

2010-11
ADEQUATE YEARLY PROGRESS (AYP)
POLICY
AND
TECHNICAL MANUAL

Revised June 2011



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AYP Policy and Technical Manual

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I. Introduction

What is Adequate Yearly Progress?

The No Child Left Behind Act of 2001 (NCLB, Public Law 107–110) requires the state of Oregon to annually determine whether schools, districts, and the state have made adequate yearly progress (AYP) toward the goal of having all students meet rigorous state academic standards by the 2013-2014 school year. Each year, the performance of all students in the school, district, and state as well as demographic subgroups of students, is measured using the Oregon Assessment of Knowledge and Skills (OAKS) and the results are compared against annual performance targets.

At the school level, if the school as a whole and all demographic subgroups meet the statewide participation and academic achievement targets in English/Language Arts and Mathematics, and the school meets the statewide target for either attendance (in elementary and middle schools) or graduation rates (for schools with grade 12), the school is designated as meeting AYP. The same requirements apply to each district and to the state.

If any subgroup of students or the student body as a whole in a school does not meet the targets, or does not make sufficient progress toward the targets, the school is designated as not meeting AYP. The same requirements apply to each district and to the state.

A requirement of the federal law is that all schools and districts whether they receive Title I funding or not, must now receive AYP determinations. In addition, prescribed sanctions are applied to schools and districts that do not meet AYP if they are receiving Title I funds. Non-Title I schools are accountable for meeting AYP, although they are not subject to the sanctions outlined in NCLB.

Is AYP Something New?

AYP is not a new concept. NCLB has simply changed some of the requirements. Since 1994, with the reauthorization of the Elementary and Secondary Education Act (ESEA), districts have been required to determine the adequate yearly progress of their Title I schools through the use of a prescribed formula. When the first Oregon School and District Report Cards were issued in January 2000, a transition was made, and the overall rating on the report card was used to determine AYP for Title I schools. Schools receiving ratings of Satisfactory, Strong, or Exceptional overall on the school report cards were designated as having met adequate yearly progress. The report cards distributed in January 2000, 2001, and 2002 were used to measure AYP for Title I schools.

With the passage of NCLB and the prescription of common principles for determining AYP in schools throughout the nation, the Oregon School and District Report Cards can no longer be used to determine AYP. The last AYP rating that was based on the Oregon School and District Report Cards was issued in January 2002. The report card ratings issued to districts and schools since January 2003 have no bearing on AYP. Schools have “held” their 2002 rating since January 2002, and the new AYP designation, distributed in November 2003, continues the AYP cycle for schools and districts.

What does it mean to say a school or district does not meet AYP this year?

A school or district that does not meet AYP should not be labeled as failing. The designation of not meeting AYP signals that, based on a number of indicators, the school or district is not on track for all students meeting the state standards for student achievement by the target year of 2014. The school or district as a whole may have strong academic performance, but the designation may be based on a single factor or a single subgroup.

What happens if schools or districts do not meet AYP?

Under NCLB, schools designated as not meeting AYP or districts not meeting AYP designations across all three grade spans (elementary, middle and high school) in the first year face no sanctions. Sanctions begin at the end of the second year for Title I schools that are designated as not meeting AYP for the second consecutive year in the same area (i.e. English/language arts, mathematics, or other indicator). Title I districts are also sanctioned at the end of the second year if the same area is not met across all three grade spans for the second consecutive year. Consequences depend on NCLB progress with each year's designation of not meeting AYP and range from offering school choice to restructuring of the school or district. Section XI (page 26) provides a description of sanctions for Title I schools and districts.

If a Title I school or district identified for sanctions meets AYP in a subsequent year in the area that caused the identification, that school or district stays at the previous year's sanctions level. If that same school or district meets AYP for a second consecutive year in the area that caused the school or district to be identified for improvement, that school or district is no longer identified for improvement.

Even though mandatory consequences contained in the No Child Left Behind Act do not apply to schools not receiving Title I funds, all schools are expected to help all students reach state standards. The Oregon Department of Education is developing policy and processes for assisting schools not receiving federal Title I funds and not meeting Adequate Yearly Progress. These policies and processes will include assistance in revising their school and district improvement plans to address targets identified in the AYP analysis.

Are there any changes in determining AYP?

There are eleven changes implemented for the 2010-11 AYP reports.

Graduation Rates (*Change pending federal approval*)

The cohort graduation rates included in 2010-11 AYP reports are the four-year and five-year graduation rates for the class of students entering high school in 2005-2006 and the four year graduation rates for the class of students entering high school in 2006-07. Last year the AYP reported two types of graduation rates: 1) one year of cohort graduation rates and 2) the graduation rates known as the one-year graduating class rates or the National Center for Education Statistics (NCES) graduation rates.

The four-year cohort graduation target is the same as last year, which was set at 65% for the combined rate across two years of data for the four-year cohorts (the class entering 2005-06 as reported in 2009-10 AYP report and the class entering high school in 2006-07). If the combined rate does not meet the 65% target, then the most recent reported year for the four-year cohort (the class entering 2006-07) is evaluated. If the 65% target is not met for either the combined or the most current year of the four-year cohort rate, schools and districts can meet the AYP graduation requirement by 1) reducing the percentage of students not graduating in the four-year cohort by at least 10% from the prior year or 2) if the five-year cohort graduation rate of 70% or higher.

High schools whose adjusted four-year cohort is 40 students or more over two years combined will be rated on graduation, while high schools whose four-year cohort is less than 20 students will be rated on attendance. Schools with 20 to 39 students in the combined four-year cohorts may choose attendance or graduation as the other indicator.

Race and Ethnicity Reporting

The same six categories used in prior years for race/ethnicity (Asian or Pacific Islander, Black or African American (not of Hispanic origin), Hispanic origin, American Indian or Alaskan Native, White (not of Hispanic origin) and multi-racial) are used in 2010-11 AYP designations. The change this year is with the categorization of a student who is both Asian and Pacific Islander, which will be reported as multi-racial beginning in 2010-11 rather than in the subgroup of either Asian or Pacific Islander. Also, districts are no longer allowed to report student's race/ethnicity as unknown in 2010-11.

Assessment and attendance results for 2010-11 for Asian students and for Native Hawaiian/Pacific Islander students are reported separately on the AYP report as information only to schools and districts, but are not included on public reports. In 2011-12, when two years of data for both of these student groups are available, AYP determinations will be made separately for each group and will be publicly reported. Schools and districts will be accountable for the performance of each of these groups that meet the minimum cell size required for AYP determinations.

Subgroup Membership Data Sources

In 2010-11, race/ethnicity and special education subgroup membership will be based on student demographic information submitted by districts in the Third Period Cumulative ADM Collection. Previous to 2010-11, student demographic information came from various data sources and often needed more updated information from districts, which the Third Period Cumulative ADM collection corrects. Third Period Cumulative ADM Collection membership continues to be the data source for determining membership in the economically disadvantaged student group and the Limited English Proficient (LEP) subgroup will continue to come from the NCLB Title III Limited English Proficiency collection.

