

State of California Consolidated State Application Accountability Workbook

**for State Grants under Title IX, Part C, Section 9302 of the Elementary and
Secondary Education Act (Public Law 107-110)**

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**U. S. Department of Education
Office of Elementary and Secondary Education
Washington, D.C. 20202**

Instructions for Completing Consolidated State Application Accountability Workbook

By January 31, 2003, States must complete and submit to the Department this Consolidated State Application Accountability Workbook. We understand that some of the critical elements for the key principles may still be under consideration and may not yet be final State policy by the January 31 due date. States that do not have final approval for some of these elements or that have not finalized a decision on these elements by January 31 should, when completing the Workbook, indicate the status of each element which is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

Transmittal Instructions

To expedite the receipt of this Consolidated State Application Accountability Workbook, please send your submission via the Internet as a .doc file, pdf file, rtf or .txt file or provide the URL for the site where your submission is posted on the Internet. Send electronic submissions to conapp@ed.gov.

A State that submits only a paper submission should mail the submission by express courier to:

Celia Sims
U.S. Department of Education
400 Maryland Ave., SW
Room 3W300
Washington, D.C. 20202-6400
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PART I: Summary of Required Elements for State Accountability Systems

Instructions

The following chart is an overview of States' implementation of the critical elements required for approval of their State accountability systems. States must provide detailed implementation information for each of these elements in Part II of this Consolidated State Application Accountability Workbook.

For each of the elements listed in the following chart, States should indicate the current implementation status in their State using the following legend:

- F:** State has a final policy, approved by all the required entities in the State (e.g., State Board of Education, State Legislature), for implementing this element in its accountability system.

- P:** State has a proposed policy for implementing this element in its accountability system, but must still receive approval by required entities in the State (e.g., State Board of Education, State Legislature).

- W:** State is still working on formulating a policy to implement this element in its accountability system.

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Summary of Implementation Status for Required Elements of State Accountability Systems

Status	State Accountability System Element
Principle 1: All Schools	
F	1.1 Accountability system includes <i>all schools and districts in the state</i> .
F	1.2 Accountability system holds <i>all schools to the same criteria</i> .
F	1.3 Accountability system incorporates the <i>academic achievement standards</i> .
F	1.4 Accountability system provides <i>information in a timely manner</i> .
F	1.5 Accountability system includes <i>report cards</i> .
P	1.6 Accountability system includes <i>rewards and sanctions</i> .
Principle 2: All Students	
F	2.1 The accountability system includes <i>all students</i>
F	2.2 The accountability system has a consistent definition of <i>full academic year</i> .
F	2.3 The accountability system properly includes <i>mobile students</i> .
Principle 3: Method of AYP Determinations	
F	3.1 Accountability system expects <i>all student subgroups, public schools, and LEAs to reach proficiency by 2013-14</i> .
F	3.2 Accountability system has a method for determining whether <i>student subgroups, public schools, and LEAs made adequate yearly progress</i> .
F	3.2a Accountability system establishes a <i>starting point</i> .
F	3.2b Accountability system establishes <i>statewide annual measurable objectives</i> .
F	3.2c Accountability system establishes <i>intermediate goals</i> .
Principle 4: Annual Decisions	
F	4.1 The accountability system <i>determines annually the progress</i> of schools and districts.

STATUS Legend:

F – Final state policy

P – Proposed policy, awaiting State approval

W – Working to formulate policy

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Principle 5: Subgroup Accountability

F	5.1	The accountability system <i>includes all the required student subgroups</i> .
F	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
F	5.4	The accountability system includes <i>limited English proficient students</i> .
F	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.

Principle 6: Based on Academic Assessments

F	6.1	Accountability system is based <i>primarily on academic assessments</i> .
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Principle 7: Additional Indicators

F	7.1	Accountability system includes <i>graduation rate for high schools</i> .
F	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.

Principle 8: Separate Decisions for Reading/Language Arts and Mathematics

F	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts and mathematics</i> .
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Principle 9: System Validity and Reliability

F	9.1	Accountability system produces <i>reliable decisions</i> .
F	9.2	Accountability system produces <i>valid decisions</i> .
F	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .

Principle 10: Participation Rate

F	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
F	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

STATUS Legend:

- F – Final policy
- P – Proposed Policy, awaiting State approval
- W– Working to formulate policy

PART II: State Response and Activities for Meeting State Accountability System Requirements

Instructions

In Part II of this Workbook, States are to provide detailed information for each of the critical elements required for State accountability systems. States should answer the questions asked about each of the critical elements in the State's accountability system. States that do not have final approval for any of these elements or that have not finalized a decision on these elements by January 31, 2003, should, when completing this section of the Workbook, indicate the status of each element that is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.1 How does the State Accountability System include every public school and LEA in the State?</p>	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System.</p> <p>State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> • The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2). 	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California currently has a comprehensive school accountability system in place that encompasses all schools, including public charter schools. California will utilize the federal measure of “proficient or above” in English-language arts (ELA) and mathematics to supplement its existing system, the cornerstone of which is the Academic Performance Index (API).

The California Department of Education (CDE) will determine adequate yearly progress (AYP) based on the proportion of students scoring at “proficient or above” on the statewide assessments for all California local educational agencies (LEAs), schools, and numerically significant student subgroups within those LEAs and schools (see Critical Element 5.5). Consistent with federal law and regulation, if an LEA, school, or numerically significant student subgroup does not meet an annual measurable objective (AMO), i.e., the percentage of students scoring at “proficient or above,” based on the current year’s test results, California will average two or three years of test results to determine whether or not the LEA, school, or numerically significant student subgroup met the AMO.

California will use its existing API as an additional academic indicator for all LEAs and schools, as provided for by the No Child Left Behind (NCLB) Act. Progress on the API for purposes of AYP will be defined as demonstrating a gain of one or more API points or meeting the annual API status target (see Attachment A). Originally, the API was only a school-level indicator. Since NCLB requires states to determine AYP for LEAs, the state now calculates APIs for all LEAs. A state API is also calculated and reported.

Schools/LEAs with fewer than 100 valid scores

A valid score in this context is a score that under federal law and regulation may be used to establish whether or not a student is proficient in ELA or mathematics. For a school, this would include test results from any student who has been continuously enrolled in the school from the preceding California Basic Educational Data System (CBEDS) date. For an LEA, this would include test results from any student who has been continuously enrolled in the LEA from the preceding CBEDS date.

The CDE establishes AYP for schools/LEAs with fewer than 100 valid scores by applying a statistical test to one year’s worth of test results to achieve a 99 percent confidence level in AYP determination.

Schools with no students enrolled in grades two through eight or ten

The percent proficient or above in ELA and mathematics will be determined through the following procedure:

Step One: Determine whether or not it is possible to pair the school with other schools in the same LEA and share test results from these schools (percent proficient or above) in ELA and mathematics. Elementary schools with Kindergartners and/or first graders only will be assigned values derived solely from the second grade test results of schools with which they are paired.

Step Two: If not, use test results from the *California Standards Tests* (CSTs in ELA and mathematics in grades nine and/or eleven so long as 100 percent of all students were required to take those tests.

Step Three: If not, use LEA-wide results (percent proficient or above) in ELA and/or mathematics to determine the percent proficient or above for the school. If the school serves exclusively a special population (e.g., special education students), use the LEA-wide results for that student subgroup. For direct-funded charter schools, use the test results of the charter authorizer if results from the appropriate grades are available. Otherwise, use the county-level results.

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Technical revisions to state law were made effective January 1, 2005. (See Attachment B for a timeline of regulatory changes and legislative changes as well as other implementation activities.)

