

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)**

DUE: JANUARY 31, 2003



**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
(202) 401-0113

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 |
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| 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> . |
| F | 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

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| 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

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

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| 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

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| 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

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| 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

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| 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 |
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| <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> |
| <p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p> | | |
| <p>The Accountability and Reporting policy (revised for the February 2003 State Board meeting) includes all public schools in accordance with Nebraska law (Rev. Stat. 79-760 at http://statutes.unicam.state.ne.us/corpus/statutes/chap79/r7907060.html). In April, the State Board approved the School Performance Policy that defines accountability for student performance for all schools and districts.</p> <p>Schools without grades included in the assessment system (i.e., K-2) will be given the same status and held to the requirements of the school to which the majority of their graduates attend. This also applies to districts or schools with no students in the grades assessed. There are no charter or State operated schools in Nebraska. The juvenile justice schools are under the Department of Corrections. Students in detention and treatment centers who are wards of the court or the State are considered by law to be residents of the district where they resided at the time of wardship.(Rev. Stat. 79-215)</p> <p>Schools designed to serve only contracted Special Education school-age students will not be included since the students who are contracted for Special Education services will be included with the student’s resident district. Prekindergarten only schools will not be included since preschool services are not required by the State.</p> | | |

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| CRITICAL ELEMENT | EXAMPLES FOR MEETING STATUTORY REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| <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>All schools and districts in the State are held to the same criteria when making AYP determinations. The STARS assessment results are used for determining AYP status. All schools and districts submit data specifically for AYP determinations. The AYP definition is integrated into the State accountability system but the nature of Nebraska's schools present a unique challenge.</p> <p>Update 2008: Major district reorganization occurred in June 2006 with the number of districts decreasing from about 460 to 254. Nebraska continues to have small rural districts that have no groups meeting the minimum number for AYP determinations.</p> <p>However, all schools and districts in Nebraska are included in the State's policies on Accountability and Reporting and School Performance. Starting with the results of the 2002-03 school year, a rating of Unacceptable or Acceptable, Needs Improvement for student performance or for the quality of assessments (portfolio rating) triggers consequences and penalties related to accreditation for all schools regardless of the number of students included in the assessments. Appendix A provides details on the State's accountability policy for STARS including how it applies to small schools.</p> <p>With the consolidation of districts in 2006, all the previously small elementary only districts are now part of K-12 school systems. Each K-12 system receives a STARS student performance and a quality of assessment rating. Any building reporting fewer than 10 students will be held to AYP Continuous Progress Status (school improvement) based on the district's ratings.</p> <p>Update 2009 Transition to NeSA All public schools will use the new statewide tests (Nebraska State Accountability – NeSA) starting with Reading (NeSA-R) and Reading Alternate Assessment (NeSA-AAR) in 2009-10 and Math tests in 2010-11. AYP determinations will use the NeSA results for calculating the percent of students at the proficient level.</p> | | |
| CRITICAL ELEMENT | EXAMPLES FOR MEETING STATUTORY REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
| <p>1.3 Does the State have, at a</p> | <p>State has defined three levels of</p> | <p>Standards do not meet the</p> |

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| <p>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>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>legislated requirements.</p> |
| <p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING 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.

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In the STARS (School-based Teacher-led Assessment and Reporting System) assessment system, student performance achievement levels are determined for each classroom assessment according to criteria established under the Quality Indicators. This process must be conducted in a technically appropriate manner, i.e., the Angoff method. (Appendix D provides detailed information on the review of student performance levels in the assessment portfolios.) To assist schools in applying the technical requirements of assessment development under STARS, the State has initiated assessment training for veteran teachers, administrators and staff developers from throughout the State. Each district annually submits an assessment portfolio for external review by assessment experts who evaluate sample assessments and the process established by the district for determining student achievement levels. Student performance on Reading and Math standards is reported in four levels – basic, progressing, proficient and advanced.

The STARS system establishes a rating for the percent of students performing at mastery (proficient and advanced) level for each Reading and Math. Each grade level in each school receives a rating on the Report Card on one of five levels of performance: Unacceptable; Acceptable, Needs Improvement; Good; Very Good; or Exemplary. These ratings levels are determined in a standards setting cut score process by The Buros Center for Testing.

Update 2008

The Nebraska-Led Peer Review of STARS, initiated in 2006-07, conducted the same review of the performance levels during the on-site visits as would have been done prior to that in the submission of the assessment portfolios.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

All NeSA tests (NeSA-R, NeSA-AAR, NeSA-M and NeSA-AAM) are being designed to provide three levels of student achievement. Basic, Proficient and Advanced. The performance level cut-scores will be established after the initial operational test in each subject area.