LEP Subgroup

LEP subgroup was expanded to include students who were eligible for LEP services in 2010-11 but declined participation in the English Language Development (ELD) instructional programs. These eligible LEP students, as submitted in the NCLB Title III Limited English Proficiency collection will be included in the LEP subgroup for up to two years after they exit LEP eligibility. Prior to 2010-11, the LEP subgroup required participation in the ELD instructional programs.

Calculation of Full Academic Year

This year the Full Academic Year (FAY) flags are automatically calculated (overnight after submission) based on information submitted in the Third Period Cumulative ADM (Average Daily Membership) Collection. Students will be counted as being enrolled for a FAY when their ADM within a resident district or school is greater than 0.5 full time equivalency (FTE) weighted by session days enrolled. Previously, districts provided their own reported FAY as to whether a student had been enrolled in the district and in the school for at least half the school session days prior to and including the first school day in May.

Academic Status Targets

The single target for all schools and districts and student subgroups increases to 70% of test scores meeting or exceeding standards in reading and the same percentage in mathematics. Last year, the targets were 65% for both reading and math.

Margin of Error

The margin of error used for adjusting for validity and reliability is reduced in 2010-11 as a result of the academic status targets going up to 70% for both reading and math. (See Section VI. AYP Calculations and Determinations.)

Spanish Reading for Grade 3

In 2009-2010, ODE offered a new grade 3 Spanish reading assessment through the OAKS Online System. The U.S. Department of Education approved the use of the results of the grade 3 Spanish reading assessment taken by eligible students during the 2010-11 and subsequent school years in AYP determinations.

High School Grade of Accountability

Starting in 2010-11 school year, the high school grade of accountability changed from grade 10 to grade 11. Students in their eleventh grade year who passed the state math assessment (regular or extended) for high school in a prior year were able to bank their tests and use it to fulfill the high school assessment requirement.

Math Content Standards Implemented in Assessments

New math content standards were initiated in 2007 and adopted in 2009 by the Oregon State Board of Education. Implementation of the new content standards in the state assessments began in 2010-11. (See <http://www.ode.state.or.us/search/page/?id=3182>)

Calculating Academic Growth in Mathematics

To prepare students for the increased rigors of the Common Core State Standards and the Oregon Diploma, the Oregon State Board of Education voted in October 2010 to [increase math achievement standards](#) effective for the 2010-11 school year. The math achievement standards increase the level of math students are expected to know in elementary and middle school to create better alignment between the lower grades and the new high school graduation requirements for math.

In the calculation of academic status, schools and districts are accountable for the higher math achievement standards this year. However, to ensure academic growth measures the improvement in performance of students over time, the calculation of academic growth in math in 2010-11 will be based on the growth in the percentage of students who met the achievement standards in effect in 2009-10.

Significant Events in AYP Determination Process

Date	Event
June 9	Pre-Preliminary AYP report first preview available on the ODE secure district website followed by 4 updates (between June 14 and July 19 reflecting modifications and completion of collections)
July 28	Preliminary school and district AYP designations (public version) available for preview on ODE secure district website
August 2	Preliminary AYP report for schools and districts released and posted on ODE public website and preliminary list of schools identified for school improvement available for parents to determine school choice options and/or Supplemental Educational Services (SES)
August 2-19	Requests submitted by districts for AYP data reviews prior to final designation of AYP
August 19	Last date for changes to assessment test records and data collections if approved by ODE. Changes made after this date to these data elements will not be reflected in Final AYP determinations, Report Card or Assessment Group report results.
August 30	Final AYP report available for preview on ODE secure district website and final list of schools and districts identified for improvement posted to public website
September 1	Final AYP report available to public on ODE public website
September 15	District preview of 2010-11 school and district report cards, including final AYP designations and supporting detail sheets, on ODE secure district website
October 6	The 2010-11 school and district report cards, including final AYP designations and supporting detail sheets, available to public on ODE public website

II. Guiding Principles

The federal government established principles to be used in guiding the individual states in the development of their accountability systems. The guiding principles include the methods and means for determining AYP. These principles are summarized below.

1. **The accountability system includes all schools and districts in the state**, and holds them to the same criteria. All schools and districts receive timely information on AYP reports, and the system includes rewards and sanctions based on school or district performance.
2. **The accountability system includes all students**. All students are expected to participate in the statewide assessment system, and schools and districts are accountable for students who have been served for the majority of the school year.

3. **All students including subgroups are expected to make continuous and substantial growth so that all students are proficient on the state's academic standards by 2013-2014.** Schools, districts, and the state are accountable for having students meet the annual targets, including the students who are English language learners, students in poverty, and students with disabilities.
4. **Accountability is based primarily on academic assessments in reading and mathematics, and accountability also identifies additional measures, all of which are to be assessed annually.** In the accountability system, assessments measure student achievement of state content standards in reading and math. Additional factors of attendance or graduation rates will be included in the determination of AYP.
5. **The accountability system is valid and reliable** and produces reliable and valid decisions about whether a group of students, a school, or a district meets AYP. These decisions include provisions for allowing for changes in a school's population and also protection of student confidentiality.

These principles are among the 10 used by the U.S. Department of Education in developing the Consolidated State Application Accountability Workbook used by each of the states in applying for federal approval of accountability plans. The 10 are embedded in the workbook and can be found in Oregon's submission at: <http://www.ode.state.or.us/search/page/?id=218>.

III. Data Sources

Academic Indicators: Academic Achievement and Participation

NCLB requires that states establish academic achievement targets. The determination of AYP for all schools and districts in the state is required by law to be based on assessments in English/language arts (reading) and mathematics. The statewide assessments listed in Table 1 are used in determining school, district, and state performance relative to the academic targets and school participation requirements of No Child Left Behind.

Table 1 Academic Indicators: Academic Achievement and Participation

Assessment	Assessed Grade Levels By School Year		For Small Schools and Districts If Additional Data is Necessary	
	2010-2011 ¹	2009-2010 ²	2008-2009 ²	2007-2008 ²
Reading Knowledge and Skills	3-8 & 11	3-8 & 10	3-8 & 10	3-8 & 10
Math Knowledge and Skills	3-8 & 11	3-8 & 10	3-8 & 10	3-8 & 10

¹ The scores of students enrolled in grade 11 who took and passed the High School level test in a prior school year or targeted up and passed the test as an 8th grade student and did not test again in grade 11 are included.

² The scores of students enrolled in grade 10 who took and passed the High School level test in a prior school year or targeted up and passed the test as an 8th grade student and did not test again in grade 10 are included.

Other Academic Indicators: Attendance and Graduation Rates

Under NCLB, the other required academic indicator for determining AYP for districts and schools with grade 12 is the graduation rate (provided that the school meets the minimum cell size required for a valid AYP determination). For all other schools and districts, Oregon selected attendance as the other indicator. Table 2 Other Academic Indicators: Attendance and Graduation Rates identify the data sources. States are required to establish annual targets for the other academic indicators used to determine whether a school or district has met adequate yearly progress. Under NCLB, states are not required to increase the targets for attendance over time. However, federal regulations now require that cohort graduation rate targets increase over time.