Supporting Evidence:

- [The Academic Performance Index \(API\) as the "Other" Indicator \(Attachment A\)](#). All attachments to this Workbook are available through the CDE web site at: <http://www.cde.ca.gov/nclb/sr/sa/wb.asp>.
- [Academic Performance Index \(API\)](#)
- [2007-08 Academic Performance Index Reports Information Guide](#)
- [California's timeline for NCLB implementation \(see Attachment B\)](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?</p>	<p>All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination.</p> <p>If applicable, the AYP definition is integrated into the State Accountability System.</p>	<p>Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>To determine AYP, all public schools and LEAs will be evaluated on the basis of the percentage of students at or above proficient in ELA and mathematics. Schools and LEAs are also evaluated on the progress they make on the API. In addition, high schools are evaluated on the progress they make on the graduation rate.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.3 Does the State have, at a minimum, a definition of <i>basic</i>, <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?</p>	<p>State has defined three levels of student achievement: <i>basic</i>, <i>proficient</i> and <i>advanced</i>.¹</p> <p>Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.</p>	<p>Standards do not meet the legislated requirements.</p>

¹ System of state achievement standards will be reviewed by the Standards and Assessments Peer Review. The Accountability Peer Review will determine that achievement levels are used in determining AYP.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California content standards

California’s implementation and use of challenging academic content standards began in December 1997, when the California State Board of Education (SBE) adopted content standards for ELA and mathematics. These standards contain coherent and rigorous content and specify what students are expected to know and be able to do. California’s world-class standards were developed for *all* students and can be attained by *all* students, given the appropriate standards-aligned instruction, sufficient time, and intervention when necessary.

California’s assessment system

The Standardized Testing and Reporting (STAR) program, first implemented in 1998, currently includes a norm-referenced test (California Achievement Test, Sixth Edition or CAT/6); the CSTs in ELA, mathematics, and history/social science (high school level); the Spanish Assessment of Basic Education (SABE/2); and the California Alternate Performance Assessment (CAPA) for students with severe cognitive disabilities. In addition to the assessments included in the STAR program, California administers the California High School Exit Exam (CAHSEE). The CAHSEE represents the core content that a high school graduate is expected to know and be able to demonstrate in ELA and mathematics. Results for the exam are reported separately by content area. The CAHSEE is required for all grade ten students.

The SBE-approved performance levels on the CSTs at their meeting in February 2001. Five performance levels were adopted: advanced, proficient, basic, below basic, and far below basic. Sensitivity to gains at the lower levels was one major concern that prompted the adoption of five performance levels, rather than the minimum of three required by NCLB.

Elementary and middle schools

Results from the CSTs will be used to determine the percentage of students scoring at the “proficient” level or above.

High schools

California will use results from the CAHSEE to establish AYP for high schools. California has identified three achievement levels required under NCLB for the CAHSEE as part of a technical process. CAHSEE test results are evaluated on the basis of pass/no pass for the high school graduation exit criterion and will continue to be evaluated in this manner for this criterion.

Supporting Evidence:

- [California content standards](#)
- [Information about the STAR program](#)
- [Information about the California High School Exit Exam \(CAHSEE\)](#)
- [California State Board of Education minutes from its January 8, 2003, meeting that describes which performance level will be used to judge “proficient” for NCLB](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?</p>	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	<p>Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

AYP reporting

Prior to the beginning of the traditional school year, California will release all elements of the AYP determination (participation rates, AMOs, LEA and school-wide API, and graduation rate). These results will be based on the most current assessment data that the CDE has available.

Identification as a Program Improvement school/LEA

The CDE will require LEAs, upon receipt of AYP results, to notify the parents of all students assigned to a Title I school/LEA that fall into the category of Program Improvement (PI) of their school choice option. Parent notification under this plan will take place in time for alternative school assignments to be arranged, if requested. The CDE will confirm PI identification through the release of a PI Status Report after a school/LEA has had an opportunity to appeal its AYP results.

Final school and LEA accountability reports and AYP determinations will be issued in January, once districts have submitted all demographic data corrections and the contractor has provided a revised data file. Once final accountability results are available, the CDE will revise the list of schools/LEAs identified for improvement to reflect any additions or deletions resulting from these final results. LEAs will then notify parents of the final results and make mid-year choice available in cases where the August AYP report did not identify schools for improvement. On the other hand, in cases where the CDE preliminarily identified a school/LEA for program improvement but deleted it from the final list, the CDE will inform the district, and the school will be relieved of prospective requirements. However, any school choice commitments (i.e., transportation costs) that were made based on preliminary identification will be honored for the balance of the school year.

Supporting Evidence:

- [Title I Program Improvement Status Reports](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.5 Does the State Accountability System produce an annual State Report Card?</p>	<p>The State Report Card includes all the required data elements [see Appendix A for the list of required data elements].</p> <p>The State Report Card is available to the public at the beginning of the academic year.</p> <p>The State Report Card is accessible in languages of major populations in the State, to the extent possible.</p> <p>Assessment results and other academic indicators (including graduation rates) are reported by student subgroups</p>	<p>The State Report Card does not include all the required data elements.</p> <p>The State Report Card is not available to the public.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Accountability report cards have been a feature of California's accountability system since 1988, when Proposition 98 required LEAs to produce them for each of their schools. School-level report cards are available on the Internet as links from the CDE Web site. As of January 2003, 99 percent of students in California's public schools are in LEAs that have a link to report cards on the CDE Web site.

Presently, the CDE produces a template of the report card, including data that are available from the state. LEAs then complete the report card by providing narrative sections and by supplying information available locally. As a result of NCLB, this template was expanded to include federally required LEA-level data. In most cases, these data will be an aggregation or "roll-up" of school-level data. LEA-level information is currently included in the School Accountability Report Card (SARC) templates. Additional LEA-required data and the state-level report card, representing an aggregation of the LEA-level data, were produced beginning in fall 2003.

At the school, LEA, and state levels, the report card contains the required disaggregated results of student performance. Subgroups currently reported in the school report card include: (1) males and females; (2) economically disadvantaged; (3) limited English proficient; (4) students receiving migrant education services; (5) major racial/ethnic groups (African American/Black, Hispanic, Asian American, Pacific Islander, Filipino, American Indian/Alaska Native, White); and (6) all students. Performance results for students with disabilities were added with the 2002-03 reporting cycle.

Some of the elements included in California's SARC required modification to fully comply with the NCLB requirements. All changes were complete by October 2003 and were implemented with the 2002-03 reporting cycle.

Supporting Evidence:

- [School Accountability Report Card template](#) that is made available to all LEAs
- [School Accountability Report Card home page](#) for program information
- [California State Board of Education minutes from the March 12, 2003, meeting about the adoption of the report card template](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?²</p>	<p>State uses one or more types of rewards and sanctions, where the criteria are:</p> <ul style="list-style-type: none"> • Set by the State; • Based on adequate yearly progress decisions; and, • Applied uniformly across public schools and LEAs. 	<p>State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.</p>

² The state must provide rewards and sanctions for all public schools and LEAs for making adequate yearly progress, except that the State is not required to hold schools and LEAs not receiving Title I funds to the requirements of Section 1116 of NCLB [Section 200.12(b)(40)].

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Current state law provides award programs, both monetary and nonmonetary, for schools that meet their API targets and intervention programs for those schools that do not. Each of the state award and intervention programs is available to all California schools, regardless of Title I funding, so long as the schools meet eligibility requirements in state law and regulation.

The monetary award programs include the Governor’s Performance Award Program and the Certificated Staff Performance Incentive Program. These programs are currently unfunded and unlikely to be funded in the foreseeable future. Nonmonetary programs include the state California School Recognition Program and the federal NCLB-Blue Ribbon Schools Program and the Title I Academic Achieving Schools Programs.

California has two statewide intervention programs in place: the Immediate Intervention/Underperforming Schools Program and the High Priority Schools Grant Program. Schools that are eligible for either of these programs are the lowest performing in the state; participation is voluntary. In either program, schools are subject to state sanctions in the event that they fail to demonstrate significant growth on the API during the school action plan implementation period. Together, these two state programs include about 1,700 schools in various stages. Also, schools that receive Title I funds are identified for PI if they fail to make AYP for two consecutive years. PI schools that continue to fail to make AYP are subject to corrective action, as required by federal law.

Discussions are continuing to align current state intervention programs with the requirements of NCLB. Since California has well-established state intervention programs with a significant number of schools as participants, realignment will require extensive legislative and regulatory changes. These changes, in turn, will require input from a number of constituencies.