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| <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</p> | <p>Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.</p> |

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| STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS | | |
| <p>Until the Nebraska Student Staff Record System (NSSRS) is fully implemented, districts will continue to be responsible for reporting to the State their student performance on STARS assessments, norm-referenced test results, and data needed to make AYP decisions by June 30 of each year. Starting with the 2005-06 reporting, the State will make these results, including the AYP status decisions, available to each district on August 1 through what is known as the “10-day window”. During the 10-day window, districts review all data submitted and the AYP status decisions, including whether a school or district has been identified as being in need of improvement. This timeline change is possible now that almost all districts have received a Good, Very Good, or Exemplary rating on the Assessment Portfolios – a rating that is required in the calculation of adequate yearly progress. Districts will know by August 1 whether any Title I school is identified to be in need of improvement and will have sufficient time before the start of the school year, to notify parents, budget Title I funds appropriately, and meet any other applicable Title I requirement. Districts will have 30 days from August 1 to submit appeals from schools to the State as required in NCLB.</p> <p>Update 2008 The NSSRS is being implemented in the 2007-08 school year. A validation report has been designed to allow districts to check their AYP status after June 30 and before the 10-day window in August. The validation report will calculate the AYP decisions based on the data submitted thus providing districts with this information even earlier than the 10-day window.</p> <p>STARS information is provided at: http://www.nde.state.ne.us/stars/index.html</p> | | |

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| <p>Update 2009 Transition to NeSA NeSA information is found at: http://www.nde.state.ne.us/Assessment/index.html</p> <p>The initial operational test of NeSA-R and NeSA-AAR in Spring 2010 will have achievement level cut scores set in June 2010. AYP decisions will be provided to districts as soon as possible but not later than August 1. Districts will know their AYP status prior to the start of the school year. In subsequent years, AYP decisions for Reading will again be available by July 1 and districts will have until July 30 to submit AYP appeals. The same process and timeline will apply to the initial operational tests of NeSA-M and NeSA-AAM in 2011.</p> | | |
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| CRITICAL ELEMENT | EXAMPLES FOR MEETING STATUTORY REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| 1.5 Does the State Accountability System produce an annual State Report Card? | <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</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> |

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| | <p>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> | |
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STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State has provided an annual Report Card since 2000. The current Report Card can be viewed at <http://reportcard.nde.state.ne.us/>. The Report Card provides State, district and school level information. In Nebraska, districts report student performance on every standard in the subject area assessed that year in the STARS assessments. Statewide writing and norm-referenced test results are also provided. The Report Card includes district goals as well as demographic, student, staff and financial information. Trend data are provided.

Update 2008

With the implementation of the NSSRS, the data will be available to produce all the required elements for the State of the Schools Report. All data required for NCLB qualified teachers will be displayed in a format required by NCLB. Templates of the proposed changes were submitted to ED in December 2007. The State of the Schools Report will open to the districts in August and to the public in November with all of the changes.

Update 2009 Transition to NeSA

The State of the Schools Report (Nebraska's report card) will display NeSA results instead of STARS as the new statewide tests are implemented.

| CRITICAL ELEMENT | EXAMPLES FOR MEETING STATUTORY REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| <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, | <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 [§200.12(b)(40)].

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| | <ul style="list-style-type: none"> Applied uniformly across public schools and LEAs. | |
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STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The State currently recognizes districts that develop exemplary assessments under the STARS assessment system. These exemplary assessments can be used as models for other districts. The State does not have monetary rewards for districts. It is highly unlikely that the State legislature will be providing additional funds for high performing districts since it is proposing to cut State support for districts in order to meet a financial shortfall. Because standards, assessment and accountability are incorporated into Rule 10, school districts are in danger of losing accreditation if they are not in full compliance with the assessment system.

The State Board of Education approved a policy on school performance in April, 2003. In addition to the actions for schools with low student performance or quality assessments (See Appendix A), this policy identifies rewards for high quality assessments as:

- Special recognition in the State of the Schools Report and other documents
- Involvement in leadership opportunities of model quality practices linked to high student performance
- Reduction in requirements for annual submission of assessment quality documentation to the Department of Education.

Rewards for high student performance ratings include:

- Special listing in the State of the Schools Report and other documents
- Involvement in leadership opportunities to model quality practices.

The NCLB requirements will continue to apply to all Title I schools. Title I funds (the 2% and 4% reservation) will continue to be made available to Title I schools identified as needing improvement.

Rule 10 can be found at: <http://www.nde.state.ne.us/legal/clean10.pdf>

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

The State Board of Education is in the process of developing a new State Accountability policy that includes NeSA. The NCLB requirements for AYP will continue to be used and to include all districts and schools in the State.

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

| CRITICAL ELEMENT | EXAMPLES FOR MEETING STATUTORY REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| 2.1 How does the State Accountability System include all students in the State? | <p>All students in the State are included in the State Accountability System.</p> <p>The definitions of "public school"</p> | Public school students exist in the State for whom the State Accountability System makes no provision. |

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| | and "LEA" account for all students enrolled in the public school district, regardless of program or type of public school. | |
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STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Rev. Stat. 76-960 requires all students to be included in the State assessments.

Schools without grades included in the assessment system (i.e., K-2) will be held accountable to the school to which the majority of their graduates attend.

Schools designed to serve only contracted Special Education school-age students will not be included since the students who are contracted for Special Education services will be included with their resident district. Prekindergarten only schools will not be included since preschool services are not required by the State.