Table 2 Other Academic Indicators: Attendance and Graduation Rates

Indicator	Data Source	Contact
Attendance in elementary and middle schools	Third Period Cumulative ADM collection	Joy Blackwell 503-947-5767 joy.blackwell@ode.state.or.us
Graduation rate in high schools and schools with grade 12	Longitudinal Cohort Tracking and Reporting System (from multiple data collections submitted by districts from 2005-2006 through 2009-10 and surveys to districts including Early Leavers, High School Completers, Fall Membership, and Cumulative Annual ADM collections.	Cynthia Yee 503-947-5780 cynthia.yee@ode.state.or.us

Please note that graduation rates are based on data for school years 2008-09 and 2009-10. Graduation data for 2010-11 are not available until April 2012.

IV. Data Definitions: AYP Indicators

Participation in Statewide Assessments

Student participation on statewide assessments is calculated as the number of valid test scores from all students enrolled in the school on the first school day in May for whom public funds are expended divided by the expected number of tests from students enrolled on the first school day in May minus the number of students without test scores that were not enrolled or had a medical emergency during the testing window(s) for the assessment minus the number of records from students Home Schooled or Foreign Exchange students.

The participation indicator for schools subtracts from the denominator records for students participating in “district-level” special education programs, while the district participation indicator includes these students.

For English Language Arts (ELA) reported in AYP, the Limited English Proficient (LEP) students in their first year of their LEP program are not required to participate in the Reading test if they have taken the English Language Proficiency Assessment provided (ELPA) by the State. These students will have their ELPA test credit toward the participation of Reading test. First year LEP students without an ELPA test will be considered a non-participant if no other Reading test exists. (See ELA participation example below.)

MATH Participation Calculation Example

For example, a school has 74 valid scores for third grade students enrolled on the first school day in May and all of whom are supported by public funds. They reported 84 total students enrolled on the first school day in May. Of those 84 students, 3 were not enrolled during the testing window and one had a medical emergency during the testing window. Two additional students are enrolled in the school as third graders but are served by the district’s special education program.

This would result in a 94.9% participation rate after rounding through the following calculation:

$$\frac{74 \text{ valid scores}}{84 \text{ students} - 3 \text{ new students} - 1 \text{ medical emergency} - 2 \text{ students in district special education}} = 94.9\%$$

ELA Participation Calculation Example

For example, a school has 74 valid scores for third grade students enrolled on the first school day in May and all of whom are supported by public funds. They reported 84 total students enrolled on the first school day in May. Of those 84 students, 4 were beginning first-year LEP students without a reading test but 3 had taken the ELPA. Another 3 of the 84 students were not enrolled during the testing window and one had a medical emergency during the testing window. Two additional students are enrolled in the school as third graders but are served by the district’s special education program.

This would result in a 98.7% participation rate through the following calculation:

$$\frac{74 \text{ valid scores} + 3 \text{ Beginning LEP students each with ELPA test and without Reading test}}{84 \text{ students (including 4 Beginning LEP students)} - 3 \text{ new students} - 1 \text{ medical emergency} - 2 \text{ students in district special education}} = 98.7\%$$

Students who do not answer enough questions to arrive at a valid score will be counted as non-participants. Statistical analysis and expert evaluation indicates that valid scores can be assigned for all online OAKS tests with 5 or more responses. Students submitting tests meeting the minimum response counts will be included as participants. Those with fewer answers will be counted as non-participants.

Students who take an assessment at a higher grade level than their enrolled grade (target-up) will count as participants for the purposes of AYP calculations (and therefore Report Cards). In the case of students enrolled in 8th grade, however, the student must take the 8th grade test which would be included in accountability reports for the current year to be counted as a participant. Students in 8th grade may also take the High School level test and if they meet the standard, the score will be "banked" and will be included in accountability reports when the student is enrolled in grade 11. In all cases, only the achievement levels associated with the grade level of the test will be used to determine whether students have met standard.

Academic Achievement Status

Academic achievement status for schools and districts is calculated as the number of valid test scores meeting standard from students enrolled for a full academic year¹ in the school or district on the first school day in May divided by the number of valid test scores from students enrolled for a full academic year in the school or district on the first school day in May.

Achievement standards for state tests can be found at: <http://www.ode.state.or.us/search/results/?id=223>

- Scores from targeted up assessments are counted as Meeting the standard if the student's score meets or exceeds the grade level standard for the assessment.
- Up to 1% of total test scores in the district used to determine AYP may be from extended assessments if the scores meet or exceed the alternate achievement standards adopted by the state.
- Beginning first year LEP students are excluded from the calculation of Academic Status.

Attendance: Elementary and Middle Schools, and Schools without Grade 12

The attendance for a school or district is the weighted average of enrollment multiplied by the attendance rate for each year. The attendance rate represents the percentage of students attending in grades 1-12 and is calculated as the total number of days students are present divided by total number of days students are present plus the total number of days students are absent.

The attendance periods for 2009-10 and 2010-11 are from the first session day of the academic year through the first school day in May as submitted by districts in the Third Period Cumulative ADM data collection. All students enrolled any time, regardless of when the student may have left during the academic year, up to and including the first school day of May are included for attendance. Attendance data for prior years were submitted by districts via the Annual ADM collection, which included school session days through the end of the academic year.

Enrollment is the number of students in membership on the first school day in May. District special education students are included in the calculation of district, but not school, attendance rate.

For example, a school reported 431 students enrolled in one year with an attendance rate of 89%. For a second year, the school reported 481 students enrolled with an attendance rate of 93%. This would result in an attendance figure of 91.1% through the following calculation. Because of the higher enrollment the second year, the weighted average is higher than the average of the two attendance rates.

$$\frac{(431 * .89) + (481 * .93)}{431 + 481} = 91.1\%$$

¹ See definition of "full academic year" on page 12.

Graduation: High Schools and Schools with Grade 12

If the sum of the denominators of the four-year adjusted cohorts is equal to or greater than the minimum of 40 students, then the graduation rate is used as the other academic indicator for schools serving 12th grade. The four-year adjusted cohort is the set of all ninth grade students who entered high school for the first time in a given year and the adjusted cohort reflects students who transfer in or out of the school over the course of four years. The four-year cohort graduation rate is the number of students in the adjusted cohort who earned a regular diploma by August 31 following the fourth school year of the student's cohort year divided by the size of the adjusted cohort.

As an example, a school has 215 first-time ninth graders in 2006-07. Fifty-two students who were first-time ninth graders in 2006-07 transfer into the school, and 41 students who were first-time ninth graders in 2006-07 transfer out of the school over the four years. The adjusted cohort is $215+52-41=226$ students. Of these 226 students, 178 earned a regular diploma by August 31, 2010. The four-year cohort graduation rate for the school is $178/226 = 78.8\%$.

A five-year cohort graduation reflecting the percentage of students who earn a regular high school diploma within five years is calculated in a similar fashion.

District special education students are included in the calculation of both school and district cohort graduation rates.

Who are graduates

Students are counted as graduates if they receive a regular high school diploma consistent with district and state policies. The minimum state requirements for a high school diploma are described at: <http://www.ode.state.or.us/search/results/?id=368>.

