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# No Questions Left Behind

A Comprehensive Guide to the  
No Child Left Behind Act  
April 2004

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*Minnesota*  
**Department**  
*of Education*



# Table of Contents

## Introduction .....1

Performance Goals Drive Minnesota's NCLB Plan .....2

Adequate Yearly Progress (AYP) – Minnesota's Plan .....3

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## Participation ..... FEB 15 2005 .....4

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## Proficiency .....6

Minnesota Comprehensive Assessments (MCA) .....6

Achievement Levels on the MCAs .....7

Assessment Implementation Schedule .....7

Proficiency Index .....8

Minnesota's Proficiency Starting Point .....8

Minnesota's Proficiency Index Target .....9

School Proficiency Targets .....10

Determining Cell Size for a School .....10

Setting the Target Index Rate for a School .....11

Figuring a Confidence Interval .....12

Using Test Scores to Determine a School's Proficiency Index Rate .....14

Did the School Make the Proficiency Target? .....15

Safe Harbor includes exampl .....16

## Attendance .....18

## Adequate yearly Progress for High Schools .....19

Graduation Rate .....19

**Consequences for Not Making (AYP) .....20**

The AYP Consequences Continuum .....21

Parent Notification .....22

Technical Assistance .....22

School Improvement Plan .....22

School Choice and Transportation .....25

Supplemental Education Services (SES) .....26

Corrective Action and Restructuring .....27

**Glossary of Terms .....28**

# Introduction

On January 8, 2002, President Bush signed into law the No Child Left Behind Act of 2001. This new authorization of federal education policy is a shift in focus away from schools and institutions, toward students and families. The goal of No Child Left Behind is to have every student achieve proficiency in reading, math and science by the year 2014.

One of the cornerstones of the new law is that schools will no longer report achievement “on the average” for their students. Now, the state will hold schools and districts accountable for teaching all students, disaggregating the data by ethnic group, economic status, English language learners, and special education. This new accountability system will help Minnesota solve the biggest challenge it faces in education: closing the achievement gaps between students of color and white students.

In order to comply with No Child Left Behind, every state had to design an accountability system that included testing all children in reading and math every year in grades three through eight and again in high school. Science tests will also be given at the elementary, middle school and high school level. The federal government is providing Minnesota more money each year for education to pay for the development of these tests and to target resources to the schools needing the most help.

Every year the state uses a process to assess the progress each school is making toward the goal of having every student proficient by 2014. Parents and students in schools that are not making “Adequate Yearly Progress” are given options to improve their chances of receiving a quality education such as transferring to another school or receiving extra tutoring help. Meanwhile, the Minnesota Department of Education provides technical assistance to those schools to help them improve.

We created this *Comprehensive Guide to No Child Left Behind* to help explain this somewhat complicated system of accountability. The booklet uses sample district examples to help parents, educators, legislators and taxpayers understand how No Child Left Behind will improve achievement and help close the achievement gap in Minnesota’s public schools.

## Performance Goals Drive Minnesota's NCLB Plan

Accountability, especially as it is reflected in student achievement, is at the core of the No Child Left Behind Act of 2001 (NCLB). Under NCLB, every state is required to create a plan that involves setting performance targets so that all students are proficient by the year 2013-14. The measure of state, district and school success will be the achievement of the targets.

Under NCLB, Minnesota has agreed to adopt and report on the five required performance goals as part of its plan.

- Performance goal #1 By 2013-2014, all students will reach **high standards**, at a minimum attaining proficiency or better in reading/language arts and mathematics.
- Performance goal #2 All **limited English proficient** (LEP) students will become proficient in English and reach high academic standards, at a minimum attaining proficiency or better in reading/language arts and mathematics.
- Performance goal #3 By 2005-2006, all students will be taught by **highly qualified teachers**.
- Performance goal #4 All students will be educated in learning environments that are **safe, drug free** and conducive to learning.
- Performance goal #5 All students will **graduate from high school**.

The process by which schools, districts and the state's performance improves from its current level to the levels ultimately required by NCLB is called Adequate Yearly Progress (AYP).

*Every state  
is required to create  
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# Adequate Yearly Progress (AYP) - Minnesota's Plan

Minnesota's AYP plan was created with the assistance of a stakeholder group which included representatives of Education Minnesota, the Minnesota School Boards Association, the Minnesota Association of School Administrators, School Principals, the Minnesota Parent Teacher Association, the Minnesota Rural Education Association, Charter Schools and state legislators, among others. The stakeholder group convened in early 2002 and continued to meet throughout the year.

