Navajo Nation
Department of Diné Education
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)

Submitted to:

U.S. Department of the Interior
Bureau of Indian Education
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U. S. Department of Education
Office of Elementary and Secondary Education
Washington, DC 20202

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Diné School Accountability Plan

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 2002-03 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:

Ms. Celia Sims
U.S. Department of Education
400 Maryland Ave., SW
Room 3W300
Washington, D.C. 20202-6400
(202) 401-0113

Diné School Accountability Plan

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.

Summary of Implementation Status for Required Elements of
State Accountability Systems

Status		State Accountability System Element
Principle 1: All Schools		
F	1.1	Accountability system includes all schools and districts in the state.
F	1.2	Accountability system holds all schools to the same criteria.
F	1.3	Accountability system incorporates the academic achievement standards.
F	1.4	How does the DSAP provide proficiency determination and other information in a timely manner?
F	1.5	Accountability system includes report cards.
P	1.6	Accountability system includes rewards and sanctions.
Principle 2: All Students		
F	2.1	The accountability system includes all students
F	2.2	N/A.

F	2.3	The accountability system determines student enrollment for a school level.
Principle 3: Method of AYP Determinations		
F	3.1	N/A
F	3.2	N/A
F	3.2a	N/A
F	3.2b	N/A
F	3.2c	N/A
Principle 4: Annual Decisions		
F	4.1	N/A
Principle 5: Subgroup Accountability		
F	5.1	N/A
F	5.2	N/A
F	5.3	The accountability system includes students with disabilities.
F	5.4	The accountability system includes English Learners (EL) students.[1]
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 accountability system protects the privacy of students when reporting results.
Principle 6: Based on Academic Assessments		
F	6.1	N/A
Principle 7: Additional Indicators		
F	7.1	Accountability system includes graduation rate for high schools.
F	7.2	Accountability system includes an additional academic indicator for elementary and middle schools.
F	7.3	Additional indicators are valid and reliable.
Principle 8: Separate Decisions for Reading/Language Arts and Mathematics		
F	8.1	Accountability proficiency is determined separately for reading/language arts and mathematics.

[1] The term English Learners (EL) will be used throughout this workbook.

Diné School Accountability Plan

Principle 9: System Validity and Reliability		
F	9.1	N/A
F	9.2	N/A
F	9.3	Accountability System has a plan for addressing changes in assessment and student population.
Principle 10: Participation Rate		
F	10.1	Accountability system has a means for calculating the rate of participation in the statewide assessment.
F	10.2	Accountability system has a means for applying the 95% assessment criteria to student subgroups and small schools.

INTRODUCTION

Proposal Context

The purpose of this proposal for a Navajo alternative accountability system is to enable the Navajo Nation to exercise greater control over its schools and the education provided to Navajo students. The basis of an alternative accountability system is rooted in the Elementary and Secondary Education Act of 1965 (ESEA), passed as Public Law 107-110 and commonly known as the No Child Left Behind Act of 2001 (NCLB). Conceived as an alternative to the "[Interior] Secretary's Definition of Adequate Yearly Progress" under 20 U.S.C. § 6316(b)(2)(G), tribal consultation and negotiated rulemaking established both the accountability system to be used by the Bureau of Indian Education, as well as the ability of tribes to develop and use an alternative to Interior regulations (25 C.F.R. Section 30.104 *et seq.*). The Department of Diné Education (DoDE) chose to pursue this option.

On December 10, 2015, President Obama signed into law the Every Student Succeeds Act (ESSA), which reauthorized the ESEA. Though the reauthorized law presented many changes to accountability in education, many principles of accountability remained the same. Tribes may still request to use "alternative standards, assessments, and an accountability system," under ESSA Section 8204(c)(2), and the principle of an alternative accountability system still remains in effect in the Interior's own regulations (i.e., 25 C.F.R. Section 30.104 *et seq.*). As specific regulations and guidance regarding accountability systems under the ESSA are developed by the U.S. Department of Education (ED), the accountability system of the Navajo Nation will continue to evolve in future accountability proposals.

This proposal is a modified version of an earlier accountability proposal submitted by the Navajo Nation before the passage of the ESSA. The passage of the ESSA has necessitated significant changes be made to the proposal. Notably, the pre-ESSA proposal (based on NCLB regulations) utilized the accountability concept of adequate yearly progress (AYP), which has been eliminated with the passage of ESSA, but still exists in BIE's regulation defining accountability in BIE-funded schools (i.e., 25 C.F.R. Section 30.104 *et seq.*).[2] The pre-ESSA Navajo proposal emphasized a phased implementation approach extending several years into the future and based on provisions of ESEA/NCLB. The intention of the Navajo Nation was to introduce successively more complex accountability practices in phases resulting to greater control by the Navajo Nation. With the end of ESEA/NCLB, that phased timeline has changed. Consequently, the accountability workbook as currently proposed focuses solely on two school years (2015-2016 and 2016-2017), the first school year granted retroactively. The Navajo Nation still intends to implement its full accountability plan in phases; however, each phase will require a modified accountability plan. A plan for the second phase of the accountability plan will be submitted to the U.S. Department of the Interior (DOI) and ED for review and approval in advance of school year 2017-2018.

[2] Throughout this proposal, AYP will be used only in reference to Interior's regulation on accountability (25 C.F.R. § 30.104 et seq.), and not with respect to ESSA.

Another significant change in federal regulations affecting the Navajo Nation's accountability workbook took place on March 8, 2016 when Acting Assistant Secretary – Indian Affairs in the DOI approved an immediate waiver of 25 C.F.R. § 30.104(a). This effectively lifted the requirement to utilize the standards and assessments of the respective state in which a school is located. The Navajo Nation asked that it be allowed to use the Common Core State Standards (CCSS) and the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments in English language arts/literacy and mathematics as its state standards and assessments.[3] As mentioned, the Acting Assistant Secretary approved this request and, hence, these elements of the Navajo Nation's alternative accountability proposal are no longer prominently discussed.

The Waiver Request

The Navajo Nation seeks to waive the existing school accountability plan for the DOI Bureau of Indian Education (BIE)-funded schools operating within its boundaries. A letter of support from the President of the Navajo Nation and the Navajo Nation Board of Education is included in Appendix B.

The authority for this request is found in Section 1116(g)(1)(B) of the ESEA, as well as in 25 C.F.R. §§ 30.104(b) & 30.105-108, which authorizes the tribal governing body or school board of a BIE-funded school to waive an existing accountability plan and submit an alternative accountability plan for peer review.

This Diné School Accountability Plan (DSAP) is a formal application, submitted by the Navajo Nation, for an alternative definition of accountability. Diné is the name that the Navajo Nation wishes to use describing its accountability plan and the schools participating in the plan; and Diné is the name by which the Navajo people prefer to be called. In this proposal, references to the Navajo Nation will be used to describe political or geographic entities, while the term Diné is used to describe the students, schools, or plans directly related to DSAP.

The larger DSAP will be implemented in a three phased plan (2015-16 to 2020-21), whereby a basic accountability plan will be implemented immediately and more complex elements of the plan will be implemented later in the time line with further approval required by the DOI and ED. The DSAP's accountability plan will include all 60 BIE-funded schools that offer instruction to students and that operate within the boundaries of the Navajo Nation.[4]

The Navajo Nation wishes to begin implementing its alternative definition of accountability during the 2015-16 school year. Much work has been accomplished to this end. For example, the organization and mission of DoDE has been reorganized around the goals expressed in the DSAP. Also, the Navajo Nation has adopted and is implementing, in conjunction with the BIE, college- and career-ready standards (i.e., CCSS). The BIE procured PARCC assessments in

[3] Consistent with PARCC nomenclature, this proposal will use the terminology of "English language arts/literacy and mathematics" to describe the standard assessments.

[4] Six BIE dormitory schools operate within the boundaries of the Navajo Nation that are not included in the DSAP, because they do not offer students certified academic instruction. The dormitory schools offer students housing and homework help, but not academic instruction per se.

English language arts/literacy and mathematics and these were administered in BIE-funded Navajo schools in May 2016.

In regard to Alternate Assessments and English Learner Assessments, three options are available: 1) BIE procures the Alternate Assessments and the English Learner Assessments, 2) DoDE uses the assessments of the states in which schools are located (i.e., AZ, NM, and UT), or 3) Navajo procures the assessments itself. If Navajo is to procure the assessments itself, membership as an Indian tribe in the respective assessment consortia may be required. In addition, the issue of DoDE administering assessments in BIE-operated schools that it does not directly control will need to be explored.

The Rationale for a Diné School Accountability Plan

Under DOI's definition of accountability, in 25 C.F.R. §30.104(a), each school funded by the BIE must use the standards, assessments, and definition of AYP of the state in which the school is located. The boundaries of the Navajo Nation span parts of New Mexico, Arizona, and Utah. One of the fundamental problems with these state-based accountability plans is that the accountability results are not readily comparable. The academic standards among the states vary, which makes it difficult to assess how, for example, Diné 5th grade students in Arizona perform in comparison to Diné 5th grade students in New Mexico or Utah. Moreover, the assessments vary among the states, with different phrasing for assessment questions, different sequencing of questions, and different foci of content and subject matter. The DSAP creates uniform accountability standards in English language arts/literacy and mathematics for all Diné accountability schools, which is based on the CCSS and PARCC assessments. All the Diné accountability schools are held accountable to the same academic content standards and measured using the same assessments, ensuring a common and meaningful accountability system for BIE-funded schools on the Navajo Nation.

The Navajo Nation has both a political and legal responsibility to oversee the educational matters affecting Diné students enrolled in schools operating within its boundaries. This point was made explicit with the passage of the Navajo Nation's Sovereignty in Education Act of 2005, which states:

> *The Navajo Nation has the authority and an inherent right to exercise its responsibility to the Navajo People for their education by prescribing and implementing educational laws and policies applicable to all schools serving the Navajo Nation and all educational programs receiving significant funding for the education of Navajo youth or adults. (§ 1 (A))*

It is important to note that while the Navajo Nation claims an interest and right in the educational affairs of all schools operating within its boundaries (244 total), this proposal would apply only to the 60 Diné accountability schools (i.e., BIE-funded schools). It would not apply to public or private schools, or the six dormitory schools, located on or near the reservation and that serve Navajo Nation students. The list of Diné accountability schools included in this DSAP is provided in Appendix A.

The Navajo Nation's Sovereignty in Education Act of 2005 made several major changes in the structure and organization of tribal government. Changes included the creation of the Navajo

Nation School Board, which has the responsibility for overseeing the enactment of tribal educational policies. The Act also created DoDE, which is the administrative arm of the Navajo Nation School Board. One of the primary responsibilities of the Board is stated in its first duty:

> *Establish instructional content and achievement standards and customized criterion referenced achievement testing instruments for schools serving the Navajo Nation, including consolidation of the standards of the three states overlapping the Navajo Nation with those of the Navajo Nation for Navajo language and cultural knowledge. (§106 (G)(3)(a)).*

The consolidation of the academic content standards across the three states is one of the motives for creating the DSAP. Another aspiration is to create a set of academic standards for Diné students that includes Navajo language and cultural knowledge, as well as corresponding assessments. Indeed, the goal of incorporating Diné language and culture into the school system is described in the Navajo Nation's Sovereignty in Education Act as critical to the very survival of the Diné culture and its people:

> *The Navajo Nation is committed to ensure that the Navajo (Diné) language will survive and prosper. The Navajo (Diné) language must be used to ensure the survival of the Navajo (Diné) people and their future, to maintain the Navajo way of life, and to preserve and perpetuate the Navajo Nation as a sovereign nation. (§ 53. Purpose)*

These two issues are part of a larger aspiration for Navajo Nation: self-determination as a sovereign state. Thus, when tribal leaders and educators express concern about the quality of educational opportunities, they are referencing more than deep concern about the welfare of Diné students. An educated citizenry is not only a more productive one, it is also a healthier one. Diné students who are unable to graduate and find employment are supported by the Navajo government. Issues related to health, crime, and unemployment are costly to the Navajo Nation, and all are exacerbated by issues of educational attainment.