Who are not graduates

Non-graduates are students who do not receive a regular diploma consistent with district and state policies. Students who are not counted as graduates are:

- Students who receive modified diplomas, extended diplomas, or alternative certificates.
- Students who earn an Adult High School Diploma
- Students who finish their senior year without receiving any credentials whether or not the student returns for another year of school.
- Students who pass a Test of General Educational Development to earn a General Education Development (GED) certificate.
- Students who drop out of school.

Student data from High School Completers, Early Leavers, and Cumulative ADM Collections are used to determine a final outcome for each student in the cohort. For details on final outcome determinations, see the Cohort Graduation Rate Policy and Technical Manual posted at <http://www.ode.state.or.us/search/page/?id=2644>.

Oregon's definition of graduates meets the requirements of the U.S. Department of Education for calculating graduation rates.

V. Data Definitions: Demographic Subgroups

Identified Subgroups

Under NCLB, students are included in non-exclusive subgroups for determining AYP. The subgroups are: (1) students with disabilities, (2) students determined to be Limited English Proficient, (3) students from economically disadvantaged families, and (4) the student membership in major racial/ethnic groups in the state (i.e. White, Black, Hispanic, Asian, Native Hawaiian/Pacific Islander, American Indian/Alaskan Native, and Multi-Racial).

Group and Subgroup Membership Definitions

All Students

The All Students group includes all students enrolled in the school or district on the first school day in May except the following:

- home schooled, tuitioned, or foreign exchange students,
- students enrolled in private alternative programs who are not receiving instruction in core academic content areas assessed by the state assessments,
- students identified by the school or district as transferring in without a test score after the testing window has closed, or
- (for schools) students enrolled in district special education programs.

Students with Disabilities

The students with disabilities group includes all students served at any time during the school year by special education programs in which students are instructed and monitored based on decisions defined by Individualized Education Programs (IEP).

Limited English Proficient

Included in the Limited English Proficient group (see **Table 13** for LEP Subgroup Definitions) is any student who is identified by the district in the NCLB Limited English Proficiency collection as either:

1. Limited English Proficient (LEP), an individual who:
 - is aged 3 through 21;
 - is enrolled or preparing to enroll in an elementary school or secondary school;
 - was not born in the United States or whose native language is a language other than English;
 - is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - is migratory, whose native language is a language other than English, and
 - comes from an environment where a language other than English is dominant; and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
 - the ability to meet the State's proficient level of achievement on State assessments (described in section 1111(b)(3) of the No Child Left Behind Act);
 - the ability to successfully achieve in classrooms where the language of instruction is English; or
 - the opportunity to participate fully in society.
- or
2. Former LEP students (see Memorandum No. 010-2006-07) who are identified as exiting an LEP program in either of the two previous school years. Beginning with reporting for 2006-07, these students may be included in the LEP subgroup.

Economically Disadvantaged

The eligibility application for free and reduced price meal programs will be used to determine membership in this subgroup. Students eligible for free and reduced price lunch are identified by the district in the Third Period Cumulative ADM Collection. For further information about the use of free and reduced price meal data for this purpose, please see page 28 of the [Oregon Cumulative ADM Manual](#). Schools and districts that do not administer school lunch programs may identify economically disadvantaged students by other means.

Race/Ethnicity

Race/ethnicity classification changed in 2010-11. Students are classified into one of seven categories, but for 2010-2011, the data for Asians and Pacific Islanders are reported in a single racial category as in prior years.

Race/Ethnicity Categories

- American Indian/Alaskan native: A student having origins in any of the original peoples of North America and who is not Hispanic.
- Asian: A student having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, and who is not Hispanic.
- Native Hawaiian/Pacific islander: A student having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands and who is not Hispanic.
- Black: A student having origins in any of the black racial groups of Africa and who is not Hispanic.
- Hispanic origin: A student of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race,
- White: A student having origins in any of the original peoples of Europe, North Africa, or the Middle East and who is not Hispanic; or
- Multi-racial: A student having origins in more than one race and who is not Hispanic

Please note:

1. Students whose ethnicity/race is not identified by the district are not included in any race/ethnicity student group calculations for the AYP determination for 2009-10 and earlier. Districts are federally required to report a race/ethnicity category for students starting in 2010-11.
2. Race/Ethnicity data reported in 2009-10 and earlier will be reported under the 2009-10 race/ethnicity categories. The race/ethnicity category will not be recalculated using the 2010-11 rules.

Data Sources for Subgroup Membership

Academic Achievement

Demographic data for academic achievement are identified using the following sources:

- Students with disabilities are identified based on information in the Third Period Cumulative ADM Collection.
- Limited English Proficient students are identified in the NCLB English Language Proficiency Collection as:
 - served by an LEP program and have not scored proficient on a district assessment of English Language Proficiency; or
 - have reached proficiency in English and exited an ELL program within the previous two academic years (see *Executive Numbered Memorandum 010-2006-07*).
- Economically disadvantaged students are students identified by the district as eligible for free or reduced price lunch in the Third Period Cumulative ADM Collection. In schools and districts that do not administer school lunch programs, students may be identified as economically disadvantaged by other means.
- Race/ethnicity is based on race and ethnicity information in the Third Period Cumulative ADM Collection.

Attendance

Attendance data by subgroup membership is collected from districts and schools through the Third Period Cumulative Average Daily Membership (ADM) Collection. Economically disadvantaged status, special education status, and race/ethnicity of students are identified using the Third Period Cumulative ADM Collection, and Limited English Proficient students are identified using the NCLB Title III Limited English Proficiency Collection.

Graduation

Subgroup membership for enrollment is collected from the Annual Cumulative ADM Collection in conjunction with the High School Completers, Fall Membership, Spring Membership, and Early Leavers collections for the entry year and subsequent years. Table 3 outlines the rules and specific collections (if applicable) for determining membership in each student group.

Table 3 Graduation Subgroup Membership

Subgroup	Subgroup membership definition:
All Students	Any student in the adjusted graduation cohort.
Economically Disadvantaged	If any Third Period Cumulative ADM Collection or Spring Membership collection identified the student as economically disadvantaged during any school year in which the student was enrolled in a high school grade.
Limited English Proficient	If any LEP Collection record identified the student as Limited English Proficient during any school year in which the student was enrolled in a high school grade.
Students with Disabilities	If any Special Education Child Count record indicates a student was served by special education programs during any school year in which the student was enrolled in a high school grade.
Race/Ethnicity	The student collection record that determines the final outcome of the student, or in the student's last enrollment record, whichever is later.

Full Academic Year

In Oregon, the term "full academic year" describes enrollment in a school or district for more than one-half of the instructional days in the school or district prior to the first school day in May. This definition does not require that enrollment be continuous nor do the enrolled days have to be consecutive. Enrollment may be part time or full time.

Beginning in 2010-11, ODE will calculate the Full Academic Year (FAY) flags in the Third Period Cumulative ADM (Average Daily Membership) Collection. Students will be identified as enrolled for a full academic year when their ADM within a resident district or school is greater than .5. If a student is resident at a district on the last day of Third Period (May 2 this year) and the total non-weighted ADM submitted for the student at the resident district exceeds .5, the student will be designated as enrolled for a full academic year in the district. A similar calculation will be performed to determine if a student is enrolled for a full academic year in the resident school of the student on the first school day in May.