AYP ratings will be published for all schools in the state including:

- Elementary Schools
- Middle Schools
- High Schools
- Charter Schools
- State Approved Alternative Programs

The Minnesota AYP plan will look at four areas in determining whether a school or district has made adequate yearly progress: *Participation, Proficiency, Attendance and Graduation.*

## **Example: Gopherville Elementary School**

For the purposes of this guide, we will track a sample school (Gopherville Elementary) through the No Child Left Behind Adequate Yearly Progress (AYP) process. Gopherville Elementary is located in a first ring suburb of Minneapolis and has 337 students in grades K-6. Forty percent of their students are minorities, 24 percent are receiving free or reduced meals and 8 percent are special education.

Overall, 81 percent of Gopherville's students scored proficient on last year's Minnesota Comprehensive Assessments (MCAs), but when you peel back the layers, a large gap appears between the white students and the students of color. The achievement gap is also pronounced for students receiving free or reduced meals, the indicator used by schools to identify economically disadvantaged students.

No Child Left Behind was created to help a school like Gopherville close its achievement gap.

# Participation

Schools and districts are required to test at least 95% of all students across tested grades with state assessments in reading and mathematics.

The term “across tested grades” means schools must add up the total number of students in each grade being tested for each subject. In 2004, the only grades being tested for elementary schools are 3, 5 and 7 (if a school has seventh grade).

The 95% test participation requirement ensures that the test is delivered to a group that accurately represents the true abilities of the school’s students. Participation results are then reported for the following nine groups (cells):

- All Students
- White
- Black
- Hispanic
- Asian / Pacific Islander
- Special Education (Sp. Ed.)
- American Indian
- Limited English Proficient (LEP/ELL)
- Free & Reduced Price Lunch (F&R)

Within a school and district each group (cell) must have at least 40 students enrolled across tested grades in order to have the 95% participation requirement apply to the cell. If the 95% target is not attained for any group with at least 40 students, the school will not make AYP. When any group has fewer than 40 students, the participation rate will not be used for that cell.

*The 95 percent  
test participation  
requirement ensures  
that the test is  
delivered to a group  
that accurately represents  
the true abilities  
of the school’s students.*

## Example: Participation

Gopherville Elementary had 50 third graders and 46 fifth graders enrolled during the test window. This means they had 96 students "across tested grades" enrolled in the school during the first day of the testing window. This is Gopherville's number of "test documents returned."

When it came time to take the tests, three fifth grade students were absent, medically excused or were otherwise unable or unwilling to participate in the test. That means ninety-three students participated in the tests ("number of students participating").

Gopherville Elementary students' participation rate is determined by dividing its 93 test participating students by its 96 student enrolled in tested grades.

$$93/96 = .97$$

$$.97 \times 100 = 97\%$$

97% is the participation rate for Gopherville Elementary.

97% is sufficient to make Adequate Yearly progress on the participation indicator.

Gopherville needs to repeat this exercise for each of the nine subgroups in their school that have at least 40 students. For example, Gopherville has 23 special education students in third grade and 19 special education students in fifth grade for a total of 42 special education students across tested grades. The 95% participation rate would apply to special education students at Gopherville.

But they have only 9 Hispanic students so the participation rate would not be calculated for this subgroup.

# Proficiency

The goal is for all students in tested grades to show Adequate Yearly Progress (AYP) so that 100 percent of students are proficient in reading and mathematics by 2013-14. A score of 1420 on the Minnesota Comprehensive Assessments (MCA) indicates proficiency.

## Minnesota Comprehensive Assessments (MCA)

In order to explain proficiency, it is necessary to understand the test we use to determine this threshold for reading and math.

Results on the MCAs are currently reported in five achievement levels: Level 1, Level 2, Level 3, Level 4 and Level 5, as described below. These are generic descriptions that define achievement relative to the appropriate grade level.

- Level 1 scores indicate that the student has significant gaps in the knowledge and skills necessary for satisfactory grade level work. This level corresponds to “below basic” level work for NCLB requirements.
- Level 2 scores represent partial knowledge and skills required for successful grade level achievement. This level corresponds to a “basic” level of achievement for NCLB.
- Level 3 scores represent state expectations for achievement of all students. Students who score at Level 3 are working successfully on grade-level material. This level corresponds to a “proficient” level of achievement for NCLB.
- Level 4 scores represent successful work with challenging, above-grade-level material. This level corresponds to an “advanced” level of achievement for NCLB.
- Level 5 scores represent superior, advanced academic performance, well beyond what is expected at the grade level. This level is beyond the “advanced” level described in NCLB.