Also, the transition from the current amalgam of state and federal programs to an aligned system will take some time in order to guarantee schools and districts have adequate notice and fair opportunities to make improvements before sanctions are invoked.

A proposed strategy for aligning state and federal policy for underperforming schools is being finalized. This proposal is intended to serve as the basis of legislation to align state programs with federal requirements. It is anticipated that this alignment process will take at least two years due to its complexity.

Supporting Evidence:

- [California Education Code Section 52057 \(Governor's Performance Awards program\)](#) and [California Education Code Section 44650 \(Certificated Staff Performance Incentive Act\)](#) for program descriptions of the two state-level monetary awards programs
- [California School Recognition Program description](#)
- [Academic Achievement Awards Program](#)
- [Information on the California No Child Left Behind-Blue Ribbon Schools Program](#)
- [California’s 2008 No Child Left Behind-Blue Ribbon Schools Nominees](#)
- [Awards Program Alignment Plan \(Attachment C\)](#)
- [California Education Code Section 52053-52053.53 \(Immediate Intervention/Underperforming Schools Program\)](#) and [California Education Code Section 52055.600-52055.662 \(High Priority Schools Grant Program\)](#) for program descriptions of the state-level intervention programs
- [Elements of High Priority Schools Grant Program, Immediate Intervention/Underperforming Schools Program, and the Comprehensive School Reform Demonstration Program \(Attachment D\)](#)

PRINCIPLE 2. All students are included in the State Accountability System.

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.1 How does the State Accountability System include all students in the State?</p>	<p>All students in the State are included in the State Accountability System.</p> <p>The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.</p>	<p>Public school students exist in the State for whom the State Accountability System makes no provision.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California *Education Code (EC)* Section 60640(b) requires each school district, charter school, and county office of education to administer the STAR Program assessments to each of its pupils in grades two through eleven, unless the pupil is excused by a parent request (allowable by California law – see California *EC* Section 60615). The CDE has developed and implemented an alternate assessment for children with severe disabilities who cannot take part in the regular STAR assessments – the CAPA. All students with disabilities, unless excused by parent request, are required to participate in either the STAR assessments or the CAPA. At the high school level, California *EC* Section 60851(b) requires each grade ten student to take the CAHSEE. The STAR, CAPA, and CAHSEE results will be merged for AYP reporting purposes, as appropriate.

Test results summarized according to the federal AYP criterion (percent proficient or above in ELA and mathematics) will be reported at the school level for all students who have been continuously enrolled in the school since the beginning of the academic year; at the district level for all students who have been continuously enrolled in the district since the beginning of the academic year; and for all students at the state level. These definitions and procedures will apply to all schools and LEAs statewide. Test scores for students with disabilities in county office special education schools or programs will be assigned back to the district of residence for LEA accountability. This is consistent with the provisions of Section 9101(1) of Title IX of NCLB.

Originally, California held a school accountable for the performance of any student who had been enrolled in the school district for a full academic year. Under NCLB, a school is accountable only if the student has been enrolled in the *school* for a full academic year. In order to align the API system with the provisions of NCLB, California has amended the relevant California *EC* Section so that a school is accountable only for the performance of a student who has been enrolled in the school for a full academic year. A district is held accountable for all students who were enrolled in the district for a full academic year. The performance results of students not enrolled in any one district for a full academic year are aggregated to the state level.

Supporting Evidence:

- [California *Education Code* Section 60640\(b\) regarding student participation in the Standardized Testing and Reporting \(STAR\) assessment program](#)
- [California *Education Code* Section 60851\(b\) regarding student participation in the California High School Exit Exam](#)
- [California *Education Code* Section 60615 that describes the allowance for parental waivers to excuse students from the statewide testing program](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.2 How does the State define “full academic year” for identifying students in AYP decisions?</p>	<p>The State has a definition of “full academic year” for determining which students are to be included in decisions about AYP.</p> <p>The definition of full academic year is consistent and applied statewide.</p>	<p>LEAs have varying definitions of “full academic year.”</p> <p>The State’s definition excludes students who must transfer from one district to another as they advance to the next grade.</p> <p>The definition of full academic year is not applied consistently.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>Currently, California uses the date on which LEAs are required to submit information to CBEDS as the beginning of the academic year for reporting purposes. This date occurs annually in October, generally on the first Wednesday. If a student is continuously enrolled in a school from that date to the date of testing in the spring, California considers the student to have been enrolled in that school for a “full academic year.” The same criterion will be used for LEAs.</p> <p>“Continuous enrollment in the school (or LEA) from the CBEDS date” is defined as:</p> <p style="padding-left: 40px;">The student did not withdraw or was not dropped from the school’s (or LEA’s) enrollment any time between the CBEDS census date and the first day of testing.</p> <p>California law about school mobility for the API has been changed to reflect the criteria outlined above.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</p>	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>Information about the enrollment of students is collected on the Student Answer Document (SAD) that is completed at the time of testing for the STAR tests, the CAHSEE, and the CAPA. A SAD is completed not only for a student who actually participates in the assessment but also for a student who is enrolled in one of the grades tested and does not take the assessment. The SAD for all three tests includes two questions designed to address student mobility:</p> <ul style="list-style-type: none"> • Has the student been continuously enrolled at the <u>school</u> since the CBEDS date? • Has the student been continuously enrolled in the <u>district</u> since the CBEDS date? <p>This is the method by which California determines which students will count at the school, district, or state level.</p>		

PRINCIPLE 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.1 How does the State’s definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?</p>	<p>The State has a timeline for ensuring that all students will meet or exceed the State’s proficient level of academic achievement in reading/language arts³ and mathematics, not later than 2013-2014.</p>	<p>State definition does not require all students to achieve proficiency by 2013-2014.</p> <p>State extends the timeline past the 2013-2014 academic year.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>At their January 8, 2003, meeting, the SBE adopted a definition of AYP for both ELA and mathematics. The definition is based on a statewide performance goal of all students scoring at or above the “proficient” level on the standards-based statewide assessments by the required deadline of 2013-2014. Performance on the CSTs in ELA and mathematics is used to evaluate AYP for students in grades two through eight; the CAHSEE is used to evaluate performance of students in grades ten through twelve.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • California State Board of Education minutes from its January 8, 2003, meeting 		

³ If the state has separate assessments to cover its language arts standards (e.g., reading and writing), the State must create a method to include scores from all the relevant assessments.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?</p>	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	<p>State uses different method for calculating how public schools and LEAs make AYP.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

In California, in order to make AYP, a public school or LEA must meet or exceed the state's AMOs in ELA and mathematics, demonstrate progress on the API as the other indicator, and demonstrate a participation rate in each applicable assessment of 95 percent or higher. Additionally, each student subgroup within a public school or LEA will have to meet or exceed the state's AMOs in ELA or mathematics and have a participation rate of 95 percent or more in each assessment, if the subgroup meets the definition of a numerically significant subgroup (see Critical Element 5.5).

If the LEA, school, or student subgroup does not meet its AMOs based on the current year's test results, the last two or three year's test results will be aggregated in order to determine whether or not the LEA, school, or student subgroups meet the AMOs.

In the event that an LEA, school, or student subgroup does not meet its AMOs, the LEA, school, or subgroup may be considered to have made AYP if all of the following conditions are met:

- The percentage of students in a LEA, school, or subgroup who did not meet or exceed the "proficient" level on the applicable assessments decreased by 10 percent of that percentage from the preceding school year. A confidence interval of 75 percent will be applied in making this determination.
- The LEA, school, or subgroup demonstrated growth on the API of at least one point from the preceding school year or attained the annual API status target. (California will use the API as an additional academic indicator as per Critical Element 1.1.)
- For high schools, the LEA, school, or student subgroup demonstrated progress in increasing its graduation rate.
- The LEA, school, or subgroup had at least a 95 percent participation rate on the applicable assessment. (see Critical Element 10.1 for California's method for determining participation rate.)

