

## Section II: System Overview

Under the accountability provisions in the *No Child Left Behind Act of 2001* (NCLB), all districts, campuses, and the state are evaluated for Adequate Yearly Progress (AYP). Following is an overview of the process for determining district and campus 2007 AYP Status.

### Key Dates Related to the 2007 AYP Process

- |                          |                                                                                                                                                                                                                                                                                                                          |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>November 30, 2005</b> | <b>AYP Flexibility Agreement Approved</b><br>USDE and TEA reached a flexibility agreement with respect to the inclusion of students with disabilities for 2005, 2006, and 2007 Adequate Yearly Progress.                                                                                                                 |
| <b>February 15, 2007</b> | <b>TEA Requests for Amendments</b><br>TEA submits requests for amendments to the Texas Consolidated State Application Accountability Workbook (Texas AYP Workbook).                                                                                                                                                      |
| <b>April, 2007</b>       | <b>Exception Applications via RF Tracker</b><br>Districts with residential treatment facilities (RF) and group foster homes may apply for an exception to the 3% cap by registering with the Division of Program Monitoring and Interventions' RF Tracker Texas Education Agency Secure Environment (TEASE) application. |
| <b>May 9, 2007</b>       | <b>AYP Calculations Approved</b><br>USDE approves amendments to the Texas AYP Workbook related to the 2007 AYP calculations.                                                                                                                                                                                             |
| <b>June, 2007</b>        | <b>AYP Guide Released</b>                                                                                                                                                                                                                                                                                                |

**August 8, 2007**

**Release of 2007 Preliminary Data Tables to Campuses and Districts**

TEA provides 2007 AYP preliminary data tables to school districts on the Texas Education Agency Secure Environment (TEASE) for Title I and non-Title I districts and campuses, alternative education campuses, and open-enrollment charter schools.

**Appeals Begin**

Student-level data for submission of appeals are available to districts electronically. Appeal letters for district and campus AYP results are accepted.

**Open Other Circumstance Exceptions Application**

Districts may submit applications for Other Circumstance Exceptions online via TEASE.

**August 15, 2007**

**Public Release of 2007 Preliminary Data Tables**

TEA releases preliminary 2007 AYP masked data tables, including preliminary AYP status, electronically on public website.

**September 7, 2007**

**Appeals Deadline**

Appeals of district and campus preliminary 2007 AYP Status must be submitted in writing under the signature of the superintendent by Friday, September 7, 2007.

**Exceptions Deadline**

Online application process for submission of Other Circumstance Exceptions closes.

**Late-November/  
Early-December, 2007**

**Final 2007 AYP Status**

TEA releases final 2007 AYP masked data tables with final AYP Status electronically on public website.

## New Features of the 2007 AYP System

The USDE required changes to specific components of the AYP system for 2007. Sections III through VII provide more details on the following areas:

- Increase in AYP Reading/English Language Arts and Mathematics performance standards.
- In accordance with the November 30, 2005 USDE flexibility agreement:
  - students taking LDAA will be counted as *non-participants*, and
  - students taking TAKS-Alt will be counted as participants, but included in performance as *non-proficient* for calculating AYP.
- Based on the USDE/NCLB Standards and Assessments Peer Review response of October 27, 2006:
  - recent immigrant limited English proficient (LEP) students enrolled two or more years in U.S. schools who take RPTE and no other assessment will be counted as *non-participants*
  - LAT version of the TAKS and SDAA II Reading/ English Language Arts test will be used for *participation and performance*.

## Districts and Campuses Evaluated

### Districts

Regular foundation school program (FSP) districts and special statutory districts are evaluated for AYP. State-administered school districts are not evaluated for AYP. State-administered districts include Texas School for the Blind and Visually Impaired, Texas School for the Deaf, Texas Youth Commission, and Windham School District. Beginning in 2005, charter operators are evaluated for AYP based on aggregate results for the campuses operated by the charter. New districts, including new charter districts, are not evaluated for AYP. Districts with no students enrolled in Grades 3–8 and 10 are not evaluated for AYP.

### Campuses

All Title I and non-Title I public school campuses, alternative education campuses, and open-enrollment charter schools are evaluated for AYP with the following exceptions:

***New Campuses:*** New campuses and new open-enrollment charter schools are not evaluated for AYP the first year they report fall enrollment. These campuses will be incorporated automatically the second year they report fall enrollment.

***Campuses that Close Mid-Year:*** Campuses that close before the Texas Assessment of Knowledge and Skills (TAKS) testing date are not evaluated for AYP. Performance measures for which data exist on campuses that close are included in the district AYP evaluation. Campuses that close after the end of the school year are evaluated for AYP for that school year.

**Juvenile Justice Alternative Education Program (JJAEP) and Disciplinary Alternative Education Program (DAEP) Campuses:** State statute and statutory intent prohibit the attribution of student performance results to JJAEPs and DAEPs. Attendance and performance data for students served in JJAEPs and DAEPs are attributed back to the home campuses.

**PK/K Campuses:** Campuses that do not serve students in grades higher than kindergarten are not evaluated for AYP.

**Short-Term Campuses:** Campuses that serve students in the grades evaluated for AYP (Grades 3–8 and 10) but have no students in attendance for the full academic year are not evaluated for AYP. This includes alternative education campuses (AECs) with short-term placements where students are not served for the full academic year at the AEC.

**Charter Campuses with No Students in Grades 3–8 and 10:** Open-enrollment charter schools that do not serve students enrolled in Grades 3–8 or 10 are not evaluated for AYP.

**Districts and Campuses with Students Enrolled in Grades 3-8 or 10 but have No Test Results:** Districts and campuses with students enrolled in Grades 3-8 or 10 but have no test results in the accountability subset are not evaluated for AYP.

If a school district enters into a legal agreement with TEA that requires new district or campus numbers, the AYP status history *will* be linked to the previous district or campus number. In this case, both the district and campus *will be evaluated* for AYP the first year under the new number. Data for districts and campuses in these circumstances will not be linked. This includes PEIMS data, assessment data, and AYP indicators that draw on those data. Districts or campuses under a legal agreement with TEA cannot take advantage of Required Improvement/Safe Harbor provisions of AYP in order to meet AYP the first year under a new district or campus number.

## **2007 AYP Status**

Following is an overview of the 2007 AYP indicators. Additional information about each AYP measure is provided in *Section III*. A sample AYP calculation is provided in *Appendix D*.

Districts, campuses, and the state are evaluated on three indicators for AYP: Reading/English Language Arts, Mathematics, and one other indicator. Exhibit 1 summarizes the indicators. For Reading/English Language Arts and Mathematics (Grades 3–8 and 10, summed across grades), for all students and each student group that meets minimum size requirements, districts and campuses must meet the performance standard or performance improvement, and the participation standard. The performance standard is based on test results for students enrolled for the full academic year. The participation standard is based on participation in the assessment program of all students enrolled on the day of testing.

In addition to Reading/English Language Arts and Mathematics, districts and campuses are required to meet the AYP standard on one other indicator—either Graduation Rate or Attendance Rate. The other indicator evaluated for a district or campus is based on the grades offered. *Appendix E* shows the grade ranges included in each campus type.

- Graduation Rate is the other indicator for high schools, combined elementary/secondary campuses offering Grade 12, and districts offering Grade 12.
- Attendance Rate is the other indicator for elementary schools, middle/junior high schools, combined elementary/secondary schools not offering Grade 12, and districts not offering Grade 12.

Districts and campuses must meet the Graduation Rate or Attendance Rate standard *or* show any improvement from the prior year for all students.

Improvement on the Other Indicator is also part of performance improvement for the Reading/English Language Arts and Mathematics performance measures. If any student group (or all students) does not meet the performance standard for Reading/English Language Arts or Mathematics, that student group must show both: 1) a 10 percent decrease in the percent counted as not proficient from the prior year **and** 2) any improvement on the other indicator. Although student groups are not required to meet the Graduation Rate or Attendance Rate standard, they *may* be required to show improvement on the Graduation Rate or Attendance Rate to meet the performance improvement standard.

A district or campus may be evaluated on as few as 2 or as many as 29 measures to determine 2007 AYP Status. See Section III for a discussion of the relationships between indicators and measures.

### **2007 AYP Status Labels**

Each district and campus is assigned one of the following 2007 AYP Status labels:

***Meets AYP:*** Designates a district or campus that meets AYP standards on all indicators for which it is evaluated.

***Missed AYP – [reason]:*** Designates a district or campus that does not meet AYP standards on one or more indicator components and which of those components were not met.

***Not Evaluated:*** Designates a district or campus not evaluated for AYP for one of the following reasons:

- the district or campus is new;

- the campus does not serve students in grades above kindergarten;
- the campus closed mid-year;
- the campus does not have students in attendance for the full academic year;
- Juvenile Justice Alternative Education Program (JJAEP) and Disciplinary Alternative Education Program (DAEP) campuses;
- unusual circumstances (district with no students in grades tested; campus test answer documents lost in shipping); or
- the charter campus does not have students enrolled in the grades tested.

The final 2007 State Accountability Ratings for the standard and Alternative Education Accountability (AEA) procedures will be reported along with the final 2007 AYP Status for each campus and district. See the 2007 State Accountability Manual on the Internet at <http://www.tea.state.tx.us/perfreport/account/2007/manual/index.html> for definitions of the ratings. The status label for each campus and district AYP report will be one of the following combinations of State Rating and AYP Status:

## Standard Procedures

- *Exemplary, Meets AYP*
- *Exemplary, Missed AYP – [reason]*
- *Exemplary, Not Evaluated*
  
- *Recognized, Meets AYP*
- *Recognized, Missed AYP – [reason]*
- *Recognized, Not Evaluated*
  
- *Academically Acceptable, Meets AYP*
- *Academically Acceptable, Missed AYP – [reason]*
- *Academically Acceptable, Not Evaluated*
  
- *Academically Unacceptable, Meets AYP*
- *Academically Unacceptable, Missed AYP – [reason]*
- *Academically Unacceptable, Not Evaluated*
  
- *Not Rated-Other, Meets AYP*
- *Not Rated-Other, Missed AYP – [reason]*
- *Not Rated-Other, Not Evaluated*
  
- *Not Rated-Data Integrity Issues, Meets AYP*
- *Not Rated-Data Integrity Issues, Missed AYP – [reason]*
- *Not Rated-Data Integrity Issues, Not Evaluated*

## AEA Procedures

- *AEA: Academically Acceptable, Meets AYP*
- *AEA: Academically Acceptable, Missed AYP – [reason]*
- *AEA: Academically Acceptable, Not Evaluated*
  
- *AEA: Academically Unacceptable, Meets AYP*
- *AEA: Academically Unacceptable, Missed AYP – [reason]*
- *AEA: Academically Unacceptable, Not Evaluated*
  
- *AEA: Not Rated-Other, Meets AYP*
- *AEA: Not Rated-Other, Missed AYP – [reason]*
- *AEA: Not Rated-Other, Not Evaluated*

**Exhibit 1: 2007 AYP Indicators**

<p><b>Reading/English Language Arts</b>                  2006–07 tests (TAKS, TAKS-Alt, SDAA II, LDAA, RPTE*, and LAT in Grades 3–8 &amp; 10)                  All students and each student group that meets minimum size requirements:                  African American                  Hispanic                  White                  Economically Disadvantaged                  Special Education                  Limited English Proficient</p>	<p><b>Performance Standard: 60%</b>                  % counted as proficient on test** for students enrolled the full academic year subject to the federal 3% cap</p>	<p><b>Performance Improvement:</b>                  10% decrease in percent not proficient on test** and any improvement on the other measure (Graduation Rate <i>or</i> Attendance Rate)</p>
	<p><b>Participation Standard: 95%</b>                  Participation in the assessment program for students enrolled on the date of testing</p>	<p><b>Average Participation Rate:</b>                  95% participation based on combined 2005-06 and 2006-07 assessment data</p>
<p><b>Mathematics</b>                  2006–07 tests (TAKS, TAKS-Alt, SDAA II, LDAA, and LAT in Grades 3–8 &amp; 10)                  All students and each student group that meets minimum size requirements (see above)</p>	<p><b>Performance Standard: 50%</b>                  % counted as proficient on test** for students enrolled the full academic year subject to the federal 3% cap</p>	<p><b>Performance Improvement:</b>                  10% decrease in percent not proficient on test** and any improvement on the other measure (Graduation Rate <i>or</i> Attendance Rate)</p>
	<p><b>Participation Standard: 95%</b>                  Participation in the assessment program for students enrolled on the date of testing</p>	<p><b>Average Participation Rate:</b>                  95% participation based on combined 2005-06 and 2006-07 assessment data</p>
<p><b>Other Indicator***</b>                  All students  <b>Graduation Rate</b>                  Class of 2006  <b>Attendance Rate</b>                  2005–06</p>	<p><b>Graduation Rate Standard: 70.0% or any improvement</b>                  Graduation Rate for high schools, combined elementary/secondary schools offering Grade 12, and districts offering Grade 12</p>	<p><b>Attendance Rate Standard: 90.0% or any improvement</b>                  Attendance Rate for elementary schools, middle/junior high schools, combined elementary/secondary schools not offering Grade 12, and districts not offering Grade 12</p>

\* See Performance and Participation in Section III for information on the use of RPTE in AYP.