*A score of 1420  
on the Minnesota  
Comprehensive  
Assessments (MCAs)  
indicates proficiency  
in reading and  
mathematics.*

### **Achievement Levels on the Minnesota Comprehensive Assessments:**

| <b>Previous System</b> | <b>New System</b> |
|------------------------|-------------------|
| Level I                | Level 1           |
| Level IIA              | Level 2           |
| Level IIB              | Level 3           |
| Level III              | Level 4           |
| Level IV               | Level 5           |

### **Assessment Implementation Schedule**

In 2004, the state is only testing grades 3, 5 and 7 in math and reading. Tests for other grades are currently being developed and will be put online based on the following schedule.

| <b>Grade</b> | <b>2002-03</b> | <b>2003-04</b> | <b>2004-05</b> | <b>2005-06</b> |
|--------------|----------------|----------------|----------------|----------------|
| Grade 3      | Read/Math      | Read/Math      | Read/Math      | Read/Math      |
| Grade 4      |                |                |                | Read/Math      |
| Grade 5      | Read/Math      | Read/Math      | Read/Math      | Read/Math      |
| Grade 6      |                |                |                | Read/Math      |
| Grade 7      |                | Read/Math      | Read/Math      | Read/Math      |
| Grade 8      |                |                |                | Read/Math      |
| Grade 10     |                | Reading        | Reading        | Reading        |
| Grade 11     |                | Math           | Math           | Math           |

### Proficiency Index

Now that we understand the Minnesota Comprehensive Assessments, it will be easier to understand the concept of proficiency. Proficiency for the state, districts and schools will be determined by the use of an **AYP Index Rate** in each tested subject. The index will give the state, districts and schools credit for improving the test scores of its students. Index Rates will be published each year for schools and districts.

### Minnesota's Proficiency Starting Point

NCLB requires states to establish a starting point from which increases in student proficiency will be measured. Minnesota was required to adopt its proficiency starting point as follows:

*First, for a given grade level tested with an MCA, rank all schools in the state by their proportion of students testing as proficient. Rank order schools from lowest proportion of proficient students to highest. Then, starting with the school with the lowest proportion of proficient students, begin counting students until you reach the school that represents the 20th percentile of the state's total enrollment for that grade level and subject. The average proficiency in that school is the proficiency starting point for state in that subject and grade level.*

In 2002-2003 this process was completed for the grade 3 MCA in reading, the grade 3 MCA in math, the grade 5 MCA in reading and the grade 5 MCA in math. (As more MCAs are added to the state's testing system this process will be completed for each new test.)

For school years 2002-03 and 2003-04, Minnesota's statewide proficiency Index Rate Targets (starting points) are:

*The use of an  
AYP Index Rate  
in each tested subject  
will give the state,  
districts and the schools  
credit for improving the  
test scores of its students.*

|         | <u>Grade 3</u> | <u>Grade 5</u> |
|---------|----------------|----------------|
| Reading | 62.8           | 69.9           |
| Math    | 66.2           | 65.4           |

**Minnesota's Proficiency Index Target**

NCLB requires states to increase their proportion of proficient students at a rate that will allow all students (100%) to be proficient by the school year 2013-14. In order to comply with this requirement Minnesota has adopted the following Index Rate Targets or "Annual Measurable Objectives:"

| <b>Annual Measurable Objectives Expressed in Index Points</b> |                  |                  |               |               |
|---------------------------------------------------------------|------------------|------------------|---------------|---------------|
|                                                               | <b>Reading 3</b> | <b>Reading 5</b> | <b>Math 3</b> | <b>Math 5</b> |
| <b>2002</b>                                                   | 62.8             | 69.9             | 66.2          | 65.4          |
| <b>2003</b>                                                   | 62.8             | 69.9             | 66.2          | 65.4          |
| <b>2004</b>                                                   | 62.8             | 69.9             | 66.2          | 65.4          |
| <b>2005</b>                                                   | 66.5             | 72.9             | 69.6          | 68.9          |
| <b>2006</b>                                                   | 70.2             | 75.9             | 73.0          | 72.3          |
| <b>2007</b>                                                   | 74.0             | 78.9             | 76.3          | 75.8          |
| <b>2008</b>                                                   | 77.7             | 81.9             | 79.7          | 79.2          |
| <b>2009</b>                                                   | 81.4             | 85.0             | 83.1          | 82.7          |
| <b>2010</b>                                                   | 85.1             | 88.0             | 86.5          | 86.2          |
| <b>2011</b>                                                   | 88.8             | 91.0             | 89.9          | 89.6          |
| <b>2012</b>                                                   | 92.6             | 94.0             | 93.2          | 93.1          |
| <b>2013</b>                                                   | 96.3             | 97.0             | 96.6          | 96.5          |
| <b>2014</b>                                                   | 100              | 100              | 100           | 100           |

NCLB requires schools and districts to meet or exceed the state's Index Rate Targets each year in order to make Adequate Yearly Progress (AYP).