California will identify for PI any school that fails to make AYP for two consecutive years in the same content area or the same additional indicator (API for all schools, graduation rate for high schools). For example, a school that had a subgroup fail to meet or exceed the AMO in ELA in Year 1 and in Year 2 would be identified for PI. A school that failed to meet or exceed the AMO in mathematics in Year 1, but in Year 2 failed to meet or exceed the AMO in ELA would not be identified for PI. A school that failed to meet the API criteria for two consecutive years would be identified for PI. A high school that failed to meet the graduation rate criteria for two consecutive years would be identified for PI.

California will initially identify for PI any district that fails to make AYP for two consecutive years in the same content area or on the same additional indicator (API for all districts, graduation rate for districts with high school students). For those districts that missed the AMOs in the same content area for two consecutive years, California will apply a second criterion: did any grade span within the district (elementary, middle, and high school) meet the grade span AMO in either of the two years in question? If yes, the district will not be identified for PI.

To maintain consistency, California will utilize the same methods when calculating AYP at the grade span level as it employs in determining whether or not a school or LEA has made AYP (see Critical Element 5.2).

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Any LEA or school that is identified for PI but ceases to receive Title I funds is not required to continue PI activities. However, it retains its former PI status up to three years, unless it makes AYP two consecutive times during the period without funds. If the LEA or school once again receives funds within the three year period and has not made AYP two consecutive times during the period without funds, it will be required to implement the same level of PI activities as when it stopped receiving Title I funds.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>3.2a What is the State's starting point for calculating Adequate Yearly Progress?</p>	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20th percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	<p>The State Accountability System uses a different method for calculating the starting point (or baseline data).</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Using 2002 STAR data, California has established separate starting points in ELA and mathematics for measuring the percentage of students at or above proficient for grades two through eight: California's starting point for ELA is 13.6 percent at or above "proficient"; for mathematics the starting point is 16.0 percent at or above "proficient." Using 2001 and 2002 CAHSEE data, for high schools the corresponding starting points are 11.2 percent at or above "proficient" for ELA and 9.6 percent in mathematics. All of the starting points are based on the percentage of students at "proficient" or above in a public school at the twentieth percentile of California's total enrollment among all schools ranked by the percentage of students at the proficient or advanced levels. In all cases, this produces the higher percentage from the two methods prescribed by NCLB.

Supporting Evidence:

- [Starting Point Calculation for Grades 2-8 \(Attachment E\)](#)
- [Starting Point Calculation for Grade 10 \(Attachment F\)](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2b What are the State's annual measurable objectives for determining adequate yearly progress?</p>	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>California has established separate ELA and mathematics statewide AMOs that identify a minimum percentage of students that must meet the "proficient" level of academic achievement. AMOs will utilize the same percent proficient as the most recent intermediate goal, or, in the beginning, the starting point (see Critical Element 3.2c). The ELA and mathematics AMOs will be applied to each school and LEA, as well as to each subgroup at the school, LEA, and statewide levels to determine AYP status.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2c What are the State's intermediate goals for determining adequate yearly progress?</p>	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> • The first incremental increase takes effect not later than the 2004-2005 academic year. • Each following incremental increase occurs within three years. 	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California will establish separate ELA and mathematics intermediate goals statewide that increase in equal increments over the 12-year timeline. There will be seven intermediate goals total. For grades two through eight, these goals are:

ELA	Year	Math	
13.6%	2002	16.0%	(Starting Points)
24.4%	2005	26.5%	(Intermediate Goals)
35.2%	2008	37.0%	
46.0%	2009	47.5%	
56.8%	2010	58.0%	
67.6%	2011	68.5%	
78.4%	2012	79.0%	
89.2%	2013	89.5%	
100.0%	2014	100.0%	(Final Goals)



This schedule of intermediate goals will result in all students in grades two through eight meeting or exceeding the proficient level of academic achievement in ELA and mathematics not later than 2013-2014, as required by law (Attachments G and H).

Since the peer review, a similar schedule of intermediate goals was developed for high schools (Attachments I and J) as well as districts (Attachments G, H, I, J, K, and L). The schedule for districts that enroll students in grades nine through twelve only is identical to the high school schedule. The schedule for districts that enroll students in grades two through eight only is identical to the elementary school schedule. The schedules for districts that enroll both primary and secondary students are an average of the high school and elementary school schedules. In applying a grade span analysis when identifying LEAs for PI, the CDE will apply the goals for grades two through eight to the elementary and middle school grade spans (two through five and six through eight) and the grade ten goal for the high school grade span.

These intermediate goals are consistent with the expectation that the strongest academic gains in schools and districts are likely to occur in later years, after teachers are given time to align their instruction with academic content standards, after districts are given the opportunity to increase their capacity to support needed reforms, and after there is a highly qualified teacher in every California classroom. This is particularly true for low-performing schools in California where students are being asked to reach performance levels that are especially rigorous (see Critical Element 1.3).

Supporting Evidence:

- [Twelve-year timeline for ELA with annual measurable objectives and intermediate goals for elementary schools, middle schools, elementary districts, and middle school districts \(Attachment G\)](#)
- [Twelve-year timeline for mathematics with annual measurable objectives and intermediate goals for elementary schools, middle schools, elementary districts, and middle school districts \(Attachment H\)](#)
- [Twelve-year timeline for ELA with annual measurable objectives and intermediate goals for high schools and high school districts \(Attachment I\)](#)
- [Twelve-year timeline for mathematics with annual measurable objectives and intermediate goals for high schools and high school districts \(Attachment J\)](#)
- [Twelve-year timeline for ELA with annual measurable objectives and intermediate goals for unified districts and high school districts with grades seven and/or eight \(Attachment K\)](#)
- [Twelve-year timeline for mathematics with annual measurable objectives and intermediate goals for unified districts and high school districts with grades seven and/or eight \(Attachment L\)](#)

PRINCIPLE 4. State makes annual decisions about the achievement of all public schools and LEAs.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually. ⁴	AYP decisions for public schools and LEAs are not made annually.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The CDE made annual AYP decisions for all schools receiving Title I, Part A funds preceding the enactment of NCLB. Expanding this established practice, the CDE now makes an annual AYP determination for all schools and LEAs. For schools/LEAs, this determination results from whether or not the schools/LEAs met the AMOs in ELA and mathematics, the participation rate criteria, and demonstrated progress on the additional indicator(s). The AMOs and participation rate criteria are applied overall and to each numerically significant student subgroup within the school or LEA. The CDE will make use of the methodologies identified in Critical Elements 1.1 and 10.1 for schools/LEAs with fewer than 100 test scores and/or 100 students enrolled in the grades tested. The 99 percent confidence interval test is not applied to numerically significant subgroups with 50 to 99 test scores.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • Adequate Yearly Progress (AYP) Reports 		

⁴ Decisions may be based upon several years of data, and data may be averaged across grades within a public school [Section 1111(b)(2)(J)].

PRINCIPLE 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.1 How does the definition of adequate yearly progress include all the required student subgroups?</p>	<p>Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency.</p> <p>Provides definition and data source of subgroups for adequate yearly progress.</p>	<p>State does not disaggregate data by each required student subgroup.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California currently disaggregates test results by each of the student subgroups required by NCLB per demographic information collected on the SAD at the time of testing. The CDE will use these results to determine the percent of students at the “proficient” level or above by subgroup for the annual AYP determination for all schools and LEAs in the state.

Currently, state law requires that numerically significant racial/ethnic and SED subgroups will demonstrate “comparable improvement” in order for the school to meet its API growth target. (Note: For accountability purposes, California defines a SED subgroup rather than an economically disadvantaged subgroup. A student is included in the SED subgroup if they participate in the Free and Reduced-Price Meals Program or if the highest level of education of either of the student’s parents is less than a high school diploma. This definition was chosen for the API system in 1999 because of the non-universality of the free and reduced-price meals indicator, particularly at the high school level, and because parental education is generally accepted as a better predictor of students performance on a standardized test than participation in Free and Reduced Price Meals Program, regardless of the student’s grade.) California will use this definition to determine whether or not the SED subgroup under NCLB met AMOs and therefore made AYP.

In order to align the API with NCLB requirements, California has added two additional student subgroups required by NCLB, students with disabilities and students with limited English proficiency, to the subgroups required to demonstrate “comparable improvement.” This addition to state law was effective January 1, 2005.