\*\* Student passing standard on TAKS at panel recommendation. No more than 3% of students in the district’s participation denominator can be counted as proficient based on meeting ARD expectations on SDAA II for students tested below enrolled grade level.

\*\*\* Student groups are not required to meet the Graduation Rate or Attendance Rate standards; however, they may be required to show improvement on the Graduation Rate or Attendance Rate as part of performance improvement for Reading/English Language Arts or Mathematics.



## Section III: Indicators, Components, Measures, and Standards

Data used to determine the 2007 AYP Status is organized into indicators, components, measures, and standards. Exhibit 2 provides a summary of the relationships among AYP indicators, components, measures, and standards.

### Indicators

There are three areas that serve as indicators on which a district or campus may be evaluated for AYP: Reading/English Language Arts, Mathematics, and one of the Other Indicators (either Graduation Rate or Attendance Rate). Missing AYP on the same indicator two years in a row triggers Title I School Improvement requirements, and once a district or campus is in Title I School Improvement requirements, it must meet AYP on the indicator that triggered School Improvement for two years in a row to get out of School Improvement requirements.

### Assessments used for Reading/English Language Arts and Mathematics Indicators

#### TAKS

Assessment results evaluated are the Reading/English Language Arts and Mathematics administration of the Texas Assessment of Knowledge and Skills (TAKS) for students in Grades 3–8 and 10. This includes TAKS results for both the English and Spanish versions of the test. Student performance at or above the *Met Standard* level adopted by the State Board of Education (SBOE) for the 2006-07 school year is considered proficient for TAKS results.

#### Student Success Initiative (SSI) for Grade 3 Reading and Grade 5 Reading and Mathematics

Current federal regulations implementing *No Child Left Behind* (NCLB) permit both the first and second administration of the TAKS Grade 3 Reading, Grade 5 Reading and Grade 5 Mathematics tests to be included in the AYP calculation for performance and participation.

#### TAKS-Alternate

The TAKS-Alternate (TAKS-Alt) is designed for students with significant cognitive disabilities in order to meet the federal requirements mandated under NCLB. The majority of students who take this assessment were tested in past years on a function-based Locally Determined Alternate Assessments (LDAA). Unlike other statewide assessments, the TAKS-Alt test involves teachers observing as students complete teacher-designed activities that link to the grade-level Texas Essential Knowledge and Skills (TEKS) curriculum. Teachers then score student performance and submit the results through an online instrument. TAKS-Alt standards for student proficiency will be set based on the spring 2007 field test results.

### **State-Developed Alternative Assessment II (SDAA II) and Locally Determined Alternate Assessments (LDAA)**

The Individuals with Disabilities Education Act (IDEA) mandates the inclusion of students who receive special education services in statewide assessment and accountability systems. Similarly, NCLB legislation requires inclusion of assessment results for students with disabilities for the calculation of AYP. The SDAA II is designed to help ensure that students with disabilities for whom this assessment is appropriate are making progress in the Texas Essential Knowledge and Skills (TEKS) curriculum. The LDAAs measure the learning of a student receiving special education services and are appropriate for students receiving TEKS-based instruction. An LDAA may be administered to students who do not meet the participation criteria for the TAKS-Alt field test and require testing accommodations that would invalidate TAKS or SDAA II. The ARD committee determines a student's eligibility to receive special education services and must choose the assessment that matches the educational needs of each student receiving special education services as required by the *Admission, Review, and Dismissal (ARD) Committee Decision-Making Process for the Texas Assessment Program* reference manual.

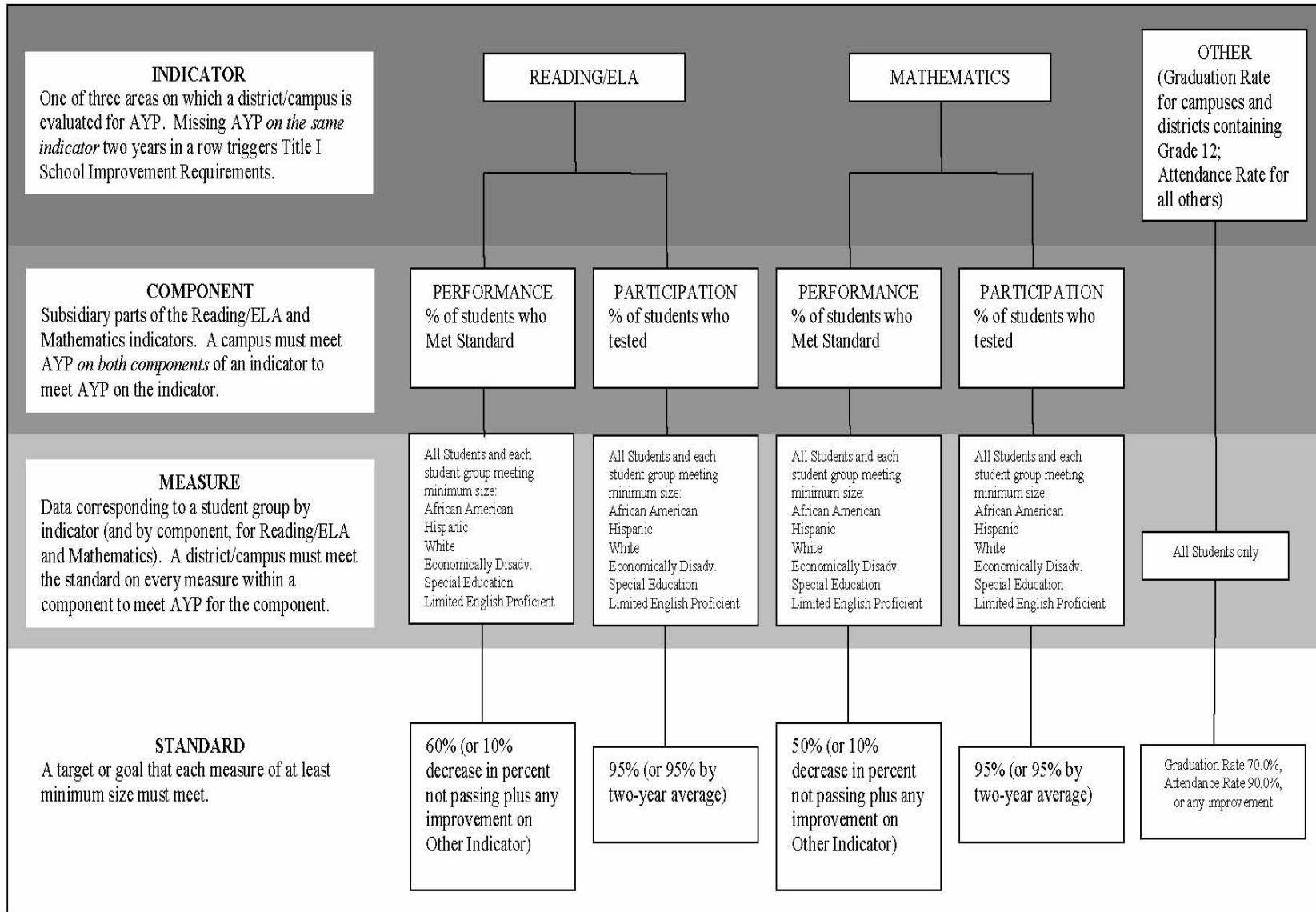
### **Reading Proficiency Tests in English (RPTE)**

NCLB legislation requires that states assess all limited English Proficient (LEP) students in Reading/English Language Arts for the calculation of AYP. Reading Proficiency Tests in English (RPTE) results are required for recent immigrants who qualify for a LEP exemption in Reading/English Language Arts from TAKS or SDAA II. The RPTE and the Texas Observation Protocols (TOP) together comprise the Texas English Language Proficiency Assessment System (TELPAS). Both components are designed to assess the progress that LEP students make in learning the English language. The Language Proficiency Assessment Committee (LPAC) determines whether the student is limited English proficient, recommends the appropriate educational program for each LEP student, and is required to make assessment decisions on an individual student basis in accordance with the procedures outlined in the *LPAC Decision-Making Process for the Texas Assessment Program* manual.

### **Linguistically Accommodated Testing (LAT) for Reading/English Language Arts and Mathematics**

NCLB legislation requires that states assess all LEP students in Reading/English Language Arts and Mathematics for the calculation of AYP. Linguistically Accommodated Testing (LAT) in mathematics was implemented in the spring of 2005 for recent immigrants who were LEP-exempt and enrolled in Grades 3–8 and 10. In spring 2007, new Reading/English Language Arts LAT procedures were made available for LEP students exempt from the TAKS or SDAA II. The Language Proficiency Assessment Committee (LPAC) determines whether the student is limited English proficient (LEP), recommends the appropriate educational program for each LEP student, and is required to make assessment decisions on an individual student basis in accordance with the procedures outlined in the *LPAC Decision-Making Process for the Texas Assessment Program* manual. Because of the very small number of LEP-exempt recent immigrant students served by special education, the LAT process is not available for the State-Developed Alternative Assessment (SDAA II) in mathematics. LAT administrations of the SDAA II in reading for grades 3-8 and 10 are permitted in 2007.

## Exhibit 2: Relationships Among AYP Indicators, Components, Measures, and Standards



## Components of the Reading/English Language Arts and Mathematics Indicators

The Reading/English Language Arts and Mathematics indicators are each comprised of two components: performance and participation. Districts and campuses must meet *both* the performance (or performance improvement) *and* participation components for Reading/English Language Arts and Mathematics. If a district or campus misses the performance component on an indicator in one year and the next year meets the performance component but misses the participation component on the same indicator, the district or campus would be considered to have missed AYP for that indicator two years in a row, potentially triggering Title I School Improvement requirements for the district or campus. The opposite also holds: the district/campus could miss participation on an indicator the first year and meet participation but miss performance the next year for the same indicator, and the district/campus would be considered to have missed AYP for that indicator two years in a row.

Performance and participation components of the Reading/English Language Arts and Mathematics indicators are determined from the same set of assessment information for each school district.

### Students Tested on a Single Assessment

For students taking only one assessment in reading (or mathematics), the single assessment result is used to evaluate AYP. For example, a student may take the TAKS and no other test. The AYP results will be based on information provided in the TAKS answer document, such as demographic information and grade level. Please note that the number of school years of enrollment in U.S. schools is only indicated on the RPTE answer document.