Update 2008

The determination of AYP decisions, including participation rates, will use the data from the Nebraska Student, Staff Record System (NSSRS) starting in the 2007-08 school year. This will ensure that all students who are enrolled in a district for a full academic year will be included in district decisions on student performance and all students in the State will be included in AYP state data. Participation rates will be determined from the NSSRS to ensure that all students (FAY and non-FAY) are included.

| CRITICAL ELEMENT | EXAMPLES FOR MEETING STATUTORY REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| <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> |

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Nebraska standards are imbedded in the curriculum of the classroom and assessed multiple times over the course of the school year. There is no set date(s) for conducting the assessments. Some districts have developed summative assessments for the standards that are given in the Spring of the year. To ensure that all districts have the opportunity to include all assessments, a full academic year for a student is defined as being enrolled from the Last Friday in September (the official enrollment date for the State) until the end of the assessments or the end of the school year. The end of the assessment year could not occur prior to February since that is the month all districts are required to participate in the statewide writing assessment.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

Updated 2011

The definition of Full Academic Year (FAY) changes as NeSA is implemented. FAY at the school level is defined as having a NeSA assessment score (including a zero) and being enrolled in that school as of the last Friday in September (official enrollment date) and at the district level as having a NeSA assessment score (including a zero) and being enrolled in the district as of the last Friday in September. For 2009-10, FAY will be determined using this definition for NeSA-R and NeSA-AAR and in 2010-11 and beyond for all NeSA tests.

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| <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> |

| STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS |
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| <p>Update 2008 The Nebraska Student Staff Record System (NSSRS) collects data from the districts from each student that identifies whether that student has been enrolled a full academic year (FAY) in the district as well as in a school. The NSSRS allows the State to follow students who transfer during the school year between districts through the use of a unique student identifier number.</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 |
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| <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> |

| STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS |
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| <p>The State's definition of adequate yearly progress is provided in Appendix B.</p> <p>Update 2009 Transition to NeSA For 2009-10, the AYP Intermediate Goals in Appendix C will be used for Math. New Intermediate Goals will be established after the initial operational Reading tests using the process defined in NCLB.</p> |

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 |
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| <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

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

To ensure high levels of reliability in AYP decisions, the State uses a minimum of 30 participants enrolled for a full academic year. Data from all schools within a district will be aggregated to a district level. The district data will be used to determine AYP status using the State goals. Since the purpose of an accountability system is to ensure that schools or populations of students needing to improve are appropriately identified for intervention, each district must not demonstrate progress for two consecutive years in all grade spans in the same subject area to result in identification of needing improvement. A school will be identified as being in need of improvement if any group fails to make AYP for two consecutive years in the same subject.

If in any particular year, an accountability group fails to meet or exceed the progress goal but has decreased by 10% the percentage required to be considered proficient, and that group has at least 95% participation rate in the assessments, and meets the goal for the other academic indicator, that accountability group will be considered to have made adequate yearly progress.

The procedure for determining whether any group, school or district has met the State goal is amended as follows:

A 99% confidence interval will be applied to the Reading, Mathematics, and Writing (other academic indicator at the elementary and middle grade levels) for all groups, schools and districts having the minimum number of 30. This amendment changes the previously approved minimum number for students with disabilities from 45 to 30.

The Safe Harbor procedure is amended to include the use of a 75% confidence interval.

New 2008

The process for Safe Harbor is amended to take into account progress on the Other Academic Indicator for subgroups within a school or district. Graduation data will be collected to ensure that Safe Harbor can be applied at the high school level whenever a subgroup is eligible.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| <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> |
| <p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p> | | |
| <p>See Appendix C.</p> <p>Update 2009 Transition to NeSA For 2009-10, the AYP Intermediate Goals in Appendix C will be used for Math. New Intermediate Goals will be established after the initial operational tests using the process defined in NCLB.</p> | | |

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

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| <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>The annual measurable objectives will be applied to each school building and school district, as well as to each subgroup at the school building, district, and statewide levels to determine AYP status. Data will be aggregated in districts with multiple schools and grade levels to determine district AYP status.</p> <p>See Appendix C.</p> <p>Update 2009 Transition to NeSA For 2009-10, the AYP Intermediate Goals in Appendix C will be used for Math. New Intermediate Goals will be established after the initial operational tests using the process defined in NCLB.</p> | | |

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| <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 | | |
| <p>See Appendix C.</p> <p>Update 2009 Transition to NeSA For 2009-10, the AYP Intermediate Goals in Appendix C will be used for Math. New Intermediate Goals will be established after the initial operational Reading tests using the process defined in NCLB.</p> | | |

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

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| <p>4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?</p> | <p>AYP decisions for each public school and LEA are made annually.⁴</p> | <p>AYP decisions for public schools and LEAs are not made annually.</p> |

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Beginning with the 2002-03 student performance results, an annual determination of AYP status will be made for each public school and district reporting results for the minimum required number of students. Small schools and districts will be held accountable and identified as needing improvement based on the State accountability policy regardless of the number of students. (See Appendix A.)

The following procedure will be used to make the annual AYP determinations:

Indicators --

Student Performance

A determination of whether Reading and Mathematics student performance results met the State goal for that subject using a 99% confidence interval for each group that contains at least the minimum number of 30.

Participation Rate of 95%

Participation rates will be determined using the higher rate of the current year or the average of the previous year and the current year.

Other Academic Indicator

- a) Elementary and middle schools – A determination of whether Statewide writing results meet the State goal using a 99% confidence interval.
- b) Graduation rate at high school – a determination of whether the graduation rate meets the State goal of 90% or demonstrates progress of at least 2 percentage points
- c) Quality of the STARS Assessments – The rating for the assessment portfolio must be at Good, Very Good or Exemplary.