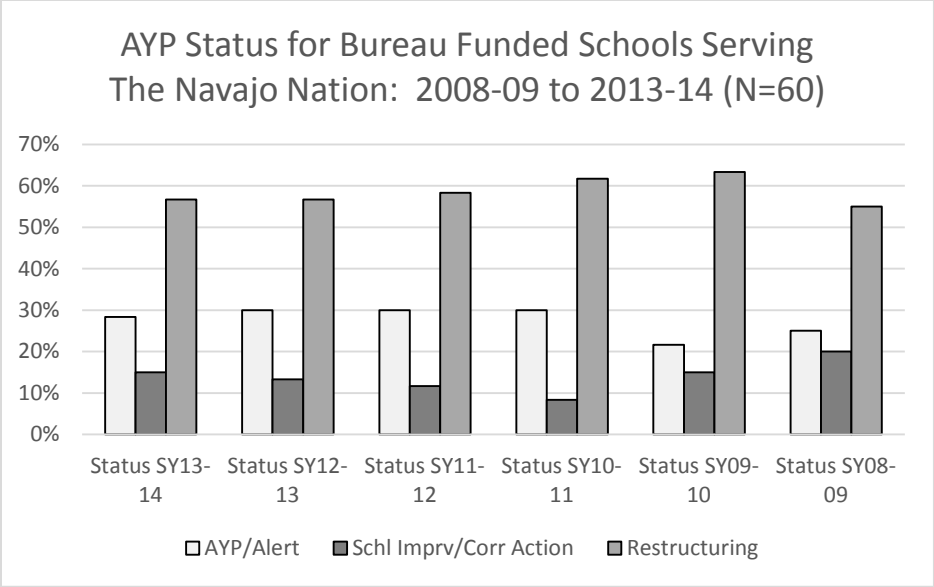
The premise of this application is that only the Navajo Nation's government has the political and organizational authority necessary to oversee the changes required to improve the educational opportunities and outcomes of its citizens. Such a premise does not relieve the federal government of its trust responsibility to provide for the education of the Diné people. Rather, such a position is in response to 12 years of state-based accountability plans and interventions that have failed to ensure that all Diné students are college and career ready.

To illustrate the nature of the problem, the number of Bureau-funded schools is summarized in Graph 1 below by their AYP status over the last six years. Notably, about 60% of the Diné accountability schools (35 of 60 schools, the green columns) on average are consistently designated as requiring restructuring, meaning that they have failed to meet AYP for at least five years in a row; some of these schools have been in restructuring for even a longer time.

At the other end of the spectrum, about 30% of the schools (18 of 60, the blue columns) are designated as meeting AYP or on "Alert" (for simplicity the two categories are aggregated together; 15 AYP, 3 Alert). Finally, the red bar in the chart shows those schools that are either in school improvement or corrective action, which is about 10% of the schools (7 of 60, the red columns).

The majority of the schools designated as meeting AYP have held that status fairly consistently year-after-year, as is the case with the schools in the AYP status designated "Restructuring." In other words, despite sustained efforts to effect school improvement, not a lot of change in the academic status of schools has occurred over time.

Graph 1



There may be, however, some recent evidence of progress. In the 2012-13 school year, eight Bureau-funded schools that previously have not met AYP standards did so for the first time. This progress produced the largest number of schools meeting AYP ever (23 total), although it should be noted that the vast majority of these schools met AYP through safe harbor. This is the first year these eight schools met AYP standards, so their previous AYP status designation did not change; seven are still in the restructuring designation. Nonetheless, these changes may be significant and it is worth the effort to learn how this progress came about.

While recognizing the potential for growth, it is important to keep in mind that the vast majority of schools are failing to provide students with a basic, minimum standard of academic proficiency. In some of these schools the average school proficiency level is at or below the 10th percentile. The average language arts proficiency rate for students enrolled in the BIE grant schools is approximately 40% and approximately 25% for mathematics. These proficiency rates are far below the projected annual measurable objectives (AMOs) set by the State's (Utah, New Mexico, and Arizona) accountability plans. In other words, there is a very real and significant need for changing the educational system that serves these students, and the accountability system that oversees those schools.

The Accountability Timeline: A Phased Implementation

The Navajo Nation's DSAP will take time and resources to successfully implement. To enhance the likelihood of success, implementing the DSAP is divided into three phases. The first phase begins by establishing the basic elements required of a school accountability plan (ESEA, Section 1111(b)(2)(A)-(J)). Subsequent phases advance to more complex aspects of the plan, including implementation of the Diné content standards. This document is a proposal for Phase One of the plan, encompassing school years 2015-16 and 2016-17.

Once Phase One is implemented, the Navajo Nation will submit a modified proposal for a second and then the third phase of the plan based on ESSA. Although Phase One is the primary focus of this proposal, a general discussion of Phases Two and Three provides a fuller picture of the ultimate goals of the DSAP. The plans for Phases Two and Three will be submitted for review by the DOI and ED once the plans for Phase One have been implemented.

The exercise of greater control by the Navajo Nation over BIE-funded schools is a central premise on which the accountability plan is based. The DSAP gives the Navajo Nation such control and is consistent with federal self-determination policy. The process typically utilized by Indian tribes to exercise greater control over services is the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638), which authorizes federal agencies to enter into contracts with, and make grants directly to, federally recognized Indian tribes. The Navajo Nation intends to exercise its authority under the Self-Determination Act to contract ongoing education activities outlined in this proposal, although contracting authority over education activities will not take effect during the 2015-2017 period of this proposal.

One of the unique features of the DSAP is the collaboration between the BIE and DoDE. In Phase One of the DSAP, the BIE will offer collaborative support for DoDE in an effort to build its capacity to assume full responsibility for organizing and managing the required accountability tasks. The positive effects of this intention will require a sustained collaborative effort. The following proposal outlines the shared intentions and goals of both the BIE and DoDE.

Key Accountability Elements for Phase One of the DSAP

The purpose of the DSAP is to promote high academic standards and student proficiency. During the initial year in Phase One, the basic accountability system will establish proficiency goals as starting points to organize support for school improvement by BIE and DoDE. In this phase of the DSAP, the focus is on the academic subjects required for federal accountability (i.e., English language arts/literacy, mathematics, and science). The plan ensures that all schools in the three states in which Diné schools operate are subject to the same accountability standards and measures to meet statutory requirements. The DSAP is organized around three key accountability elements: 1) Academic standards and assessments, 3) Accountability system indicators, and 4) Supports and interventions.

Diné School Accountability Plan

Academic Standards and Assessments

The goal of the Navajo Nation is to adopt uniform standards and assessments in specified subject areas for all BIE-funded schools on the Navajo Nation. This goal will be achieved over time with the introduction of particular standards and accompanying assessments as they become available to the Navajo Nation. The table below indicates the timeline for adoption by year.

Table 1: Standards and Assessments by Year

Standards & Assessments	Year One	Year Two
	SY 2015-16	SY 2016-17
General: English Language Arts/Literacy & Mathematics		
Standards	Common Core State Standards (CCSS)	Common Core State Standards (CCSS)
Assessments	Partnership for Assessment of Readiness for College and Careers (PARCC)	Partnership for Assessment of Readiness for College and Careers (PARCC)
Alternate: English Language Arts/Literacy & Mathematics*		
Standards	AZ, NM & UT State standards	Proposed: Common Core Essential Elements (EEs)
Assessments	AZ, NM & UT State assessments	Proposed: Dynamic Learning Maps
English Learner: English Language Arts/Literacy & Mathematics		
Standards	AZ, NM & UT State standards	Proposed: English Language Development (ELD) Standards by WIDA**
Assessments	AZ, NM & UT State assessments	Proposed: ACCESS for ELS by WIDA**
Science		
Standards	AZ, NM & UT State standards	AZ, NM & UT State standards
Assessments	AZ, NM & UT State assessments	AZ, NM & UT State assessments

*For students with the most significant cognitive disabilities
**World-Class Instructional Design and Assessments (WIDA)

The Common Core State Standards have been administered in the states of Arizona, New Mexico, and Utah beginning in school year 2013-14. As part of its accountability workbook, DoDE will continue to utilize CCSS. Beginning in school year 2015-16, BIE-funded Navajo schools administered the PARCC assessments in English language arts/literacy and mathematics, which are aligned to CCSS (see Critical Element 1.2 for a fuller discussion). The contract for these assessments has been secured by the BIE and their first administration occurred in the

spring of the 2015-16 school year. The BIE pays for the assessment using the ESEA section 6111 funds, which are provided to all states and the BIE for such purposes.

For students with the most significant cognitive disabilities, the DSAP specifies using the respective states' alternate academic achievement standards and assessments in school year 2015-16 (AZ, NM & UT). However, in school year 2016-17, the Navajo Nation intends to transition to uniform alternate academic achievement standards and assessments for all schools. Tentatively, the Dynamic Learning Maps (DLM) standards and assessments have been identified as the preferred option by the Navajo Nation. The process of procuring the assessments is underway.

Similarly, the DSAP specifies using the respective states' EL standards and assessments in school year 2015-16 and transitioning to uniform EL standards and assessments in school year 2016-17.[5] The ACCESS for ELs assessments and accompanying standards have been selected by the Navajo Nation. The BIE is in the process of securing the standards and assessments for the Navajo Nation, as well as for BIE-funded schools in selected other states.

The respective states' science standards and assessments will be utilized in both school years, because BIE does not have a viable alternative at this point, although options are being explored. Students will take the test available from the state in which their school is located. The report of these results is discussed in Critical Element 1.5. The Navajo Nation has secured agreements from the states for the use of these standards and assessments.

As previously noted, the implementation of the Diné Content Standards is proposed for the second phase of the DSAP, which begins in the 2017-18 school year. Discussion of these standards will be addressed in an accountability workbook addressing Phase Two of the DSAP, including the completeness of K-12 standards and assessments in each academic content area proposed.

Accountability System Indicators

A summary of all the accountability elements introduced in Phase One of the DSAP are presented in Table 2 below. The accountability system measures consist of three sets of indicators: Proficiency Rate, Participation Rate, and an Other Academic Indicator (OAI). The indicators proposed for the DSAP plan are outlined in the table below:

[5] English Learner is preferred nomenclature over English Language Learner.

Table 2: Accountability Indicators by Year

Indicator	Grade Level	Year One	Year Two
		SY 2015-16	SY 2016-17
Proficiency Rate			
English language arts/literacy	Grades 3-8 & 11	X	X
Mathematics	Grades 3-8 & 11	X	X
Participation Rate			
English language arts/literacy	Grades 3-8 & 11	X	X
Mathematics	Grades 3-8 & 11	X	X
Science	Grades 3-8 & 11	X	X
Other Academic Indicator (OAI)			
Attendance	Grades 3-8	X	X
Graduation Rate	High School	X	X

The passage of the ESSA requires state accountability plans to calculate and report proficiency rates for all accountability groups. The DSAP will band students into performance groups by grade level, 3-6, 7-8, and 11. This will help ensure that all groups have a minimum of 20 students (see Critical Element 5.5 for more detail about these issues), to ensure the validity scores and privacy of the students.[6]

The PARCC cut scores will be used for calculating English language arts/literacy and mathematics proficiency rates. The science proficiency rates will be used for the respective state cut scores. In Phase One of the DSAP, the Navajo Nation's DoDE will work cooperatively with BIE to calculate these scores.

Participation rates will be calculated for all required student groups in the DSAP, which includes all students, ELs and students with disabilities. Participation rates will apply to the grade levels in accordance with the provisions of ESSA requirements and are specified in the DSAP for English language arts/literacy, mathematics, and science. See Critical Element 10.1 and 10.2 for details of how this will be managed.

[6] Consistent with the Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g) and 34 C.F.R. Part 99), the BIE and DoDE will suppress from public reports student data where there are less than 10 in a cell to ensure student identities are not disclosed. Cell refers to the number of students responsive to two categories (or more) in a cross-tabulation. The BIE and DoDE may also engage in data suppression or perturbation in order to report data publicly when the number of students is below 10.

The DSAP includes two other academic indicators for Phase One of the plan: attendance (grades K-8) and graduation rates (HS). The goal for attendance rates is 90% for all student groups by banded grade levels. The goal for graduation rates is 80%; the details of these accountability elements are discussed in Critical Elements 2.1 and 7.1, respectively.