District Special Education Programs

In the Third Period Cumulative ADM Collection, districts identify students enrolled in schools but served in district-wide special education programs. The assessment results and attendance for students served by district special education programs are excluded from calculations determining a school's AYP status. The district remains

accountable for the attendance and performance of these students and the scores are included in the district's AYP determination.

Students with disabilities who are instructed in a general education setting, regular classroom, and/or resource room, for 40% of their time or more are included in the school AYP reports with other students in the same grade, class, and school. These are students reported on the December Special Education Child Count (SECC) in the special education federal placement categories of:

- "instruction in regular classes" (including special education and related services instruction and support provided in a resource room for less than 21% of the student's instructional day) [Federal Placement Code = 30] or
- "instruction in regular class, with resource room support" (including special education and related services instruction and support provided in a resource room environment for 21-60% of the student's instructional day) [Federal Placement Code = 31].

Students with disabilities who are instructed in a general education classroom for less than 40% of their time will be included only in district level AYP reports where the district is the district of residence. These are students who are reported in one of the district special education placements (Federal Placement Code = 32 or higher). These include separate class placements in which students are served more than 60% of their school day away from the general education classroom environment, special schools including public and private residential and day placements, hospitals and institutions, and homebound (not home-schooled) placements.

Minimum Cell Size for Accountability Purposes

In order to be certain that AYP determinations are valid and reliable, a minimum cell size (minimum n) has been established by the state. The minimum cell size for each indicator is listed in Table 4. To calculate a school or district cell size, use the data from the past two school years and combine results from all included tests in the school or district.

Table 4 Minimum Cell Sizes for Inclusion in Accountability Determinations

AYP Decision	Minimum Cell Size (Minimum n) Required
Participation: English language arts and mathematics	40 expected tests from benchmark grades = All required tests for all benchmark grades combined for the two most recent years combined
Academic Achievement: English language arts and mathematics	42 tests from benchmark grades = All tests for all benchmark grades combined for the two most recent years combined Or 21 tests from benchmark grades = All tests for all benchmark grades combined for the most recent test data
Attendance	84 students enrolled on the first school day in May in grades 1 – 12 during the two most recent years combined
Graduation	40 students in the adjusted four-year cohort of first-time ninth graders in 2005-06 and 2006-07 combined.

For schools and districts that do not meet the minimum n of 42 tests in each content area in the two most current years, ODE will "look back" and include assessment results from the two years prior to the two most current years. After the release of preliminary AYP designations in August, the Department will work with very small schools and districts for which there are insufficient data to produce a final AYP designation. It will be necessary to identify additional assessment results from tests that are aligned with Oregon's academic standards in English language arts and mathematics, as well as other data, to calculate a valid AYP designation. Districts are required to also submit additional data for schools that do not enroll students at grades in which Oregon Assessments of Knowledge and Skills are administered.

High schools and districts with adjusted four-year cohorts of 40 students or more over two years combined will be rated on graduation, while high schools and districts with four-year cohorts of less than 20 students will be rated

on attendance. Schools and districts with 20 to 39 students in the combined four-year cohorts may choose attendance or graduation as the other indicator.

To protect student confidentiality, accountability data with a denominator of less than 6 students is not displayed.

Please see section X. Special Situations for more information relating to small schools and districts.

VI. AYP Calculations and Determinations

Statewide Targets for All Schools and Districts

The school or district as a whole must meet each indicator target for the school or district to be designated as meeting AYP, except as noted. In each subject, a total of 42 test scores from the two most recent years combined is required to make the determination of AYP. Schools and districts with fewer than 42 test scores or fewer than a total of 84 students enrolled during the two most recent years combined require additional data in order to determine their AYP designations. Table 6 presents a summary of all of the indicators used to determine a school or district's AYP status.

Participation

For any school or subgroup within a school to be designated as meeting AYP, the school participation in statewide assessments must be 95% or greater. If the participation rate falls below the 95% level for the school as a whole or for any subgroup the school is designated as not meeting AYP. Districts, schools, and disaggregated groups may meet the participation target if the participation rate in either the most current year exceeds the state target or if the combined (current year and prior year) participation rate exceeds the state target. These same requirements apply when determining if a district or the state meet AYP.

Academic Status Indicators

To meet the requirements of the NCLB, Oregon set the statewide baseline for determining AYP as the percentage of students at the 20th percentile who were meeting or exceeding state standards. Data from the 2000-01 and 2001-02 statewide assessments were combined across grade levels and used to determine the baseline. For 2010-11 AYP determinations:

- The single English language arts target for all schools in the state and also all subgroups is 70% of test scores meeting or exceeding standards. The Oregon Assessment of Knowledge and Skills (OAKS) in Reading is used to measure the progress toward this goal.
- The single Mathematics target for all schools in the state and also all subgroups is 70% of test scores meeting or exceeding standards. The Oregon Assessment of Knowledge and Skills (OAKS) in Math is used to measure the progress toward this goal.

With the establishment of the goal that all students nationwide will meet or exceed academic standards in the 2013-14 academic year as measured by statewide assessments, each state was required by federal law to set annual targets for the percentage of students meeting or exceeding state academic performance standards. The targets are required to increase over time and at equal intervals, but not necessarily to increase annually. The annual academic targets for all Oregon schools are listed in Table 5 by content area and school year.

Table 5 Academic Performance Targets

School Year	English Language Arts	Mathematics	School Year	English/ Language Arts	Mathematics
2002-03	40%	39%	2008-09	60%	59%
2003-04	40%	39%	2009-10	60%	59%
2004-05	50%	49%	2010-11	70%	70%
2005-06	50%	49%	2011-12	80%	80%
2006-07	50%	49%	2012-13	90%	90%
2007-08	60%	59%	2013-14	100%	100%

Statewide Academic Status Targets for All Schools

The school or district and all subgroups must have the target percentage of students meeting or exceeding the standards to be designated as meeting AYP. The same requirements apply to the district and the state.

Academic Growth: Safe Harbor

Schools and districts that do not meet the academic status targets may qualify as meeting AYP under another provision of the NCLB law called safe harbor. Using safe harbor, a school or district or any subgroup that reduces its percentage of student test scores not meeting the standards by 10% or more, from the prior year to the current year, will be designated as meeting AYP, as long as the school, district, or subgroup also meets the target for the other academic indicator of graduation or attendance as well as the participation target.

Other Academic Indicators: Attendance and Graduation

States are required to establish targets for the other academic indicators used to determine whether a school has met adequate yearly progress. NCLB requires states to include graduation in determining AYP for high schools. This is also the other academic indicator used to determine district AYP. Oregon selected attendance as the other required indicator for elementary and middle schools. Under NCLB, states are not required to increase the targets for attendance over time. However, federal regulations now require that cohort graduation rate targets increase over time. The four-year cohort graduation rate target is 65% for 2009-2010 and 2010-2011. The target will be 67% for 2011-2012 and 2012-2013. The five-year cohort graduation rate target is 70% for 2009-2010 and 2010-2011, rising to 72% for 2011-2012 and 2012-2013.