School Level AYP Determinations

A school will be classified as not having met AYP if any one of the these indicators is found to not meet the State goals:

- 1. Reading student performance results and Reading participation,
- 2. Math student performance results and Math participation,
- 3. Other academic indicator (State writing assessment at the elementary and middle school levels, graduation rate at the high school level), and
- 4. Quality of the STARS assessments.

Two consecutive years of not making AYP in any group in the same indicator will classify the school as being in need of improvement. Safe Harbor, as described below, will be applied to AYP determinations at the school level..

Safe Harbor will be applied using the procedure defined in the law and applying a 75% confidence interval to the results. The goal for the participation rate and the other Academic Indicator must still be met.

District Level AYP Determinations

Two consecutive years of not making AYP in any group in the same indicator in all grade levels present in the district will classify the district as being in need of improvement. Safe Harbor, as described above, will be applied to the aggregated data.

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In April, 2006, the State legislature passed LB 126 that requires all districts in the State to be K-12 districts. This consolidation process will a) add elementary-only districts to existing K-12 districts or b) merge elementary-only with secondary-only districts. The following rules will be used in applying the consecutive years of progress for AYP decisions. A school or district starts the consecutive years of progress anew:

School --

- a) When the grade configuration changes by two or more grade levels that include grades being reported for STARS assessments.
- b) When the enrollment of the building increases or decreases by at least 60% from the previous year.

District --

- a) When the grade levels in the district changes from a Class VI (high school only) to a K-12 district.

Update 2009 Transition to NeSA

Very small schools and grade spans having no groups of 30 (minimum n-size):

Very small schools are districts without multiple buildings at any grade span that have any grade span or school with no groups meeting the minimum group size of 30 students. To ensure that every small school and grade span has an AYP decision, data will be aggregated across all grade spans. The NeSA AYP goal of the grade span contributing the greatest number of students to the aggregated data will be used to make the AYP decision and that decision will be applied to all the grade spans. The AYP process described above will be used including the 99% confidence interval.

Districts with multiple small schools at the same grade span will receive the district level AYP decision for that grade span in all the small schools.

Also see Appendix C.

Update 2010-11

Results from two years (current and the previous year) will be combined for any grade span or school with no groups of 30. If the combined data for students enrolled a Full Academic Year equals or exceeds 30, the school or district will no longer be included in the "very small" processes described above. This process will be used for Reading in 2010-11 since there are two years of NeSA Reading results and will start for Math in 2011-12 when two years of NeSA Math results are available.

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

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| <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> |
| <p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p> | | |
| <p>Update 2008 The data submitted for student performance on all content standards in the Nebraska Student Staff Record System will be used to aggregate data for the following subgroups for AYP determinations: all students, gender, race/ethnicity, socio-economic status (low-income), English Language Learners, students with disabilities and students served in Migrant programs. Disaggregated data for gender and Migrant students are required for the State Report Card but are not included in the AYP determinations.</p> <p>STARS information is provided at: http://www.nde.state.ne.us/stars/index.html</p> <p>Update 2009 Transition to NeSA NeSA information is found at: http://www.nde.state.ne.us/Assessment/index.html</p> | | |
| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF NOT 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> |

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Schools and districts will be held accountable for the performance of the following groups that meet the minimum size requirements for accountability purposes:

- o All students;
- o Socio-economic status (low income defined as eligible for free or reduced lunch program);
- o English Language Learners;
- o Students with disabilities (defined under section 602(3) of the Individuals with Disabilities Education Act);
- o Major Race/ethnicity groups (Asian/Pacific Islander, Black/Not Hispanic, Hispanic, Native American and White/Not Hispanic). Major race/ethnicity groups will be revisited when additional guidance is available about upcoming changes in the national classification system.

The definition of Limited English Proficient in NCLB is as follows: an individual whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual (i) the ability to meet the State’s proficient level of achievement on State assessments, (ii) the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. The students to be included in the determination of AYP for the subgroup of English Language Learners are those who meet the definition of Limited English Proficient as defined in NCLB. Districts must identify if the district will be including students who have exited from services or a program in the district within the last two full years for AYP calculations.

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS |
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| <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

All students with disabilities participate in the STARS assessment systems with regular assessments, accommodations for assessments as defined in the student's IEP, or an alternate assessment. Nebraska has developed alternate standards for the most severely involved special education students and determined four levels of performance for each standard. The State has developed assessments based on the alternate standards and aligned to the State's content standards that are used by all districts to determine student performance on the standards. Student performance results on alternate assessments are reported annually by each district in the NSSRS.

For determining AYP status, students with alternate assessments will be counted as performing at the level of performance they demonstrate on the assessments of the alternate standards. The number of students taking alternate assessments based on alternate standards should not exceed 1% of the population of any school. For the 2001-02 schoolyear, the statewide percentage of students taking alternate assessments was 00.794%.

The new guidance requires States to establish a 1% cap on the percent of scores of alternate assessments included as proficient. Nebraska will collect the additional data and calculate the percentage for each district. If these calculations indicate a district has exceeded the 1% cap, the SEA will provide a waiver, if appropriate, using the guidelines provided by the U. S. Department of Education (including REAP eligible as a definition of small). Since the State's participation rate for alternate assessments has remained below .80%, it is not anticipated that the State or any district will exceed a 1% cap on "proficient scores".