Supports and Interventions

The Navajo Nation is committed to the goal of sustaining support and interventions for school improvement during the implementation of Phase One of the DSAP. The accountability plan calls for using the existing BIE supports and interventions during Phase One of the timeline, which are described in Appendix F. In Phase I, all schools will implement interventions in accordance to their statuses found in Appendix A, prior to the 2014-15 school year. The Navajo Nation will submit a proposal to ED and DOI for approval of Phase Two of the DSAP based on ESSA regulations and guidance, which would then allow the DoDE to introduce its own school improvement supports and interventions. At that time DoDE will assume the primary responsibility for the administration and management of these interventions. These elements of the accountability plan are discussed more fully in Critical Element 1.6.

Developing DoDE's Capacity to Manage the DSAP

As the Navajo Nation asserts its right to govern its educational system, it is expected that DoDE will play a larger role in assisting BIE-funded schools to meet the accountability goals of the DSAP. As such, DoDE is preparing to increase the level of support it can provide schools. Thus, one way to think about the Navajo Nation's vision for its accountability plan is that it provides the opportunity, in cooperation with the BIE, to build DoDE's capacity to successfully manage this goal at the tribal level.

While a goal of this accountability plan is to strengthen both DoDE's organizational and professional capacity, it is important to recognize that the Navajo Nation has considerable capacity on which to build these improvements. The Navajo Nation Board of Education and DoDE provide direction for policies and their administration. The Navajo Nation's Office of Diné School Improvement, for example, works directly with the instructional staff at the schools to develop a data driven school improvement and professional development plan for school leaders and teachers. The Navajo Education Information System (NEIS) provides a secure database by which to track students as they transfer from Diné accountability schools to public and private schools and vice versa. Indeed, these attendance and performance data are critical for both the DSAP accountability goals as well as for evaluations of planned school improvement interventions. A full outline of the organizational structure of DoDE is provided in Appendix D of this document.

The Unique Governance Structure of BIE-Funded Schools and Navajo Nation's Request for an Alternative Accountability Plan

Bureau of Indian Education schools are unique. The schools may be operated directly by the federal government and with federal employees (BIE-operated schools). Alternatively, schools may be operated by Indian tribes or tribal organizations through grants or contracts.[7] Today, the majority of BIE-funded schools are operated by the tribes and tribal organizations.

The mechanisms for controlling schools are based in laws governing Federal-Indian relations. Generally, in tribal schools, the local school board assumes the responsibility and authority to ensure the proper implementation of academic programs. Similarly, some tribal governing bodies (such as Tribal Education Agencies or Tribal Education Departments) assume this role rather than a School Board. In schools operated by the BIE, the school boards are advisory, and the activities at the school fall under the chain-of-command of the BIE. In Tribally Controlled Grant and Contract schools the School Board has considerable authority over personal, financial, and program matters.

Schools in the BIE differ from their State public school counterparts in terms of their organizational structure. Public school systems are comprised of individual schools with groups of schools organized into Local Education Agencies (LEAs), commonly known as districts. Under ESEA, AYP determinations were made for both schools and LEAs/districts. In the BIE school system, BIE-funded schools are schools and also LEAs. For accountability purposes, BIE-funded schools receive accountability determinations based on school level criteria, and no LEA/district level determinations are made.

The Navajo Nation's Sovereignty in Education Act of 2005 specifically declares that the Tribe has a right and obligation to oversee the education of its citizenry. This was a public and democratic law passed by the Tribal Council and signed into law by the President of the Navajo Nation. The law requires the Navajo Nation to consolidate the educational standards of the three states overlapping the Navajo Nation into a single coherent set of standards. It also requires that the Diné content standards to be fully integrated into the curriculum and instruction of Bureau-funded schools serving the Navajo Nation. The Navajo Nation's application for an alternative accountability plan is a manifestation of these legal mandates, which is an extension of the public will through its legal and political processes.

It is important to note, and emphasize, that these goals are not intended to deprive local school boards of their authority to govern educational matters at their respective schools. The authority of DoDE does not supplant local authority; rather, it assumes regulatory authority for accountability that is currently held by the BIE as the State Education Agency (SEA) over BIE-funded schools.

By bringing together all BIE-funded Diné schools under the same accountability authority, the fragmentation created by the DOI Secretary's definition of accountability and its use of multiple

[7] Grant schools are authorized by Public Law 100-297 and contract schools are authorized by Public Law 93-638.

state measures of accountability will be remedied. One major advantage of moving to a single accountability system is that the Navajo Nation will consolidate its accountability measures and interventions, and can move toward a district-level approach to improving student achievement and school performance.

PRINCIPLE 1. A single statewide accountability system applied to all Diné accountability schools and LEAs.

CRITICAL ELEMENT
1.1 How does the Diné School Accountability Plan (DSAP) include every public school and LEA in the State?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Sixty BIE-funded schools provide students with academic classes and all will be included in the DSAP (see the list of schools in Appendix A). These schools, as noted in the introduction to this proposal, will be described as the Diné accountability schools.

Six dormitory facilities operate within the boundaries of the Navajo Nation. None of the dormitories offer academic classes and, therefore, will not be included in the DSAP.

Of the 60 Diné accountability schools, 31 are BIE-operated. The BIE has assured the Navajo Nation that these schools will participate in the DSAP. The remaining 29 schools are tribally controlled: 28 are grant schools, under the authority of the Tribally Controlled Schools Act of 1988 (P.L. 100-297), and one is a grant school, under the Indian Self-Determination and Education Assistance Act (P.L. 93-638).

The schools are spread across three states: Arizona (31), New Mexico (27), and Utah (2). Under the Secretary's Definition of Accountability (25 C.F.R. § 30.104(a)), these schools have been held to the academic content standards, assessments, and accountability systems of the state in which each is located. These different accountability systems make it difficult for the Navajo Nation to compare the academic performance and progress of schools serving Diné students across state lines.

This application for a Navajo Nation's Diné Accountability System creates a single accountability system for all BIE-funded schools serving Diné students, regardless of the state in which they are located. It enables the Navajo Nation to play a greater role in implementing continuous school improvement and improving outcomes of Diné students based upon an accountability system that uses consistent standards and assessments across state lines. Therefore, all BIE-funded schools serving the Navajo Nation will participate in the DSAP.

CRITICAL ELEMENT
1.2 How are all Diné accountability schools and LEAs held to the same accountability criteria?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The Navajo Nation has identified a list of 60 BIE-funded schools that comprise the universe of schools that will be included in the DSAP. All of these schools will be held to the same accountability criteria specified in the DSAP. ESEA is organized around four primary accountability elements, or criteria, which comprise the implementation goals of Phase One of the DSAP. These criteria are:

1) **Hold all students and educators to high academic standards.**

   The Navajo Nation adopted CCSS during school year 2012-13. This affects the academic subject areas of English language arts/literacy and mathematics. The CCSS are generally recognized as being the gold standard in terms of rigor and many states have adopted them for their own accountability systems.

2) **Testing of all students annually, and all student subgroups, in English language arts/literacy and mathematics, with assessments aligned to academic content standards.**

   The DSAP provides for the evaluation of all students in English language arts/literacy and mathematics using PARCC assessments. All students in grades 3-8 and 11 will be administered the accountability assessments annually, including students with disabilities and EL students.

   One of the primary goals of the DSAP is the creation of a single accountability system encompassing all Diné schools operating within the boundaries of the Navajo Nation. New Mexico implemented PARCC assessments in school year 2014-15. Arizona and Utah use different assessments for their State accountability plans. The DoDE administered the PARCC assessments to all students enrolled in Diné accountability schools in the Spring of the 2015-16 school year and will do so in the Spring of 2016-17, regardless of the state in which the school is located.

3) **Report accountability results and determinations.**

   The BIE is responsible for the creation and distribution of annual report cards. In Phase One of the DSAP timeline, BIE will include Diné schools in its annual summary of schools. The BIE will also be responsible for providing the data necessary for federal reports, such as EDFacts. In Phase Two of the DSAP, it is proposed that DoDE assume

greater responsibility for creating and distributing school report cards, as well as reporting EDFacts data.

The Navajo Nation has requested access to the enrollment, attendance, and other student level data fields in the BIE's NASIS student information database in order to complete the above tasks, as well as conduct its own administrative business and program evaluations.

4) **Provide interventions and supports for schools and districts in the 2015-16 and 2016-17 school years consistent with those provided schools in the 2014-15 school year.**

With the implementation of the DSAP, these criteria will be applied, for the first time, in a consistent manner to all BIE-funded schools serving the Navajo Nation across all three states. Section 1.6 of this plan outlines the interventions and supports that will be provided to all schools included in this accountability system.

CRITICAL ELEMENT
1.3 Does the DSAP have, at a minimum, a definition of basic, proficient and advanced student achievement levels in reading/language arts and mathematics?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The DSAP accountability system will use PARCC assessments for the subjects of English language arts/literacy and mathematics, which are aligned with CCSS. Diné schools in New Mexico began using this assessment in the 2014-15 school year. Diné schools in Arizona and Utah commenced using this assessment in the Spring of the 2015-16 school year. This ensures that the Navajo Nation is operating with a single accountability plan and timeline for all schools.

The PARCC assessments satisfy the minimum requirements of the critical elements in that it produces Achievement Level Descriptors consistent with the federal reporting categories of *below basic (basic low)*, *basic (basic high)*, *proficient*, and *advanced*. Moreover, PARCC is a standards-based assessment aligned to the CCSS and the performance measured by these tests reflects students' mastery of the standards. Proficiency rates on academic assessments (i.e., English language arts/literacy and mathematics) will be applied to all students enrolled during the test window.

DoDE will use the PARCC five Performance Level descriptors in Phase One of DSAP. However, DoDE may elect to change the Performance Level descriptions in Phase Two or Three to better reflect the Diné language and culture. Regardless of descriptors, students would still receive a numerical score ranked in five performance levels, with Level 1 indicating the greatest need for improvement and Level 5 indicating the strongest performance. The Navajo Nation

wishes to maintain the Performance Level structure, regardless of descriptors, so that it matches up with the rest of the country using PARCC assessments.[8]

A similar structure of Performance Levels will be used for students taking Alternative Assessments. Options to procure these assessments have been described above.

CRITICAL ELEMENT
1.4 How does the DSAP provide proficiency determination and other information in a timely manner?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The BIE will administer assessments in accordance with a predetermined testing schedule. Diné accountability schools will enter all student level data into the BIE's NASIS student database. BIE provides regular NASIS training to school personnel and BIE will keep DoDE informed of the scheduled trainings. Data verification is an ongoing activity conducted by BIE to ensure the integrity of student information in the NASIS database. BIE will work collaboratively with DoDE to highlight data deficiencies in need of corrective attention at the school level.

The BIE's assessment contractor will provide year-end assessment data to BIE, and BIE, in turn, will share the data with DoDE. The BIE and its assessment contractor will provide the Diné accountability schools with proficiency data by August 1st of each school year. This will allow two weeks, at the school level, to further validate data and prepare any response deemed necessary prior to the start of school (about the second week in August of each new school year). Assessment contracts have been reviewed with each contractor and dates have been set that support these timelines. The accountability system provides time for the Diné accountability schools to notify parents about the school's performance and any supplemental services available to them, as necessary.

Underlying the arrangement of this shared understanding is the goal of building the capacity of DoDE, so it can fully assume the responsibility for managing the accountability plan. Overall, it helps ensure that the accountability plan produces valid decisions in a timely and consistent manner.

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[8] PARCC levels include Level 1: Did not yet meet expectations; Level 2: Partially met expectations; Level 3: Approached expectations; Level 4: Met expectations; Level 5: Exceeded expectations (Levels 4 & 5 constitute proficiency)

CRITICAL ELEMENT
1.5 Does the DSAP produce an annual State Report Card?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

In Phase One of the DSAP, the Navajo Nation will use the Annual State Report Cards generated and distributed by the BIE for public reporting. The BIE will be responsible for producing the report cards in Phase One of the accountability plan. DoDE proposes to assume these responsibilities in Phases Two and Three of the DSAP. These reports will be described as the Diné School Report Cards. The specifics of these new roles will be defined in a future proposal for an alternative accountability workbook to be developed and submitted by the Navajo Nation for review and approval before school year 2017-18.

Over time the DSAP will also incorporate additional information into the Annual Report Card such that the community is apprised of schools' progress implementing the Diné content standards, as well as students' performance relative to those standards. The DSAP report cards will also include school climate data.

