



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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PUBLIC INSTRUCTION

TO: LEA and ISD Superintendents, Authorizers and Directors of
Public School Academies

FROM: Jeremy M. Hughes, Ph.D.
Deputy Superintendent/Chief Academic Officer

DATE: May 8, 2006

SUBJ: AYP AND MI-ACCESS ASSESSMENTS

In a special phone call this morning to Mike Flanagan, the U. S. Department of Education (USDOE) reconsidered its earlier position and agreed to allow students who took the *Participation* and *Supported Independence* MI-Access assessments to be counted as "participating in assessment" for the purpose of calculating the minimum 95%.

This decision will avoid several hundred schools and special education center programs being labeled as not making adequate yearly progress for failure to assess a minimum of 95% of their students.

The Superintendent's personal visit to Washington; his personal phone calls from Lansing; and the efforts of several Michigan Congressional offices in Washington had integral roles in the USDOE's reconsideration of its earlier ruling.

The decision, however, is not totally without some consequences. A penalty amount, yet to determined, will be assessed by USDOE against the Title I administrative funds for the Michigan Department of Education in fiscal 2007. These funds are used exclusively to support vital staffing positions here at the department.

The Superintendent has, however, determined that it is more appropriate for the department to take the hit on this, if it will protect local schools and programs from being inappropriately labeled, especially since the two MI-Access assessments in question were administered in good faith by local educators.

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