

March 5, 2012

Arne Duncan, Secretary of Education  
United States Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202-0100

Dear Secretary Duncan:

In 2008, Utah began exploring the possibility of work with like-minded states to develop standards in English/language arts and mathematics that would ensure students in our state graduate high school ready for college-level work and prepared to succeed in a world of global economic competition. In 2009, Utah joined a consortium led by the Council of Chief State School Officers and National Governors Association to continue the work of developing common core standards. In 2010, the Utah State Board of Education (Board) adopted new curriculum standards in English/language arts and mathematics. The standards adopted by the Board were based on the work of the consortium.

Once new English/Language arts and mathematics standards were adopted by the Board, these became the Utah Core Standards. I believe the standards adopted by the Board ensure that Utah students are prepared for college-level work and competition in the global economy. The Board and the Utah State Office of Education are supporting school districts and charter schools as they develop curriculum and pedagogy to implement the Utah Core Standards.

On behalf of the Board, I state the Board's right to make changes to, and to add or subtract from, the Utah Core Standards at its discretion. On behalf of the Board, I assert its right to complete control of Utah's learning standards in all areas of our public education curriculum.

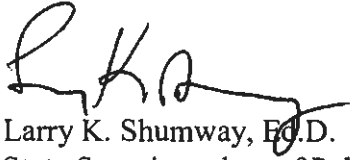
Utah participates in a consortium of states developing assessments of student success in achieving the standards in English/language arts and mathematics adopted by the Board. On behalf of the Board, I assert the Board's right to withdraw from this consortium at any time (upon providing proper notice to the consortium) and the Board's right to complete control of all assessments of student achievement in the Utah Core Standards.

The Utah State Office of Education has from time to time submitted application to the Department for funding in various programs and for waivers from various Department regulations. I ask that you interpret and evaluate all our current applications in the light of this letter.

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I believe the claims in this letter are consistent with long-standing principles of American law and constitutional traditions of state sovereignty, particularly in matters of control over public education.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. K. Shumway', written over a horizontal line.

Larry K. Shumway, Ed.D.  
State Superintendent of Public Instruction

cc: Gary Herbert, Governor of Utah  
Utah Legislature  
Utah State Board of Education  
Utah School Districts and Charter Schools  
Utah Congressional Delegation