The DSAP Annual Report Cards will satisfy future ESEA statutory requirements and the non-regulatory guidance offered by ED, as well as the requirements of the BIE. The data included in the report card include:

- Aggregated student achievement data at each proficiency level on the DSAP's English language arts/literacy, mathematics, and science assessments (disaggregated by special education and English proficiency status).
- The percentage of students tested (disaggregated by subgroups if they include sufficient numbers to warrant such a public report).
- The most recent two-year trend in student achievement for each subject area by school.
- Aggregated information about attendance and high school graduation rates.
- The professional qualifications of teachers in Diné accountability schools, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in Diné accountability schools not taught by highly qualified teachers (these criteria only apply to the 2015-16 school year).

CRITICAL ELEMENT
1.6 How does the DSAP include rewards and sanctions for public schools and LEAs?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The current rewards and sanctions (or supports and incentives as they are described in this proposal) vary depending on the state in which the BIE-funded school is located. The DSAP creates a single set of accountability standards and supports and incentives that are applicable to all Diné schools, which will help create a meaningful framework for assessing and tracking student and school performance.

The supports and incentives are currently in place based on school year 2014-15 and being used by the schools. In the 2015-16 and 2016-17 school years, DoDE will continue to use the existing school improvement statuses and activities implemented by the BIE as defined under the Secretary of the Interior's definition of AYP. Thus, there will be no lapse in school supports and interventions in school years 2015-16 and 2016-17.

The existing (2014-15 school year) status designations for schools will be carried forward to the 2015-16 and 2016-17 school years and will not be re-identified during this time frame. The 2014-15 supports, incentives, and interventions aligned with AYP status designations will also be carried forward to school years 2015-16 and 2016-17.

The outline below identifies the supports, incentives, and interventions as designated in the ESEA. They are framed in response to differentiated recognition stemming from accountability determinations.

- **AYP Alert**
    - Warning issued by Superintendents: LEAs are encouraged to take immediate action to assist toward improvement.
- **School Improvement 1 (SI-1)**
    - Parental notification of school's designation.
    - DoDE provides educators with student level and aggregated assessment data.
    - School identifies a school support team (SST) that will make school improvement recommendations to the school leadership team.
    - School leadership team develops a two-year improvement plan to be approved by LEA within three months of improvement designation.
    - School shares improvement plan with Navajo Nation school board and with Title I school improvement funding request for approval.
    - DoDE and/or qualified others provide technical assistance.
    - Technical assistance must include at least six elements: Scientifically based research; analysis of data; parental involvement; sustained, aligned, and focused professional development; instructional strategies; and focused budget and resources.

- **School Improvement 2 (SI-2)**
  - Parent notification
  - Technical assistance
  - LEA arranges provision for supplemental service to all eligible students. LEA provides annual notice of eligibility for supplemental services.
- **Corrective Action 1 (CA-1)**
  - Parent notification of corrective action.
  - DoDE works closely with the school to determine membership of the school support team.
  - The school support team (SST) will reappraise its school improvement plan.
  - The school leadership team will revise the school improvement plan based in accordance with Title I requirements.
  - LEA shares corrective action plan with local school board and sends plan with Title I school improvement funding request to DoDE for approval.
  - Schools in corrective action may apply for SEA support for instructional coaching and leadership training, when eligible.
  - Supplemental educational services provided.
- **Corrective Action 2, Planning for Restructuring (CA-2)**
  - Parent notification of plan to restructure
  - Technical assistance from DoDE
  - Supplemental educational services provided through DoDE's After-School Program.
  - DoDE provides technical assistance to LEAs in planning for restructuring.
  - Schools may continue to receive DoDE support for instructional coaching and leadership training, when eligible.
  - LEA works with the school community to develop a plan for alternative governance provisions, in accordance with Title I requirements, and submits its plan for restructuring to the local school board.
  - LEA sends restructuring plan to Navajo Nation School Board for approval.
  - DoDE approves the LEA plan for restructuring requests and advises Navajo School Board of designation.
- **Restructuring (RESTR)**
  - Designation
  - Parent notification
  - LEA must implement plan for alternative governance provisions with DoDE and the Navajo Nation School Board.

Diné Accountability Rewards and Incentives

DoDE will modify these accountability rewards and incentives outlined above, which serve the purpose during Phase One of the Diné accountability plan. However, to better recognize and support the cultural values and administrative realities of the Diné school system DoDE will

develop a new set of accountability rewards and incentives to include in Phase Two of the Navajo Nation's accountability plan. The specifics of these plans will be defined in a future proposal for an alternative accountability workbook that takes into account any new regulations and guidance for ESSA to be developed and submitted by the Navajo Nation to DOI and ED for review and approval before the 2017-18 school year.

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

CRITICAL ELEMENT
2.1 How does the DSAP include all students in the State?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

All students attending BIE-funded schools serving the Navajo Nation will be included in the DSAP. The DSAP requires that all students are included in these indicators:

- All students in grades K-8 will be part of the school's Other Academic Indicator (OAI), attendance rate.
- All students in High School will participate in the graduation rate calculation.
- For both OAIs, sub-group performance on the indicator will be evaluated providing that the minimum number of students participating in the sub-group is met.
- All students in grades 3-8 and 11 during the spring testing window will be counted for participation rate on assessments. Sub-groups meeting the required minimum number will have their indicator performance evaluated for these testing indicators.

DoDE will work collaboratively with the BIE tracking student enrollments and attendance. Student membership in sub-groups will be tracked using NASIS, as described in Critical Element 3.2, to ensure that all students are considered in the issuance of an accountability determination to the school.

The following Principle and Critical Element originally specified in the NCLB outline for an accountability proposal are deleted because they are not relevant under ESSA.

- **Principal 2 (All Students):**
- **Critical Element 2.2**

CRITICAL ELEMENT
2.3 What is DSAPs process for determining student enrollment at the school level?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The Native American Student Information System (NASIS) is the official system of record for tracking student enrollments in the BIE school system. All student enrollments are entered into NASIS by schools. BIE-funded schools are appropriated funds by Congress based on certification of their Indian School Equalization Program (ISEP) enrollments recorded in NASIS. BIE-funded Diné schools are required to use NASIS in order to receive ISEP funding. The Navajo Nation recognizes the legitimacy of a "system of record" for ISEP purposes.

From a Navajo perspective, a shortcoming of NASIS is Diné students are not tracked as they transfer to public and private schools. Hence, significant enrollment gaps may exist in the records of these students when they transfer back to a Diné accountability school. Developing a longitudinal database that tracks Navajo student enrollments over time is an important goal of the DSAP. It ensures that there is a full record of a student's academic history, which can inform DoDE's school improvement interventions. Thus, the Department of Diné Education has negotiated memorandums of agreement with the State Education Agencies in Arizona, New Mexico, and Utah to share data about Diné students when they are enrolled in public schools. DoDE is the one organization in place with the interest and right to manage a complete record of the Diné students.

The Navajo Education Information System (NEIS) has been under development for years. DoDE has full time IT personnel overseeing the maintenance and security of its IT system. The system utilizes Microsoft Access as a relational database to house and manage student level, school, program, and personnel data. The goal of the NEIS plan is to create a longitudinal data set that can be used to make accountability determinations and facilitate program evaluations.

In addition, the Navajo Nation recognizes that the BIE has developed its Native Star continuous improvement system. Native Star is based on Indistar, which is a web-based indicator system of research-based best practices related to various areas of school improvement. Native Star is not a database per se, but is available as a tool for schools to upload evidence of their school improvement practices.

The Navajo Nation does not want to duplicate data systems, or require local schools to duplicate data entry, so it makes sense to share data with the BIE. In the first Phase of the DSAP, DoDE will rely on the BIE NASIS database as the source of data for student enrollments, attendance, and other data elements. In later phases of the DSAP, DoDE proposes to assume greater responsibility for managing the data used to provide accountability decisions and determinations and for producing reports. The specifics of these new roles will be defined in a future accountability workbook proposal to be submitted by the Navajo Nation to DOI and ED for review and approval before school year 2017-18. Relevant ESSA regulations and guidance will be taken into consideration in the development of the proposal.

The following Principles and Critical Elements originally specified in the NCLB outline for an accountability proposal are deleted because they are not relevant under ESSA.

- **Principal 3 (Definition of AYP):**
- **Critical Element 3.1, Critical Element 3.2, Critical Element 3.2a, Critical Element 3,2.b, and Critical Element 3.2c**
- **Principal 4 (Annual Decisions):**
- **Critical Element 4.1**
- **Principal 5 (Subgroup Activity):**
- **Critical Element 5.1, and Critical Element 5.2**

CRITICAL ELEMENT
5.3 How are students with disabilities included in the DSAP's accountability system?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

For accountability purposes, students with disabilities in assessed grades are expected to test appropriately (ESEA Sec 1111(b)(3)(C)(ix)(II)). While most students with disabilities may be appropriately assessed using the PARCC general assessments administered to their non-disabled peers, DoDE will ensure that students with the most significant cognitive disabilities are provided an appropriate alternate assessment. Tentatively, this will be the Dynamic Learning Maps Alternate Assessment.

The use of Alternative Assessments is limited to a 1% cap. All scores that exceed the 1% cap, will be converted to a score of "Below Basic" (non-proficient).

All students must be assessed appropriately. As such, students with disabilities should have all accommodations and testing requirements specified in their Individualized Education Program (IEP) prior to the assessment window. Schools that inappropriately assess their students (with or without disabilities) are subject to having the scores of the inappropriately tested student counted as "below basic" regardless of the actual level of achievement.

All students are included in the attendance rate and graduation rate measures. These indicators also produce indicator evaluations for statistically significant sub-groups.

Students with most significant cognitive disabilities are evaluated for performance: proficiency rate, participation rate, attendance rate, and graduation rate for all sub-groups meeting the minimum number criterion.

CRITICAL ELEMENT
5.4 How are students with designated as English Language Learners (ELL) included in the DSAP's accountability system?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

To identify students' language proficiency in English, BIE-funded schools will use a single assessment for English Learners (EL), which DoDE proposes be procured by BIE. If BIE is unable to procure a single EL assessment, DoDE will continue to use the English Learner Assessment of the respective state in which the school is located (i.e., Arizona, New Mexico, and Utah).[9]

EL students are a sub-group designated for federal accountability purposes. BIE-funded schools serving the Navajo Nation will continue to identify students who qualify as EL under 25 C.F.R. §§ 39.2 and 39.130-137. Students identified as EL will be counted as part of the EL sub-group while they are in the program and the two years subsequent to their exiting. The NASIS system tracks the EL status of students.

DoDE proposes, as mentioned above, to use the ACCESS for ELs to assess ELs. ACCESS for ELs will be used for diagnostic purposes and to determine whether an intervention should be introduced, continued, or discontinued. EL students will be monitored for two years after exiting the program. It is the intent of the DSAP to ensure that schools engage appropriate interventions to improve learning among EL students and to successfully remediate them to the point they may exit the EL program.

Educators may use the ACCESS for ELs test results to address learning issues that may inhibit effective learning related to language proficiency. Although not currently done by BIE-funded schools, conceivably ACCESS for ELs test results can be entered into NASIS.

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[9] In this section, the term English Learner will be used in lieu of Limited English Proficiency.

The EL sub-group will be held to the same standards as the All Students group for accountability purposes, taking the same assessments with appropriate accommodations as required. The exception to this rule is for those students with the most significant cognitive disabilities who also qualify as EL, in which case they are provided an alternative assessment.

CRITICAL ELEMENT
5.5 What is the DSAP's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Public Reporting

Under 20 U.S.C. § 6311(h), a State is required to produce and disseminate for public review data related to schools' performance. The BIE and the Navajo Nation will collaborate to produce and disseminate the "Annual School Report Cards" that comply with this statutory requirement. In Phase One of the DSAP, the BIE will have the lead responsibility for producing and distributing the Annual School Report Cards. DoDE will include assumption of those responsibilities in its plans for Phases Two and Three of the DSAP. The Annual School Report Cards will be published on both the Navajo Nation and BIE's websites.

Consistent with the Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1232(g) and 34 C.F.R. Part 99), the BIE and DoDE will suppress from public reports student data where there are less than 10 in a cell to ensure student identities are not disclosed. Cell refers to the number of students responsive to two categories (or more) in a cross-tabulation. The BIE and DoDE may also engage in data suppression or perturbation in order to report data publicly when the number of students is below 10.

