guardians:

North Dakotans have always been proud of our state's educational system. Part of our success derives from the high expectations that we have for all of our students. At the same time, we also realize there is always room for improvement.

The *No Child Left Behind* Act of 2001 (NCLB), signed into law by President Bush on January 8, 2002, is the reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA). The purpose of the NCLB Act is to ensure that all students achieve high academic standards, provide professional development for teachers, keep our schools safe, and promote innovative educational strategies and practices.

Since the 2001-2002 school year, North Dakota students in specified grades have taken a North Dakota State Assessment. This past spring, your child participated in a new state test in English and math known as Smarter Balanced. The state assessment measures student performance in terms of the number of students who are at or above state defined academic achievement levels or benchmarks in reading and math. The Department of Public Instruction generates a report on the state assessment results for every public school and district in the state. This report is called the Adequate Yearly Progress (AYP) report.

In the spring of 2015, the U.S. Department of Education (USDE) announced an AYP Freeze Waiver for any state administering a new assessment during the 2014-2015 school year. This waiver allowed states to forgo assigning new accountability ratings based on those assessments and to waive program improvement determinations based on achievement results for the 2014-2015 assessments. Bottom line, this freezes the AYP consequences and the program improvement timeline for the 2015-2016 school year.

Under this AYP Freeze Waiver, the North Dakota Department of Public Instruction (NDDPI) will generate an AYP report for each district and school; however, the NDDPI will not report achievement data on the AYP report. Rather, the AYP report will only indicate if the district and school met AYP based on the following three indicators: 1) participation rate, 2) graduation rate, and 3) attendance rate.

School districts are required to disseminate school and district AYP information to parents, guardians, and community members. NCLB further requires the Department of Public Instruction to identify any school or district that has not made adequate yearly progress for two consecutive years as defined by the state's accountability system as a school or district in program improvement.

The NCLB Act is an outdated law that needs to be revised. The reauthorization of NCLB should have occurred in 2008, but has been stalled in Congress. Therefore, across the nation, there are large numbers of schools and districts identified for improvement. Due in part to the outdated law, approximately 75% of all districts in North Dakota are currently identified for program improvement. There is some movement in Congress and a conference committee is now working on a bill that would eliminate NCLB. I am optimistic this will be the last year we must operate under this flawed law.

Based on past results of the North Dakota State Assessment, your public school district remains identified for Title I district program improvement. This identification means that the district must develop a district-wide program improvement plan to raise student achievement and allocate resources toward the areas that led the district to be identified for program improvement.

A school district is required to share a copy of the district AYP report with all parents/guardians. All school and district AYP reports can also be accessed on the department's website at [www.nd.gov/dpi/report/Profile](http://www.nd.gov/dpi/report/Profile). The NCLB Act also requires that the district consult with parents, school staff, and others in implementing the program improvement requirements. Your school district will share ways in which you can be involved in the process.

If you have questions or would like additional information, please contact the Office of Federal Title Programs at 1-888-605-1951.

Sincerely,

Kirsten Baesler, State Superintendent