### Students Tested on More than One Assessment

In some cases, students may take both the SDAA II and TAKS, or both the RPTE and TAKS assessments. In these cases, assessment results are combined for each student by subject area to determine which assessment result will be used for AYP calculations. The assessment included in the subject area AYP calculation is selected based on the following hierarchy:

#### Reading Assessments

TAKS  
SDAA II  
TAKS-Alt  
LAT (TAKS or SDAA II)  
RPTE  
LDAA

#### Mathematics Assessments

TAKS  
SDAA II  
TAKS-Alt  
LAT (TAKS only)  
LDAA

Once selected, the single assessment identified for each student is evaluated for both participation and performance components for that subject area. The following describes situations where the hierarchy is used to select a single assessment for use in AYP.

### **Student Success Initiative, Grades 3 and 5**

For students in Grades 3 and 5 that are subject to the state Student Success Initiative (SSI) requirements, the TAKS Reading and Mathematics assessment results from the second administration are evaluated for students who do not meet the proficiency standard in the first administration. The second administration results used for AYP calculations include students taking either English or Spanish TAKS assessments to meet the SSI requirements.

There are situations where a student may take the TAKS assessment during the first administration and, after determination by the ARD committee, take the SDAA II during the second administration. Based on the hierarchy above, the scored TAKS results are selected as the single assessment result used for the AYP calculation. The SDAA II results are not used.

### **RPTE**

A student may take the RPTE and TAKS Reading assessment, and both may be appropriately coded scored documents. The scored TAKS assessment results are used in the AYP Reading calculation for this student; the RPTE results are not used. If a student takes the RPTE and any other assessment, the student identifying information on both answer documents must match in order for the AYP results to be accurately processed.

### **Performance**

In order to meet AYP, all districts and campuses must meet the performance components of the Reading/English Language Arts and Mathematics indicators either by meeting the performance standard for percent proficient or meeting performance improvement for all students and each student group meeting minimum size requirements on the following tests:

### **TAKS**

The student passing standard used for the 2007 AYP calculation is the *Met Standard* level for students in grades 3-8 and 10. Results are evaluated for all students and each student group meeting minimum size requirements.

### **Grade 3 Reading**

Grade 3 Reading performance is the cumulative percent passing calculated by combining the February and April administrations of the TAKS.

### **Grade 5 Reading and Mathematics**

Grade 5 Reading performance is the cumulative percent passing calculated by combining the February and April administrations of the TAKS, and Grade 5 Mathematics performance is the cumulative percent passing calculated by combining the April and May administrations of the TAKS.

### **RPTE**

USDE federal regulations issued on September 13, 2006, allow recent immigrant students in their first school year of enrollment in U.S. schools and who are exempted from TAKS to be counted as participants in AYP through RPTE, and excluded from the performance measures. In order to remain compliant with the ESEA/NCLB standards and assessment requirements, Texas is no longer allowed to use the RPTE for recent immigrant students in their second or third year of enrollment in U.S. schools for AYP purposes. Recent immigrant LEP students who are enrolled in their second or third school year in U.S. schools will no longer be permitted to be included in AYP through the RPTE incremental progress standard.

Beginning in 2007, the assessment results for the Reading Proficiency Tests in English (RPTE) will be counted appropriately for participation and are not included in the *performance* component. See the Participation discussion in this section for more information on determining the participation status of students with RPTE results.

### **Linguistically Accommodated Testing (LAT) for Reading/English Language Arts and Mathematics**

Since 2005, TAKS LAT administrations for mathematics have been given to recent immigrant LEP students granted an exemption by the LPAC on the basis of limited English proficiency. Beginning in 2007, LAT administrations are available to recent immigrant LEP students who are exempt from the TAKS Reading/English Language Arts assessment. The TAKS LAT Reading/ELA and Mathematics results are used for performance for students in their second or third year of enrollment in U.S. schools who are LEP-exempt from the TAKS and SDAA II by the LPAC.

The TAKS LAT Reading/English Language Arts and Mathematics tests results for students in their first year in U.S. schools are not included in the performance measure calculation based on the final federal regulation issued on September 13, 2006 (see <http://www.ed.gov/legislation/FedRegister/finrule/2006-3/091306a.html>). Please note that student information on the number of school years of enrollment in U.S. schools is found only on the RPTE test answer document. In order for student LAT results to be excluded from the AYP performance measure based on the number of years of enrollment in U.S. schools, an RPTE answer document must be submitted and student identification information must match the TAKS/SDAA II answer document used for the LAT administration. See the Participation discussion in this section for more information on determining the participation status of students with LAT results.

**TAKS Alternate (TAKS-Alt)**

Based on the November 30, 2005, flexibility agreement regarding the inclusion of students with disabilities, the TAKS-Alt field test results are used in the 2007 AYP performance measure and are counted as *non-proficient*. TAKS–Alt assessments will have student proficiency standards set based on the spring 2007 TAKS–Alt field test results and, therefore, have no standards against which to measure student proficiency for use in 2007 AYP calculations.

**Locally Determined Alternate Assessments (LDAA)**

For 2006-07, the USDE flexibility agreement requires that students taking LDAA be included in AYP as non-participants for AYP. Test results for students identified as non-participants are not included in performance calculations.

**SDAA II: Federal 3% cap**

Assessment results on the State-Developed Alternative Assessment II (SDAA II) for students with disabilities are included in 2007 AYP calculations. SDAA II includes results for grades 3-8 and 10. SDAA II results are not considered for students tested on TAKS.

- Results for students tested on SDAA II *at enrolled grade level* are evaluated; students who meet admission, review and dismissal (ARD) committee expectations are counted as proficient.
- Results for students tested on SDAA II *below enrolled grade level* are evaluated. Students who meet ARD expectations are counted as proficient, subject to the federal 3% cap (see below).

***Federal 3% cap on SDAA II (Tested Below Enrolled Grade Level) Results Counted as Proficient:***

Beginning in the 2006-07 school year, USDE final federal regulations issued April 9, 2007, allow two separate caps for including the results of students taking alternate assessments. The number of students taking alternative assessments based on *alternate achievement standards* and being counted as proficient for AYP may not exceed 1% of each district's total participation. The number of students taking alternative assessments based on *modified achievement standards* and being counted as proficient for AYP may not exceed 2% of each district's total participation. Federal regulations also allow a school district with alternative assessment results that fall below the 1% cap to use the unfilled slots with proficient scores of alternative assessments under the 2% cap, resulting in a total cap of no more than 3%. However, the federal regulation does not allow alternative assessments based on alternate achievement standards to exceed the 1% cap, so the converse is not allowable. A district may not add additional proficient scores to the 1% cap from unfilled slots below the 2% cap on alternative assessments based on modified achievement standards.

For Texas, 2006-07 SDAA II below grade assessments are included in the 2% cap. Neither the LDAA nor TAKS-Alt results are counted as proficient in 2006-07 due to the USDE flexibility agreement. Based on the federal cap requirements, the only results subject to the federal cap are SDAA II below enrolled grade level proficient results. The effect is an overall 3% cap on SDAA II results alone.

Students counted as proficient for the performance calculation who meet ARD expectations on SDAA II and were tested below enrolled grade level may comprise only 3% of the number of students enrolled in the district at the time of testing determined by the district's participation denominator for the subject area. The participation denominator can be found in the participation section (Total Students in All Students column; see Appendix C) of the school district AYP data table (note that Reading/English Language Arts and Mathematics may have different participation denominators).

TEA will process SDAA II results by determining first how many proficient scores can be included in the performance rates for each district. Proficient scores will be included based on the priorities shown below. Proficient scores that remain after the district cap is reached will be counted as non-proficient *for AYP determination purposes only*. If the number of proficient scores in a school district is less than the cap, the cap has no effect.

In order to comply with the federal regulation that allows proficient scores for students with the most significant cognitive disabilities, SDAA II results counted as proficient within the district are sorted and prioritized. Proficient scores falling within the 3% cap are counted as proficient; proficient scores exceeding the 3% cap are counted as *non-proficient* for AYP results only. The following sorting priority for the SDAA II below enrolled grade level tests remains as it was in 2006. As in 2006, the percent of correct answers is sorted from lowest to highest score.

- Students who were enrolled the full academic year in the same campus
  - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
  - SDAA II tested nine instructional levels below enrolled grade level, etc.
  - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were enrolled the full academic year in the same district but not the same campus
  - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
  - SDAA II tested nine instructional levels below enrolled grade level, etc.
  - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were not enrolled in the same district for the full academic year



Please note that, for SDAA II test takers, TEA does not consider Achievement Level in determining whether the student will be counted as proficient for AYP. SDAA II results are sorted for the cap calculation without reflecting Achievement Level I, II, or III. Proficiency is based on meeting the expectations determined by the student's ARD committee.

Federal regulations (34 CFR 200.13 *et seq.*) require TEA to calculate the federal cap on district data and specifically direct state agencies not to calculate a cap on individual campus data. However, it should be noted that these same regulations also require students counted as “exceeding the cap” under the federal cap rule at the district-level AYP to also be counted as “exceeders” for campus-level AYP. These regulations are intended to prevent schools with higher disabled student populations from being disproportionately penalized by the cap while also maintaining consistency between campus and district AYP with respect to how disabled students are counted.

It should be emphasized that the federal cap relates to counting students as proficient for AYP purposes only and ***does not*** provide direction to ARD committees regarding how students with disabilities should be assessed. For students with disabilities receiving special education services, state policies and procedures related to assessment decision-making are detailed in the TEA publication titled *Admission, Review, and Dismissal (ARD) Committee Decision-Making Process for the Texas Assessment Program*. **It is important that local school districts ensure that appropriate assessments are selected and administered to students with disabilities.**

#### **Assessments Included in 2007 AYP Calculations**

The Exhibits on the following two pages show, by subject and assessment, all tests included in 2007 AYP calculations. See the Participation discussion in this section for more information on determining the participation status of students for AYP.

**Exhibit 3 - Assessments Included in 2007 AYP Calculations**

<i>Reading/ELA Assessments</i>					
	<b>PARTICIPATION</b> 95% Standard			<b>PERFORMANCE / ACCOUNTABILITY SUBSET</b> 60% Standard	
	Total Students	Number Participating	→	Number Tested	Met Standard
<b>TAKS</b>	Yes	If participant	→	If non-mobile	If standard is met
<b>TAKS-I</b>	<b>Not Offered in AYP Subjects and Grades (Reading/Math 3-8 &amp; 10)</b>				
<b>SDAA II</b>	Yes	If participant	→	If non-mobile	If standard is met (subject to 3% cap if below grade level)
<b>TAKS-Alt</b>	Yes	If participant in 2007 field test	→	If non-mobile	<b>Non-Proficient</b>
<b>LDAA</b>	Yes	<b>Non-Participant</b>	N/A	<i>Not Included</i>	<i>Not Included</i>
<b>RPTE*</b>	Yes	<b>Non-Participant</b>	N/A	<i>Not Included</i>	<i>Not Included</i>
<b>LAT version of TAKS*</b>	Yes	If participant	→	If non-mobile	If standard is met

\* Students in their First Year of enrollment in U. S. Schools are counted as participants, but excluded from the performance calculation.

**Exhibit 3 (continued) - Assessments Included in 2007 AYP Calculations**

<i>Mathematics Assessments</i>					
	<b>PARTICIPATION</b> 95% Standard			<b>PERFORMANCE / ACCOUNTABILITY SUBSET</b> 50% Standard	
	<b>Total Students</b>	<b>Number Participating</b>	<b>→</b>	<b>Number Tested</b>	<b>Met Standard</b>
<b>TAKS</b>	Yes	If participant	<b>→</b>	If non-mobile	If standard is met
<b>TAKS-I</b>	<b>Not Offered in AYP Subjects and Grades (Reading/Math 3-8 &amp; 10)</b>				
<b>SDAA II</b>	Yes	If participant	<b>→</b>	If non-mobile	If standard is met (subject to 3% cap if below grade level)
<b>TAKS-Alt</b>	Yes	If participant in 2007 field test	<b>→</b>	If non-mobile	<b>Non-Proficient</b>
<b>LDAA</b>	Yes	<b>Non-Participant</b>	<b>N/A</b>	<i>Not Included</i>	<i>Not Included</i>
<b>LAT version of TAKS*</b>	Yes	If participant	<b>→</b>	If non-mobile	If standard is met

\* Students in their First Year of enrollment in U. S. Schools are counted as participants, but excluded from the performance calculation.