- Attendance for elementary and middle schools: The attendance target is set at 92.0%.
- Schools with grade 12: The four-year cohort graduation rate target is set at 65% and the five-year cohort graduation rate target is 70%. The target of 65% can be met by the combined graduation rate across the four-year cohorts (the cohort entering high school in 2005-2006 and the cohort entering high school in 2006-2007) that were allowed four years to graduate with the regular diploma. The high school or district may also meet the target of 65% by using the graduation rate from only their latest four-year cohort (the cohort entering high school in 2006-07). If the 65% target is not met for the four-year cohort rate, schools and districts can meet the AYP graduation requirement by 1) the five-year cohort (entering high school in 2005-2006 and allowed five years to graduate) with a graduation rate of 70% or higher or 2) reducing the percentage of students not graduating in the four-year cohort by at least 10% from the prior year.

Note that graduation data are from 2008-09 and 2009-10. Data for 2010-11 are not available until April 2012.

Table 6 AYP Designation Indicators and Targets

Indicator	NCLB Requirement	Oregon Target and Definition	Data Source
<p>Participation in statewide assessments</p>	<p>95%</p>	<p>95% of all students in school or district or state</p> <p><i>Number of valid test scores from all students enrolled in the school on the first school day in May divided by (The expected number of tests from students enrolled on the first school day in May - the number of students without test scores that were not enrolled during the testing window(s) for the assessment – the number of records from students identified as Home Schooled/Foreign Exchange students – the number of students experiencing a health emergency throughout the testing window))</i></p>	<p>Third Period Cumulative Annual Daily Membership (ADM) Collection for 2010-11 and Oregon Assessment of Knowledge and Skills (OAKS) results for 2010-11 and 2009-10</p>
<p>Academic Status</p>	<p>Baseline: 2000-2001 + 2001-2002 performance of students at the 20th percentile statewide</p>	<p>English Language Arts (ELA) 70% = Reading OAKS Math 70% = Math OAKS</p> <p><i>Number of test scores that meet or exceed state standards divided by number of test scores from students enrolled for a full academic year on the first school day in May</i></p>	<p>Third Period Cumulative Annual Daily Membership (ADM) Collection for 2010-11 and Oregon Assessment of Knowledge and Skills (OAKS) results for 2010-11 and 2009-10 from students enrolled for a full academic year</p>
<p>Academic Growth</p> <p>(Required only if Academic Status target is not met.)</p>	<p>Safe Harbor</p>	<p>From prior year to current year, reduce by 10% the number of test scores not meeting standards.</p> <p><i>The percentage of 2010-11 test scores meeting standards compared to the percentage of 2009-10 test scores meeting standards</i></p>	<p>Third Period Cumulative Annual Daily Membership (ADM) Collection for 2010-11 and Oregon Assessment of Knowledge and Skills (OAKS) results for 2010-11 and 2009-10 from students enrolled for a full academic year</p>
<p>Attendance for elementary and middle schools.</p> <p>(Required for subgroups only if Academic Status target is not met.)</p>	<p>Other Academic Indicator</p>	<p>92.0% Equivalent to <i>Satisfactory</i> student behavior rating on Oregon School and District Report Cards.</p> <p><i>Total days students in grades 1- 12 are present divided by (total days present + total days absent)</i></p>	<p>Third Period Cumulative ADM Collections for 2010-11 and 2009-10</p>
<p>Graduation Rate for schools with grade 12 and for districts.*</p> <p>(Required for subgroups only if Academic Status target is not met.)</p>	<p>Other Academic Indicator</p>	<p>65.0% for the four-year cohort graduation rate for the combined two years of data (cohort for students first entering high school in 2006-07 and cohort for students first entering high school in 2005-06).</p> <p><i>Number of students graduating with a regular diploma within 4 years divided by the students entering high school in the cohorts for the first time.</i></p> <p>Or</p> <p>65.0% for the four-year cohort graduation rate for the most recent four-year cohort</p> <p>Or</p> <p>70.0% for the five-year cohort graduation rate for students first entering high school in 2005-06.</p> <p><i>Number of students graduating with a regular diploma within 5 years divided by the students entering high school in 2005-06 for the first time.</i></p>	<p>Longitudinal Cohort Tracking and Reporting System (from multiple data collections submitted by districts from 2004-2005 through 2000-10 and surveys to districts including Early Leavers, High School Completers, Fall Membership, and Cumulative Annual ADM collections.</p>

* Data for 2010-11 are not available for determining AYP for this indicator.

How AYP is Determined for Schools, Districts, or the State

If the school as a whole (the group “all students”) meets

- the participation requirement,
- the yearly academic achievement targets in English/language arts and mathematics, and
- the target for the other academic indicator of attendance (for schools without grade 12) or graduation rate (for schools with grade 12)

AND

All subgroups of students meeting the minimum cell sizes meet the participation and yearly academic achievement targets in English/language arts and mathematics, the school is designated as meeting AYP.

If the school as a whole, or any subgroup of students, does not meet any one of the targets for any one indicator, the school is designated as not meeting AYP, unless the school or subgroup makes “safe harbor” as described below. These same requirements apply when determining if a district or the state met AYP.

Participation Requirement

A student is expected to participate in all required state tests that assess the content areas in which the student received instruction paid for by public funds. This includes registered home schooled students, privately schooled students, tuitioned students, and any other students who are exempted from compulsory school attendance and who are attending public schools or programs part time including students receiving tutoring or small group instruction if the student’s education is paid for by public funds and the student received instruction provided by the district in the state content standards during the 2010-11 school year.

For any school or subgroup within a school to be designated as meeting AYP, student participation in statewide assessments must be 95% or greater. If the participation rate falls below the 95% level for the school as a whole or for any subgroup, the school is designated as not meeting AYP. These same requirements apply when determining if a district or the state meet AYP.

The AYP participation denominator is based on students enrolled on the first school day in May as identified in the Third Period Cumulative ADM Collection. A participation record is generated for each required test at the grade at which the student is enrolled and filled with the highest test score for the student. Records with an administration code of 6 (home schooled/foreign exchange student) are removed from the participation denominator. Any record without a valid test score that the district identifies in Student Staging as from a student enrolled on the first school day in May who was not enrolled during the testing window(s) (administration code of 8) or had a medical emergency (administration code of 9) will also be removed from the participation denominator. The records for students identified in the Participation Collection as enrolled in district special education programs are removed from the school’s participation denominator but retained for the district calculations.

Registered home schooled students, private school students, tuitioned students, and students attending public or private alternative programs who are not claimed by any district for ADM or did not receive instruction from the district in the state content standards during the 2010-11 school year are not required to be tested. Test scores or virtual records indicating non-participation from these students are excluded from district and school report card and AYP calculations by marking the student’s answer sheet or test record in Student Staging with Administration Code 6. Any student may request to participate in state tests. The scores of registered home schooled, private school students, or tuitioned students for whom any district does not claim or receive ADM are excluded from a district’s assessment, AYP, or report card calculations or reports when the student’s answer sheet or test record in Student Staging is marked with Administration Code 6. (See **Table 7** below for a list of Test Administration codes indicating non-participation.)

