January 23, 2014

The Honorable Arne Duncan  
Secretary  
United States Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

Secretary Duncan:

As chief state school officers in states participating in the two common assessment consortia, we appreciate your continued leadership and collaboration with states as we work to raise our standards, improve our assessments, and strengthen our accountability systems.

Our states have been collaborating for the last three years to design and develop next generation, computer-based assessment systems that will give students, parents and educators better information about children’s progress toward preparation for college and careers. This work is critically important, and we are committed to the success of the Partnership for Assessment of Readiness for College and Careers and the Smarter Balanced Assessment Consortium.

Over the last several months, some concerns have been raised about whether states’ transition to the consortia assessments will create new requirements for states to provide student information to the U.S. Department of Education (USED) or any agency of the federal government.

We are writing today to confirm that the consortia will not share any personally identifiable information about K–12 students with USED or any federal agency. Our states have not submitted student-level assessment data in the past; the transition to the new assessments should not cause anyone to worry that federal reporting requirements will change when, in fact, the federal government is prohibited from establishing a student-level database that would contain assessment data for every student. As we have historically done, our states will continue to provide USED with school-level data from our state assessments as required under the Elementary and Secondary Education Act, as amended in 2002. Our states and local education agencies will continue to retain control over student assessment data and will continue to comply with all state and federal laws and regulations with regard to the protection of student privacy.

We understand that it has long been USED’s practice not to require states to provide information from assessments about individual K-12 students. We are confirming that our states will not provide such information to USED and that everything we have said here is consistent with our understanding of the cooperative agreement between the consortia and USED.

Thank you for your consideration and your continued commitment to our states’ success.
Sincerely,

June St. Clair Atkinson
State Superintendent
North Carolina Department of Public Instruction

Kirsten Baesler
State Superintendent
North Dakota Department of Public Instruction

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

Brad A. Buck
Director
Iowa Department of Education

Chris Cerf
Commissioner
New Jersey Department of Education

Mitchell Chester
Commissioner
Massachusetts Department of Elementary and Secondary Education

Richard Crandall
Director
Wyoming Department of Education

Randy I. Dorn
Washington State Superintendent of Public Instruction

Dale Erquiaga
Superintendent of Public Instruction
New Mexico Department of Education

Tony Evers
State Superintendent
Wisconsin Department of Public Instruction

Michael P. Flanagan
State Superintendent
Michigan Department of Education

Deborah Gist
Commissioner
Rhode Island Department of Elementary and Secondary Education
Robert K. Hammond  
Commissioner  
Colorado Department of Education

Rebecca Holcombe  
Secretary of Education  
Vermont Agency of Education

Kevin Huffman  
Commissioner  
Tennessee Department of Education

John Huppenthal  
State Superintendent  
Arizona Department of Education

Denise Juneau  
Superintendent  
Montana Office of Public Instruction

Tom Kimbrell  
Commissioner  
Arkansas Department of Education

Christopher Koch  
State Superintendent  
Illinois State Board of Education

Lillian Lowery  
Superintendent of Schools  
Maryland State Department of Education

Tom Luna  
Superintendent of Public Instruction  
Idaho State Department of Education

Kathryn Matayoshi  
Superintendent  
Hawaii State Department of Education

Mark T. Murphy  
Secretary of Education  
Delaware Department of Education

Chris L. Nicastro  
Commissioner  
Missouri Department of Elementary and Secondary Education
James P. Phares  
Superintendent  
West Virginia Department of Education

Stefan Pryor  
Commissioner  
Connecticut State Department of Education

Richard Ross  
Superintendent of Public Instruction  
Ohio Department of Education

Rob Saxton  
Deputy Superintendent of Public Instruction  
Oregon Department of Education

Melody Schopp  
Secretary of Education  
South Dakota Department of Education

Hanna Skandera  
Secretary Designate  
New Mexico Public Education Department

Pam Stewart  
Commissioner of Education  
Florida Department of Education

John White  
State Superintendent  
Louisiana Department of Education

Carey Wright  
State Superintendent of Education  
Mississippi Department of Education