The following Exhibit shows how the RPTE results are required to be included in the 2007 AYP calculations.

**Exhibit 4 – Reading Proficiency Tests in English**

<b>Reading Proficiency Tests in English (RPTE)</b>					
	<b>Participation 95% Standard</b>			<b>Performance/Accountability Subset 60% Standard</b>	
	<b>Total Students</b>	<b>Number Participating</b>		<b>Number Tested</b>	<b>Met Standard</b>
<b>First year of enrollment in U.S. schools</b>	Yes	If participant	➔	<i>Not Included</i>	<i>Not Included</i>
<b>Second or Third year (or more) of enrollment in U.S. schools</b>	Yes	<b>Non-Participant</b>	<b>N/A</b>	<i>Not Included</i>	<i>Not Included</i>

**Calculating Performance Measures**

The Reading/English Language Arts and Mathematics performance measures are defined as the percent of students counted as proficient. The measure is calculated as the number of students counted as proficient (as described above for each test) divided by the total number of students tested, by subject. All calculations are rounded to the nearest whole percent.

**Performance Full Academic Year**

Only students enrolled in the district or on the campus for the full academic year are included in the performance measure. RPTE assessment results are excluded from performance measure calculations (refer to the Assessments Included in 2007 AYP Calculations chart for more information). Foreign exchange students assessed on TAKS or SDAA II are not excluded from the performance measure.

**Districts:** Test results are included in the district-level measure for students enrolled in the district on the PEIMS fall enrollment snapshot date. For 2006-07, the snapshot date was October 27, 2006.

**Campuses:** Test results are included in the campus-level measure for students enrolled on the campus on the PEIMS fall enrollment snapshot date.

### **Performance Student Groups Evaluated**

In addition to all students, performance measures are calculated for the African American, Hispanic, White, economically disadvantaged, special education, and LEP student groups. Student information coded on the test answer documents is used to assign students to groups. Student groups are reported as a percentage of all students, rounded to the nearest whole percent.

**Special Education:** If a student is tested on SDAA II or TAKS-Alt for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects. If a student is identified as a special education student on any test document for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects.

**LEP:** If a student is identified as a current year LEP student on the TAKS English, TAKS Spanish, or SDAA II test documents for either Reading/English Language Arts or Mathematics, the student is included in the LEP group for both subjects. If the student is tested on RPTE, the student is included in the LEP student group for both subjects. If the student is not tested on RPTE, and the LEP field is blank on the TAKS English, TAKS Spanish, and SDAA II answer documents, the student is assumed to be non-LEP.

In addition, students remain in the LEP student group for two years after they enter a regular, all-English instructional program. For all students included in the AYP Reading/English Language Arts and Mathematics performance measures for 2007, performance is included in the LEP student group if the student has been identified as a current or monitored LEP student and has been appropriately coded on the assessment answer document. Students are coded as either a currently identified LEP student (“C”), or the student has met the criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS and is in the first or second year of monitoring as required by statute (“M1” or “M2”).

**Minimum Size Requirements:** For student groups to be included in the AYP performance calculation, a district or campus must have:

- Test results for 50 or more students in the student group (summed across Grades 3–8 and 10) for the subject, and the student group must comprise at least 10 percent of all test takers in the subject, *or*
- Test results for 200 or more students in the student group, even if that group represents less than 10 percent of all test takers in the subject.

For the LEP student group, minimum size is evaluated based on students identified as LEP in 2006–07 only. If the LEP student group meets the minimum size requirement based on current-year identification, the performance evaluated will include additional students who were identified as LEP in the prior two years as described above.

### **Performance Standards**

For each district and campus, performance measures for all students and each student group meeting the minimum size requirement for students enrolled the full academic year must meet the following performance standards for Reading/English Language Arts and Mathematics.

- Reading/English Language Arts: **60** percent of students counted as proficient
- Mathematics: **50** percent of students counted as proficient

### **Performance Improvement (“Safe Harbor”)**

For Reading/English Language Arts and Mathematics, performance measures for all students and each student group must meet *either* the performance standard *or* performance improvement. For measures that meet the performance standard, it is not necessary for these measures to also meet performance improvement. For this reason, performance improvement is considered a “safe harbor” for measures that do not meet the performance standard. The safe harbor requires that measures show gains on the criterion on which they do not meet the standard (Reading/English Language Arts or Mathematics) *and* improvement on the other measure applicable for their district, campus, or student group.

*Calculating Performance Improvement:* Performance improvement for the measure is met if there is:

- a 10 percent decrease from the prior year in percentage of students counted as not proficient in the subject (Reading/English Language Arts or Mathematics), *and*
- at least one-tenth of a percent (0.1) improvement for the group on the Graduation Rate or Attendance Rate.

The performance improvement calculation requires that the actual change must be equal to or greater than the minimum Required Improvement needed to reach a standard of 100 percent over a ten-year period. In this case, the methodology may be illustrated as the following:

$$\begin{array}{c}
 \textit{Actual Change} \\
 \text{[performance in 2007]} - \text{[performance in 2006]} \geq \frac{\textit{AYP Required Improvement}}{10} \\
 \text{[standard of 100 \%]} - \text{[performance in 2006]}
 \end{array}$$

**Minimum Size Requirements:** Performance improvement is calculated even if the measure does not meet the minimum size requirement the prior year. Performance improvement is not calculated if there are no prior-year test results for the measure. If performance improvement cannot be calculated due to lack of prior-year results, the campus or district cannot use safe harbor to meet the performance requirement and receives an AYP status of *Missed AYP* for that measure.

Improvement on the Graduation Rate or Attendance Rate is calculated at the student group level for the purpose of applying performance improvement only. If the measure does not meet the minimum size requirement for the Graduation Rate or Attendance Rate for both the current year and the prior year, improvement for the other criterion is not evaluated. In this situation, the district or campus is not required to show improvement on the other criterion to meet performance improvement for the measure. If the measure meets the minimum size requirements for both the current year and prior year, an improvement of at least 0.1 in the Graduation Rate or Attendance Rate is required.

### **Participation**

In addition to meeting the performance components of the Reading/English Language Arts and Mathematics Indicators, districts and campuses must also meet the participation components of those indicators. As stated earlier, the performance and participation components are determined from the same set of assessment information for each school district. Likewise, the single assessment result determined for each student is used on both the performance and participation components for that subject area.

### **Calculating Participation Measures**

Districts are required to submit test answer documents for every student enrolled in the grades tested on the test date. Students who were administered a make-up test within the testing window are included in the participation rate calculation. The answer documents are coded to show which test is administered to each student and whether the test is scored. Students are counted as participants (numerator of the participation rate) if they were tested on any of the following assessments. Participants also include students who were tested but the test answer document was not scored for other reasons.

- TAKS;
- SDAA II for special education students exempted from TAKS by the ARD committee;
- TAKS-Alt for special education students exempted from TAKS and SDAA II by the ARD committee;
- RPTE (for Reading only) for recent immigrant LEP students exempted from TAKS or SDAA II by the LPAC and in their first school year of enrollment in U.S. schools; or
- LAT for recent immigrant LEP students exempted from TAKS or SDAA II by the LPAC.

The participation measures are calculated as the number of students participating divided by the number of students enrolled on the test date. Counts are summed across grades for Grades 3–8 and 10 for each subject (Reading/English Language Arts and Mathematics). Participation measures are calculated for all students and each student group. All calculations are rounded to the nearest whole percent.

### **Participation Count of Students Enrolled at the Time of Testing**

Participation measures are based on all students enrolled at the time of testing defined as the total number of assessment documents submitted by each school district (denominator of the participation rate). The calculation is *not* limited to students enrolled for the full academic year. Participation counts include students with answer documents submitted from the first and second administrations of TAKS Grade 3 Reading, TAKS Grade 5 Reading, and TAKS Grade 5 Mathematics.

### **Identification of Participants**

Student test results included as participants are based on the approved amendments to the 2007 Texas AYP Workbook. In addition, the test document score code is used to determine whether a student is counted as a participant after determining the single assessment result used for AYP. Students coded as absent on the TAKS, SDAA II, or RPTE answer document are not counted as participants and are therefore not included in the participation numerator. Other situations exist that may cause student test results to be excluded from the participation numerator.

### **TAKS Linguistically Accommodated Testing (LAT)**

#### ***Mathematics***

Students LEP exempt from the Mathematics TAKS are considered participants if their Mathematics TAKS answer document indicates testing with linguistic accommodations. In order to be included in the participation numerator, column C of the LAT INFO section of the TAKS answer document must not indicate that the student was absent. In



addition, if all columns in the LAT INFO section are blank, the student will not be included in the participation numerator. Linguistic accommodations are not offered for the mathematics SDAA II administrations; therefore, students LEP Exempt from Mathematics SDAA II assessment are not considered participants and are not included in the participation numerator.

### ***Reading***

Students LEP exempt from the Reading/English Language Arts TAKS are considered participants if their Reading/English Language Arts TAKS or SDAA II answer document indicates testing with linguistic accommodations. Column C of the Agency Use field on the TAKS answer document must not indicate that the student was absent in order for the student to be included in the participation numerator. In addition, students will only be included in the participation numerator if the values of columns in the Agency Use field indicate a LAT administration (codes '1' or '2').

### **TAKS-Alternate (TAKS-Alt)**

In accordance with the flexibility agreement between USDE and TEA signed on November 30, 2005, students taking the TAKS-Alt field tests are counted as participants for AYP in 2007. Districts were given instructions and training over the last school year for providing TAKS-Alt assessments. In order to be included in the participation measure, the TAKS-Alt online submission must not indicate the selection of "Not Finalized."

### **LDAA**

Based on the November 30, 2005 flexibility agreement between USDE and TEA, students taking LDAA will not be counted as participants for AYP in 2007. If the SDAA II answer document indicates the student was ARD exempt ("X"), the student will not be included in the participation numerator.

### **RPTE**

Although the assessment results for RPTE are not included in the performance component, only certain RPTE results may be counted as participants. Final USDE federal regulations on LEP assessment posted on September 13, 2006, allow recent immigrant students who are exempted from TAKS and in their first school year of enrollment in U.S. schools to be counted as participants in AYP through RPTE. However, due to the results of the USDE review of standards and assessments, recent immigrant students enrolled in their second or third school year in U.S. schools will not be counted as participants in AYP. Please note that for students taking any other test along with the RPTE, the hierarchy of assessments will be used to select the student test used for AYP. An explanation of the hierarchy is found in the beginning of this section. The use of other assessments in AYP for recent immigrant students is based on matching student identification information on both test answer documents.

LEP students who arrived in the United States for the first time during the second semester of the current school year and are deemed to be non-English readers by the LPAC are coded on the RPTE answer document (“N”). These students receive a Beginning proficiency rating on RPTE and are considered participants and are included in the participation numerator.

### **Participation Student Groups Evaluated**

In addition to all students, the student groups for which AYP participation measures are calculated are African American, Hispanic, White, economically disadvantaged, special education, and LEP students. Student information coded on the test answer documents is used to assign students to groups. Student groups are presented as a percentage of all students on AYP data tables are rounded to the nearest whole percent.

**Special Education:** If a student is tested on SDAA II, TAKS-Alt, or LDAA for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects. If a student is identified as a special education student on any test document for either Reading/English Language Arts or Mathematics, the student is included in the special education student group for both subjects.

**LEP:** Only students identified as LEP in 2006-07 are included in the LEP group for participation. If a student is identified as a current year LEP student on the TAKS English, TAKS Spanish, or SDAA II test documents for either Reading/English Language Arts or Mathematics, the student is included in the LEP group for both subjects. If the student is tested on RPTE, the student is included in the LEP student group for both subjects. If the student is not tested on RPTE, and the LEP field is blank on the TAKS English, TAKS Spanish, and SDAA II answer documents, the student is assumed to be non-LEP.