Supporting Evidence:

- [Adequate Yearly Progress \(AYP\) Reports](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?</p>	<p>Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.</p>	<p>State does not include student subgroups in its State Accountability System.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>Numerically significant student subgroups will be expected to meet AMOs in ELA and mathematics and to participate in student assessments at a rate of 95 percent or higher in order for a public school or LEA to demonstrate AYP.</p> <p>In the event that an LEA, school, or student subgroup does not meet its AMOs, the LEA, school or subgroup may be considered to have made AYP if all of the following conditions are met:</p> <ul style="list-style-type: none"> • The percentage of students at a LEA, school, or subgroup who did not meet or exceed the “proficient” level on the applicable assessments decreased by 10 percent of that percentage from the preceding school year. A confidence interval of 75 percent will be applied in making this determination. • The LEA, school, or subgroup demonstrated growth on the API of at least one point from the preceding school year or attained the annual API status target. (California will use the API as an additional academic indicator as per Critical Element 1.1.) • For high schools, the LEA, school, or student subgroup demonstrated progress in increasing its graduation rate as defined in Critical Element 7.1. • The LEA, school, or subgroup had at least a 95 percent participation rate on the applicable assessment as defined in Critical Element 10.1. 		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>5.3 How are students with disabilities included in the State's definition of adequate yearly progress?</p>	<p>All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled.</p> <p>State demonstrates that students with disabilities are fully included in the State Accountability System.</p>	<p>The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.</p> <p>State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Students with disabilities within the grades tested (grades two through eight and ten) participate in California's statewide assessment program by taking either the general assessment with or without accommodations/modifications or the alternate assessment. The majority of students with disabilities participate in the general assessment, but those with significant cognitive disabilities may be eligible to participate in the CAPA. Results from students with disabilities who participate in the general statewide assessment (i.e. STAR) will be summarized in the same fashion as any other students.

Consistent with the transition policy included in the evaluation of our January 2003 Workbook, in 2003 California treated the five CAPA performance levels as equal to the five performance levels used for the CSTs for summarizing LEA and school performance. In other words, a score (performance level) on the alternate assessment holds the same value as a score (performance level) for the STAR or CAHSEE. Beyond 2003, the scores for students with disabilities who take the alternate assessment will be included in the assessment data in the accountability system within the parameters defined by federal statute and regulations.

Starting in 2004, the CDE gave any LEA that exceeds the one percent cap on the application of alternate standards and assessments the opportunity to request an exception. The exception shall be based on criteria similar to those that the U.S. Department of Education (ED) uses to evaluate state requests for exception. If the CDE does not grant the request, it will adjust the results of the LEA by treating the appropriate number of scores as "not proficient" for accountability purposes only. This will not affect the individual student report received by parents.

In making this adjustment, the CDE will first consider the scores of students enrolled in LEA-wide programs who took the CAPA. If this does not bring the LEA down to the one percent cap, the CDE will then allocate the remaining non-proficient scores among schools in the LEA that have students who scored proficient or advanced on the CAPA. CDE will then recalculate the percentage of students at proficient or above for the LEA, school, and subgroup levels. The State, not the individual LEA, will determine which CAPA scores will be adjusted for accountability purposes.

On grounds of validity and reliability, the CDE will not apply the one percent cap to small LEAs with fewer than 10 scores in ELA or mathematics or with fewer than five proficient or advanced CAPA scores in a content area.

In addition to the students with the most significant cognitive disabilities, constituting about one percent of the total student population, research demonstrates that other students with disabilities, approximately two percent of the total student population, are not able to meet grade-level standards, even after application of the best-designed instructional interventions. For this second group of students, California is in the process of developing and implementing modified achievement standards as well as an alternate assessment based on those standards, the California Modified Assessment (CMA). The CMA will be aligned with grade-level content standards.

The CMA was first administered to students enrolled in grades 3-5 in the spring of 2008. However, because of technical considerations, the establishment of performance standards for these grades is currently scheduled for November 2008. For 2008, students will count as participants in English language arts and mathematics assessment as appropriate for purposes of determining AYP. Once CMA performance levels are set for grades 3-5, the 2008 CMA results will be incorporated into the calculations for students proficient or above in English language arts and mathematics. The 2008 AYP results for schools and LEAs with grades 3-5 will then be revised to reflect this.

In revising the AYP for LEAs, the CDE will adhere to federal regulations dated April 9, 2007 on the two-

percent limitation on the percentage of proficient or advanced scores that derive from CMA. If LEAs exceed the prescribed limitation, the CDE will treat the requisite number of scores as “not proficient” for accountability purposes and apply procedures comparable to those for exceeding the 1% CAPA cap for reassigning these scores.

Students with disabilities may use calculators when taking the mathematics portion of the CAHSEE, if their Individualized Education Programs (IEPs) provide for this. In 2006, at the request of the CDE, Educational Testing Service (ETS) conducted a study on the effects of calculator use on the CAHSEE mathematics performance. The study determined that some items on the CAHSEE were sensitive to the use of a calculator, resulting in a change in the construct being measured by those items. The study was submitted to the ED as part of the Peer Review process.

Peer Review findings received by the CDE in June 2007 included the following statement :

SPED students who use calculators during the California High School Exit Examination-Mathematics (CAHSEE) may have their test scores included in AYP calculations for No Child Left Behind (NCLB) accountability, if, and only if, each administration mode (cal and non calc) is separately post equated and separate raw score to scale score conversion tables for each mode are used to make classification and AYP decisions for the students and schools.

Following the recommendation of the ED, ETS has established a procedure for adjusting test scores to account for changes in item difficulties resulting from the use of a calculator. This procedure results in separate scoring tables for students who use a calculator and those who do not. Students who use a calculator will count as participants in the assessment, and students who reach the proficient level on the adjusted scoring table will also be given credit for AYP purposes.

Test scores for students with disabilities in county office special education schools or programs will be assigned back to the district of residence for LEA accountability. This is consistent with the provisions of Section 9101(1) of Title IX of NCLB.

The CDE will include the scores in the SWD subgroup of students who were previously identified under Section 602(3) of the Individuals with Disabilities Education Act (IDEA) but who are no longer receiving special education services for up to two AYP determination cycles. These students, however, will not count in determining whether or not the SWD subgroup is numerically significant for the school or LEA.

Supporting Evidence:

- [California Code of Regulations Section 853.5\(c-e\) that describes California's policy for testing students with disabilities](#) (see Title 5, Division 1, Chapter 2, Subchapter 3.75, Article 2, Section 853.5(c-e))
- [Matrix 1. Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?</p>	<p>All LEP student participate in statewide assessments: general assessments with or without accommodations or a native language version of the general assessment based on grade level standards.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	<p>LEP students are not fully included in the State Accountability System.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Currently, California *EC* Section 60640(b) requires all students in grades two through eleven to participate in the STAR assessment program. Similarly, California *EC* Section 60851(b) requires all grade ten students to participate in CAHSEE. English learners are not exempt from these requirements, but they may take the assessments with accommodations (see Supporting Evidence for Critical Element 5.3; additional regulations for accommodations for English learner students are under development). Test results from these students on the statewide assessment are summarized in the same fashion as any other student.

In accord with state law, California will continue to test English learners during their first year of enrollment in United States schools; however, consistent with the flexibility offered by Secretary Paige’s communication of February 19, 2004, California elects to exclude the test results of these students from the AMO calculation.

In determining the AYP of students with limited English proficiency, California will include the STAR and CAHSEE results of students who have been re-designated as fluent English proficient as well as English learners. In California, English learners are re-designated as fluent English proficient when they reach the “basic” level on the statewide ELA CST and the “proficient” level (referred to as early advanced) on California’s language proficiency test, called the California English Language Development Test (CELDT). The exit criteria for English learners include not only CELDT results but also local indicators defined by individual school districts as well as parental consultation.