Update 2008

The expectation in Nebraska is that all students are assessed at grade level. Special education students receive accommodations according to their IEPs in order to provide them appropriate testing opportunities. Accommodations for assessment are to match accommodations for instruction. If a student's IEP requires that a student be tested with a test below grade level, districts have been instructed that these students must be counted as non-participants for AYP purposes. The NSSRS has been designed to collect this information at the student level.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

All students with disabilities participate in NeSA assessments with appropriate accommodations, if needed, or in NeSA-AA (alternate assessments).

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| <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> |
| <p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p> | | |
| <p>All English Language Learners are required, under Rev. Stat. 79-760 to participate in the State assessment system. Alternate assessments are allowed only for non-English speakers in their first three years in a U. S. school (as determined by a language proficiency test). If the alternate assessment is not aligned to the content standards and cannot produce a score that is equivalent to the proficiency levels at grade level (out of level testing) then the student will be not be considered a participant for AYP calculations except for recently arrived students as noted below.</p> <p>Nebraska will implement the new guidance for recently arrived LEP students (enrolled in a U. S. Public School for less than 12 months). Districts may exclude the scores of recently arrived LEP students on STARS math and reading assessments from one cycle of AYP determinations.</p> <p>Nebraska will use the NCLB definition of Limited English Proficient for AYP reporting purposes. The following is from the Department's guidance provided to all districts: The definition of Limited English Proficient in NCLB is as follows: an individual whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual (i) the ability to meet the State's proficient level of achievement on State assessments, (ii) the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. The students to be included in the determination of AYP for the subgroup of English Language Learners are those who meet the definition of Limited English Proficient as defined in NCLB, or students who have exited from services or a program in the district within the last two full years.</p> <p>.</p> <p>STARS information is provided at: http://www.nde.state.ne.us/stars/index.html</p> <p>Update 2009 Transition to NeSA NeSA information is found at: http://www.nde.state.ne.us/Assessment/index.html</p> | | |

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| <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> |
| <p>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</p> | | |
| <p>For public reporting of results, the State uses less than 10. All accountability groups with less than 10 students or with all students in the same proficiency level will have results masked for public reporting.</p> <p>For accountability purposes, the State will use a minimum number of 30 students in an accountability group. The rationale for selecting an “n” of 30 for statistical reliability was based upon three things: 1) examination of statistical tables illustrating where data begins to level off; 2) NCES’ use of 30; and 3) the recommendation of the Buros Center for Testing.</p> | | |

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

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| 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 | | |
| Nebraska will protect the privacy of students for public reporting by masking all results for groups with fewer than 10 students or all students in the same proficiency level. | | |

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

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
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| 6.1 How is the State’s definition of adequate yearly progress based primarily on academic assessments? | <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> | Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments. |

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.

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The multiple measures of progress include student performance on Reading and Math assessments, the Quality of Assessments rating, graduation at the high school level and the Statewide writing assessment at the middle and elementary school levels.

Update 2009 Transition to NeSA

In 2009-10, adequate yearly progress is based on NeSA-R and NeSA-AAR for Reading and the STARS assessments for Math. In 2010-11 and beyond, adequate yearly progress will be based on NeSA assessments.

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 |
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| <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</p> | <p>State definition of public high school graduation rate does not meet these criteria.</p> |

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| | use when applying the exception clause ⁸ to make AYP. | |

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

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Nebraska will use the previous year's data on graduation rate in order to provide timely information of making AYP determinations.

Nebraska uses the National Center for Education Statistics (NCES) definition for graduation rate.

FORMULA

High School Completers Year 4

$$\frac{\text{Dropouts (Grade 9 Year 1+Grade 10 Year 2+Grade 11 Year 3+Grade 12 Year)} + \text{High School Completers Year 4}}{\text{Total}} \times 100$$

- Does not include GED or other diploma recipients.
- Includes on-time graduates who receive a regular diploma
- Includes students with disabilities who graduate with a regular diploma in a program described in their Individualized Educational Program that may take more than four years.
- Includes English Language Learners who are enrolled in a LEP program that provides services that allow a fifth year in order to receive a regular diploma. Inclusion of ELL students must be made on a case-by-case basis as determined by the district and will only be applicable to students entering a U. S. school system at some point in the secondary grades (middle and high school).
- Does not count students who drop out as transfer students.
- Is able to calculate graduation rate in the aggregate for AYP status decisions.
- Graduation rate currently only available for all students, racial-ethnic categories and gender. Building level graduation data is being collected from every district with multiple high schools and will be used as the Other Academic Indicator in AYP determinations.
- Graduation data for all sub-groups will be available when state level student records system is implemented. Until that time, districts will need to submit disaggregated data if the application of the safe harbor provision is appropriate.

Nebraska Department of Education
 2001-2002 Graduation Rate
 Public School Graduation Rate (NCES definition)

| Racial Ethnic Background | Graduation Rate |
|---------------------------------|------------------------|
| White, Not Hispanic | 88.02 |
| Black, Not Hispanic | 55.33 |
| American Indian/Alaska Native | 46.89 |
| Asian/Pacific Islander | 87.17 |
| Hispanic | 56.27 |
| TOTAL: | 83.97 |

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

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| <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> |

⁹ NCLB only lists these indicators as examples.

STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The other academic indicator at elementary and middle schools will be the statewide writing assessment administered to all students in grades 4, 8 and 11. A trait-based writing model is used. In the statewide writing assessment students demonstrate their writing skills in response to a prompt designed and selected for their appropriate grade levels. The Nebraska Department of Education convenes panels of teachers annually to develop, refine and pilot the prompts with students prior to their statewide implementation. Students in the three grade levels respond to prompts in different modes of writing: descriptive (grade 4), narrative (grade 8), and persuasive (grade 11).

The writing assessments are scored by experienced Nebraska teachers trained in trait-based writing. The scoring is based upon six traits of writing with clearly identified performance indicators. Scoring rubrics have been designed at each grade level assessed: 4th, 8th and 11th. The scoring occurs at three regional scoring locations within the state. At each of the geographically representative scoring sites, a random sample of writing assessments is also scored. The results are examined and analyzed by the Buros Center for Testing. The same random sample of papers is also scored out of the state by an independent and externally contracted test maker. In this way, Nebraska provides checks and balances to the regional scoring and to the assessment system as a whole.

All of the results are analyzed by the Buros Center for Testing for technical reliability. Additionally, the Buros Center for Testing conducts and facilitates a standard-setting process annually in order to establish the proficiency levels used to determine whether or not students mastered the writing standards. This standard-setting process uses teams of experienced teachers from across the state of Nebraska. Once the mastery levels have been statistically determined and finalized, Nebraska school districts received access to their results electronically as well as in written reports. These reports include information at the district, building, and individual student levels. These written reports provide information about the achievement of Nebraska students on the writing standards.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS |
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| 7.3 Are the State's academic indicators valid and reliable? | <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</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> |

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

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| | any. | State has an academic indicator that is not consistent within grade levels. |
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STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

In the STARS assessment system, districts measure student performance on reading and mathematics using a combination of norm-referenced assessments and criterion-referenced assessments or locally developed criterion or classroom assessments. Reading and mathematics student performance results are valid and reliable. School districts are required to document the technical processes used for establishing validity and reliability for locally developed assessments. (See Appendix D for an example of Quality Indicator 6) The documentation submitted by the districts in the Assessment Portfolio is reviewed and evaluated by external experts. Statewide validity and reliability of the process used has been determined through the work of the Buros Center for Testing in the standards alignment, reliability and Quality Indicators and the statewide cut-score process.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

All NeSA assessments are being evaluated for reliability and validity in the development process which is included in Nebraska's Compliance Agreement's Action Plan

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>Reading and Math results are reported separately.</p> <p>STARS information is provided at: http://www.nde.state.ne.us/stars/index.html The current Report Card can be viewed at http://reportcard.nde.state.ne.us/.</p> <p>Update 2009 Transition to NeSA NeSA information is found at: http://www.nde.state.ne.us/Assessment/index.html</p> | | |

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

In consultation with the Buros Center for Testing, statistical strategies for calculating the reliability of a local assessment system have been discussed. Dr. Barbara Plake, Director of the Buros Center has suggested "split halves" as the only possible decision consistency model that might be employed as a statistical analysis for reliability. However, in order to apply that model, a much different data system would need to be in place. Otherwise undue burden would be placed on local districts. Therefore, it is the recommendation of Nebraska's technical advisor, the Buros Center for Testing, that other procedural methods be implemented in order to verify the validity and reliability of Nebraska's AYP plan. Those seven strategies include the following:

- 1) The individual data elements of assessment quality, reading and math performance, statewide writing assessment, graduation rate, and participation rate selected for our AYP will be reviewed annually to determine continued match to Nebraska's accountability purpose: improved student learning through high quality assessment in every building.
- 2) Those individual components (listed above) will be evaluated collectively each year to determine their effect on buildings meeting AYP. Close annual monitoring of building improvement will be conducted.
- 3) Verification procedures will be implemented including: data audits, assessment visitations, and district self-checks.
- 4) External testing measures will continue to validate local performance on standards: NAEP, NRT, ACT and the Statewide writing assessment.
- 5) Minimum "n = 30" will contribute to the validity and reliability of AYP decisions.
- 6) Safe Harbor provisions will be applied for purposes of validity and reliability.
- 7) An appeals process for AYP is used that meets NCLB requirements.

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF <i>NOT</i> 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

STARS performance data is analyzed by the Buros Center for Testing and the Department of Education. The STARS portfolio system currently has an audit and appeal timeline and process in place. Each district has a 10 working day “window” to audit and submit information relative to the proposed data for the State Report Card. Districts may request a review of the ratings received on their assessment portfolios. The appeal process for assessment portfolios involves a second review by external assessment experts of the existing portfolio or of additional information submitted.

The STARS assessment system includes an opportunity for districts to review student performance and portfolio ratings prior to finalizing the Report Card. Section 1116(b)(2) provides an appeal process and timelines for schools and districts regarding AYP decisions. A school may appeal an AYP status determination to the district based on objective factors the school considers relevant such as significant demographic changes in the student population, errors in data or other significant issues. The district has 30 days to respond. The district may appeal an AYP status to the State, based on objective data, and the State must make a final determination within 30 days of the date of appeal. In addition, NCLB adds “safe harbor”. Any subgroup that does not meet or exceed the State goal for student performance but has decreased the percentage below mastery, from the previous year, by at least 10% of the expected growth for the annual goal and meets the other requirements is considered to have made adequate yearly progress.