Accountability and Minimum N-size

The DSAP proposes to utilize an N-size of 20. Such an N-size is statistically significant and defines the minimum number of students required to evaluate an accountability indicator to be 20.

For participation rate, the minimum N is 20 students enrolled during the testing window.

For attendance rate, the minimum N is 20 students in a sub-group. For the All Students group, there is no minimum N-size. No BIE-funded school is small enough for an All Students group to be considered too small to evaluate for this indicator.

For graduation rate, the minimum N is 20 students in the Graduation Cohort at any point across the four years covered by the Adjusted Cohort Graduation Rate calculation.

Small Schools

A "small school" is one where no accountability indicator may be evaluated using normal procedures due to a lack of a minimum number of students (less than 20). In this case, the data for indicators lacking a sufficient N-size for normal evaluation will be aggregated to the school level and evaluated using a minimum N of 20.

Should a school fail to attain a minimum N of 20 when aggregating to the school level, then the school's educators can choose how to compute an accountability determination provided that it includes at least one student scored "Proficient" or "Advanced" on both the English language arts/literacy and mathematics assessments. Among the options made available by DoDE for small schools:

1. Combine testing units in reading and math for one year.

2. If science data are available, combine testing units in reading, math and science for one year to have a large enough n-size. If not, combine testing units for two years. If still not large enough, and if science is available, combine testing units in reading, math and science for two years regardless of N-size.

3. Have a 2-year rolling average for each subject to have a large enough N-size. If not, a 3- year rolling average for each subject. If still not a large enough N-size, calculate regardless.

4. Combine "testing units" (e.g., 2014 math and reading scores) for a 2-year rolling average for each subject to have a large enough N-size. If not, a 3-year rolling average for each subject. If still not a large enough N-size, calculate regardless

5. Schools too small for the above options can reduce their N-size to 15.

CRITICAL ELEMENT
5.6 How does the DSAP protect the privacy of students when reporting results?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

For accountability reports, the minimum N-size is 10. Student performance data will be aggregated by ethnicity, sex, grade level bands (3-6, 7-8, and 11), and subject areas. Additionally, DoDE will report values in ranges that obfuscate the actual values enough to prevent efforts to discern students as outliers from aggregate analysis. Student level data that could be used to personally identify students in schools or LEAs will not be published through the DSAP.

For student groups to be included in a school report, their enrollments must include:

- 50 or more students in the student group enrolled on the test date (summed across grades 3-8 and 11), and the student group must comprise at least 10 percent of all students enrolled on the test date; or
- 200 or more students in the student group enrolled on the test date, even if that group represents less than 10 percent of all students enrolled on the test date.

The BIE and DoDE will ensure that the requirements of FERPA are strictly followed in the public reporting of academic data. The basic framework outlined in Critical Element 5.5 meets with FERPA guidelines.

Furthermore, accessing the NASIS requires users to pass a federally-mandated training on handling Personally Identifiable Information. Similarly, the protocols surrounding test security and test results emphasize the importance of safely handling student records to prevent public disclosure.

The following Principle and Critical Element originally specified in the NCLB outline for an accountability proposal are deleted because they are not relevant under ESSA.

- **Principle 6 (Based on Academic Assessments):**
    - **Critical Element 6.1**

PRINCIPLE 7. State definition of accountability 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
7.1 What is the DSAP's definition for the public high school graduation rate?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

Graduation rate is required for the secondary school level indicator (see ESEA Section 1111(b)(2)(C)(vi)). The DSAP will use the four-year adjusted cohort graduation rate (generally referred to as the ACGR) defined in 34 C.F.R. §200.19(b)(1)(i)-(iv) as the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class. ED's 2008 High School Graduation Rate Non-Regulatory Guidance document (HS Grad Guidance) states that a high school cohort begins with the students who enter the 9th grade. The cohort is adjusted by adding students who transfer into the cohort during the 9th grade and over the next three years. The cohort is also adjusted for students who transfer out of the cohort, emigrate to another country, or die during the cohort's time period (p.9, HS Grad Guidance).

Graduation rates will be calculated for high schools without a standard four-year timeline using the appropriate number of years for the school. K-12 and 7-12 schools will be required to use the four-year adjusted formula (p. 4, HS Grad Guidance):

Table 3: Illustration of High School Graduation Formula

$$\frac{\text{Number of cohort members who earned a regular high school diploma by the end of the 2018-19 school year}}{\text{Number of first-time 9th graders in fall 2015 (starting cohort) plus students who transfer in, minus students who transfer out, emigrate, or die during school years 2015-16, 2016-17, 2017-18, 2018-19}}$$

Thus the four year ACGR is calculated by dividing the number of cohort members who earned a regular high school diploma at the end of a given school year by the number of first-time ninth graders in the fall of the year four years prior plus the students who transfer in, minus the students who transfer out, emigrate, or die during the intervening four years – the four year rate includes students who receive a "regular high school diploma." As such, students are expected to graduate on-time, four years after they first enter the ninth grade.

Diné School Accountability Plan

In Phase One of the DSAP the Navajo Nation will set a single goal with annual targets, as required in 34 C.F.R. §200.19(b)(3)(i) (p.15, HS Grad Guidance). The DSAP Graduation Rate goal is 80 percent which all schools will be required to meet by year six of the DSAP.

Graduation data from BIE and DoDE for students at Diné accountability schools is incomplete. The average graduation rates for Native American students in New Mexico and Utah is about 60%; it is 66% for Arizona. The BIE estimates that the average graduation rate for the 11 Diné accountability high schools to be about 68%, ranging from 20 to 30 percent on the lower end to an upper figure of 90 to 100%. Given these figures, DoDE believes that a graduation rate goal of 80% is both rigorous and achievable.

The DSAP will set graduation rate targets based on establishing a graduation rate floor, or minimum graduation rate from which schools work (p. 16, HS Grad Guidance). The floor will be defined for the DSAP as the approximate average graduation rate current achieved by the Diné High Schools: 66 percent.

Schools below the floor have two ways to meet the graduation rate criteria or they will be required to report not met on their annual report card. Either the school must increase their graduation rate by 10 percentage points from the previous year or rise above the floor. In such a case the school's graduate rate would be accepted as met.

Schools above the floor must make a 3% increase in graduation rates from the previous school year in order to meet the academic graduation rate indicator and report met on the annual report card. This rate ensures that schools above the graduation rate floor will meet the 80% graduation target within the six-year timeline for this accountability proposal. A school starting at the 66% graduation floor in year one of the DSAP would, with a 3% increase in graduation rates per year, have an 81% graduation rate in year six of the DSAP. These details ensure that the DSAP requires continuous and substantial improvement from the prior school years toward meeting or exceeding the graduation goal (34 C.F.R. §200.19(b)(6)(i)(D))

CRITICAL ELEMENT
7.2 What is DSAP's additional academic indicator for elementary and middle schools?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

For schools having at least one grade in kindergarten through grade eight, the Other Academic Indicator is attendance rate. Attendance rates are calculated as the Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM). ADA is the aggregation of all students attending class for every instructional day during the school year. The ADA is literally the number of students attending classes aggregated to the full school year. The ADM is the number of students enrolled in classes every day during the school year.

The attendance rate is the ADA divided by the ADM. This rate will be calculated for all sub-groups attaining the minimum size across the entire school year. NASIS currently provides this report to schools and it is currently used for accountability purposes.

Table 4: Average attendance rates for BIE Schools
2013-14 (N=59 school)

BIE Schools Serving Navajo - Attendance SY1314			
Grades	All	SpEd	LEP
All	92.35%	91.43%	93.06%
K-8	92.73%	91.97%	93.43%
HS	90.27%	88.90%	91.69%
All BIE Schools - Attendance SY1314			
Grades	All	SpEd	LEP
All	91.30%	90.39%	92.77%
K-8	92.22%	91.71%	93.20%
HS	88.15%	86.20%	91.29%

As of the 2013-14 school year, BIE-funded schools serving the Navajo Nation and grades K-8 had an attendance rate of 92.73% for All Students, 91.97% for Students with Disabilities, and 93.43% for Limited English Proficient students. Ninety-two percent (92%) is a challenging target. In the same year for K-8 BIE-funded Diné schools, only 37.3% of schools were at or above the mean attendance for All Students, 47.5% for Students with Disabilities, and 52.5% for Limited English Proficient students.

The attendance rate target is 92%, which is an ambitious but attainable target in light of circumstances: schools' rural isolation and existing attendance rates. Schools with sub-groups

meeting the minimum N must either meet or exceed this target or show a performance improvement of at least 1% over the prior year's attendance rate in order to satisfy this indicator.

CRITICAL ELEMENT
7.3 Are the DSAP's academic indicators valid and reliable?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The DSAP is based upon accountability principles that have been approved for use in other states by ED. The use of assessments, attendance rates, and graduation rates, constrained by the minimum number of observations required to evaluate the accountability indicators are valid and reliable.

BIE-funded schools serving the Navajo Nation have already implemented the CCSS for English language arts/literacy and mathematics (see Appendix E), and will continue to be used for all schools included in the DSAP. The CCSS have been reviewed by a validation committee sponsored by the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO). The committee described the standards as valid.

The use of the PARCC assessment, which is aligned to the CCSS, is appropriate. PARCC has conducted a series of validity analyses of its assessments. PARCC's declarative summary is as follows: " The Technical Advisory Committee (TAC) ensures the PARCC assessments will provide reliable results to inform valid instructional and accountability decisions."

For the Other Academic Indicators, the use of the NASIS system by BIE schools ensures a high level of confidence in the capturing of attendance and enrollment data. Such data are the basis for attendance rates and graduation rates. The use of the ADA/ADM method to calculate attendance rates is widely accepted. The use of the ACGR method for calculating graduation rate is mandated by ED.

Taken as a whole and applied to the All Students group, students with disabilities, and the EL sub-groups, the DSAP base model conforms with the requirements for a system of accountability outlined in the ESEA (20 U.S.C. § 6311(b)). The DSAP will provide valid and reliable evaluations of the schools to which it is applied. The use of DSAP results will also drive school improvement activities.

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

CRITICAL ELEMENT
8.1 How does the DSAP measure achievement in reading/language arts and mathematics?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The DSAP uses the PARCC English language arts/literacy and mathematics assessments to separately calculate students' level of achievement relative to the CCSS.

The participation and performance of all student groups at the school attaining the minimum number will be evaluated for both academic content areas and across all sub-groups.

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

The following Principle and Critical Elements originally specified in the NCLB outline for an accountability proposal are deleted because they are not relevant under ESSA.

- **Principle 9 (State Accountability System):**
  - **Critical Element 9.1 and Critical Element 9.2**

CRITICAL ELEMENT
9.3 How has the DSAP planned for incorporating into its definition of accountability with changes in assessments?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The use of the PARCC assessments and a single Alternate Assessment procured by BIE for measuring student achievement against CCSS ensures that the PARCC consortium and its member states will handle issues that may arise with the assessment that are beyond the control of the BIE and DoDE.

It is foreseen that the use of a more rigorous measure (PARCC) against higher standards (CCSS) may result in an unintended backlash by the community against the schools participating in the DSAP. It is anticipated that test scores for all DSAP schools will decline with the implementation of PARCC. From a practical standpoint, all participants in the DSAP need to inform the public about likely declines in student performance due to using a more difficult assessment. Reaching a foundational level on assessments, the DSAP and its school improvement interventions are likely to have a demonstrable, positive effect.

Increasing the DSAP standards over time will improve the educational outcomes of BIE-funded Diné schools.

Principle 10: Participation Rate

CRITICAL ELEMENT
10.1 What is the DSAP's method for calculating participation rates in the State assessments for use in accountability determinations?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The method for calculating participation rates is applied only to tested grades (3-8 and 11). The number of students who are appropriately assessed (by regular or alternate assessment) is divided by the number of students enrolled during the testing window. The ESEA requires that 100 percent of the students be assessed, but accountability is based upon whether 95 percent of the students are assessed--provided there are at least 20 students enrolled during the testing window. If the participate rate equals or exceeds 95%, then the school is judged to have met the participation rate indicator. This indicator is evaluated for all sub-groups on English language arts/literacy and mathematics.

CRITICAL ELEMENT
10.2 What is the DSAP's policy for determining when the 95% assessed requirement should be applied?
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

If there are at least 20 students enrolled and assessed during the testing window in each of the grades 3-8 and 11, then the participation rate indicator is evaluated for the 95% standard.