Table 7 Non-Participants Identified by Test Administration Codes

Administration Code	Definition	Participation Indicator	Academic Achievement Indicator
1	Absent (for an extended period of time) or Student Refusal = A student who is absent during the entire testing window and make-up testing period.	Non-participant	Not used
3	Modified – Language = A student who is non-literate in the language of the test and participates in the assessment under modified conditions.	Non-participant	Not used
5	Modified – Disability = A student with a disability who participates in the assessment under modified conditions.	Non-participant	Not used
6	Home Schooled Student/Foreign Exchange Student/Out-of-State	Not used	Not used
7	Parent Request = A student whose parents request that the student not participate in testing for religious or disability related reasons.	Non-participant	Not used
8	Not Enrolled During Test Window = A student without a valid test score that was enrolled on the first school day in May but not during the school's testing window.	Not used	Not used
9	Medical Emergency = A student who cannot take the State assessment during the entire testing window, including the make-up dates, because of a significant medical emergency.	Not used	Not used

Valid Test Scores

Students who attempt but do not complete enough test items to yield a valid score (as described in *Assessment Inclusion Rules for Accountability Reports 2010-2011*) will not be counted as participating. Among those not included as participants are those who initiate a test but complete fewer than 5 questions on an OAKS Online examination or fewer than 10 questions on a paper and pencil examination. Students with incomplete extended assessments are also counted as non-participants. Students in any of these three conditions are not included in performance calculations. See **Table 15** for technical business rules of how to determine valid tests.

LEP students during their first year of enrollment in U.S. schools may, but are not required to, participate in the state's language arts assessments. These students are required to participate in the state's mathematics and science assessments. Those LEP students in their first year of enrollment in U.S. schools (enrolling after the first school day in May 2010) who take an English Language Proficiency Assessment will be counted as participating in the reading and writing assessments. **Table 13** contains additional technical details related to identifying LEP students who are in their first year of enrollment.

Margin of Error

In applying the principle that decisions designating AYP are valid and reliable, Oregon is among a number of states that include margin of error in determining whether a school met the annual targets. Other states have chosen not to use margin of error in their AYP calculations, instead increasing the minimum cell size necessary to make decisions about AYP. While either approach is statistically acceptable, the many small schools in Oregon make increasing the minimum cell size difficult as it would eliminate small subgroups of students in schools from AYP calculations and thereby eliminate these subgroups from school and district accountability. Using margin of error ensures that the final decision about whether a school or subgroup of students did not meet the academic status targets is statistically accurate with 99% confidence.

Given that the school and each subgroup of students returning 42 or more tests over two years must meet the state targets in both English/language arts and mathematics, a school may have to reach as many as 20 or more academic targets in order to be designated as meeting AYP. It is critical that each of these decisions be as

reliable as possible. Only when the percentage of students in a school or student group does not score within the margin of error of the target for the given size of the group, is the school or group determined to not meet the achievement status target. For reporting purposes, the margin of error is added to the achievement status of the school or subgroup. If the “adjusted status” exceeds the state target, the school or subgroup is designated as meeting the achievement status target.

The margin of error is large for groups that barely surpass the minimum 42 tests required to determine AYP, and the margin of error is smaller as the number of tests increases. **Table 8** present examples of margins of error based on various numbers of tests returned.

Table 8 Margins of Error for Selected Numbers of Tests

Number of Tests (n)	Margin of Error*	Number of Tests (n)	Margin of Error*
42	23.30	500	6.75
100	15.10	600	6.16
200	10.68	700	5.71
300	8.72	800	5.34
400	7.55	900	5.03

* The margins of error used are calculated as $233 * \sqrt{\frac{0.21}{(n/2)}}$.

Academic Status Requirement

For any school or subgroup within a school to be designated as meeting AYP, the percentage of assessments in each content area meeting state standards plus the margin of error must exceed the state’s academic target. Schools and districts can meet AYP based on the current year alone or an average of two years. Specifically:

- ODE will calculate AYP for the overall school/district for each subgroup first based on an average of two years of data when there are a sufficient number of tests. If two years of data does not provide a sufficient number of tests for the overall school/district, ODE will use up to four years of data.
- In addition, if an overall school/district or subgroup is determined to have in the current year a minimum of 21 scores, and does not meet AYP via the 2 or 4 year average years, ODE will calculate AYP based on the most recent year of test data. However, in these circumstances, ODE will use the margin of error established for the two years of data to ensure that the rigor of AYP determinations is not reduced.

Only the scores from students enrolled for a full academic year² in the school or district on the first school day in May are included when calculating academic status. If the school as a whole or any subgroup does not meet the academic target in either area, the school is designated as not meeting AYP.

Students are offered multiple attempts at a single test in English/language arts and mathematics during the school year. For students enrolled in grades 3 - 8 with multiple scores for a single test during a school year, the highest score will be credited to the school and district where the student was enrolled on the first school day in May, even if the score was earned in another school and district.

For students enrolled at grade 11 with multiple scores for a test during the school year, with scores that meet the standard on a High School Level test administered during prior school years while enrolled in high school, or with scores that meet the standard on a High School Level test taken as an 8th grader, the highest score will be credited to the school and district where the student was enrolled on the first school day in May, even if the score was earned in another school and district.

² See definition of “full academic year” on page 12.

Extended assessment results meeting the alternative achievement standards can account for no more than 1% of the tests meeting the standard at the district level under Title I final regulations section 200.13 as amended December 9, 2003. Any proficient scores above the 1% cap must be reclassified as non-proficient once the 1% cap is exceeded by a district. To accommodate small populations, reclassification of proficient test scores as non-proficient will occur only when the number of test scores in the district meeting the alternative assessment standards is greater than four.

Assessment results of LEP students during their first year of enrollment in U.S. schools (enrolling after May 1, 2010) are not included in calculating academic status of a school or district.

Assessments in a student's native language approved by the U.S. Department of Education are considered standard administration, and eligible student scores meeting the performance standard count as meeting standard in AYP calculations. Eligible students, as defined in NCLB Section 1111(b)(3)(C)(ix-x) are students who 1) have been educated in the United States for three or fewer consecutive years and 2) have not yet reached a sufficient level of English language proficiency such that being tested in English would produce a valid and reliable score. After three years, a district may determine on a case-by-case basis whether a student has reached a level of English language proficiency sufficient to yield valid and reliable information on what the student knows and can do on the English or English/native language side-by-side version of the assessment. If district staff determines that an English only or side-by-side test will not return valid results, the student may continue to respond in his/her native language for up to an additional two years. For 2010-11, Reading in Spanish is offered as a native language assessment at grade 3 only and is included in AYP calculations if the student is an eligible student and the test score is the highest score of the student during the year.

These same criteria apply when determining if a district or the state meet AYP.

Academic Growth: Safe Harbor

Schools and districts not meeting the academic status target may qualify as meeting AYP under another provision of the NCLB law called safe harbor. Using safe harbor, a school or district or any subgroup that reduces its percentage of tests not meeting the standards by 10% or more from the prior year to the current year will be designated as meeting AYP, as long as the school, district, or subgroup also meets the target for the other academic indicator of graduation or attendance.

