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No Questions Left Behind

A Comprehensive Guide
to Minnesota's
Accountability Plan
Under the No Child
Left Behind Act

Revised October 2004

Minnesota
Department
of **Education**

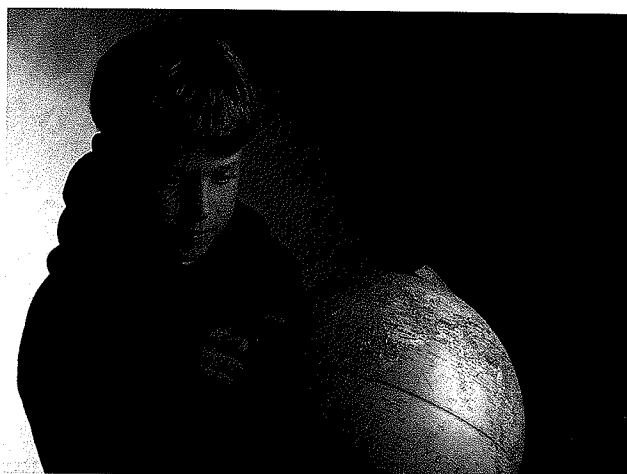
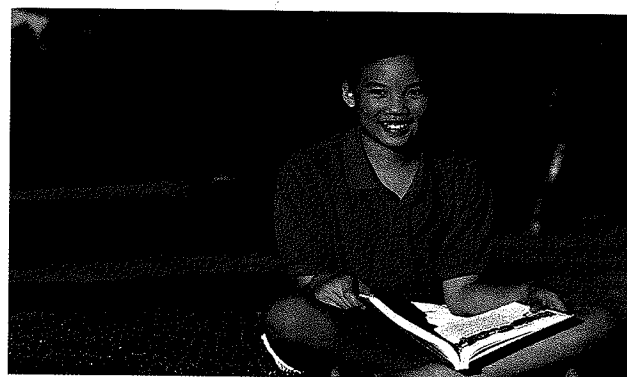
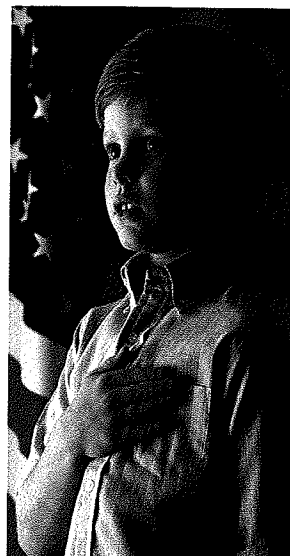
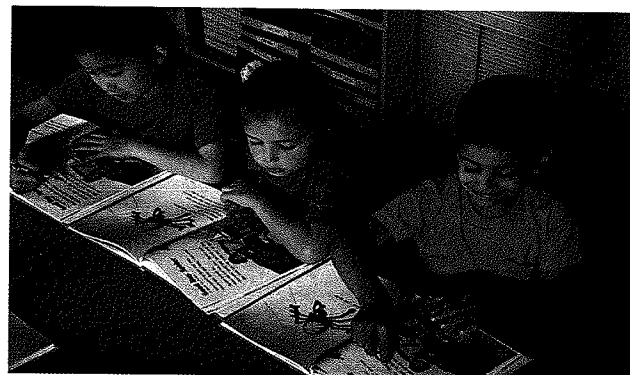


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Introduction

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 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 a plan that involves setting performance targets so that all students are proficient by the year 2013-2014.

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 public schools in the state including:

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

The Minnesota AYP plan looks 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

The original goal for NCLB was for schools to test at least 95% of all students across tested grades with state assessments in reading and mathematics. After seeing how difficult this can be for small rural public schools, the US Department of Education now allows schools to meet a three-year rolling average of 95% participation.

This way, a few students in any given year will not cause a school to miss their target.

The term “across tested grades” means schools must add up the total number of students in each grade being tested for each subject. Currently, the only grades being tested are 3, 5, 7, 10 (reading) and 11 (math).

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% average 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.

Schools have three full weeks to administer the test to all students. So if a student is absent on the “test day” they have many opportunities to take it again.

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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 and four third-grade students were absent or were otherwise unable or unwilling to participate in the test. That means eighty-nine students participated in the tests ("number of students participating").

Gopherville Elementary students' participation rate for the current year is determined by dividing its 89 test participating students by its 96 student enrolled in tested grades.

$$89/96 = .93$$

$$.93 \times 100 = 93\%$$

93% is the current year participation rate for Gopherville Elementary.

The current year participation rate (93%) is then used as part of a three-year average that must be at least 95%.