### School Proficiency Targets

Once the state index targets are set, each school must determine their own index target rate, apply a confidence interval and then figure the proficiency index based on student scores on the MCAs. Each school will use the state's targets to determine their proficiency levels.

#### Step 1: Determining Cell Size For A School

Only students who are enrolled in a given school or district for a "full academic year" are included in proficiency calculation. Being present for a full academic year means that a student is enrolled on October 1<sup>st</sup> and during the first day of the test window.

Schools and districts must have at least 20 full academic year students across tested grades in each cell (with the exception of Special Education) in order for the proficiency requirement to apply to the cell. Because of their vast range of abilities, Special Education students must have at least 40 students in the cell (at both the school and district level) before the proficiency requirement is applied.

#### Example: Cell Size (Subgroups)

To determine which subgroups at Gopherville will be eligible for the proficiency calculation, we need to add the students in each subgroup across tested grades (grades 3 and 5).

| Cell (Subgroup)            | Number of Students | Meets Cell Size? |
|----------------------------|--------------------|------------------|
| All Students               | 96                 | Yes              |
| White                      | 16                 | No               |
| Black                      | 23                 | Yes              |
| Hispanic                   | 9                  | No               |
| Asian / Pacific Islander   | 24                 | Yes              |
| Special Education          | 42                 | Yes              |
| American Indian            | 0                  | No               |
| Limited English Proficient | 18                 | No               |
| Free & Reduced Price Lunch | 23                 | No               |

## Step 2: Setting the Target Index Rate For A School

A school's target number of index points will be based on the total number of students in each assessed grade for each school and district. For example, the proficiency target for K-6 schools will be calculated on the basis of the grade three and five assessments. Proficiency targets for K-12 schools will be calculated using data from all grades tested in the school.

### Example: School Target Index Rate

Gopherville Elementary's unadjusted target index rate for the All Students subgroup of 96 students that have been enrolled for a full academic year is determined as follows:

#### Unadjusted Target Index Rate Calculation

First, multiply the number of students tested in each grade by the statewide target number from the chart on page 11. Then add the grade 3 and grade 5 numbers together.

|          |                      |               |
|----------|----------------------|---------------|
| Grade 3: | 50 students x 62.8 = | 3140          |
| Grade 5: | 46 students x 69.9 = | 3215.4        |
|          | <b>Total</b>         | <b>6355.4</b> |

Next divide the total (6355.4) by the number of students tested (96) to get your answer (66.2)

**66.2 is the unadjusted target index rate for all groups at Gopherville Elementary School.**

*A school's target index rate will be based on the total number of students in each assessed grade for each school district.*

### **Step 3: Figuring a Confidence Interval**

Target Index rates are then adjusted using a “confidence interval.” A confidence interval is similar to a statistical margin of error. After the raw target index rate is calculated, it is adjusted using a confidence interval to correct for measurement error and to help ensure that all decisions are statistically accurate. Schools must meet the adjusted index to make AYP for proficiency.

The AYP system requires a fair decision about whether a group has really failed to meet its target. Results just below the target for small groups are much more likely to be simply chance variations than are results a long way below the target for a large group. Using confidence intervals is a way to make the decisions fairer – to place large and small groups on a more equal footing.

Also, schools with more subgroups making the minimum cell size have more chances for error because the state is performing more calculations with their data.

Because this is the case, Minnesota uses a confidence interval in its AYP system.

The base confidence interval approved by the federal department of education for AYP purposes is at a confidence level of .95. The target is adjusted so that for each group if the real result was at the target there is only one chance in twenty that a chance variation would see an observed index this far below target.

The results of a .95 confidence interval being applied to a group's unadjusted target index is seen on the next page (note that this example gives a good approximation to the calculations used in 2003, the details for 2004 are under review).

*This confidence interval adjustment keeps the system fair for schools with large and small subgroups of students.*

## Example: Confidence Interval

After the Gopherville Elementary School's unadjusted target index rate is calculated, it is adjusted using a confidence interval. A confidence interval is an adjustment used to correct for measurement error and to ensure that all information is statistically accurate. The CI Target is the statistically adjusted Target Index Rate that schools must meet to make AYP for proficiency.

The confidence interval is based on two main factors:

1. The size of the group (how many students)
2. The number of groups that meet the minimum cell size

Every school has 18 possible groups that could meet the minimum cell size (9 subgroups for reading, 9 subgroups for math). The confidence interval formula allows for a larger variance from the unadjusted target for schools that have many subgroups meeting the cell size requirements.

The confidence interval is between 95% and 99% for Minnesota, depending on the number of eligible cells in a school. The values range from 1.6549732 at 95% to 2.3549037 at 99%.

We'll use Gopherville Elementary's unadjusted target index of 66.2. In this example, we'll say they have 7 cells eligible based on the minimum cell size.