Update 2008

Safe Harbor will use the average of the current year and the previous year’s performance results and the aggregated of the participation counts of the Statewide Writing assessment in grades 4 and 8 when any group of 4th or 8th graders has less than 30 students. The State writing assessment, used as the Other Academic Indicator for Elementary and Middle school AYP determinations, is only given at grades 4 and 8. This amendment will allow the use of Safe Harbor for more small schools since the OAI must have the minimum group size to be included in the AYP calculations.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

All NeSA assessments are being evaluated for reliability and validity in the development process which is included in Nebraska’s Compliance Agreement’s Action Plan.

Nebraska’s assessment system includes an opportunity for districts to review student performance and portfolio ratings prior to finalizing the Report Card. Section 1116(b)(2) provides an appeal process and timelines for schools and districts regarding AYP decisions. A school may appeal an AYP status determination to the district based on objective factors the school considers relevant such as significant demographic changes in the student population, errors in data or other significant issues. The district has 30 days to respond. The district may appeal an AYP status to the State, based on objective data, and the State must make a final determination within 30 days of the date of appeal. In addition, NCLB adds “safe harbor”. Any subgroup that does not meet or exceed the State goal for student performance but has decreased the percentage below mastery, from the previous year, by at least 10% of the expected growth for the annual goal and meets the other requirements is considered to have made adequate yearly progress.

| STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Safe Harbor will use the average of the current year and the previous year's performance results and the aggregated of the participation counts of the Statewide Writing assessment in grades 4 and 8 when any group of 4th or 8th graders has less than 30 students. The State writing assessment, used as the Other Academic Indicator for Elementary and Middle school AYP determinations, is only given at grades 4 and 8. This amendment will allow the use of Safe Harbor for more small schools since the OAI must have the minimum group size to be included in the AYP calculations.</p> | | |
| 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 3-8 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

Update 2008

LB 653 was passed by the Nebraska legislature in 2007. It requires a review and revision of academic content standards in Reading (2007-08), Math (2008-09), Science (2009-10) and Social Studies (2010-2011); academic achievement standards (called performance level descriptors) will be written for the new content standards and used statewide; and a new statewide assessment be developed for Reading (2009-10), Math (2010-11), and Science (2011-12). Since AYP is determined using the STARS assessments, the process for determining AYP will be incorporated into all changes made.

With new academic content standards, the statewide alternate content standards for students with the most significant cognitive disabilities will be revised. Achievement levels for alternate content standards and modified achievement standards for regular content standards will be developed according to the timeline presented below. Alternate assessments for the alternate content standards will be developed.

An AYP Task Force of district and ESU assessment and program directors has been and continues to serve in a valuable advisory role to the NDE. All AYP processes and procedures are also reviewed and approved by the NCLB Committee of Practitioners.

STARS information is provided at: <http://www.nde.state.ne.us/stars/index.html>

Update 2009 Transition to NeSA

NeSA information is found at: <http://www.nde.state.ne.us/Assessment/index.html>

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 NOT 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

Update 2008

With the implementation of the Nebraska Student Staff Record System (NSSRS) in 2007-08, the participation rate will be calculated as follows:

NSSRS was designed to provide information on when a student was “not assessed” which can be used to determine participation rates for all (FAY plus non-FAY) students. The count of not assessed students will be taken from the total of all students enrolled on the last day of the school year and reported on the Student Snapshot (due on June 30) who have:

- o Parent waivers [Assessment Fact: Assessment Status (15)] code (4)
- o Modifications or out-of-level assessments for any student including students with disabilities and English Language Learners [Assessment Fact: Testing Modification (34)], code of (1) or (3) This will need to be adjusted when modified standards and assessments are approved for students with disabilities);
- o All “N” for achievement levels on every standard [Assessment Response: Achievement Level (13)]. This is a required field for each standard reported for each student. The options are: 1 - Beginning, 2 - Progressing, 3 – Proficient, 4 – Advanced; M – Moved and N – Not assessed.

See <http://reportcard.nde.state.ne.us/> for current student performance reporting format.

Update 2009 Transition to NeSA

For 2009-10, the participation rate for Math assessments will remain the same as defined above. The participation rate for Reading will be calculated as follows. Starting in 2010-11 and beyond, this process will be used for all NeSA assessments.

Student enrollment and demographic data from the Nebraska Student and Staff Record System will be updated by districts prior to the first of February when the data will be sent to the vendor. Districts must account for each student in the February 1 data as either assessed or not assessed.

- (a) Numerator: The participation rate is calculated using the number of students enrolled as of February 1, plus any students who transfer in before the end of the testing window, less any students having one of the following Reason Not Tested codes:
 - PAR – Parent Refusal
 - SAE – Student Absent the Entire testing window
- (b) The denominator: All students with scores (includes INV – Invalid)
- (c) Results with the following codes are excluded from participation calculations
 - NLE – No Longer Enrolled (no score)
 - EMW – Emergency Medical Waiver (no score)
 - RAL – Recently Arrived Limited English Proficient (no score for Reading)

CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

| CRITICAL ELEMENT | EXAMPLES FOR MEETING REQUIREMENTS | EXAMPLES OF NOT MEETING REQUIREMENTS |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 10.2 What is the State's policy for determining when the 95% assessed requirement should be applied? | State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules. | State does not have a procedure for making this determination. |
| STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS | | |
| <p>The 95% assessed requirement will be applied when the accountability group includes the minimum number of students (30) to provide statistically reliable information.</p> | | |

Appendix A – No longer applicable.