**Minimum Size Requirements:** For the participation measure to be included in the AYP calculation at the all students level, the district or campus must have at least 40 students enrolled at the time of testing. Districts and campuses with fewer than 40 students enrolled at the time of testing are not required to meet the participation rate measures.

For student groups’ participation measures to be evaluated for AYP, a district or campus must have:

- 50 or more students in the group enrolled on the test date (summed across Grades 3–8 and 10) for the subject, 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 group enrolled on the test date, even if that group represents less than 10 percent of all students enrolled on the test date.

### **Participation Standard**

For each district and campus, measures meeting the minimum size requirement for students enrolled on the test date must have **95** percent of students participating for Reading/English Language Arts and Mathematics.

### **Average Participation Rate**

For each district and campus, measures meeting minimum size requirements for students enrolled on the test date that do not meet the 95 percent standard participation will be re-evaluated using the aggregate participation results for two years. Reading/English Language Arts and Mathematics participation results for 2006-07 will be combined with the 2005-06 participation results. The numerators of both school years are summed and the denominators of both school years are summed and the resulting totals are divided to get the average ratio for two years.

### **The Other Indicator**

In addition to Reading/English Language Arts and Mathematics, each district and campus is required to meet AYP standards on one other indicator—Graduation Rate or Attendance Rate. The other indicator evaluated for a district or campus is based on the grades offered. See *Section II* for additional information on determination of which other indicator is used.

### **Graduation Rate**

The high school Graduation Rate is the *graduates* component of the longitudinal completion/student status rate. The longitudinal completion rate is the same rate used for the Texas state accountability system. For more information about the longitudinal completion/student status rate calculation, see *Secondary School Completion and Dropouts in Texas Public Schools 2004–05* at [http://www.tea.state.tx.us/research/pdfs/dropcomp\\_2004-05.pdf](http://www.tea.state.tx.us/research/pdfs/dropcomp_2004-05.pdf). Due to the timing of the availability of data, the completion/student status rate is a prior-year measure. For example, the Graduation Rate evaluated as part of the 2007 AYP calculations is the rate for the Class of 2006.

### **Graduation Rate Standard**

The Graduation Rate is defined as the percent of students entering ninth grade and classified as graduates four years later. The standard is **70.0** percent of students classified as graduates. Districts and campuses are required to meet the 70.0 percent standard at the all students level only. Student group Graduation Rates are not evaluated against the 70.0 percent standard.

### **Graduation Rate Improvement Standard**

For districts and campuses not meeting the Graduation Rate standard at the all students level, the AYP criteria for Graduation Rate is met if there is improvement from the prior year on the Graduation Rate. The district or campus shows

improvement on the Graduation Rate if the Class of 2006 Graduation Rate is higher than the Class of 2005 Graduation Rate at the all students level. Graduation Rates are rounded to one decimal place before improvement is calculated. Therefore, 0.1 is the minimum improvement required. Districts and campuses that meet the 70.0% Graduation Rate standard are not required to show improvement.

### **Graduation Rate Minimum Size Requirement**

**All Students:** For the Graduation Rate to be evaluated in the AYP calculation at the all students level, the district or campus must have at least 40 students in the completion/student status rate class. Districts and campuses with fewer than 40 students in the completion/student status rate class are not required to meet the Graduation Rate measures. If a district or campus meets the minimum size requirement for the Graduation Rate for the current year, improvement from the prior year is calculated even if the district or campus does not meet the minimum size requirement on the Graduation Rate for the prior year. Improvement is not calculated if the district or campus does not have a Graduation Rate for the prior year. If Graduation Rate Improvement cannot be calculated due to lack of prior year results, the district or campus cannot use the improvement standard to meet the Other Indicator requirement and receives an AYP status of *Missed AYP* for that measure.

### **Performance Improvement (Safe Harbor)**

For Reading/English Language Arts and Mathematics performance improvement, the district or campus is not required to show improvement on the Graduation Rate unless minimum size requirements are met for both the current year and prior year.

**Student Groups:** Districts and campuses are not required to meet the Graduation Rate standard for student groups. Graduation Rates for student groups are only included in the AYP calculation in the event they are evaluated as part of performance improvement. Student group identifications are based on student characteristics and program participation used to report the longitudinal secondary school completion rates and annual dropout rates for the state. Where student groups are reported as a percentage of all students for Graduation Rate, the percentages are rounded to the whole percent. For a student group's Graduation Rate to be included in the AYP improvement calculation, a district or campus must have:

- 50 or more students in the student group in the completion/student status rate class, and the student group must comprise at least 10 percent of all students in the completion/student status rate class; *or*
- 200 or more students in the student group in the completion/student status rate class, even if that group represents less than 10 percent of all students in the completion/student status rate class.

### **Attendance Rate**

The Attendance Rate is based on attendance of all students in Grades 1 through 12 for the entire school year. Due to the timing of the availability of data, the Attendance Rate is a prior-year measure. For example, the Attendance Rate evaluated as part of the 2007 AYP calculation is the 2005–06 Attendance Rate. The Attendance Rate is calculated as follows:

$$\frac{\text{Total number of days students were present in 2005–06}}{\text{Total number of days students were in membership in 2005–06}} \times 100$$

The primary source of student group identification for the Attendance Rate is the demographic record submitted with the PEIMS attendance record. Student race/ethnicity is reported for each student as part of the attendance data submission. Students are included in the special education student group if they have special education attendance reported for any six-week reporting period. Students are included in the LEP student group if they are identified as LEP for any six-week reporting period. Students are included in the economically disadvantaged student group if they have a matching fall enrollment record coded as economically disadvantaged.

#### **Attendance Rate Standard**

The standard for Attendance Rate is an average attendance rate of **90.0** percent. Districts and campuses are required to meet the 90.0 percent standard at the all students level only. Student group Attendance Rates are not evaluated against the 90.0 percent standard.

#### **Attendance Rate Improvement Standard**

For districts and campuses that do not meet the Attendance Rate standard at the all students level, the AYP requirements for Attendance Rate are met if there is improvement from the prior year on the Attendance Rate. The district or campus shows improvement on the Attendance Rate if the 2005–06 Attendance Rate is higher than the 2004–05 Attendance Rate at the all students level. Attendance rates are rounded to one decimal place before improvement is calculated. Therefore, 0.1 is the minimum improvement required. Improvement on the Attendance Rate is not required for districts and campuses that meet the 90.0% standard.

#### **Attendance Rate Minimum Size Requirement**

The minimum size requirements for Attendance Rates are based on total days in membership rather than individual student counts.

*All Students:* For the Attendance Rate to be evaluated in the AYP calculation at the all students level, the district or campus must have at least 7,200 total days in membership (40 students x 180 school days). Districts and campuses with

fewer than 7,200 total days in membership are not required to meet the Attendance Rate standard. If a district or campus meets the minimum size requirement for the Attendance Rate for the current year, improvement from the prior year is calculated even if the district or campus does not meet the minimum size requirement on the Attendance Rate for the prior year. Improvement is not calculated if the district or campus does not have an Attendance Rate for the prior year. If Attendance Rate Improvement cannot be calculated due to lack of prior year results, the district or campus cannot use the improvement standard to meet the Other Indicator requirement and receives an AYP status of *Missed AYP* for that measure.

### **Performance Improvement (Safe Harbor)**

For Reading/English Language Arts and Mathematics performance improvement, the district or campus is not required to show improvement on the Attendance Rate for all students unless minimum size requirements are met for both the current year and prior year.

**Student Groups:** Districts and campuses are not required to meet the Attendance Rate standard for student groups. Attendance Rates for student groups are only included in the AYP calculation in the event they are evaluated as part of performance improvement. Where student groups are reported as a percentage of all students for Attendance Rate, the percentages are rounded to the nearest whole percent. For a student group's Attendance Rate to be included in the AYP improvement calculation, a district or campus must have:

- 9,000 or more total days in membership (50 students x 180 school days), and the student group must comprise at least 10 percent of total days in membership for all students; **or**
- 36,000 or more total days in membership (200 students x 180 school days), even if the group represents less than 10 percent of total days in membership for all students.

### **Rounding**

The rules for rounding measures that were applied in 2006 will also apply in 2007.

#### **Performance**

Performance-related measures are rounded to the nearest whole percent. For example, a school obtaining a 59.5% on Reading/English Language Arts will have their performance rounded up to 60%. On the other hand, another school obtaining a 59.4% on the same measure will have their performance rounded down to 59%. It is the rounded performance number that is compared to performance standards.

Performance improvement calculations are performed *after* rounding each year's performance. For example, a school obtaining 32.4% on a Mathematics Performance measure in 2007 and 28.5% on the same measure in 2006 would achieve a performance improvement of 3% (32% in 2007 minus 29% in 2006; note that if the subtraction was performed before the rounding, we would get  $32.4 - 28.5 = 3.9\%$ , which rounds to a performance improvement of 4%).

### **Participation**

As with performance, participation-related measures are rounded to the nearest whole percent. For example, a school obtaining a 94.5% on Mathematics participation will have their participation rounded up to 95%, while another school obtaining a 94.4% on the same measure will have their participation rounded down to 94%. The participation measure is compared to the participation standard after rounding.

The average participation is calculated based on the total number of students in the combined results of both years. The total number of students participating is divided by the total number of students in the participation measure for both 2005-06 and 2006-07 combined. The resulting rate is rounded to the nearest whole percent.

### **Other Indicator**

Unlike performance and participation, measures related to the Other Indicator are rounded to the nearest one-tenth of a percent. For example, a high school with a Graduation Rate of 69.95% would have their other measure rounded up to 70.0%, while another high school with a Graduation Rate of 69.94% would have their other measure rounded down to 69.9%. The other measure is compared to the standard after rounding. Also note that improvement calculations for performance improvement determinations are made after rounding. For example, an elementary school obtaining a 90.95% Attendance Rate in 2007 and having a 90.94% Attendance Rate in 2006 would achieve an Attendance Rate improvement of 0.1% (91.0% minus 90.9%; note that if the subtraction was performed before rounding, we would get  $90.95 - 90.94 = 0.01\%$ , which rounds to an improvement of 0.0%).

### **Student Groups**

Student group percentages are rounded to the nearest whole percent for all measures prior to determining whether the student group meets the minimum size requirement.

## Small Districts and Campuses

### Performance

Small districts and campuses, those with fewer than 50 total students tested in Grades 3–8 and 10, are evaluated based on their own assessment results to the greatest extent possible. Small districts and campuses are evaluated first against the same standards (performance standard or performance improvement) as larger districts and campuses. If a small district or campus meets AYP under either the performance standard or performance improvement, the district or campus is rated as *Meets AYP* and no further special analyses are employed. On the other hand, if a small district or campus misses AYP under both the performance standard and performance improvement, additional special analyses are employed.

### Confidence Intervals

Districts and campuses with at least 10, but fewer than 50, total students tested in either Reading/English Language Arts or Mathematics are evaluated based on the all students performance measure of the district or campus for the subject using confidence intervals. Confidence intervals allow AYP to be met within a statistical margin of error that is determined by the number of students evaluated in the small district or campus. A confidence interval is an estimated range of performance that includes the district's/campus' observed performance rate plus an allowance for sampling error. Thus, districts and campuses who are eligible for this analysis can meet the performance standard if their observed performance plus the allowance for sampling error is enough to meet or exceed the performance standard.

### Uniform Averaging

Districts and campuses that did not meet AYP using confidence intervals will be evaluated using uniform averaging. Uniform averaging involves combining the 2006-07 AYP results for the district or campus with its 2005-06 AYP results and determining AYP status using data aggregated over the two years.