Appendix A: List of School Names, Enrollment, and AYP Status (prior to 2014-15 SY)

School Name	State	Student Count	Grades	Operation	Status SY12-13	Status SY13-14
Black Mesa Community	AZ	61	K-8	Tribal	AYP	AYP
Chilchinbeto Community	AZ	124	K-8	Tribal	Alert	AYP
Cottonwood Day	AZ	253	K-8	BIE	RESTR	RESTR
Cove Day	AZ	55	K-6	BIE	AYP	AYP
Dennehotso Boarding	AZ	193	K-8	BIE	RESTR	RESTR
Dilcon Community	AZ	202	K-8	Tribal	RESTR	RESTR
Greasewood Springs Community	AZ	217	K-8	Tribal	RESTR	RESTR
Greyhills Academy High	AZ	279	9-12	Tribal	Alert	CA-1
Hunter's Point Boarding	AZ	166	K-5	BIE	SI-1	SI-2
Jeehdeez'a Academy	AZ	130	K-5	Tribal	RESTR	RESTR
Kaibeto Boarding	AZ	322	K-8	BIE	RESTR	RESTR
Kayenta Community	AZ	427	K-8	BIE	RESTR	RESTR
Kin Dah Lichi'i Olta	AZ	160	K-6	Tribal	RESTR	RESTR
Leupp , Inc.	AZ	214	K-12	Tribal	CA-1	CA-2
Little Singer Community	AZ	89	K-6	Tribal	AYP	AYP
Lukachukai Community	AZ	415	K-8	Tribal	SI-1	SI-2
Many Farms Community	AZ	338	K-8	Tribal	RESTR	RESTR
Many Farms High	AZ	471	9-12	BIE	Alert	SI-1
Naa Tsis 'Aan Community	AZ	122	K-8	Tribal	CA-1	CA-2
Nazlini Community	AZ	129	K-6	Tribal	RESTR	RESTR
Pine Springs Day	AZ	85	K-4	BIE	RESTR	RESTR
Pinon Community *	AZ	60	K	Tribal	Alert	SI-1
Red Rock Day	AZ	188	K-8	BIE	RESTR	RESTR
Rock Point Community	AZ	343	K-12	Tribal	RESTR	RESTR
Rocky Ridge Boarding	AZ	136	K-8	BIE	SI-1	SI-2
Rough Rock Community	AZ	440	K-12	Tribal	RESTR	RESTR
Seba Dalkai Boarding	AZ	118	K-8	BIE	AYP	AYP
Shonto Preparatory	AZ	428	K-8	Tribal	RESTR	RESTR
T'iis Nazbas Community	AZ	202	K-8	BIE	Alert	Alert
Tonalea Day	AZ	233	K-8	BIE	RESTR	RESTR
Tuba City Boarding	AZ	1382	K-8	BIE	AYP	AYP

Diné School Accountability Plan

School Name	State	Student Count	Grades	Operation	Status SY12-13	Status SY13-14
Wide Ruins Community	AZ	142	K-6	Tribal	RESTR	RESTR
Alamo Navajo Community	NM	314	K-12	Tribal	RESTR	RESTR
Atsa' Biya' a'zh Community	NM	252	K-6	Tribal	CA-1	AYP
Baca/Dlo'ay Azhi Community	NM	373	K-6	BIE	AYP	AYP
Beclabito Day	NM	70	K-4	BIE	SI-2	AYP
Bread Springs Day	NM	88	K-3	BIE	AYP	AYP
Chi-Chil'il'tah Community	NM	153	K-8	BIE	RESTR	RESTR
Ch'ooshgai Community	NM	463	K-8	Tribal	RESTR	RESTR
Crystal Boarding	NM	167	K-6	BIE	RESTR	RESTR
Dibe Yazhi Habitiin Olta' (Borrego Pass)	NM	182	K-8	Tribal	RESTR	RESTR
Dzilth-Na-O-Dith-Hle Community	NM	189	K-8	Tribal	RESTR	RESTR
Hanaa'dli Community *	NM	14	K	Tribal	AYP	AYP
Lake Valley Navajo	NM	65	K-8	BIE	RESTR	RESTR
Mariano Lake Community	NM	174	K-6	BIE	RESTR	RESTR
Na' Neelzhiin Ji'Olta (Torreon)	NM	187	K-8	Tribal	RESTR	RESTR
Navajo Preparatory	NM	266	9-12	Tribal	AYP	AYP
Nenahnezad Community	NM	192	K-6	BIE	Alert	AYP
Ojo Encino Day	NM	177	K-8	BIE	RESTR	RESTR
Pine Hill (Spring) **	NM		K-12	Tribal	AYP	Alert
Pueblo Pintado Community	NM	274	K-8	BIE	RESTR	RESTR
Sanostee Day	NM	67	K-3	BIE	Alert	AYP
Shiprock Northwest High	NM	217	7-12	Tribal	RESTR	RESTR
T'iis Ts'ozi Bi'Olta' (Crownpoint)	NM	390	K-8	BIE	RESTR	RESTR
Tohaali' Community	NM	195	K-8	BIE	RESTR	RESTR
To'Hajiilee He Community	NM	354	K-12	Tribal	RESTR	RESTR
Tse'ii'ahi' Community	NM	109	K-4	BIE	AYP	AYP
Wingate Elementary	NM	653	K-8	BIE	RESTR	RESTR
Wingate High	NM	533	9-12	BIE	RESTR	RESTR
Aneth Community	UT	167	K-6	BIE	SI-2	SI-2

Appendix B: Documents from the Navajo Nation Supporting the DSAP

DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION
P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 – 7475 · FAX (928) 871 – 7474

Ben Shelly
President

Rex Lee Jim
Vice-President

NNBESE-304-2015

RESOLUTION OF THE
NAVAJO NATION BOARD OF EDUCATION

Relating to Education; Reaffirming the Navajo Nation Board of Education's Support for the Navajo Nation Accountability Workbook to be Implemented this coming School Year 2015-2016, and subsequent years, at all Public Law 100-297 and Public Law 93-638 Tribally Controlled Schools Operating under the Approval, Sanction, and Authority of the Navajo Nation.

WHEREAS:

1. The Navajo Nation Board of Education (hereinafter the "Board") is the education agent in the Executive Branch for the purposes of overseeing the operation of all schools serving the Navajo Nation. [10 N.N.C. § 106 (A)] The Board carries out its duties and responsibilities through the Department of Diné Education (hereinafter the "Department") [10 N.N.C. §106 (G)(3)]; and

2. Pursuant to 10 N.N.C. § 107 (B), the Department is under the immediate direction of the Navajo Nation Board of Education. Further, the Department is the administrative agency within the Navajo Nation with responsibility and authority for implementing and enforcing the educational laws of the Navajo Nation [2 N.N.C. § 1801 (B); 10 N.N.C. § 107 (A)]; and

3. "The Board [has the] general power to monitor the activities of all Bureau of Indian Affairs funded schools and local community school boards serving the Navajo Nation [10 N.N.C. § 106 (G)(1)];" and

4. Pursuant to 10 N.N.C. §106(G)(3)(a), (b), and (j), "(t)he Board…through the Navajo Nation Department of Education shall "(e)stablish instructional content and achievement standards and customized criterion referenced achievement testing instruments for schools serving the Navajo Nation, including consolidation of the standards of the three states overlapping the Navajo Nation with those of the Navajo Nation for Navajo language and cultural knowledge"; and, "(e)stablish policies and procedures for carrying out the accountability provisions of the federal education laws with regard to all Bureau of Indian Affairs funded schools serving the Navajo Nation"; and, "oversee research on the educational achievement, problems, and needs of Navajo Nation students and school systems"; and

BOARD OF EDUCATION
*Dr. Pauline M. Begay, **President** · Gloria Johns, **Vice President** · Marlene Burbank, **Secretary***
***Members:** Dolly C. Begay · Delores Greyeyes · Dr. Bernadette Todacheene · Patrick D. Lynch · Bennie Begay*
Dr. Tommy Lewis, Superintendent of Schools

5. On October 21, 2011, the Board (through Resolution **NNBEOC-136-2011*)*** approved a No Child Left Behind Act/Elementary and Secondary Education Act waiver request to the United States Department of Interior and Department of Education. The Navajo Nation also requested approval of the Navajo Nation's Alternative Accountability Workbook, which was associated with the waiver request; and

6. On November 25, 2014 and December 22, 2014, the Health, Education, and Human Services Committee and Naa'bik'iyati' Committee of the Navajo Nation Council approved **Legislation 0311-14** "…Requesting that the U.S. Department of Education approve the Navajo Nation Alternative Accountability Workbook" as official Navajo Nation policy; and

7. The Navajo Nation Board of Education reasserted their support for the Accountability Workbook through Resolution **NNBEAP-276-2015**; and requested the U.S. Department of Education and the Bureau of Indian Education to approve the Accountability workbook as soon as possible. The Department of Dine' Education administration as met with the two federal agencies several times since May 2015 to make sure the workbook meets federal mandates under the Elementary and Secondary Education Act; and

8. The U.S. Department of Education and BIE strongly agree the Accountability Workbook is a at the tail end of review and it meets all requirements, therefore the Accountability Workbook can be implemented among the 66 BIE funded schools on Navajo this coming School Year 2015-2016; and

9. The Superintendent of Schools wrote a letter to School Boards and School Administrators on July 15, 2015 (Exhibit A) to inform the 66 BIE funded schools on Navajo that the Accountability Workbook will be implemented this coming school year 2015-2016; and to let them know this effort is designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. The goal of this plan is to unify the three different state accountability systems and assessments into one uniform and rigorous set of standards and assessments for all BIE funded schools on Navajo, and schools will no longer use the state standards and assessment. The plan is also based on the use of the Common Core State Standards and the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment.

10. The Board of Education is requesting all BIE funded schools on Navajo to cooperate and support the implementation of the Accountability workbook using Common Core State Standards and use of the PARCC assessment for the coming School Year 2015-2016 and subsequent school years; and the Accountability Workbook is scheduled to be signed by the Secretaries of Education and Interior possibly in October 2015; and

11. The Navajo Nation's Accountability Workbook is an expression of the Navajo Nation's inherent sovereignty and fulfills the intent and purpose of the Navajo Sovereignty in Education Act of 2005; and

12. Based on the official actions of the Board of Education; Health, Education, and Human Services Committee; and Naa'bik'iyati' Committee of the Navajo Nation Council finds that it is in the best

interest of the Navajo Nation and education of our students to immediately implement provisions of the Navajo Nation's Accountability Workbook; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Board of Education reaffirms the Navajo Nation's support for the Navajo Nation Accountability Workbook to be implemented this coming School Year 2015-2016, and subsequent years, at all Public Law 100-297 and Public Law 93-638 Tribally Controlled Schools operating under the approval, sanction, and authority of the Navajo Nation.

2. The Navajo Nation Board of Education directs and empowers the Superintendent of Schools to notify and coordinate with the Bureau of Indian Education of the Navajo Nation's intent to implement the Accountability Workbook, and to expedite the U.S. Department of Education's approval of the Navajo Nation's request.

3. The Navajo Nation Board of Education hereby directs and empowers the Superintendent of Schools to take any actions deemed as necessary and proper to carry out the purposes of this resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, Arizona (Navajo Nation) at which a quorum was present, motion by Bennie Begay and seconded by Delores Greyeyes and that the same was passed by a vote of 6 in favor; 0 opposed; 0 abstained, this 4th day of September, 2015.

Dr. Pauline M. Begay

Dr. Pauline M. Begay, President
Navajo Nation Board of Education

Diné School Accountability Plan

EXHIBIT A

DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION
P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 – 7475 · FAX (928) 871 – 7474

Russell Begaye
President

Jonathan Nez
Vice-President

July 15, 2015

TO: School Officials and School Board Members of BIE funded schools on Navajo

RE: Accountability Workbook and Use of the Common Core State Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Assessment

The Navajo Nation submitted an Alternative Accountability Workbook to the U.S. Departments of Education and Interior in 2009 to requested a flexibility regarding specific requirements of the No Child Left Behind Act of 2001 (NCLB) We did not receive a response for the past several years and more recently, we had meetings with both federal agencies in Washington, DC to expedite the review process. This effort will bring about a rigorous and comprehensive state (Navajo Nation) developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction. One primary goal of the waiver request is to unify the three different state accountability systems and assessments into one uniform and rigorous set of standards and assessments for all BIE funded schools. Schools will no longer use the state standards and assessment.

