



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

JUN 0 4 2009

THE ASSISTANT SECRETARY

The Honorable Christopher Koch
State Superintendent of Education
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

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**State Superintendent of
Education**

Dear Superintendent Koch:

On behalf of Secretary Duncan, I want to thank you for your hard work in implementing the *Elementary and Secondary Education Act of 1965* (ESEA). As you may know, the Secretary is traveling the country and listening to representatives of states and districts, as well as other stakeholders, talk about the ways in which the ESEA can be improved. These conversations will inform the next reauthorization of the statute. In the meantime, we will push towards our reform goals under the authority of, and in accordance with, the existing statute and regulations.

Specifically, I am writing in response to Illinois' request to amend its state accountability plan under Title I of the ESEA. Following discussions between the U.S. Department of Education (the Department) and your staff, you made a change to Illinois' accountability plan, which is now included in the amended state accountability plan that Illinois submitted to the Department on May 26, 2009. I am pleased to approve Illinois' amended plan, which we will post on the Department's website. A summary of Illinois' requested amendment is enclosed with this letter. As you know, any further requests to amend Illinois' accountability plan must be submitted to the Department for review and approval as required by section 1111(f)(2) of Title I of the ESEA.

Please also be aware that approval of Illinois' accountability plan for Title I, including the amendment approved herein, 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 Illinois 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 the ESEA, please do not hesitate to contact Patrick Rooney (Patrick.Rooney@ed.gov) or Grace Ross (Grace.Ross@ed.gov) of my staff.

Sincerely,

Joseph C. Conaty
Delegated Authority to Perform the Functions and
Duties of the Assistant Secretary for Elementary and
Secondary Education

Enclosure

cc: Governor Pat Quinn
Melina Wright
Connie Wise

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Amendment to Illinois' Accountability Plan

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

Acceptable amendment

The following amendment is aligned with the statute and regulations:

- **Including students with disabilities in adequate yearly progress (AYP) determinations (Element 5.3)**

Revision: Illinois will use the "proxy method" (option 1 in the Department's guidance dated December 2005) to take advantage of the transition flexibility offered by the Department pursuant to its authority under 34 C.F.R. § 200.20(g) (see <http://www.ed.gov/policy/speced/guid/modachieve-summary.html>) for calculating AYP for the students with disabilities subgroup for the 2008–09 school year. If a school or district misses AYP solely on the basis of the students with disabilities subgroup, a proxy of students with disabilities equivalent to 2.0 percent of all students assessed will be added to the actual percentage of students with disabilities in the school or district that was proficient or advanced. Illinois will then use this adjusted percent proficient to re-examine whether the school or district made AYP for the 2008–09 school year. The actual percentage proficient will be reported to parents and the public.