### Pairing

Campuses with fewer than 10 assessments that did not meet AYP under uniform averaging (see above) are evaluated based on the all students performance results of an assigned pairing relationship for the subject. Campuses that have a pairing relationship established with another campus or the district for state accountability ratings will use that pairing relationship for AYP. Results at the all students level will be applied to the paired campus. Campuses that do not have such a pairing relationship will have their district's performance (again, at the all students level) applied to the campus. If the district or campus with which it is paired is not evaluated, the paired campus receives a 2007 AYP Status of *Not Evaluated*.



### **Districts and Campuses with Fewer than 5 Assessments**

Districts and campuses with fewer than 5 assessments that did not meet AYP will be reviewed on a case-by-case basis.

#### **Participation**

Districts and campuses with fewer than 40 total students enrolled in the grades evaluated for AYP (summed across Grades 3–8 and 10) on the test date are not required to meet the test participation standard. The AYP status for these districts and campuses is based on meeting the performance standards for the Reading/English Language Arts and Mathematics measures and for the Graduation Rate or Attendance Rate measures if minimum size requirements for those measures are met.

Districts and campuses with at least 40 total students enrolled in Grades 3–8 and 10 on the test date are required to meet the participation standard.

#### **Other Indicators**

Small districts and campuses are required to meet AYP for the Other Indicator (Graduation Rate or Attendance Rate) if they meet the minimum size requirement for the all students measure. Districts and campuses not meeting the minimum size requirement for the all students measure are not evaluated on the Other Indicator. AYP Status for these campuses is based on the Reading/English Language Arts and Mathematics Indicators.

### **Districts and Campuses with No Students in Grades Evaluated For AYP**

#### **Districts**

Districts with no students in grades evaluated for AYP (Grades 3–8 and 10) receive a 2007 AYP Status of *Not Evaluated*.

#### **Campuses**

##### **Performance**

Campuses with students in Grades 1–12 but no students in the grades evaluated for AYP (Grades 3–8 and 10) are evaluated based on the all students performance results of an assigned pairing relationship for the subject. Campuses that have a pairing relationship established with another campus or the district for state accountability ratings will use that pairing relationship for AYP. Campuses that do not have a state accountability pairing relationship will have their district's performance results applied to the campus. For campuses that are paired, only the all students performance results are shared. If the district or campus with which it is paired meets the performance standard or performance improvement at the all students level, the paired campus is

considered to have met the performance standard for the subject. If the district or campus with which it is paired is not evaluated, the paired campus receives a 2007 AYP Status of *Not Evaluated*.

**Participation**

Campuses with no students in Grades 3–8 and 10 are not required to meet the AYP participation standard for 2007.

**Other Indicators**

Campuses with no students in Grades 3–8 and 10 are required to meet AYP for the Other Indicator (Graduation Rate or Attendance Rate) if they meet the minimum size requirement for the all students measure. Campuses not meeting the minimum size requirement for the all students measure are not evaluated on the Other Indicator. AYP Status for these campuses is based on the Reading/English Language Arts and Mathematics Indicators.

## Section IV: Exceptions

Federal regulations issued in December, 2003 (34 CFR 200.13 *et seq.*) requiring TEA to apply a cap to proficient alternative assessment results also allow each state to permit an exception in limited circumstances to school districts that may exceed this cap. In 2007, exceptions will be processed in two stages: before the preliminary AYP Status release and during the appeals window.

### **Exception Applications via Residential Facilities TEASE Application (“RF Tracker”)**

Districts with residential treatment facilities (including group foster homes that serve students with disabilities) in their attendance zones must register those facilities with the Division of Program Monitoring and Interventions residential facilities data collection application (called “RF Tracker”) on the agency’s secure website (TEASE; see Section VI). RF Tracker was available to districts to complete this registration from mid-April through mid-June, 2007. A district who registered facilities on RF Tracker is automatically assumed to be applying for an exception to the 3% cap for AYP purposes. No separate exception application needs to be filled out for districts registered through RF Tracker.

### **Exception and Recapture Process Prior to Preliminary Release**

Before preliminary release of AYP information on August 8, exceptions will be processed for districts who registered facilities through RF Tracker and the results of the exceptions will be applied to the preliminary AYP results.

Districts registered in RF Tracker will be initially granted exceptions to the 3% cap. The district’s cap will be increased by the number of students who meet all of the following criteria:

- took SDAA II,
- tested below enrolled grade level,
- met ARD expectations, and
- have PEIMS data indicating that the student lived in either a residential treatment facility or a group foster home.

Note, however, that by federal regulation the state as a whole cannot exceed the 3% cap under any circumstances. Therefore, once each qualifying district’s cap is increased, the total number of students under the cap across the state will be compared to the state’s participation denominator for each subject. If it is determined that the state exceeds the 3% cap, an exception recapture process will be initiated.

## Federal Cap Recapture

As with the original process for each school district, the statewide participation denominator for each subject area is used to determine the 3% cap on proficient results. To determine if recapture is necessary, after exceptions are processed for districts residential facilities, the total number of students identified within each district level cap across the state is divided by the statewide participation denominator. If proficient results exceed the statewide 3% cap for either subject, students identified within each district level cap across the state for that subject will be placed in the same sort order used in the initial cap calculation.

The priority for 2007 district level assessment results is the same as described in Section III, as follows (based on percent of correct answers sorted from lowest to highest score):

- Students who were enrolled the full academic year in the same campus
  - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
  - SDAA II tested nine instructional levels below enrolled grade level, etc.
  - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were enrolled the full academic year in the same district but not the same campus
  - SDAA II tested ten instructional levels below enrolled grade level by percent of correct answers
  - SDAA II tested nine instructional levels below enrolled grade level, etc.
  - SDAA II tested one instructional level below enrolled grade level by percent of correct answers
- Students who were not enrolled in the same district for the full academic year

Proficient results that exceed the statewide 3% cap will be counted as non-proficient in all AYP calculations for campus, district, and state level results. If the number of proficient scores in the state is less than the statewide cap, all results within the district cap remain unchanged. The recapture process is necessary to ensure that the state will not exceed the 3% cap on proficient results.

## Other Circumstance Exceptions

USDE regulations allow exceptions to the federal cap for circumstances other than students served at Residential Treatment facilities. However, other exceptions are limited by federal regulations to address unique circumstances where a district or campus serves a disproportionate number of students with significant cognitive disabilities. Districts who did not qualify for an exception prior to preliminary release will be allowed to apply for an exception based on other circumstances during the appeals window. **Districts should be sure to check the TEASE Accountability website after the preliminary release on August 8th to see whether other circumstance exceptions will be allowed.**

### **Other Circumstance Exceptions Application Process**

Applications for Other Circumstance Exceptions may be submitted online via the TEASE Accountability website (see section VI) by school districts from August 8<sup>th</sup> through September 7<sup>th</sup>. Districts that submit Other Circumstance Exceptions applications online will also need to submit an appeal letter with a request for other circumstance exception during the appeals process window. Districts appealing for other reasons can include the exception request along with the letter detailing their other appeals. Districts should also include a copy of the exception application confirmation page that will appear when the online exception application is submitted. Districts should be sure to include the rationale for the exception request and any documentation necessary to support the request. It is not necessary to submit any other student level data to support the exception request. As with exceptions processed prior to the preliminary results, a recapture process may be employed to ensure that the state as a whole does not exceed the 3% cap after all exception requests have been evaluated. Section V has further information about the needed steps for submitting the required appeal letter.

### **Regional Day School Program for the Deaf**

Students served at Regional Day School Programs for the Deaf (RDSPD) are not identified as exceptions to the federal cap based on specific federal regulation requirements (34 CFR 200.13 et seq.). TEA recognizes that the existence of an RDSPD within school district boundaries requires districts to provide educational services for higher numbers of students with auditory or other special education disabilities. Exception requests based on students served by a RDSPD will be considered and evaluated as Other Circumstance Exceptions after the preliminary release. School district may apply for an exception via the TEASE Accountability website during the appeals window. Refer to the Evaluation of Exceptions in this section for more information on exceptions based on students served in RDSPD.

### **Approval of Exception Does Not Necessarily Change AYP Status**

Note that an approved exception for a district or campus who missed AYP solely due to the 3% cap may not result in that district or campus meeting AYP. The federal cap recapture process conducted in the event that the state exceeds the 3% federal cap may not allow enough students to be counted as proficient even after the exception is applied. Appeals are not considered solely on the basis that the district's exception was approved.

#### **Evaluation of Exceptions to the Federal 3% Cap based on Other Circumstances**

Exception requests to the 3% cap based upon a higher than normal district population of students with disabilities should include documentation to support the reason for the request. The following is a general guideline for exception requests.

Reasons favorable for granting the exception include, but are not limited to:

- Community or health programs in the district attendance boundaries draw families of students with disabilities.

- There are special arrangements with surrounding districts to serve special education students from outside the district boundaries.
- Special programs offered by the district for students with certain disabilities draw families of students with disabilities.
- Quality of the special education program in the district draws families of students with disabilities.

Reasons not favorable for granting the exception include, but are not limited to:

- Appropriate testing of students under state assessment policy.
- Factors such as student race/ethnicity, socioeconomic status, or mobility putting students at a disadvantage academically.
- Reasons related to distribution of students with disabilities among campuses within a district such as cluster arrangements or special purpose campuses.

#### **Justification for Other Circumstance Exceptions**

If the district is claiming that they serve an unusual number of students with a certain disability, it is expected that should be reflected in the data. It is difficult to compile evidence that a special education program is effective and draws students from surrounding areas. If a district is making this claim, the data should minimally reflect a special education program that is not subject to any monitoring and meets the highest standards in the Performance-Based Monitoring Analysis System (PBMAS) system. If the district is claiming that there are unusual numbers of students with disabilities in individual family foster homes, student lists with identifying information should be provided with the exception request.

#### **Federal Cap Extension for Other Circumstance Exceptions**

The approval of school district requests for exceptions to the federal cap is based on the availability of statewide slots within the cap that allow the state to maintain a 3% cap limit on proficient results from alternative assessments. The federal cap applied to proficient below grade-level assessment results will be extended to include an additional number of students with specific instructional settings and disability categories. Only students who received instruction in the following instructional settings and disability categories are added to the district cap limit.

Instructional Setting Categories:

1. Students identified with a Mild, Moderate or Severe disability and served on a Regular Campus in a Self Contained classroom for >60% of the school day (Instructional Setting Code 44)
2. State School – Mentally Retarded (Instructional Setting Code 30)
3. Texas School for the Blind (Instructional Setting Code 70)
4. Texas School for the Deaf (Instructional Setting Code 71)

Disability Categories:

1. Designated as multiply disabled
2. Auditory impairment
3. Autism
4. Deaf/blind
5. Emotional disturbance
6. Learning disability
7. Mental retardation
8. Orthopedic impairment
9. Other health impairment
10. Speech impairment
11. Traumatic brain injury
12. Visual impairment

The federal cap is extended by the number of students identified. The extended cap will allow students previously sorted and ranked to be considered proficient and added to the AYP performance rate for the campus and district. This may or may not allow the campus or district in question to meet AYP. After all exception

requests are evaluated, TEA determines whether inclusion of students with the extended cap continues to maintain the statewide 3% cap limit. If necessary, an exception recapture process will be initiated.

### **Evaluation of Exceptions for Regional Day School Program for the Deaf (RDSPD)**

Districts with RDSPD within their attendance zones may request an exception to the federal cap based on the prevalence of students served in a RDSPD that prevented the school or district from meeting the AYP performance standard. Examples of favorable reasons are:

- The district has been previously approved for an Other Circumstance exception.
- The district size results in a small number of students with disabilities representing over 3% of all students.
- District students served by RDSPD are included within the federal cap causing other severely cognitively disabled students to exceed the cap limit.

Exception requests for RDSPD are evaluated based on confirmation of the RDSPD with the Division of IDEA Coordination (2006-2007 Directory for Services for the Deaf in Texas). PEIMS student disability and instructional arrangement information is used to identify students served in an RDSPD. The federal cap is extended using the same methodology for Other Circumstance exceptions.