The flexibility waiver request is also based on the use of the Common Core State Standards and the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment. We anticipate the Navajo Nation's flexibility waiver request will likely be approved by the Secretaries of Education and Interior by September 2015. Both federal agencies are strongly recommending that we start all BIE funded schools on this new plan at the same time starting in school year 2015-2016.

Therefore, please be aware the Alternative Accountability Workbook is scheduled to be implemented this coming school year. We are requesting your school's cooperation to implement the Common Core State Standards and use of the PARCC assessment for the coming school year and subsequent school years. More information will be forthcoming in the meantime. If you have any questions or any additional concerns, please direct them to the Office of Diné School Improvement (ODSI) at (928) 871-7452. Thank you.

Sincerely,

Dr. Tommy Lewis, Superintendent of Schools

CC: Timothy Benally, Assistant Superintendent/Department of Diné Education
Dr. Kalvin White, Program Manager/Office of Diné School Improvement
Dr. Ancita Benally, Program Manager/ Office of Standards, Curriculum, & Assessment Development
Dr. Pauline M. Begay, President/Navajo Nation Board of Education
Emily Arviso, Acting Associate Deputy Director/Bureau of Indian Education (BIE)
Dr. Charles M. Roessel, Director/ Bureau of Indian Education (BIE)
Angela Barney Nez, Executive Director, DBOSBA

BOARD OF EDUCATION
*Jimmie C. Begay, **President** · Dolly C. Begay, **Vice President** · Katherine D. Arviso, **Secretary***
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Bennie Begay · Andrea A. Charlie · Delores Noble-Parker · Tina James-Tafoya · Patrick D. Lynch
Andrew M. Tah, M.Ed, Navajo Nation Superintendent of Schools

Appendix C: Business Rules for Accountability in Phase One of the DSAP

The rules for Phase One of the DSAP are largely based on the fact that the 2014-15 accountability designations for schools are being carried forward and applied to the schools for the 2015-16 and 2016-17 school years. Additionally, the existing BIE supports and interventions are similarly applied to all DSAP schools for the 2015-16 and 2016-17 school years. Thus, while calculation of AYP is not required for the 2016-17 school year, most of the business rules used to calculate proficiency and provide support for schools are based on the No Child Left Behind Act of 2001 (NCLB).

Business Rules: Preparing Data Sets for Phase One of the DSAP

The data set addresses these questions:

- Was the student part of a sub-group (SpEd or EL)?
- Was the student in a tested grade (3-8, 11)?
- Was the student enrolled during the testing window?
- Was the student tested?

1. Pull all student enrollments for a school from NASIS for the entire school year for grades 3-8 and 11. This includes Special Education and Limited English Proficient status as well as start and end dates for enrollment. Pull only students listed as “ISEP” or “Non-ISEP” and exclude any student listed as “Public.”
2. Determine the Spring Testing Window.
3. If a student is enrolled at any point during the Spring Testing Window, mark the student as “enrolled.”
4. Add students’ test scores from their spring assessments to this data set. The scores should reflect either “Proficient” or “Not Proficient.”
5. Note whether the student took a “Regular Assessment” or an “Alternate Assessment.” There are variations on these two assessments, but they are not relevant for accountability purposes. They will be required for public reporting and EDFacts.

This step is now complete. These data may be used for participation rate and proficiency rate indicator evaluation under the DSAP.

Diné School Accountability Plan

Business Rules: Calculating Participation Rates for Phase One of the DSAP

This process will produce a result for use with determining whether a school has met the accountability requirements for the participation rate indicator. This indicator will be computed twice: Once for mathematics and once for English language arts/literacy.

1. Using the DSAP Data Set, determine by grade how many students were enrolled during the Spring Testing Window:
    a. In the All Students group
    b. In the students with disabilities sub-group
    c. In the Limited English Proficient sub-group
2. Using the DSAP data set, determine by grade how many students were tested during the Spring Testing Window:
    a. In the All Students group
    b. In the students with disabilities sub-group
    c. In the Limited English Proficient sub-group
3. Separately aggregate the number of students enrolled and the number of students tested into these grade bands:
    a. Elementary (Grades 3-6)
    b. Middle (Grades 7-8)
    c. High School (Grade 11)
4. Mark the participation rate indicator result for any band and sub-group that does not reach 20 students enrolled as "Not Applicable" or "NA." Accountability judgment will not be evaluated for this band and sub-group unless the school qualifies as a Small School.
5. For each band in which there are at least 20 students enrolled in a sub-group, evaluate whether the participation rate is at least 95%. This is done by using the banded aggregate data to divide the number of test results by the number of students enrolled during the testing window.
6. If the 95% target is met or exceeded, mark the appropriate band and sub-group indicator as "Met."
7. If the 95% target not is met, mark the appropriate band and sub-group indicator as "Not Met."
8. Be sure to apply this process to both English language arts/literacy and mathematics.

Business Rules: Calculating Proficiency Rates for Phase One of the DSAP

This process will produce a result for use with determining whether a school has met the accountability requirements for the proficiency rate indicator. This indicator will be computed twice: Once for English language arts/literacy and once for mathematics.

1. Using the DSAP Data Set, determine by grade how many students were enrolled during the Spring Testing Window:
    a. In the All Students group
    b. In the students with disabilities sub-group
    c. In the Limited English Proficient sub-group

2. Using the DSAP Data Set, determine by grade how many students were scored proficient ("Proficient" or "Advanced") on the Spring Administration of the PARCC Assessment:
    a. In the All Students group
    b. In the students with disabilities sub-group
    c. In the Limited English Proficient sub-group
    - Mark the proficiency rate indicator result for any band and sub-group that does not reach 20 students enrolled as "Not Applicable" or "NA." Accountability determinations will not be evaluated for this band and sub-group unless the school qualifies as a Small School. Please see Business Rules: Calculating (Small School Method).
3. For each band in which there are at least 20 students enrolled in a sub-group, evaluate whether the proficiency rate is at least the value of the proficiency rate set by the PARRC assessments. This is done by using the banded aggregate data to divide the number of proficient test results by the number of students enrolled during the testing window. Students who were not tested are counted as "Not Proficient."
4. If the proficiency cut score is met or exceeded, mark the appropriate band and sub-group indicator as "Met."
5. If the proficiency cut score is not met for a band and sub-group, apply a 99% confidence interval to the percent proficient and based upon the number of students enrolled. If the upper bound of the 99% confidence interval meets or exceeds the, mark the appropriate band and sub-group indicator as "Met."
6. If the proficiency cut score is not met for a band and sub-group after applying a 99% confidence interval, perform a Safe Harbor calculation. Safe Harbor is the same as meeting the requirements of the proficiency rate indicator and consists of a 10% reduction in non-proficient scoring from the last year to the current year. Calculate Safe Harbor using only students in each year.
    a. For the academic subject area, band, and sub-group that has not met the proficiency rate indicator, retrieve the prior year's DSAP Data Set.
    b. For the prior year, subtract the upper bound of the 99% confidence interval from 100%. Divide the difference by 10. This is the Safe Harbor Target.
    c. For the current year, subtract the upper bound of the 99% confidence interval from 100%. This is the Current Year Non-Proficient Score.
    d. Subtract the Safe Harbor Target from the Current Year Non-Proficient Score. If the resulting value is equal to or greater than zero, then the mark the appropriate band and sub-group indicator as "Met."
    e. Safe Harbor is only available starting in Year Two of the DSAP.
7. If the school has any band and sub-group that is not marked "NA" and that does not receive a "Met" rating for the proficiency rate indicator using any of the methods described in steps 1-9, then the appropriate band and sub-group indicator is marked "Not Met."

Diné School Accountability Plan

Business Rules: Calculating Attendance Rates for Phase One of the DSAP

The attendance rate calculation may be run directly from NASIS, provided that all students' information (including demographics and sub-group membership) is accurately recorded in the system. The attendance rate calculation encompasses a full school year and may only be collected after the school year has ended.

1. Log into NASIS.
2. Click on Students.
3. Click on Reports.
4. Run an ADA/ADM report.
5. Specify All Students, Students with Disabilities (Special Education), and Limited English Proficient students in the ADA/ADM report.
6. Run the report for each grade band: K-6 and 7-8.
7. Specify that the report should be from the first day of school through the last day of school.
8. For each sub-group and band, determine that least 20 students were enrolled during the school year (apply the minimum number for attendance rate). This information will be displayed in the NASIS ADA/ADM report.
9. For any sub-group that does not meet the minimum number, mark the appropriate band and sub-group as "Not Applicable" or "NA."
10. For any sub-group in which there are at least 20 students evaluate the indicator: If the attendance rate is at least 89.5%, mark the appropriate band and sub-group as "Met."
11. For any sub-group in which there are at least 20 students evaluate the indicator: If the attendance rate is less than 89.5%, subtract last year's attendance rate for the appropriate band and sub-group from their attendance rate in the current year. If the difference is greater than or equal to 1%, then mark the indicator as "Met."
12. As NASIS has been consistently used by Diné schools for several years, the option under step 11 is available immediately in Year One of the DSAP.
13. If the band and sub-group do not meet the requirements of steps 10 and 11, mark the appropriate indicator as "Not Met."

Diné School Accountability Plan

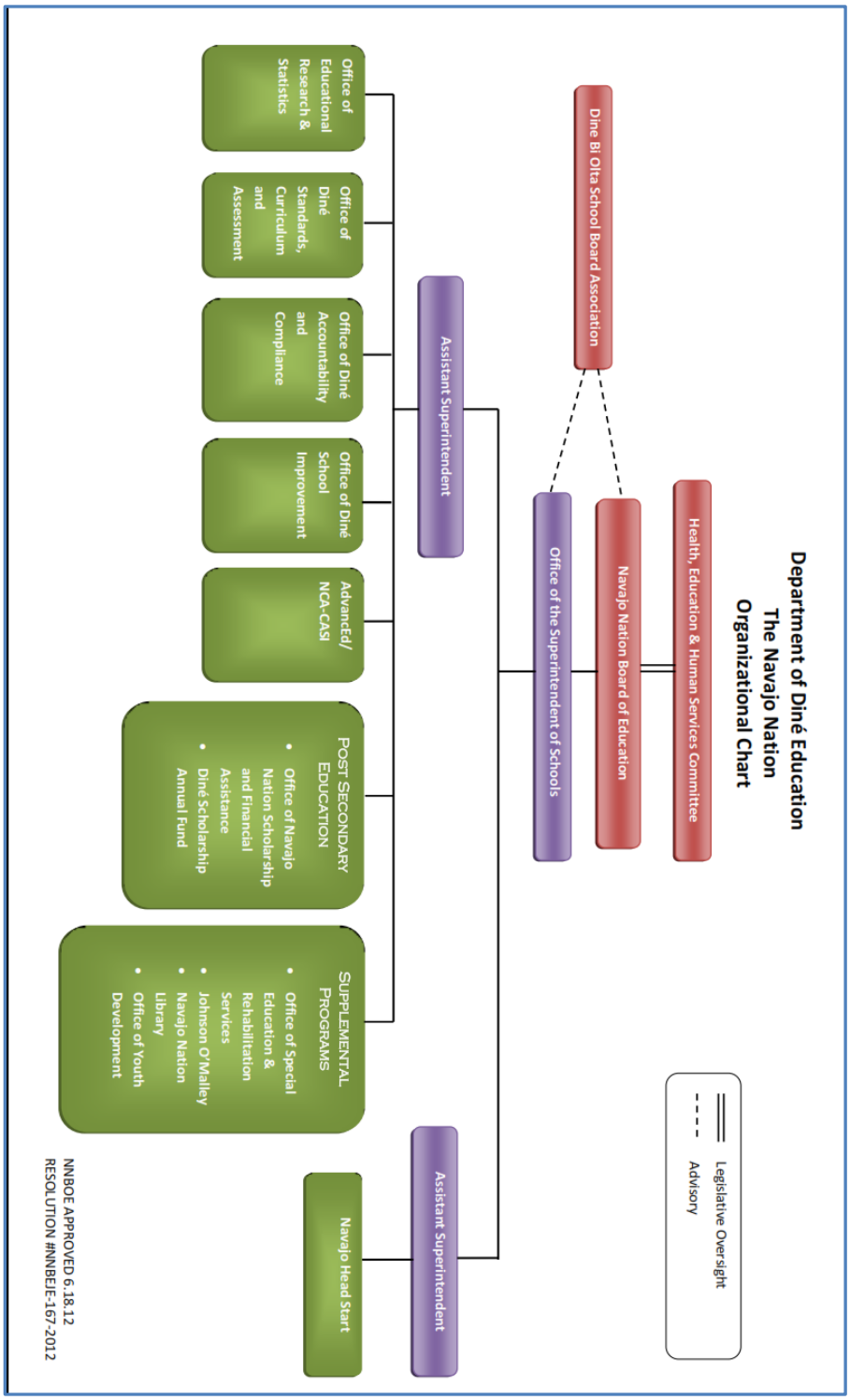
Business Rules: Calculating Graduation Rates for Phase One of the DSAP

The DSAP uses the U.S. Department of Education-mandated ACGR for accountability purposes. The ACGR is a stringent calculation that tracks all students from the time they first enter high school through to the point in which they should graduate on-time. The basis of the ACGR is student enrollments. Consequently, the most difficult part of the calculation is sifting through four years of enrollment records that high schools have on their students. Graduation rates are reported one year lagged.