The confidence interval formula uses the number of students and the number of cells to determine the CI Adjusted Index Rate of 61.11. The CI index rate is lower because the formula allows for a "margin of error" and takes away the likelihood that variations in proficiency is based on chance.

#### **Step 4: Using Test Scores to Determine a School's Proficiency Index Rate**

Once they determine which cells are eligible for the proficiency calculation and what the adjusted index target is, schools will use an Index Rate in order to compute their level of proficiency. An Index Rate gives partial credit for a student scoring in level 2 and full credit for a student scoring in level 3 or above. The performance index increases the number of data points used to make decisions about schools thereby increasing the stability and consistency of the decision. The performance index also increases the validity of the system since it gives schools credit for moving students from the lowest achievement level into higher levels.

| Calculation Based on an Index Rate |                     |                                     |
|------------------------------------|---------------------|-------------------------------------|
| MCA<br>Scoring<br>Level            | Points<br>Generated | Grade Level Performance             |
| 3-5                                | 1                   | Grade level performance or above    |
| 2                                  | .5                  | Approaching grade level performance |
| 1                                  | 0                   | Significantly below grade level     |

*The performance index  
increases the number  
of data points used  
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stability and consistency  
of the decisions.*

## Example: School Proficiency Index

During the 2002-3 school year students were tested in grades 3 and 5. Gopherville Elementary had 50 third and 46 fifth grade students enrolled on test day. Five students in each grade were not enrolled in the school on October 1 so they are not included in this calculation. Eighty-six students across both grades were present for the academic year and tested.

Gopherville Elementary school's All Student reading test scores were as follows:

24 third grade students and  
32 fifth grade students  
score at or above 1420 on their MCAs (Levels 3, 4 or 5).

12 third grade students and  
8 fifth grade students  
score at level 2 on their MCAs (Level 2).

6 third grade students and  
4 fifth grade students  
score at level 1 on their MCAs (Level 1).

So to calculate their index:

|                                         |                     |
|-----------------------------------------|---------------------|
| Number of students gaining 1 point: 56  | 56 pts              |
| Number of students gaining .5 points 20 | 10 pts              |
| Number of students gaining 0 points: 10 | 0 pts               |
|                                         | <hr/>               |
|                                         | <b>Total 66 pts</b> |

The school's total number of index points generated was 66 (56+10+0).

The greatest number of index points the school's students might have generated (if they had all tested as proficient) is 86.

Thus, the school generated an actual index rate of  
 $66/86 \times 100$  or 76.74.

### **Step 5: Did the School Make the Proficiency Target?**

Now schools can compare their actual proficiency index with their adjusted target index to determine whether or not each subgroup or cell made adequate yearly progress.

#### **Example: Did We Make AYP?**

Gopherville Elementary School's student test scores for the All Students subgroup generated an index rate of 76.74.

Their adjusted target index rate (after application of the confidence interval) was 59.8.

They made AYP for this subgroup!

Thus far Gopherville Elementary School has fulfilled the 95% participation rate requirement and achieved a proficiency index rate that surpasses its adjusted target. In order to make AYP, the school needs to have an acceptable rate on one additional indicator. For Minnesota Elementary and Middle Schools the additional indicator is attendance. For High Schools, it is graduation rate.

#### **One Last Chance to Make AYP - Safe Harbor**

If schools or districts have a group (cell) of students whose MCA scores have not met the target, the school or district has one last chance to make AYP. This last chance is referred to as "safe harbor".

If the school or district can reduce the number of not proficient students in the low scoring cell(s) by 10% compared to the previous year the cell and school or district could still make AYP, provided that group also meets the AYP target for either attendance and/or graduation rate. Attendance and graduation rates are disaggregated for use with the safe harbor calculation.

## Example: Safe Harbor

For the safe harbor example we'll use Gopherville's Free and Reduced Price subgroup. In 2002-2003 Gopherville's Free and Reduced Price reading test scores for students enrolled for the full academic year were as follows:

1 third grade student and  
2 fifth grade students  
score at or above 1420 on their MCAs.

5 third grade students and  
2 fifth grade students  
score at level 2A on their MCAs.

9 third grade students and  
4 fifth grade students  
score at level 1 on their MCAs.

So to calculate their index:

|                                         |         |
|-----------------------------------------|---------|
| Number of students gaining 1 point: 3   | 3 pts   |
| Number of students gaining .5 points 7  | 3.5 pts |
| Number of students gaining 0 points: 13 | 0 pts   |
| <b>Total 6.5 pts</b>                    |         |

The school's total number of index points generated was 6.5 (3+3.5+0).

The greatest number of index points the school's students might have generated (if they had all tested as proficient) is 23.