Because English learners are re-designated under state law and removed from the English learner subgroup before they attain the proficient level, re-designated fluent English proficient (RFEP) students must continue to be included in the English learner subgroup in order to demonstrate academic proficiency on the ELA CST. It is likewise impossible to provide a record of the success or failure that a school has with increasing the academic achievement level of these students.

California will maintain RFEP students as English learners for purposes of NCLB until these students have attained the proficient level on the ELA CST for three years consistent with the federal definition of limited-English-proficient students in paragraph (25) of Section 9101 of Title IX of NCLB. That definition includes students as limited English proficient when those students have “difficulties in speaking, reading, writing, or understanding the English language [that] may be sufficient to deny the individual – the ability to meet the State’s **proficient level of achievement** on State assessments described in section 1111(b)(3).” (Emphasis added.) California’s **ELA** standards require a student to develop a high level of academic achievement in English. California ensures that RFEP students will be successful on its high academic standards in English by continuing to provide high-quality instructional programs to RFEP students and requiring that RFEP students demonstrate **sustained** academic proficiency before exiting the English learner subgroup. Sustained academic proficiency requires three years of scoring proficient on the ELA CST to determine that a valid pattern of success has been established. Since RFEP students have already attained English language proficiency on the CELDT, there is no need to continue to administer the language proficiency assessment to the RFEP students.

In determining whether or not the LEP subgroup is numerically significant, the CDE will add in RFEP students if their results are included in determining whether or not the LEP subgroup met the AMOs.

Supporting Evidence:

- [California Education Code Section 60640\(b\) that describes the inclusion of all students in the STAR program](#)
- [California Education Code Section 60851\(b\) that describes the requirements for all students to participate in the CAHSEE](#)
- [California Code of Regulations Section 853\(f\) that describes California's policy for testing students with limited English proficiency](#)
- [Title IX, Section 9101\(25\)\(D\)\(iii\) of the No Child Left Behind Act of 2001](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?</p>	<p>State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.⁵</p> <p>Definition of subgroup will result in data that are statistically reliable.</p>	<p>State does not define the required number of students in a subgroup for reporting and accountability purposes.</p> <p>Definition is not applied consistently across the State.</p> <p>Definition does not result in data that are statistically reliable.</p>

⁵ The minimum number is not required to be the same for reporting and accountability.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California defines 11 as the minimum number of students required to report subgroup results. This number has been selected as a result of confidentiality concerns (see Critical Element 5.6). California further will define the minimum number of students in a subgroup for accountability purposes to be:

- 100 students with valid test scores, or
- 50 students in those cases where the subgroup constitutes at least 15 percent of the students at the school with valid test scores.

This would apply to schools, LEAs, and student subgroups within an LEA or school. The state criteria for determining numerically significant student subgroups were aligned with this definition effective January 1, 2005.

Since the inception of its accountability system in 1999, California has required that numerically significant student subgroups in a school demonstrate “comparable improvement” in order for a school to be eligible for awards or meet its API growth target. As a result, California has had three years experience in establishing what constitutes an appropriate minimum subgroup size, including unexpected consequences that result from such a criterion.

After analyzing the interaction between school-level and student subgroup accountability, California finds that there are three major considerations in establishing a minimum subgroup size. Any minimum “n” formula must strike a balance between these three:

- The formula should reflect acceptable standards of statistical reliability.
- The formula should encourage LEAs and schools to address the instructional needs of numerically significant ethnic and SED student subgroups.
- The formula should take into account the use of the subgroup analysis, i.e., the consequential validity of the decision about whether or not the subgroup made AYP.

A statistical analysis reveals that a minimum “n” of 100 for a subgroup that has 50 percent of its students at the “proficient” level or above still implies a standard error of 5 percent. Moreover, this error is compounded in the case of schools with diverse student populations because of the cumulative effect of repeated AYP decisions for each significant subgroup. From the standpoint of consequential validity, it is difficult to support a minimum “n” size under 100, especially for schools as diverse as those in California. In this connection, it is imperative to consider the consequential aspects of a given formula for minimum “n” size, or in other words, the likelihood that a given formula will yield reliable decisions about whether schools have actually made AYP, particularly in light of the high stakes attached to such a measure.

On the other hand, a minimum “n” of 100, although technically meritorious, does not fully address the diversity of California’s schools in enrollment, student demographics, and geography. The adoption of this minimum “n” has the following implications for California’s schools:

- It would result in a far larger number of schools for which an annual AYP decision is difficult if not impossible to make because the schools do not have a minimum of 100 valid test scores.
- It may be logical for a small elementary school to design an instructional strategy to address the learning needs of a subgroup of less than 100, however illogical that may be for a large high school where such a group may represent a very small proportion of the overall student

population.

- Using a one “minimum-‘n’-fits-all-schools” formula may have serious unintended consequences. For example, it could potentially result in the over-identification of large, urban high schools for program improvement, potentially resulting in an inappropriate redirection of school improvement resources away from elementary and middle schools. This would be counter-productive, since it is logical to assume that instructional changes that are implemented in elementary schools are fundamental in raising the achievement levels in high schools.

Because these policy and instructional considerations are very important in California, the rule of 100 students or 50 students and 15 percent of the students at the school with valid test scores is more appropriate and will result in a more accurate identification of California schools that fail to make AYP than a simple minimum “n.” Additional supporting evidence and data simulations will be presented to the peer review team.

Supporting Evidence:

- [Council of Chief State Schools Officers \(CCSSO\) publication “Making Valid and Reliable Decisions in Determining AYP” \(see pages 23 and 62-72\)](#)
- [California State Board of Education minutes from its January 8, 2003 meeting](#)
- [Average Number of Significant Subgroups under California’s Minimum N Rule \(Attachment M\)](#)
- [Average Number of Significant Subgroups by School Type \(Attachment N\)](#)
- [“The Chances of False Negatives: Failing AYP Because of Random Processes: An Issue Paper” \(Attachment O\)](#)
- [“False Negatives with New AYP Definition: An Issue Paper” \(Attachment P\)](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information. ⁶	Definition reveals personally identifiable information.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>As per current practice, the CDE will not report test results for fewer than 11 students. AYP determinations for grades two through eight will be made and reported as a result of the summary of data across grade levels, further ensuring that student confidentiality will be maintained.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • California Code of Regulations Section 864 that describes California's policy for reporting test scores 		

⁶ The Family Education Rights and Privacy Act (FERPA) prohibits an LEA that receives Federal funds from releasing, without the prior written consent of a student's parents, any personally identifiable information contained in a student's education record.

PRINCIPLE 6. State definition of AYP is based primarily on the State’s academic assessments.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>6.1 How is the State’s definition of adequate yearly progress based primarily on academic assessments?</p>	<p>Formula for AYP shows that decisions are based primarily on assessments.⁷</p> <p>Plan clearly identifies which assessments are included in accountability.</p>	<p>Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>AYP will be based primarily on the percentage of students at or above the “proficient” level in ELA and mathematics. This will be determined through the CSTs, the CAHSEE and the CAPA, as applicable. All three tests are based on the California content standards. The API, which functions as an additional indicator, is currently based exclusively on academic assessment results, both standards-based and norm-referenced. California <i>EC</i> Section 52052(a)(3) requires the eventual inclusion of attendance rates and graduation rates in the API when the rates are proven valid and reliable; however, it also requires test results to constitute at least 60 percent of the API. The only non-assessment component of AYP is the graduation rate, which is required by NCLB.</p> <p>California has fully complied with provisions of the NCLB regarding implementation of standards-based science assessments. Students in grades 5, 8, and 10 are required to take standards-based tests in science. The Grade 5 CST Science became operational in 2004; the Grade 8 and Grade 10 CST Science both became operational in 2006.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • California's Public Schools Accountability Act of 1999 (PSAA) that describes the regulations guiding the composition of the Academic Performance Index (see Section 52052(a)(1)(A)) • Academic Performance Index (API) 		

⁷ State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

PRINCIPLE 7. State definition of AYP includes graduation rates for public High schools and an additional indicator selected by the State for public Middle and public Elementary schools (such as attendance rates).

