

EXHIBIT A

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

STATE OF CONNECTICUT and the	:	CIVIL ACTION NO. 3:05-CV-01330(MRK)
GENERAL ASSEMBLY OF THE	:	
STATE OF CONNECTICUT	:	
<i>Plaintiffs,</i>	:	
	:	<b>ANNOTATED VERSION</b>
v.	:	<b>PRIVILEGED &amp; CONFIDENTIAL</b>
	:	
MARGARET SPELLINGS,	:	
in her official capacity as	:	
SECRETARY OF EDUCATION,	:	
<i>Defendant.</i>	:	MARCH 19, 2007

**ADDITIONAL ADMINISTRATIVE RECORD (AAR) DOCUMENTS**

**DESIGNATED ADMINISTRATIVE RECORD (AR) DOCUMENTS THAT ARE INCOMPLETE (2)**

- AR 5) 5/10/05 Policy Guidance re: Students with Disabilities -- incomplete -- other policy materials released at same time
- AR 21) 2/20/04 Policy Guidance re: Limited English Proficient (“LEP”) students -- incomplete -- other policy materials released at same time

**AAR DOCUMENTS THAT THE SECRETARY CLEARLY HAD IN HER POSSESSION (11)**

- 25) Connecticut Consolidated State Application Accountability Workbook, Updated Version, modified 7/15/03, excerpts regarding special education and English language learner assessments [full workbook available on request]
- 26) Connecticut Consolidated State Application Accountability Workbook, Updated Version, modified 10/24/03, excerpts regarding special education and English language learner assessments [full workbook available on request]
- 27) April 1, 2004 letter from Commissioner Sternberg to Assistant Secretary Simon
- 28) June 16, 2004 letter from Commissioner Sternberg to Assistant Secretary Simon
- 29) August 18, 2004 letter from Assistant Secretary Simon to Commissioner Sternberg, with attachment
- 30) March 2, 2005 State Board public agenda materials and hand-outs re: Deputy Secretary Simon visit to Connecticut State Board

- 31) March 2, 2005 Testimony of Secretary Spellings to Senate Appropriations committee, Subcommittee on Labor, Health and Human Services, Education
- 32) April 7, 2005 Statement by Secretary Spellings to Chief State School Officers on "A New Path"
- 33) April 8, 2005 fax from Barbara Beaudin to Valerie Ford, including 2004-2005 and 2005-2006 budget for CMT testing
- 34) U.S. Department of Education Funding for State Formula-Allocated and Selected Student Aid Programs for Connecticut, obtained from U.S. Department of Education website -- actual federal funding for Connecticut state assessments from 2001-2005 highlighted
- 35) April 11, 2005 letter from Commissioner Sternberg to Secretary Spellings

**AAR DOCUMENTS THAT DEMONSTRATE BIAS & IN SECRETARY'S POSSESSION (3)**

- 36) March 20, 2005 editorial by Secretary Spellings in Hartford Courant
- 37) April 5, 2005 U.S. Department of Education Press release re: Connecticut lawsuit
- 38) April 7, 2005 transcript of Secretary Spellings' interview on the NewsHour with Ray Suarez

**AAR - NCLB NATIONAL AND REGIONAL STUDIES (3)**

- 39) Forte Fast, Ellen, Erpenbach, William J., "Revisiting Statewide Educational Accountability under NCLB, A Summary of State Requests for 2003-2004 for Amendments to State Accountability Plans," Council of Chief State School Officers, September 2004
- 40) October 2004, Early Changes, Enduring Challenges: Connecticut Educators Speak Out About the Impact of the No Child Left Behind Act, study by the Jerome N. Frank Legal Services Organization and Connecticut Voices for Children
- 41) National Conference of State Legislatures, Task Force on No Child Left Behind, Final Report, February 2005

**AAR - RESEARCH ARTICLES ON ELL TESTING REQUIREMENTS (7)**

- 42) Abedi, J., "Assessment and Accommodations of English Language: Issues, Concerns, and Recommendations, Journal of School Improvement, Vol. 3, Issue 1, Spring 2002
- 43) Abedi, J., "The No Child Left Behind Act and English learners: Assessment and Accountability Issues," Educational Researcher, 33(1) (2004)
- 44) Brown, Clara Lee, "Equity of Literacy-Based Math Performance Assessments for English Language Learners," Bilingual Research Journal, 29:2, Summer 2005
- 45) Celedón-Pattichis, Sylvia, "Research Findings Involving English-Language Learners and Implications for Mathematics Teachers," Empowering the Beginning Teacher of Mathematics, Middle School, M.F. Chappell, J. Choppin & J. Salls (eds.) (2004)
- 46) Celedón-Pattichis, Sylvia, "Rethinking policies and procedures for placing English language learners in mathematics," NABE Journal of Research and Practice, 2 (1) (2004)
- 47) De Avila, Edward, Ph.D., "Setting Expected Gains for Non and Limited English Proficient Students, NCBE Resource Collection Series no. 8, Nov. 1997
- 48) Wright, Wayne E. "English Language Learners Left Behind in Arizona: the Nullification of Accommodations in the Intersection of Federal and State Policies," Bilingual Research Journal, 29:1, Spring 2005

PLAINTIFFS,

STATE OF CONNECTICUT AND THE  
GENERAL ASSEMBLY OF THE STATE OF  
CONNECTICUT,

RICHARD BLUMENTHAL  
ATTORNEY GENERAL

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