1. Log into NASIS.
2. Change the scope year in NASIS to be each year in which the cohort attended each level of high school.
3. Click on Reports.
4. Run the Student Enrollment Status report for only the grade in which the cohort attended. For four years ago, run the ninth grade report. For three years ago, run the tenth grade report. For two years ago, run the eleventh grade report. For last year, run the twelfth grade report.
5. Add every student to the Cohort Pool that started ninth grade for the first time four years ago.
6. Add every student to the Cohort Pool that transferred-in to the school across this four-year period of time if they started the ninth grade for the first time four years ago unless the student transferring-in does not have sufficient credits to be classified in the same high school grade as his or her cohort peers.
7. Subtract every student from the Cohort Pool that transferred-out of the school and is known to be continuing his or her education at another school.
8. Subtract every student from the Cohort Pool that has died.
9. The Cohort Pool should consist of graduates (early and on-time with regular or endorsed diplomas), non-graduate completers (GEDs, certificates of completion, and other non-diplomas), dropouts, and students continuing their education at the same school but not finishing on-time.
10. On-time Graduates are any student graduating early or on-time with a regular or endorsed diploma. Early graduates are not counted until their cohort graduates. This means that often an early graduate is not counted until the next year. An on-time graduate is one that graduates in the spring or summer semester of their cohort's expected date. An endorsed diploma is one offered by a BIE-funded school that is recognized for meeting the same graduation criteria as required of state public schools in the same area.
11. If there are at least 20 members of the cohort for the group or sub-group, then calculate the graduation rate by dividing the number of On-time Graduates by the number of students in the Cohort Pool.
12. If the graduation rate meets or exceeds 80%, then the applicable sub-group indicator is marked "Met."
13. If the graduation rate does not meet or exceed 80% but has improved by at least 1% over the prior year's graduation rate for the same sub-group, then the applicable sub-group indicator is marked "Met."
14. If the criterion for step 11 is met but steps 12 and 13 are not met, then the applicable sub-group indicator is marked "Not Met."

Appendix D: DoDE Organizational Chart

The following organizational chart outlines the major departments within the Department of Diné Education (DoDE). Following the chart is a brief description of each of the organizational references in the chart.



Diné School Accountability Plan

Tribal Council: Health, Education & Human Services Committee

The Education Committee has oversight authority over the Navajo Nation Board of Education, Department of Diné Education, and over the implementation of education legislation. The Committee exercises such powers and responsibilities over Navajo education as are prescribed by its Plan of Operation (2 NNC § 481, et. seq.) and in other Navajo Nation laws.

Navajo Nation Board of Education

Establishes education policy and oversees the operation and management of schools.

Navajo Nation Board of Education

The administrative authority for implementing Navajo Nation Board of Education policies, including: intergovernmental agreements, funding and finance, implement accountability plans (as specified in Title 10), oversee curricular program, accreditation and so on.

Office of Educational Research & Statistics

The goals of the Office are to collect data, conduct data analysis, develop and manage a database system, and initiate new technological advances in the field of management information systems, which includes management of the Navajo Education Information System (NElS). The department is also responsible for implement research designs and methodologies through development of data gathering tools, data collection, data analysis and production of reports.

Office of Diné Standards, Curriculum and Assessment

The goals of this office are to plan, promote, develop and implement Diné language, culture, history, and government programs in schools on and near the Navajo Nation, which includes publishing instructional materials and testing instruments for the teaching of Navajo language and culture, and incorporate Diné language and culture data as part of the academic achievement profiles and assessment measurements, i.e. Adequate Yearly Progress (AYP).

Office of Diné Accountability and Compliance

The responsibilities of this office include monitoring community-controlled schools for compliance with Navajo Nation and federal legislative mandates and requirements. Maintaining records on the administration status of all Bureau of Indian Education (BIE) funded schools and other educational programs, as directed by the Superintendent. Coordinating the submission of all required reports and single audit reports per federal, state and Navajo Nation mandates by the community-controlled schools to the Department of Diné Education, Health, Education and Human Services Committee and Navajo Nation Board of Education.

Diné School Accountability Plan

Office of Diné School Improvement

The purpose of the ODSI is to improve schools through professional development, coaching and mentoring of educators: enhancing and training educators on data analysis and making data driven decisions; developing and implementing school improvement plans with educators; strengthening leadership skills and knowledge of educators and parents; and leveraging technology in new and innovative ways for the purposes of systemic support, instructor excellence and student academic achievement. These goals are promoted by:

- Professional Development: Assist schools with the professional development of their teachers. administrators. and other educators striving for consistent and constant improvement in classroom instruction.
- Coaching and Mentoring: Assist educators through meaningful coaching and mentoring programs based on constant improvement in classroom instruction.
- Data Analysis and Data Driven Decision-Making: Assist schools and educators with-data collection. analysis. database development, and using data as a basis for targeted systemic improvements.
- Leadership and Parental Training: Assist schools with increasing and strengthening the involvement of parents in all aspects of their child's education; improving the communication and feedback between parents. teachers. and administrators; and helping parents take an active part in school improvement measures.
- Technological Management: Develop and maintain the Navajo Education Information System (NElS) as a central database to launch and evaluate research. Curriculum development. and present vital feedback to teachers. parents. administrators. and students.

Post-Secondary Education

Provides support for students pursuing a secondary education program, including counseling and financial aid. Works with colleges to build bridges to support student admissions and enrollment through graduation.

Supplemental Programs

Includes finances for library and youth programs available both in the schools and communities. This collection of programs includes rehabilitation services for youth

Navajo Head Start

The Head Start program provides services for the child and family which address early childhood developmental needs; including medical, dental, mental health, nutrition, and parental involvement. In addition, early childhood services should be appropriate and responsive to each child and the family’s cultural and language background. The department offers services throughout the Navajo Nation that are coordinated with the public, private and tribally controlled schools.

Appendix E: DSAP expands upon the existing BIE's plan for implementing the Common Core State Standards

The following outline highlights key elements of the plan to sustain the implementation of the CCSS during Phase One of the DSAP, which has adopted CCSS as its academic standards and the PARCC assessments for its accountability assessments.

While New Mexico uses the CCSS and PARCC as its academic standards and accountability assessments respectively, Utah and Arizona have both changed their earlier commitment to these accountability elements. This creates confusion and difficulty for managing a BIE funded school operating on the Navajo Reservation, which we label as Diné Schools in this document. The DSAP creates a consistent and stable accountability plan for Diné schools regardless of the state in which they are located. The single plan for implementing the CCSS are thus as follows.

During Phase One of the DSAP, the Navajo Nation's Department of Diné Education (DoDE) will build upon the existing BIE services that support the implementation of the CCSS. It is organized into three-part strategy:

The first continues the regional day long workshops provided by BIE, known as Curriculum Alignment Teacher Team (CATT). These workshops provide teachers and administrators the big picture describing the details of the CCSS and PARCC assessments, as well as the theory of how curriculum alignment and instruction positively impact student performance.

The second strategy focuses on individual schools and their school improvement plans. This level of planning focuses more on the specific needs of the school's students and their academic needs. It highlights strengths and weaknesses that can be leveraged or improved. It promotes systematic and sustained planning, collegiality, and partnerships. Considerable attention is given to aligning curriculum and instruction with state accountability standards and assessments.

The third strategy drives down to the individual classroom teacher and his/her students. Here the attention is on the educational needs of students. Considerable attention is given to supporting teachers' adaptation of their curriculum and instruction to the goals of the CCSS.

DoDE's Office of Diné School Improvement will require teacher and administrator participation in the regional implementation workshops. Two workshops per year will be provided, once just before the beginning of school and the second during the month of January. School level workshops can be provided as a part of the school's regular meeting schedules for academic and administrative issues. The individual teacher trainings can be planned as needed in conjunction with the teachers and school administrator.

While the BIE's implementation plans have focused on math and language arts standards, curriculum and instruction, it has also provided support for the Diné content standards, which are an important part of the DSAP. The BIE has recognized the importance of cultural context in its efforts to implement the CCSS, and DoDE will certainly continue such efforts. The DSAP is strongly committed to sustaining native history, culture and language, and encouraging students to maintain their tribal identities.

To successfully sustain the implementation of the CCSS DoDE will have to expand its role, building the capacity to align its budget and organization to improve teaching and learning, as

well as supporting self-determination and effective school/community partnerships. All of these propositions are congruent with the BIE's efforts to implement the CCSS, and they will be continued and expanded upon in the Diné School Accountability Plan.

Appendix F: DSAP Supports and Interventions for Schools Failing to Meet AYP Standards: expanding upon the existing BIE plans

Currently, BIE-funded schools are governed by the accountability plan of the state in which the school is located. This means that there is no single system of supports and interventions supporting BIE funded schools operating within the boundaries of the Navajo Nation. One of the primary goals of the DSAP is to create a single accountability plan that applies to these schools.

In phase one of the DSAP, DODE will use the current AYP designation for BIE-funded schools to identify the supports and interventions necessary to improve the educational outcomes of students. The BIE, in an October 23, 2015 communique, identified key elements that organized its supports and interventions plans, which include review of schoolwide indicators of instruction and curriculum as they align with school budgets, accreditation, data coaching, professional development, leadership training, and technical support for special education students.

In many respects DoDE's Office of Diné School Improvement uses the same set of ideas in its efforts to support Diné schools struggling to ensure every student achieves academic success. The review of student performance data is essential for developing plans that align educational standards, curriculum, and instruction. The Diné school improvement teams, deployed by the Office of Diné School Improvement, have for years reached out to the teachers at Diné schools to support school improvement. These data teams help teachers develop data driven plans to support students and their academic needs. It is the kind of activity that can facilitate Diné lead accountability instead of BIE lead accountability.

The data teams also work with the schools' leadership as they develop school wide plans for improvement and support. Professional development, both within the school and regionally, is an integral part of the DSAP for support and intervention. Such plans promote a collegial and cooperative faculty that is focused on the academic needs of their students. These areas of support and intervention correspond with the BIE's initiatives and will serve as the foundation for continued cooperation and support for school improvement during the transition phase of the DSAP.

Schools failing to meet AYP criteria are required to participate in monthly monitoring and technical assistance visits from DoDE's school improvement teams. These visits include interviews with the principal, as well as focus group interviews with teachers, parents, and students. These schools are required to develop school improvement plans, which are submitted to the Navajo Nation Board of Education for review and approval. Teacher training and support is provided by DoDE's Office of Diné School Improvement. Parental involvement in educational matters is promoted. Support for professional collaboration, school climate, and high expectations must be emphasized in these plans.

Schools in Need of Improvement receive on-site monitoring and technical assistance visits quarterly. These visits include: an interview with the principal; focus groups with teachers and parents; and, classroom observations. School improvement plans are reviewed and discussed.

The above plans provide a measure of continuity for support and interventions during Phase One of the DSAP. The Navajo Nation is working to develop a set of supports and interventions that better reflect the cultural values and goals of the Navajo people and communities the schools

serve. A future proposal for an alternative accountability workbook to be developed and submitted by the Navajo Nation to DOI and ED for review and approval in preparation for Phase Two of the DSAP.