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.1 What is the State definition for the public high school graduation rate?</p>	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> • Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state's academic standards) in the standard number of years; or, • Uses another more accurate definition that has been approved by the Secretary; and • Must avoid counting a dropout as a transfer. <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause⁸ to make AYP.</p>	<p>State definition of public high school graduation rate does not meet these criteria.</p>

⁸ See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California does not currently have a student data system that would allow longitudinal tracking of individual students from grade nine or ten through high school graduation. Such a system is currently under development and once fully implemented can and will be used to calculate a high school graduation rate. Until that time, however, the CDE will use a synthetic graduation rate corresponding to the National Center for Educational Statistics (NCES) four-year completion rate. This rate includes information on high school completers and high school dropouts aggregated over a four-year period.

This calculation methodology is advocated by the NCES in part so that there is consistent reporting across states. This methodology has also been advocated by the ED for use in the Consolidated State Application. Specifically, EDs Performance Goal 5 (all students will graduate from high school) states that “the percentage of students who graduate from high school each year with a regular diploma” should be calculated in the same manner as used in the NCES reports on the Common Core of Data.

A change to the CBEDS data collection form has been implemented to make our state definition of “dropouts” consistent with that of NCES. The number of graduates, defined as the number of students who graduate from high school with a regular diploma, is collected via the CBEDS data collection form. This definition excludes students who receive a California high school equivalency certificate by passing the General Educational Development (GED) test.

The four-year completion rate formula is shown below:

$$HS\ CMP\ Yr.\ 4 / \{HS\ CMP\ Yr.\ 4 + (Gr.\ 9\ DPO\ Yr.\ 1 + Gr.\ 10\ DPO\ Yr.\ 2 + Gr.\ 11\ DPO\ Yr.\ 3 + Gr.\ 12\ DPO\ Yr.\ 4)\}$$

HS = High School
 CMP = Completer
 Yr. = Year
 Gr. = Grade
 DPO = Dropouts

Until California has established a longitudinal student tracking system, it is impossible to establish a four-year graduation rate for grade ten through twelve high schools. In the interim, California will establish a three-year rate with the formula adjusted accordingly. While it is improper to compare a four-year rate for grade nine through twelve schools to a three-year rate for grades ten through twelve schools, it is suitable for making longitudinal comparisons for the same school, so long as the school does not change grade spans. In the event that the school does change grade spans, then it is possible to adjust the rate by considering only the common grades from one year to the next. Therefore, this rate can be used to measure progress from one year to the next. The CDE has established a methodology to provide a four-year rate for grade ten through twelve schools.

California began collecting graduate and dropout data for all the required student subgroups in 2004. Until four years of data are available, California will be unable to make use of the indicator in safe harbor calculations; however, it will still use the API for high schools to apply safe harbor.

To demonstrate progress on the graduation rate, an LEA or school shall:

- a. Demonstrate an increase of one-tenth of a percentage point in the graduation rate, or
- b. Demonstrate an increase of two-tenths of a percentage point in the graduation rate when the average rate of the last available two years is compared with the average rate of the preceding

two years, or

- c. Meet an annual status target that begins at 82.8 percent (computed in a similar manner to the beginning AMOs in ELA and mathematics) and increases at a rate similar to the schedule of AMOs in ELA and mathematics.

Proxy graduation rates

For traditional comprehensive high schools without a graduating class, the CDE will calculate a proxy graduation rate using available CBEDS drop-out and enrollment data. This provision applies only to traditional comprehensive high schools; it does not impact current procedures for assigning district or county rates to high schools with a primary mission of returning students to a traditional classroom environment, e.g., some continuation and alternative high schools.

The proxy graduation rate will be calculated by first dividing the number of dropouts in all of the grades in the school (grades 9, 10, and 11) by the enrollment in the same grades. This percentage is then multiplied by four if the school enrolls 9th graders only, by two if 9th and 10th graders, or by 4/3 if 9th, 10th, and 11th graders. The result approximates the percentage of students that would have dropped out if the school had enrolled students in all four grades (9, 10, 11, and 12). This percentage is then subtracted from 100 to approximate the graduation rate.

An example of the calculation is as follows:

In the first year of operation, a comprehensive high school enrolls ninth graders only. Each year it will add a grade. Therefore, it will not graduate students until its fourth year of operation. The ninth grade enrollment totals 300 students, five of whom drop out in the first year.

The proxy graduation rate for this school would be:

$$100\% - ((5/300 \times 100) \times 4) = 100\% - 6.6\% = 93.4\%$$

Assignment of district or county rates

The following rules will be applied only for high schools with a primary mission of returning students to a regular classroom environment in a comprehensive high school:

- For high schools administered by a district, the CDE will assign them the value of the LEA graduation rate.
- For direct-funded charter high schools, the CDE will assign the graduation rate of the charter authorizer. In cases where the charter authorizer does not have a graduation rate, the countywide graduation rate of the county in which the school is located will be assigned.
- For high schools administered by county offices of education, the CDE will assign the countywide graduation rate.

This approach is similar to the practice of assigning LEA values for the percent proficient or above to schools that serve grades outside those assessed.

PI Identification

California will identify for PI any high school that fails to meet the graduation rate criteria for AYP for two consecutive years. California will identify for PI any district with high school students if the district fails to meet the graduation rate criteria for two consecutive years.

Supporting Evidence:

- High school graduation rate targets (see page 14 of the [2007 Adequate Yearly Progress Report Information Guide](#))

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.2 What is the State’s additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?</p>	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.⁹</p> <p>An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	<p>State has not defined an additional academic indicator for elementary and middle schools.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>California proposes to use the API as the required additional academic indicator for elementary and middle schools as well as an optional academic indicator for high schools. Progress on that indicator will be defined as growth of at least one API point or meeting an annual API status target as defined by a schedule of API targets established by a methodology similar to the one used to establish the AMOs in ELA and mathematics. Disaggregated API results will be used when applying the exception clause (“safe harbor”) to make AYP.</p> <p>While the API includes the same test results used to determine AYP, it:</p> <ul style="list-style-type: none"> • Reflects movement across four cut points, instead of only one • Includes norm-referenced test results in addition to standards-based test result • Includes additional content areas and additional standards tests at the high school level <p>Therefore, the API is an ideal supplement to the AYP method of measuring academic performance, i.e., “proficient” or above in ELA and mathematics.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • API information (see Critical Element 1.1) 		

⁹ NCLB only lists these indicators as examples.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.3 Are the State's academic indicators valid and reliable?</p>	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>California requires that the test publishers, with whom we have contracted, ensure that statewide assessments meet nationally recognized standards of validity and reliability. These assessments are the basis of both the AYP determination and the API calculation.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • Copy of a letter from the Educational Testing Service, California's contractor for the CSTs, indicating it is ETS's responsibility to ensure the reliability and validity of the statewide assessments (see Attachment Q) 		

PRINCIPLE 8. AYP is based on reading/language arts and mathematics achievement objectives.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?</p>	<p>State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.¹⁰</p> <p>AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.</p>	<p>State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>California currently reports assessment results separately by academic content area, including ELA and mathematics, on the CSTs, the CAHSEE, and the CAPA. AYP for a school and LEA will be determined by evaluating performance in ELA and mathematics separately.</p> <p>Supporting Evidence:</p> <ul style="list-style-type: none"> • Adequate Yearly Progress (AYP) Reports 		

¹⁰ If the state has more than one assessment to cover its language arts standards, the State must create a method for including scores from all the relevant assessments.

PRINCIPLE 9. State Accountability System is statistically valid and reliable.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.1 How do AYP determinations meet the State's standard for acceptable reliability?</p>	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

As noted in Critical Element 5.5, statistical reliability is not necessarily the best measure of precision in making AYP determinations. Instead, the notion of consequential validity is of more importance, especially in light of the high stakes associated with the misclassification of schools.

In this regard, the CDE currently supports research by Dr. David Rogosa of Stanford University on the potential for misclassification of schools based on API gains and losses. This includes an ongoing estimate of decision consistency. The CDE plans to extend this research to encompass the new federal AYP criteria as they are incorporated into the state accountability system, including the publication of estimates of decision consistency.