Thus, the school generated an actual index rate of  $6.5/23 \times 100$  or 28.26.

Gopherville Elementary School's **adjusted target index rate** for this subgroup is 36.76. Their student test scores generated an index rate of 28.26. So, they will not make AYP for their Free and Reduced Price subgroup unless it qualifies for Safe Harbor

Gopherville's students generated a proficiency index rate of 28.26 out of a possible 100. Put another way, their non-proficiency rate is 71.74.

If they can show they reduced their non-proficient index rate by 10%, they can make Safe Harbor for this subgroup.

Gopherville Elementary School's non-proficiency index rate for the 2001-2002 school year was 80. A 10% decrease in this number represents 8 index points.

Thus, if the school's 2002-2003 index rate is 28 or higher the school can make safe harbor. As the schools 2002-2003 index rate of 28.26 is equal or greater than the needed index rate of 28 the school (provided its attendance data is good) will make safe harbor.

## Attendance Overview

To make adequate yearly progress for attendance, elementary schools, middle schools and districts must have an average daily attendance rate of 90% or show acceptable growth (at least 1/10 of one percent above the previous year) towards 90%.

Attendance figures for AYP purposes are calculated for the "all students" group only; they are not broken down into other subgroups or cells. Schools and districts whose "all students" group do not meet the 90% target for attendance rates may still make adequate yearly progress if they show growth from the previous year.

Average daily attendance (ADA) is the number of days that a school's enrolled students actually attend school divided by the number of days in the school year. Average daily membership (ADM) is the number of days that students were reported as enrolled by the school divided by the number of days in the school year.

AYP attendance rates are calculated by dividing a school's ADA by its ADM and multiplying the result by one hundred.

### Example: Attendance

Gopherville Elementary has 337 students enrolled in grade K-6. Forty-two of the students are enrolled in Kindergarten and are not included in this calculation.

That leaves 295 students enrolled in grades 1-6.

The average daily attendance (ADA) of these students is 278/295. The average daily membership (ADM) of these students is 1 (the school claimed the students' enrollment for the entire school year). Thus, the school has an NCLB attendance rate of 94.23.

$$278/295 \text{ over } 1 \times 100 = 94.23$$

Having fulfilled the 95% participation requirement, having achieved a proficiency index rate that surpasses its target and, having generated an attendance rate that is above 90% Gopherville Elementary School has made Adequate Yearly Progress for this subgroup.

## Adequate Yearly Progress for High Schools

Elementary schools, middle schools, high schools and districts all need to have acceptable rates of student test participation, proficiency and one other indicator. Elementary, middle schools and districts have attendance as their other indicator. Federal law requires the graduation rate be the other indicator that is used in determining high school and district AYP.

### Graduation

To make adequate yearly progress for graduation, high schools and districts must have an average graduation rate of 80% or show acceptable growth (.01 of one percent over the previous year) towards 80%.

Graduation figures for AYP purposes are only calculated for the “all students” category, they are not broken down into cells, except for Safe Harbor. Schools and districts that do not meet the 80% target for graduation rates may still make adequate yearly progress if they show growth from the previous year.

High schools and districts must have an average graduation rate of 80% or show acceptable growth towards 80%. Graduation Rates is calculated as follows:

Total Grads

÷

Dropouts across four years

(Grade 9 in 1999 + grade 10 in 2000 +  
grade 11 in 2001 + grade 12 in 2002)

+

2002 Grads

*To make adequate  
yearly progress for  
graduation, high schools  
and districts must have an  
average graduation rate  
of 80 percent or show  
acceptable growth  
towards 80 percent.*

## Consequences for Not Making Adequate Yearly Progress (AYP)

An AYP status will be reported annually for all schools and districts beginning with the 2002-2003 school year. A district or school is not making AYP when any group within the district or school misses AYP for two consecutive years in:

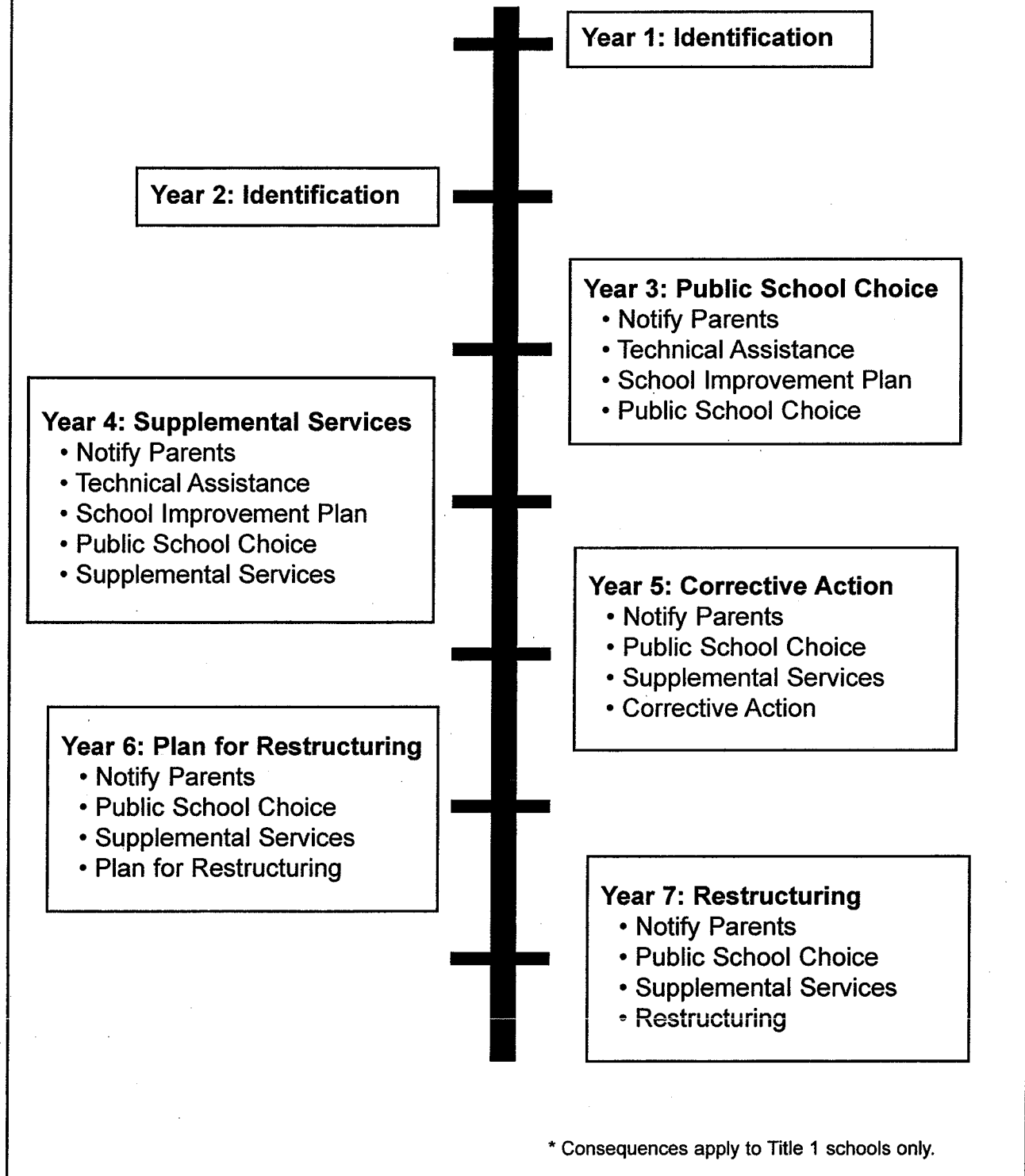
- Reading – proficiency index or participation
- Math – proficiency index or participation
- Attendance and/or graduation

Federally mandated consequences extend only to districts and schools that accept Title I funds.

The chart on the next page describes the consequences for not making AYP.

*Federally mandated  
consequences, for  
missing AYP for  
two consecutive years,  
extend only to districts  
and schools that accept  
Title I funds.*

# The AYP Consequences Continuum



## **Parent Notification**

After two consecutive years of not making AYP, districts are required to publish and disseminate information regarding any corrective action the district takes to the public and parents of each student enrolled in the school subject to corrective action. Notice of AYP status must be in understandable format and language for parents and must include

- what identification means,
- reasons for identification,
- how achievement of school or subgroup compares to other schools in district,
- what school is doing to address problems of low achievement,
- what assistance district is providing to school,
- how parent can be involved in addressing the issues,
- what resources/training is available to assist parents and
- explanation of parents' option to transfer child to another public school, and, if at higher level of consequences, also an explanation of parent's right to supplemental services.

## **Technical Assistance**

Federal NCLB legislation requires schools identified as Needs Assistance to work with an external provider to implement a continuous improvement process that includes a schoolwide plan. To better meet the needs of the needs improvement schools, Minnesota offers two options for technical assistance to AYP schools.

### **Option #1:**

#### **Phase I - Development and Implementation of School Improvement Plan**

The Minnesota Department of Education (MDE) will provide a coach – called a Continuous Improvement Process (CIP) Coach – and other resources to help meet the requirements of school improvement. The process will:

- Orient district and school leadership regarding NCLB and its requirements.
- Facilitate an analysis of school data from the Minnesota Comprehensive Assessments and other relevant data, to identify both the groups of students and the content areas that need targeted attention.