Appendix B – Definition of AYP

| Component/ requirement | Definition of “Met” | Progress Made | Goal |
|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Student Performance NeSA assessments for Reading and Math (Reading beginning in 2010, Math beginning in 2011) | The percentage of the students, enrolled a full academic year, at the proficient or advanced levels of performance | The percent of students at the proficient level is equal to or exceeds the State goal for that year. The State goal percentage increases until 100% in 2013-14. A 99% confidence interval will be used. | Intermediate Objectives – see Appendix C |
| Other academic indicator at elementary & middle school levels Statewide Writing Test | A cut-score defines the proficient performance for each grade level | The percent of all students at the proficient level must be equal to or exceed the State goal. A 99% confidence interval will be used. Starting in 2007-08, if group size is less than 30, the data from two years of writing results will be used | State goal is 62% for Grade 4 and 61% for Grade 8 (Reading starting points for these grades) |
| Graduation rate at high school | State goal of 90% (State average using the NCES definition) | The school's rate must be equal to or exceed the State goal or show progress of at least 2 percentage points | State goal is 90% |
| Participation rate | Percent of students that participate in the assessments of Reading and Math by grade and accountability group. | Participation rates will use the higher rate of the current year or the average of the previous year and the current year. | At least 95% of the students enrolled during the testing window as established by NDE |

Appendix C – Starting Points and Intermediate Goals

Update 2009-10

Reading for new NeSA Test

Starting Points and Intermediate Goals for all schools and districts having at least one group of 30 (minimum n-size):

To determine the Starting Points for the new Statewide test (NeSA - Reading), the percent proficient was determined for each grade span (elementary, middle school and high school) using the results of the NeSA – Reading and NeSA – Alternate Assessment Reading from the initial operational test in 2009-10. The schools in each grade span were ranked by the percent of students at the proficient level. The Starting Point was identified at the school at the 20th percentile enrollment. Using the same assessment results, a percent proficient was determined for each of the State level subgroups at the same grade spans. The Starting Point (baseline for 2009-10) selected was the highest percentage for each grade span.

The Intermediate goals were determined using equal intervals between the baseline and 100% proficient by 2013-14. (Table A below)

Table A – Reading Goals

| Year | Reading Elem | Year | Reading Middle | Year | Reading High School |
|------------------|--------------|------------------|----------------|------------------|---------------------|
| | Goal (11.95) | | Goal (10.00) | | Goal (10.67) |
| Baseline 2009-10 | 56 | Baseline 2009-10 | 60 | Baseline 2009-10 | 57 |
| 2010-11 | 67 | 2010-11 | 70 | 2010-11 | 68 |
| 2011-12 | 78 | 2011-12 | 80 | 2011-12 | 79 |
| 2012-13 | 89 | 2012-13 | 90 | 2012-13 | 89 |
| 2013-14 | 100 | 2013-14 | 100 | 2013-14 | 100 |

Very small schools and grade spans having no groups of 30 (minimum n-size):

Very small schools are districts without multiple buildings at any grade span that have any grade span or school with no groups meeting the minimum group size of 30 students. To ensure that every small school and grade span has an AYP decision, data will be aggregated across all grade spans. The NeSA AYP goal of the grade span contributing the greatest number of students to the aggregated data will be used to make the AYP decision and that decision will be applied to all the grade spans. The 99% confidence interval will be used with all very small schools and grade spans. (Also see Critical Element 4.1.)

Districts with multiple small schools at the same grade span will receive the district level AYP decision for that grade span in all the small schools.

Update 2010-11

Mathematics

NeSA Math Test

Starting Points and Intermediate Goals for all schools and districts having at least one group of 30 (minimum n-size):

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To determine the Starting Points for the new Statewide test (NeSA - Math), the percent proficient was determined for each grade span (elementary, middle school and high school) using the results of the NeSA – Math and NeSA – Alternate Assessment Math from the initial operational test in 2010-11. The schools in each grade span were ranked by the percent of students at the proficient level. The Starting Point was identified at the school at the 20th percentile enrollment. Using the same assessment results, a percent proficient was determined for each of the State level subgroups at the same grade spans. The Starting Point (baseline for 2010-11) selected was the highest percentage for each grade span.

The Intermediate goals were determined using equal intervals between the baseline and 100% proficient by 2013-14. (Table A below)

Table A – Math Goals

| Year | Math Elem | Year | Math Middle | Year | Math High School |
|------------------|-----------|---------|-------------|---------|------------------|
| | Goal (16) | | Goal (17) | | Goal (20) |
| Baseline 2010-11 | 51% | 2010-11 | 50% | 2010-11 | 41% |
| 2011-12 | 67% | 2011-12 | 67% | 2011-12 | 61% |
| 2012-13 | 84% | 2012-13 | 83% | 2012-13 | 80% |
| 2013-14 | 100% | 2013-14 | 100% | 2013-14 | 100% |

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