Current Year	93%
Last year	97%
Two years ago	96%
<hr/>	
Three year average	95.33%

The 95.33% three-year average 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 58 White students across tested grades. The 95% participation rate would apply to this subgroup 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:

Previous System	New System
Level I	Level 1
Level IIA	Level 2
Level IIB	Level 3
Level III	Level 4
Level IV	Level 5

Assessment Implementation Schedule

Currently, the state is only testing grades 3, 5, 7, 10 (reading) and 11 (math). Tests for other grades are currently being developed and will be put online based on the following schedule.

Grade	2002-03	2003-04	2004-05	2005-06
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

Alternative Assessment for Special Education

Contrary to what many believe, NCLB already recognizes that all students do not learn at the same rate. Because the law requires students with disabilities be included in state and district assessment programs, many students with disabilities participate in the MCAs.

However, all special education students have an Individual Learning Plan (IEP) and the IEP team determines the best instructional and assessment methods for each student. If the IEP team deems it necessary, special education students can take an alternative assessment developed by the department. Schools may accumulate index points (see below) for students using the alternative assessment.

School districts are limited to using the alternative assessment for up to 1% of their tested students, but districts that serve as special education centers can have this cap waived.

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 the state in that subject and grade level.

Contrary to what many believe, NCLB already recognizes that all students do not learn at the same rate.

For more information on NCLB, see the MDE web site at:
education.state.mn.us

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:

	<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":

Annual Measurable Objectives Expressed in Index Points				
	Reading 3	Reading 5	Math 3	Math 5
2002	62.8	69.9	66.2	65.4
2003	62.8	69.9	66.2	65.4
2004	62.8	69.9	66.2	65.4
2005	66.5	72.9	69.6	68.9
2006	70.2	75.9	73.0	72.3
2007	74.0	78.9	76.3	75.8
2008	77.7	81.9	79.7	79.2
2009	81.4	85.0	83.1	82.7
2010	85.1	88.0	86.5	86.2
2011	88.8	91.0	89.9	89.6
2012	92.6	94.0	93.2	93.1
2013	96.3	97.0	96.6	96.5
2014	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 1st 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	58	Yes
Black	23	Yes
Hispanic	9	No
Asian / Pacific Islander	6	No
American Indian	0	No
Special Education	22	No*
Limited English Proficient	18	No
Free & Reduced Price Lunch	23	Yes

* Cell size for special education is 40.

Students who are new to the country (not enrolled for at least one day during the previous calendar year in the U.S.) are not included in the proficiency calculation.

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 reading 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 9. Then add the grade 3 and grade 5 numbers together.

Grade 3:	50 students x 62.8 (state reading index target)	= 3140
Grade 5:	46 students x 69.9 (state reading index target)	= <u>3215.4</u>
	Total	6355.4

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 in reading 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.

For more information on NCLB, see the MDE web site at:
education.state.mn.us

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.

***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 are 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.

Students taking an alternative assessment can also earn index points in reading and math.

Calculation Based on an Index Rate

MCA Scoring Level	Points 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 to make decisions about schools thereby increasing the stability and consistency of the decisions.

For more information on NCLB, see the MDE web site at:
education.state.mn.us

Example: School Proficiency Index

During the 2004-05 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 1st 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/>
	Total 66 pts

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 only 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
Total 6.5 pts	

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 school's 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 grades 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 attendance.

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 (1/10 of one percent above 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.**

For more information on NCLB, see the MDE web site at:
education.state.mn.us

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:

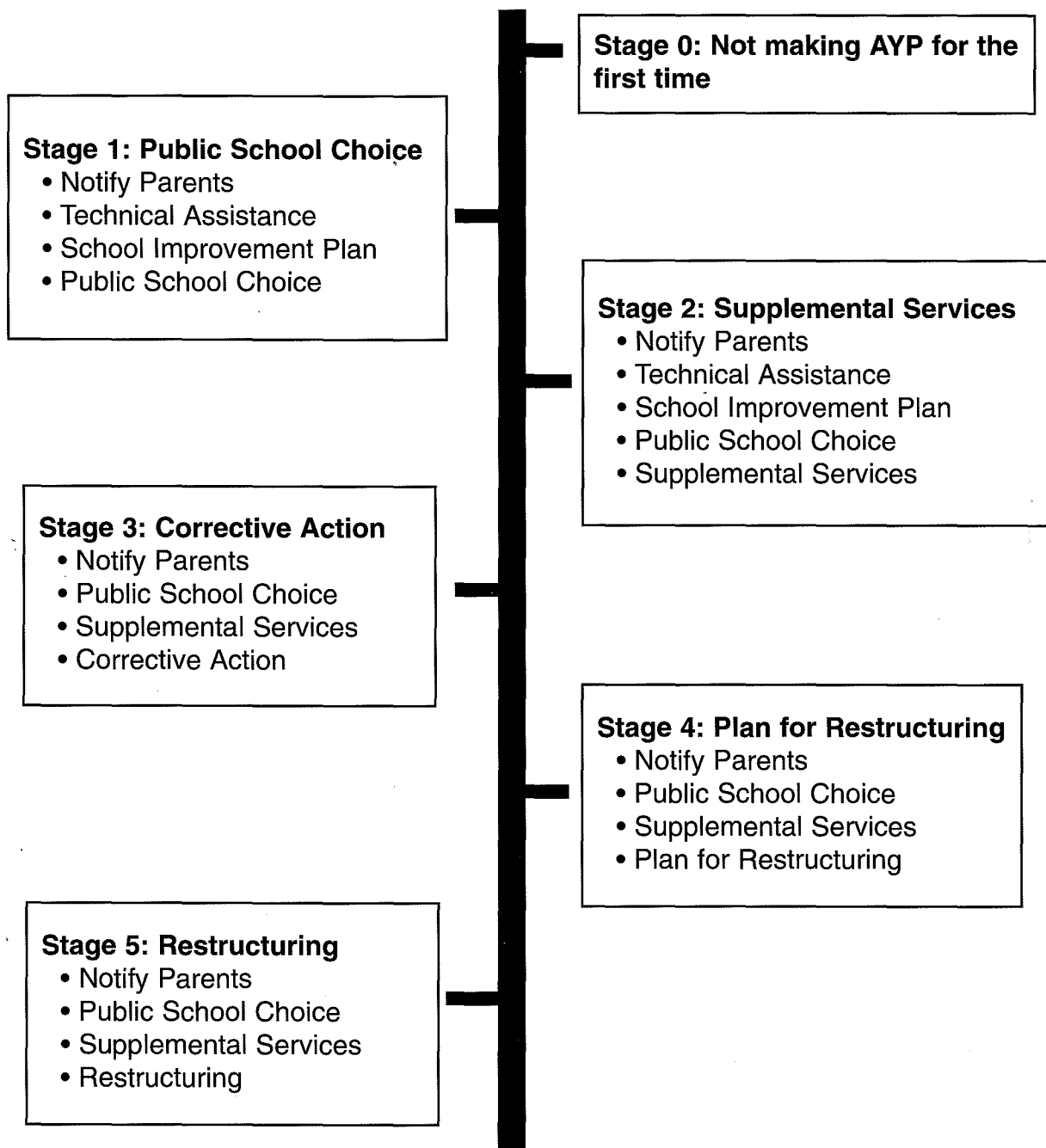
- Reading - proficiency index or participation
- Math - proficiency index or participation
- Attendance and/or graduation

Federally mandated consequences extend only to districts and schools that accept Title I funds. Once a school or a district has been identified for not making Adequate Yearly Progress (AYP) Title I funds are "set-aside" (taken off the top of the district's allocation) for the purpose of assisting with improvement activities. Improvement activities include professional development for teachers and staff, School Choice and Supplemental Services.

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

For more information on NCLB, see the MDE web site at:
education.state.mn.us

The AYP Consequences Continuum



* Consequences apply to Title I schools only.

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 in need of improvement to work with an external provider to implement a continuous improvement process and to create a school improvement plan or to revise an existing school improvement plan.

The Minnesota Department of Education (MDE) provides guidance and support to schools identified as in needs of improvement and to the districts of those schools.

MDE:

- meets with school principals, school staff and district administrators to explain the continuous improvement process;
- establishes an MDE contact for each school for the school year;
- facilitates a school's selection of an internal team and one or more external provider(s) to ensure that the assistance schools receive meets the school's needs;
- maintains a web site of continuous improvement tools and internet resources on a variety of topics, including:
- analyzing data, including the Minnesota Comprehensive Assessments and other relevant school level data;

- a self-assessment in seven key areas of school success, indicating to schools areas of strengths and weaknesses;
- professional development and more; and
- monitors the process, including the creation of the school improvement plan or the revision of an existing school improvement plan, the plan's implementation and other school and district requirements of NCLB.

For more information on the process and the resources available on the web site, see education.state.mn.us. Go to MDE Programs, then NCLB Consolidated Programs, then Continuous Improvement Process or Continuous Improvement Tools.

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.

For more information on NCLB, see the MDE web site at:
education.state.mn.us

- 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.
- Districts are required to set aside 20% of the Title I allocation (or an amount equal to 20% of the districts Title I allocation) to pay for costs of transporting students to a non-identified school along with supplemental services.
- 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.

If a school fails for three or more years to make AYP, children from low-income families who attend identified Title I schools may be eligible to receive additional academic services or tutoring.

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.

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.

For more information on NCLB, see the MDE web site at:
education.state.mn.us