- Facilitate a school self-assessment using questions around quality indicators that research links to school improvement. *The outcome will be a summary of key strengths and improvement opportunities for the school.*
- Facilitate a site visit to the school by an external team to verify and clarify the results of the self-assessment. *The outcome will be a feedback report identifying key strengths and opportunities for improvement.*
- Facilitate the Development of a School Improvement Plan. *The outcome will be a detailed school improvement plan that addresses key areas identified both during the self-assessment process and the data review.*
- Monitor the school's progress in implementing its plan and improving student learning; and provide additional assistance as necessary.

## **Phase II - Plan Development and Implementation**

Phase II continues the work of Phase I, with a focus on embedding effective instructional practices at all levels. The CIP Coach will provide facilitation, training, monitoring, and other services in three stages:

- STAGE 1 – Review of School Progress
- STAGE 2 – Embedding Effective Instructional Practices
- STAGE 3 – Monitoring

### **Option #2:**

A school may develop their own model based on the information above and it must fulfill all of the federal requirements of the school improvement model.

### **School Improvement Plan**

Immediately after identification, the school must conduct a needs assessment and develop a school improvement plan that must:

- Be implemented within 3 months after identification of the school and cover a two-year period.
- Be developed with parents, school staff, district staff and outside experts.
- Be approved by the district through a peer review process.
- Address the academic areas and populations for which the school was identified.
- Be based on scientific research and school reform models.
- Set aside at least 10% of the school's Title I allocation for professional development for each year the school is identified.
- Establish specific, annual, measurable goals and indicators for each group of students not achieving that will result in meeting proficiency.
- Describe how the school will provide understandable written notice concerning identification to parents/guardians of each student.
- Describe the specific responsibilities of the school and district with regard to technical assistance and reallocation of resources.
- Describe the parental involvement, the professional development, extended day and teacher mentoring activities.

### **School Choice and Transportation**

By the first day of the school year following identification (after 2 years of not making AYP), parents of all students enrolled in an identified school must be given the option of transferring their child out of the identified school to another non-identified school within the district.

- Inform parents about available choices.
- Notify parents of the results of school selections and transportation availability.
- Solicit parents' decisions, giving parents reasonable and adequate time to respond.
- Give priority to the lowest achieving children from low-income families.
- Describe, if any, the priority for selection.
- Give students transferring to non-identified schools the same access to services, programs and activities as all other students in the school.
- Districts are required to transport students to the newly selected schools.
- Set aside a minimum of 5% (to a maximum of 10%) of the district's Title I allocation to pay for the costs of transporting students to a non-identified school.
- Determine the transportation needs and determine method and route of transportation.
- Implement the choice and transportation plan beginning with the first day of the next school year following identification.

### **Supplemental Education Services (SES)**

If a school fails for three or more years to make the progress required to ensure that every child is proficient at grade level in reading and math, low-income students attending the school have the opportunity to receive supplemental educational services.

Children from low-income families who attend identified Title I schools may be eligible to receive additional academic services or tutoring. The Minnesota Department of Education (MDE) will establish and maintain a list of approved providers, which will be updated annually.

Elements of the supplemental educational services provisions are:

- Eligible students: Eligible students are those from low-income families who are enrolled in a school that has been identified by its state for three or more years as not making the progress required to ensure that every child is proficient at grade level in reading and math. If funds are not sufficient to provide supplemental educational services to all eligible students, the school district gives priority to the lowest-achieving eligible students.
- Parental choice: Parents of eligible children select the provider from a list of state-approved providers that the parents believe can provide the supplemental educational services most appropriate for their child.
- Providers: Any type of for-profit or nonprofit entity (including businesses, faith- and community-based organizations, schools and even individuals) can become a provider of supplemental educational services. But in order to become an approved provider in a state, an entity must demonstrate to the state that it provides high-quality services and has a record of improving student achievement.
- Accountability for results: Providers must enter into agreements with local school districts specifying a timetable for improving a child's academic achievement.

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### **Funding Supplemental Services**

Districts must set aside an amount equal to 20% of the district's total Title I allocation for choice and supplemental services.

Districts may use all or part of their Title I allocation to meet the set-aside requirements, including any additional accountability funds the district receives, or districts can use local funds to meet the set-aside requirement.

Districts may also use other federal funds, or use the Title VI Flexibility Provision to help pay for services.

Districts must determine a per-pupil amount for each student and must spend either that amount or the actual costs of the supplemental service (if lower).

If sufficient funds are not available to serve all eligible students, the district must prioritize the qualified participating students most in need academically.

### **Corrective Action and Restructuring**

The Minnesota Department of Education has convened a group of stakeholders to determine how corrective action and restructuring will look like under Minnesota law. The results of this effort will need legislative approval.