Supporting Evidence:

- [“Accuracy of API Index and School Base Report Elements” by Dr. David Rogosa \(Dec. 2002\)](#)
- [“Year 2000 Update: Accuracy of API Index and School Base Report Elements” by Dr. David Rogosa \(December 2002\)](#)
- [“Year 2001 Update: Accuracy of API Index and School Base Report Elements” by Dr. David Rogosa \(December 2002\)](#)
- [“Irrelevance of Reliability Coefficients to Accountability Systems: Statistical Disconnect in Kane-Staiger ‘Volatility in School Test Scores’” by Dr. David Rogosa \(October 2002\)](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>California plans to continue its already existing process for public schools and LEAs to appeal an AYP decision. Currently, annual appeals of the AYP decision can be made based on statistical or other substantive reasons ([per Title I, Part A, Section 1116(b)(2)]). Appeals are required to be submitted to the CDE 10 days after an AYP determination is made. The CDE reviews each appeal on a case-by-case basis.</p> <p>In addition to an appeal of an AYP decision, following the publication of preliminary results in the summer, an LEA may also submit a request to correct erroneous demographic information that may affect the subgroup analysis on the statewide assessments used to determine AYP. This is in accord with established practice in conjunction with the API reporting cycle.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</p>	<p>State has a plan to maintain continuity in AYP decisions necessary for validity through planned assessment changes, and other changes necessary to comply fully with NCLB.¹¹</p> <p>State has a plan for including new public schools in the State Accountability System.</p> <p>State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.</p>	<p>State's transition plan interrupts annual determination of AYP.</p> <p>State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.</p>

¹¹ Several events may occur which necessitate such a plan. For example, (1) the state may need to include additional assessments in grades three through eight by 2005-2006; (2) the State may revise content and/or academic achievement standards; (3) the State may need to recalculate the starting point with the addition of new assessments; or (4) the State may need to incorporate the graduation rate or other indicators into its state accountability system. These events may require new calculations of validity and reliability.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

California has a plan that describes the anticipated changes in the statewide assessments over the next three years. The three-year assessment plan closely interacts with the six-year plan for the API, because the API is based on the statewide assessments. (Recall the API is the additional indicator for AYP allowed under NCLB.)

The API is computed in base-growth cycles. That is, for the 2002-03 cycle the base is computed on the 2002 assessment results and released in January 2003; the growth is computed on 2003 assessment results and released in October 2003. The API calculation is always the same within each base-growth cycle (i.e. progress is assessed on the same indicators from Time 1 to Time 2). Any new assessments or new calculation methods are introduced into the API at the start of a new base-growth cycle. When the API was first developed in 1999 it included only a norm-referenced test. In 2001 the CST in ELA was added to the API. In 2002, the CST in mathematics and results from the CAHSEE were added. In 2003, a grade eight CST in history/social science and results from the CAPA were added. A grade five standards-based science assessment was added in 2004, and a grade eight and grade ten standards-based science assessment will be added in 2006 (science assessments are required under NCLB).

One of the more immediate changes in our assessments that will impact AYP involves the establishment of three performance levels on the CAHSEE per the NCLB requirements. As described earlier in this workbook, a starting point for grades ten through twelve has now been calculated. This starting point was an estimate because when the CAHSEE was administered for the first time in 2001 it was offered on a voluntary basis to grade nine students.

The SBE will annually review the plans for the statewide assessment system and the API. The CDE will expand this to include changes in the AYP measure resulting from changes in assessments as necessary.

Supporting Evidence:

- [Three-year Plan for the Development of California's Assessment System](#)
- ["The Academic Performance Index \(API\): A Six-Year Plan for Development \(2001-2006\)" \(Attachment R\)](#)

PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?</p>	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The CDE is able to calculate participation rates because it requires that a SAD be completed for each student in the grades to be assessed, including students who do not take the assessment.

Participation rates for AYP purposes will be calculated by dividing the number of students tested by the number of students enrolled on the first day of testing. Standard rounding rules will be applied in the calculation of participation rates. These rates will be calculated for ELA and mathematics separately. An LEA, school, or a numerically significant subgroup must have a participation rate of 95 percent or greater in order for an LEA, school, or a numerically significant subgroup to make AYP.

In order to comply with the requirements of NCLB, for STAR the number of students enrolled on the first day of testing will include students who have been excluded from testing at the request of parents or guardians. This is contrary to past State practice in which these students were subtracted from the denominator in calculating participation rates. The right for a parent or guardian to request that a student be excused from STAR is recognized by California *EC* Section 60615. There are no similar provisions for student exclusions on the CAHSEE. Students participating in the CAPA will be included in both the numerator and denominator.

California will consider all students who have sat for the assessment as participants. This includes students who failed to respond to enough items to generate a result. In testing parlance, these students are termed “did not attempts.” For accountability purposes, these latter students will be considered to be in the lowest performance level, i.e., “far below basic” and therefore as not proficient.

Calculating participation rates for small schools/LEAs presents two major challenges:

1. Because of small numbers of students, these rates are subject to extreme fluctuation.
2. A small school or LEA in effect has to exceed the 95 percent requirement since it is arithmetically impossible to achieve precisely a 95 percent participation rate. For example, a school with 50 students would actually have to achieve a 96 percent participation rate.

Assistant Secretary Simon addressed these issues in his letter to the Chief State School Officers on May 19, 2004, and his letter to California on July 23, 2004. These letters linked the requirement for calculating the participation rate to the minimum size of the student subgroup. In California, to be considered numerically significant, a student subgroup must consist of at least 50 students who constitute 15 percent of the students in the grades assessed. A student subgroup of 100 or more students is considered significant even if it does not constitute 15 percent of the total number of students.

Consistent with the flexibility outlined in the letters from Assistant Secretary Simon, California will:

- Not calculate participation rates for schools/LEAs with less than 50 students eligible for testing, the lower boundary of California’s formula for calculating whether student subgroups are numerically significant or not.
- Round the participation rate up to the nearest whole number for schools/LEAs or student subgroups with between 51 and 99 students eligible for testing.
- Set a maximum of three non-tested students for schools/LEAs or student subgroups with precisely 50 students. (Otherwise, such a school or LEA would be held to a more rigorous criterion than a school or LEA with 51 students.)

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Also, California elects to exercise the flexibility offered by Assistant Secretary Simon on May 19, 2004, and average school/LEA and subgroup participation rates for two or three years beginning in 2004. In its averaging methodology, California will aggregate participation data from two or three years and then apply the same procedures as it would for evaluating data from one year.

For schools/LEAs and student subgroups with 100 or more students enrolled in the grades tested, California will employ standard rounding rules, as indicated above.

Supporting Evidence:

- [California Education Code Section 60615 that describes the allowance for parental waivers to excuse students from the STAR Program](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?</p>	<p>State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.</p>	<p>State does not have a procedure for making this determination.</p>
<p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p>		
<p>California will apply the 95 percent requirement to any LEA, school, or student subgroup that meets its criteria for numerically significant in terms of <u>enrollment in the grades tested</u>. This will occur even if the LEA, school, or student subgroup does not generate enough valid scores to require determining whether or not the LEA, school, or student subgroup met the AMOs (see critical elements 3.2b and 3.2c).</p> <p>The 95 percent requirement is applied prior to the determination of whether or not the LEA, school, or student subgroup would have met the AMOs. An LEA, school, or student subgroup that does not meet the 95 percent requirement is deemed to have not made AYP, regardless of whether or not it would have met the AMOs, i.e., the percent proficient or above.</p>		

Appendix A

Required Data Elements for State Report Card

1111(h)(1)(C)

1. Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
2. Information that provides a comparison between the actual achievement levels of each student subgroup and the State's annual measurable objectives for each such group of students on each of the academic assessments.
3. The percentage of students not tested (disaggregated by the student subgroups), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
4. The most recent 2-year trend in student achievement in each subject area, and for each grade level, for the required assessments.
5. Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards disaggregated by student subgroups.
6. Graduation rates for secondary school students disaggregated by student subgroups.
7. Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116.
8. The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which (for this purpose) means schools in the top quartile of poverty and the bottom quartile of poverty in the State.