## Section V: Appeals

Superintendents (or the equivalent for charter operators) are provided the opportunity to appeal data used to determine 2007 AYP Status under a limited set of circumstances and within a defined time limit. The NCLB Act requires that state educational agencies provide local school districts an opportunity to review the data, including academic assessment data, on which the AYP and School Improvement identifications are based. The act also calls for the state agency to consider supporting evidence provided by any local educational agency that believes that the preliminary identification is in error for statistical or other substantive reasons before making a final determination.

### **Calendar**

Once the AYP data are available to districts on August 8, 2007, TEA will begin accepting appeals. Confidential unmasked data tables will be available to all campuses and districts on August 8 through the TEASE secure website. Superintendents may submit a letter of request for appeal to the commissioner of education through Friday, September 7, 2007. All letters must be postmarked no later than September 7, 2007. For districts and campuses that could be subject to Title I School Improvement Requirements, some additional information is provided below.

### **Districts and Campuses Subject to Title I School Improvement Requirements**

Campuses that were subject to final School Improvement requirements in 2006-07 and will remain subject to School Improvement requirements in 2007-08 due to the 2007 AYP results must continue to implement those requirements. If a campus is identified as subject to improvement requirements in the August 8 release for the first time, they must begin implementing requirements (including school choice provisions) immediately. As outlined in the approved Texas AYP Workbook, school districts must notify parents about school choice options by August 24, 2007. Even if a campus appeal is processed favorably and the appeal is granted, the campus must allow all requests for school choice, including transportation, to continue through the end of the school year. Please see Appendix B: Title I School Improvement for more information about the 2006-07 School Improvement requirements for districts and campuses with approved school start date waivers.

## General Considerations for Appeals

### Appeals Are Not a Data Correction Opportunity!

Appeals should be based upon a data or calculation error attributable to TEA, regional education service centers (ESCs), or the test contractor for the student assessment program. However, problems due to district errors on PEIMS data submissions or on test answer documents are considered on a case-by-case basis.

### Allowable Appeals

Appeals are allowed for all districts and campuses.

- Appeals are not considered for any indicators, components, or measures on which the district or campus does not miss AYP. For example, an appeal to reevaluate campus Reading/English Language Arts Performance or Participation is not considered for a campus that does not miss AYP for Reading/English Language Arts. These appeals are considered invalid.
- Appeals **are** allowed in circumstances that would result in the district or campus continuing to miss AYP for 2007. For example, an appeal to reevaluate campus Reading/English Language Arts Performance is considered for a campus that does not meet AYP for both Reading/English Language Arts Performance and Mathematics Performance, even though this appeal alone would not result in the campus meeting AYP for 2007. These appeals are allowed because even though granting them results in the district or campus continuing to miss AYP, they *would* potentially have an effect on the Title I School Improvement requirements.

### Determination of AYP Status

AYP appeals for each indicator are determined independently. Appeals to one indicator will not negatively affect another indicator meeting AYP standards. For example, students included as participants based on an appeal will not be considered in calculating performance rates.

## Guidelines by Indicator for Appeals

The following guidelines describe the circumstances under which AYP data may be appealed and the documentation required in support of the appeal. Appeals applications submitted under these guidelines are not guaranteed to be granted. Each appeal will be evaluated based on the documentation provided and other information available at TEA.

### **Reading/English Language Arts and Mathematics**

If a problem is identified with data received from the test contractor, the assessment data may be appealed. An appeal of these measures should reflect a serious problem such as a missing grade level or campus. Coding errors on TAKS, SDAA II, LDAA, LAT, or RPTE will be considered on a case-by-case basis.

- If the district has requested that the writing portion of the English Language Arts test be re-scored, the outcome of the re-score and a copy of the dated request to the test contractor should be provided with the appeal. If the rescored results impact the AYP status, an appeal is necessary since rescored results may not be processed in time to be included in the assessment data used to determine AYP.
- If other serious problems are involved in the appeal, copies of correspondence with the test contractor should be provided with the appeal.

### **Participation**

#### **Extreme Medical Emergencies**

If the district or any campus did not meet the 95% standard for the Participation Component of the Reading or Mathematics Indicators because of students who were not tested due to extreme medical emergencies, the appeal must include documentation (such as a note signed by a doctor or parent) showing that the student was unable to participate in the assessment at any time during the testing window due to medical reasons. NOTE: State assessment policy requires testing of medically fragile students who receive instruction in homebound or hospital settings unless they are unable to participate in the assessment at any time during the testing window.

#### **Other Indicator Appeals and Safe Harbor**

A successful district or campus appeal of the Other Indicator (either Attendance Rate or Graduation Rate) may also have an impact on its ability to meet the performance improvement standard (“Safe Harbor”) on Reading and/or Mathematics Performance. Please refer to performance improvement in Section III for further information. If an appeal is *not* made for the performance measure that might meet Safe Harbor consequent to a successful appeal for the other indicator, the status of the performance measure will remain unchanged after final release of AYP status.

#### **Graduation Rate**

In June, each school district is provided with a list of all students in their class of 2006 completion cohort that will include the final status of each student in that cohort. Only students shown on this list may be appealed for Graduation

Rate. For the Graduation Rate, only students with a final status of “graduate” are counted in the numerator of the rate calculation. The denominator of the rate calculation is the sum of the students with a final status of “graduate,” “continue in school,” “GED,” or “dropout.” Note that the list also included members of the cohort who left Texas public schools and students with identification errors. Only students shown in these lists may be appealed for the graduation rate indicator.

Appeals to count continuing students or GED recipients as graduates will not be considered.

Accuracy of leaver data submitted to TEA by the district is a factor considered in evaluation of the merits of Graduation Rate appeals.

- If the district or any campus did not meet the 70.0% graduation rate standard because of students with disabilities shown with a final status of “continue in school” whose individualized education programs (IEPs), an IEP containing needed transition services, or individual transition plans (ITP) developed before September 1, 2003 show 5-year (or longer) graduation plans, the appeal should include documentation showing the graduation plans. These students will then be excluded from the Graduation Rate calculation.
- If the district or any campus did not meet the 70.0% graduation rate standard because of recent immigrant students in U.S. schools for one year or less with limited English proficiency (LEP), the appeal should include documentation showing the students’ recent immigrant LEP status. These students will then be excluded from the Graduation Rate calculation.

Graduation rate appeals will also be considered for districts and campuses that do not initially meet the AYP performance criteria for Reading/English Language Arts and/or Mathematics for all students or any student group because they do not show the required level of improvement on the Graduation Rate required as part of the performance improvement standard. If an appeal is not made for the performance measure that might meet Safe Harbor consequent to a successful appeal for the other indicator (graduation rate), the status of the performance measure will remain unchanged.

### **Graduation Rate Appeals from Alternative Education Campuses**

There are some additional considerations for alternative education campuses (AEC) and appeals related to Graduation Rate.

- A superintendent may request the calculation of Graduation Rate for an alternative education campus using an alternative methodology that excludes the following students:
  - Students who received a GED certificate,
  - Continuing students, or
  - Continuing students who transferred to campus in the fall following their expected graduation date.
  
- A superintendent may request that the Graduation Rate not be evaluated if the AEC did not have students enrolled in Grade 12 in the 2006-07 school year.

### **Current Year Attendance**

As described in *Section III*, the 2007 AYP Status is based on 2005–06 Attendance Rates for districts and campuses that have Attendance Rates as their other indicator. Districts can appeal to have 2007 AYP Status reevaluated using 2006–07 Attendance Rates for districts and campuses not meeting one or more of the 2007 AYP measures due to Attendance Rates. Eligible districts and campuses include the following:

- those that do not initially meet the Attendance Rate standard or improvement on the Attendance Rate for all students; and
  
- those that do not initially meet the AYP performance criteria for Reading/English Language Arts and/or Mathematics for all students or any student group because they do not show the required level of improvement on the Attendance Rate required as part of the performance improvement standard, even though a 10% decrease in percent of students not meeting the performance standard is achieved. If an appeal is not made for the performance measure that might meet Safe Harbor consequent to a successful appeal for the other indicator (attendance rate), the status of the performance measure will remain unchanged.

Note that in previous years, the appeals process was conducted late enough in the year that AYP staff could use attendance data submitted in PEIMS submission 3 to conduct appeals based on current year attendance. Because in 2007 appeals will occur before 2006-07 attendance rates can be calculated from PEIMS submission 3, districts will be required to supply the current year attendance data with their appeals. A notarized copy of 2006-07 attendance rates must be submitted as part of the appeal. Copies of each of the six-week totals as well as the yearly total must be included.

Attendance Rate for all students (90.0% standard) will be reevaluated using 2006–07 attendance data provided by the district. Improvement on the Attendance Rate for all students and student groups will be reevaluated using 2006–07 Attendance Rates compared to 2005–06 Attendance Rates. If attendance measures are reevaluated using current year attendance data, all measures based on attendance will be reevaluated. A district or campus cannot meet some 2007 AYP criteria using 2005–06 Attendance Rates and meet other criteria using 2006–07 Attendance Rates.

## **Special Circumstance Appeals**

### **Title I Targeted Assistance Campuses**

All students were included in the calculations for Title I campuses with targeted assistance programs. Districts can appeal to have the 2007 AYP status of any targeted assistance campuses recalculated based on the results of only Title I students if test answer documents in both Reading/English Language Arts and Mathematics were submitted for at least 50 Title I students on the targeted assistance campus.

### **Grades 9 and 11 TAKS**

The AYP Reading and Mathematics indicators are based on test results for Grades 3–8 and 10. Campuses with no students in Grades 3-11 are evaluated on the test results for the campus with which they are paired for state accountability ratings. Campuses with no students in Grades 3–8 or 10 that are not paired for state accountability ratings are evaluated for 2007 AYP Status based on the test results of the district at the all students level. If a campus with no students in Grades 3–8 or 10 that has students tested in Grades 9 or 11 does not meet AYP on the Performance components of the Reading or Mathematics indicators, the district may appeal to have the campus evaluated based on its own test results. The Reading/English Language Arts and Mathematics indicators are evaluated for all students and for each student group meeting the minimum size requirement based on all campus test results in Grades 9 and 11. The Other Indicator is also evaluated if the campus meets the minimum size requirement for all students.

### **Appeals Related to the 3% Federal Cap**

Appeals to the performance results due to the federal cap are not considered. An appeal based solely on the basis that the district's exception was approved will not be considered. Please refer to Section IV for information on reconsideration of performance results due to the application of the 3% federal cap.

### **Appeals Related to Hurricanes Katrina and Rita**

Due to the expiration of the Katrina/Rita flexibility agreement, appeals related to Hurricanes Katrina and Rita will not be considered.

## **How to Submit an Appeal Application**

Districts and campuses must submit written appeals on official district letterhead and under the signature of the district superintendent. See instructions that follow for submitting appeals. For any district or campus, only one opportunity to appeal is permitted on any single measure.

Superintendents must prepare a written request (see Exhibit 5 for an example of an acceptable appeal) addressed to the commissioner of education that includes:

- A statement that the letter is an appeal for the 2007 AYP results.
- If an Other Circumstance exception was applied for, send the printed exception application confirmation.
- The 2007 AYP Request Form must be included with the letter for appeals applications. Exhibit 6 provides an example of the required form that will be available to districts on the TEASE website (see Section VI).
- Specification in the letter of the district and each campus for which the appeal is being submitted (including county-district-campus numbers for each campus). It is not necessary to have a separate letter for the district and each campus. However, it should not be assumed that a letter appealing the status of a district will also apply to any campuses within that district or vice versa, even if the district has only one campus.
- For the district and each campus, list ALL indicators, components, or measures for which the district/campus is being appealed. It is not necessary to have a separate letter for each indicator being appealed.
- For each indicator, component, or measure being appealed, the appeal must specify the perceived error (or reason why it is being appealed). If applicable, the reason the perceived error is attributable to the TEA, a regional ESC, or the test contractor for the student assessment program and the reason the perceived error resulted in the district and/or campuses not meeting the AYP standard for the measure must be included.
- The superintendent must certify that all information included in the letter is true and correct to the best of the superintendent's knowledge and belief.

It is insufficient to claim data are in error without providing information with which the appeal can be evaluated. When student-level information is in question, supporting information must be provided for review, i.e., a list of the students in question by name and identification number. Lists of students included in the AYP participation and performance measures will be available on the TEASE website at the time the AYP data tables are made available to school districts on August 8.

*Confidential student-level documentation included in the appeal packet will be processed and stored in a secure location and will be accessible only by TEA staff authorized to view confidential student information. TEA staff will adhere to federal FERPA requirements intended to protect individual student confidentiality; therefore, additional staff release forms are not necessary.*

Appeal letters and all supporting documentation should be shipped to the following address:

Your ISD Your address City, TX zip	<i>stamp</i>
Division of Performance Reporting Texas Education Agency 1701 North Congress Avenue Austin, TX 78701-1494	
<u>Attn: AYP Appeal</u>	

**All letters of appeal postmarked after the September 7<sup>th</sup> deadline will not be considered. These deadlines are final. To maintain a fair appeals process, no late appeals will be considered.** TEA does not acknowledge receipt of any letters. Superintendents are encouraged to obtain delivery confirmation services from their courier and to retain confirmation of delivery until final 2007 AYP Status is released. Superintendents are encouraged to double-check that they have included all relevant supporting information with their letter prior to shipment. Exhibit 7 provides a suggested order for packing AYP letters for shipment. Appeals delivered directly to TEA by district staff must be time-stamped in the Division of Performance Reporting by 5:00 p.m. on September 7, 2007.

TEA will not contact districts to acquire missing documentation or to discuss information provided in their request for appeal or exception. Appeals are evaluated on the circumstances described in their request on the basis of information provided by the district and research conducted by staff to validate the circumstances described.



## **How an Appeal Application Is Processed by the Agency**

All appeals will be resolved by December and the results will be reflected in the final 2007 AYP Status. If the district or campus receives a final 2007 AYP Status of *Meets AYP* based on their request, the status will be annotated with a comment. Prior to the release of final 2007 AYP Status, superintendents will be sent a letter from the commissioner notifying them of the results (see Exhibit 8 below). The notification letter will also be made available on the TEASE Accountability website.

The details of the request are entered into a database for tracking purposes and researchers evaluate the request using relevant agency data sources to validate the statements made to the extent possible. The agency examines all relevant data, not just the results for any students specifically named in the correspondence.

- Guidelines to be used to evaluate AYP appeals are reviewed by an independent panel that provides external oversight to the appeals process.
- Staff conduct research and prepare a recommendation that is forwarded to the commissioner.
- The commissioner of education makes a final decision.
- The superintendent is notified in writing of the commissioner’s decision and the rationale upon which the decision was made. The decision of the commissioner is final and is not subject to further negotiation.
- Data are never modified, even when the AYP results are changed.

## **Relationship Between AYP and PBMAS**

AYP staff will consider indicators from the Performance-Based Monitoring Analysis System (PBMAS) when making findings on AYP appeals, as well as other district data submitted through PEIMS or the state assessment contractor.

**Exhibit 5: Sample AYP Request Letter**

September 3, 2007

Shirley J. Neeley  
 Commissioner of Education  
 Texas Education Agency  
 1701 North Congress Avenue  
 Austin, TX 78701-1494

Dear Commissioner Neeley,

This letter is to appeal the 2007 AYP status for the Sample Independent School District and campuses named below.

District/Campus	Indicators Appealed	Reason
Sample ISD (999999)	Reading and Math Performance	Request for exception to the federal cap
Sample H S (999999001)	Math Participation	Absences on test dates due to medical emergencies
Sample J H (999999041)	Reading Participation	Count LDAA testers as participants
Sample Elementary School (999999101)	Attendance Rate	Campus would like to be evaluated on current year's attendance rate

By my signature below, I certify that all information included in this appeal is true and correct to the best of my knowledge and belief.

Sincerely,  
 [signature]  
 John Q. Educator  
 Superintendent  
 Sample Independent School District

*Documentation Attached*

This is an example of an acceptable letter. Districts are welcome to go into as much detail or length as they need to explain their appeals. At a minimum, the letter should include the information below.

Statement that this is an appeal of 2007 AYP Status.

Specification of which district/campuses are being appealed, for which indicators/components/measures, and why.

Certification that all information is true and correct to the best of superintendent's knowledge.

Superintendent must sign!

**Exhibit 6: Sample AYP Request Form**

*Texas Education Agency*

*2007 AYP Request Form*

*District: SAMPLE ISD*

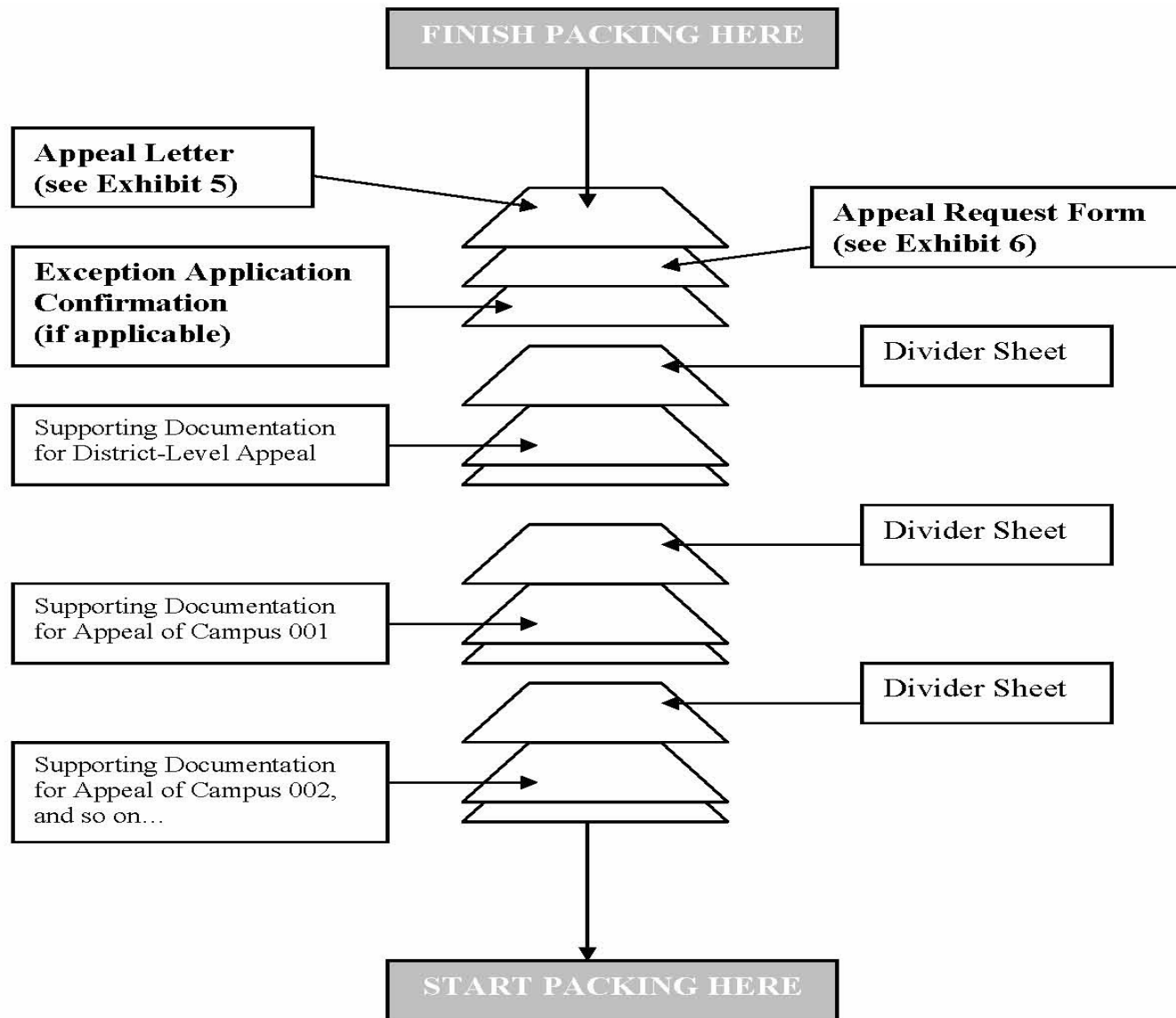
**DIRECTIONS:** Below is a list of the district and all campuses for which an appeal is possible.

- 1) For each district or campus, find the indicator(s) you wish to appeal and circle the word "Appeal."
- 2) Dashes (-----) for an indicator means it either Meets AYP or was Not Evaluated and an appeal will not be accepted.

**It should not be assumed that appealing the district will apply to any campuses, or vice versa. Please contact the Division of Performance Reporting at (512) 463-9704 with questions.**

District or Campus Number	District or Campus Name	Reading Performance	Mathematics Performance	Reading Participation	Mathematics Participation	Graduation Rate	Attendance Rate
999999	Sample ISD	Circle to Appeal	Circle to Appeal	-----	-----	-----	-----
999999001	Sample HS	-----	-----	-----	Circle to Appeal	-----	-----
999999041	Sample JH	-----	-----	-----	-----	-----	-----
999999101	Sample Elementary School	Circle to Appeal	-----	Circle to Appeal	-----	-----	Circle to Appeal

**Exhibit 7: Suggested Packing Order for Appeal Request**



## Exhibit 8: Sample AYP Decision Notification Letter

Mr. John Q. Educator, Superintendent  
 Sample ISD  
 1001 Sample Road  
 Sampleville, Texas 77777

Dear Mr. Educator:

Thank you for your letter regarding preliminary 2007 Adequate Yearly Progress (AYP) results. For each campus referenced in your letter, we have reviewed the supporting documentation you provided, examined other relevant data available at the Texas Education Agency, and conducted research related to the circumstances described in your letter. A summary of our findings is shown below.

DISTRICT/CAMPUS NUMBER	NAME	RESULT OF REQUEST
999999	Sample ISD	Meets AYP
999999001	Sample H S	Missed AYP
999999041	Sample J H	Meets AYP
999999101	Sample Elementary School	Missed AYP

### Exceptions to the Federal 3% Cap

The U.S. Department of Education (USDE) regulations allow Texas to grant exceptions to the 3% cap only in limited circumstances. Given that Texas did not reach its federally mandated 3% cap on proficient results even with all exceptions approved prior to the preliminary release, and based on your district's unique circumstances, an additional number of students were allowed to exceed the federal cap and count as proficient in your district. Note that a granted exception application does not guarantee that your district or any campuses meet AYP. Please see the detailed results below for the final status of your district/campuses. Also, please see the attached Exceptions Guidelines for detail on how the exception was evaluated.

### Sample ISD (999999)

As stated above, the exception request for Sample ISD was approved and an additional number of students were allowed to exceed the federal cap and count as proficient in your district. The performance measure for this campus was recalculated to include additional proficient student(s) and the AYP standard was met. The 2007 AYP status for Sample ISD is *Meets AYP*.

### Sample H S (999999001)

Your appeal for mathematics has been denied since it did not include documentation for a sufficient number of students in order to meet the AYP participation standards in the appealed student group. The appeal for Mathematics Participation was denied. The 2007 AYP status for Sample H S is *Missed AYP*.

### Sample J H (999999041)

Your appeal for Reading Participation was not considered because Sample J H met AYP on this measure. The 2007 AYP status for Sample J H is *Meets AYP*.

### Sample Elementary School (999999101)

Your appeal for Attendance Rate based upon current year data has been approved. The AYP results for Attendance Rate have been changed. The 2007 AYP status for Sample Elementary School is *Missed AYP*. Please note that the following measure(s) will be removed from the reasons Sample Elementary School missed AYP: Attendance Rate.

Although my decisions are final, any clarifying questions regarding this notification may be directed to the Division of Performance Reporting at (512) 463-9704.

Sincerely,  
 Shirley J. Neeley