To prepare students for the increased rigors of the Common Core State Standards and the Oregon Diploma, the Oregon State Board of Education voted in October 2010 to [increase math achievement standards](#) effective for the 2010-11 school year. To ensure that academic growth measures the improvement in performance of students over time, the calculation of academic growth in math in 2010-11 AYP reports will be based on the growth in the percentage of students who met the achievement standards in effect in 2009-10.

Safe harbor requires the following improvement:

- In English/language arts and mathematics, from the previous year to the current year, the percentage of test scores not meeting state academic performance standards must decrease by 10% or more from the previous year AND
- For attendance or graduation rates, the percentage is at or above the target for the two most recent years combined OR for the most current year only. In addition, high schools and districts can meet the AYP graduation requirement by reducing the percentage of students not graduating in the four-year cohort by at least 10% from the prior year.

These same requirements apply when determining if a district or the state met AYP.

Other Academic Indicator Requirement: Attendance or Graduation

To meet the target requirement for the other indicator, the attendance or graduation rate for the school as a whole or the district as a whole must be at or above the target percentage as a two-year average or at or above the target percentage in the most current year.

- For elementary and middle schools, at or above 92% attendance
- For high schools and schools with grade 12, the four-year cohort graduation rate at or above 65% or a five-year cohort graduation rate at or above 70%

The attendance indicator and the cohort graduation rate may be met by the two-year weighted average or the rate for the most current year.

Calculation Rules

The general rule for calculations and displays is to display calculated percentages one decimal place beyond the number of decimal places in the target. This provides for clear determination of whether a group met or did not meet a specific target.

Assessment Data

Percentages are calculated from whole numbers and are not rounded during subsequent calculations or prior to comparisons with targets. Participation rates are rounded and displayed to the nearest whole number. Final academic performance decimals and percentages are rounded and displayed to two decimal places in reports. Academic targets are expressed as whole numbers, except the growth target, which varies by school and subgroup, is expressed to two decimal places.

Attendance and Graduation Data

The calculation of attendance rates and graduation rates (including combined rates) is rounded and displayed to one decimal place and compared to the respective targets, which are expressed to one decimal place.

VII. Preliminary AYP Designations and Additional Data

In order to comply with NCLB requirements, the public release of preliminary designation of AYP for the 2010-11 school year is scheduled for August 2, 2011. Districts may request a review of the preliminary determination for the district or any of its schools by providing additional data as outlined in the law. For the AYP designation for the 2010-11 school year, schools and districts will provide this information during the review period August 2 - August 19, 2011.

Preliminary AYP Preview

Prior to the official release of Preliminary AYP data and designations, there will be a three-day period when schools and districts will be given a courtesy preview of their preliminary AYP data and designations. During this short preview period, corrections to data will only be made if there is an error on the part of the Oregon Department of Education. Requests to suppress public release of school or district AYP information will not be considered.

Title I Targeted Assistance Programs

Under NCLB, districts may choose to evaluate only the progress of students served in Title I-A Targeted Assistance programs to determine if a school met AYP. In the case of Title I schools operating Targeted Assistance programs, schools may elect to include only students served by those programs, unless such review determines that by applying the targeted assistance rule, the school or subgroup is removed from the statewide accountability system due to lack of minimum cell size or other exclusions.

During the review period after preliminary AYP designations, districts may request recalculation of AYP based on tests from students served by a targeted assistance program for any categories in which the school did not make AYP in the preliminary designation. Recalculations will only be made for a category in which the minimum cell size (minimum n) is maintained. Students served by Title I-A Targeted Assistance Programs are identified using the Title I flag in the Third Period Cumulative ADM Collection.

Schools with Insufficient Data

The Department will contact the schools and districts for which there are insufficient data to produce a final AYP designation. Early previews (pre-preliminary) of the AYP report available only to districts on the secure ODE district validation web site will reflect a "Pending" designation status until additional data is provided.

Schools and districts with insufficient data (below the minimum as identified in Table 4 Minimum Cell Sizes for Inclusion in AYP) will be asked to identify additional assessment results from tests that are aligned with Oregon's academic standards in English/language arts and mathematics, as well as other data, to calculate a valid AYP designation. Districts may also submit additional data for schools that do not enroll students at grades in which Oregon Statewide Assessments are administered. Schools and districts must respond to the Department's request by completing the "AYP Additional Data Template" at <http://www.ode.state.or.us/search/page/?id=677>.) prior to August 19, 2011 or receive a "Not Met" AYP overall designation on the Final AYP report. Please see section X. **Special Situations** (Very Small Schools) for more information.

Compliance with the 1% Cap on Alternative Assessments

Prior to August 19, the Department will work with districts to come into compliance with Title I regulations related to inclusion of assessments of the alternate achievement standards in the determination of AYP (34 CFR 200.13). According to these regulations, the state must count as non-proficient the number of scores that meet the state's alternate assessment standards in excess of 1.0% of all student tests used to determine AYP. Students may meet the alternate achievement standards on extended assessments.

Reviewing Demographic Information

Prior to August 19, the Oregon Department of Education provides districts with the opportunity to correct student demographic data and supply missing demographic data or test administration codes. Through the Student Centered Staging application for assessment data and through the Third Period Cumulative ADM Collection, districts have the opportunity to review and make corrections affecting the 2010-11 assessment results. During the review period, districts will also have access to student level collections for corrections.

Districts will not have the opportunity to correct assessment, enrollment, graduation, and attendance data used in the 2009-10 AYP determinations. This data was reported and validated by schools and districts in prior years. A district must file a substantive appeal no later than August 19, 2011 with the Department of Education if it believes a preliminary AYP designation for a school or district in 2010-11 is inaccurate due to uncorrected errors.

VIII. Final AYP Designation

After processing requests for review, and, where appropriate, re-determining of the percentage of students meeting AYP indicators, the Oregon Department of Education will notify schools and districts of final AYP designations by September 1, 2011. Final AYP designations are also reported on school and district report cards issued on October 6, 2011.

AYP and Report Card Preview

Prior to the official release of the school and district report cards, there will be a three-day period when schools and districts will be given a courtesy preview of their final AYP data and Report Cards. During this short preview period, corrections to data will only be made if there is an error on the part of the Department. New requests for data reviews will not be accepted during the preview period.

Release of the Report Card with AYP Designations

School and District report cards with final AYP designations and data reflective of any changes during the review period will be released on October 6, 2011. It is the policy of the Oregon Department of Education that report cards will not be reissued following the official release day, unless the Department was in error. If a data error is discovered after the official release day, then data will be corrected only for inclusion on future report cards.

IX. Relationship of NCLB to Oregon's School and District Report Cards

The AYP designations and ratings on the annual school and district report cards are based on data similar to that of NCLB designations but are calculated in different ways. A comparison of the similarities and differences between AYP and Report Card can be valuable in explaining the two systems. An abbreviated description of the similarities and differences is presented in **Table 11**.

NCLB AYP Designations

AYP designations indicate whether students in the school as a whole and subgroups of students met the annual academic achievement targets established by the state, with the goal of all students demonstrating proficiency on statewide assessments by the 2013-2014 school year. The AYP determination is based on two years of data, and the ratings categories are either met AYP or did not meet AYP, as required under the No Child Left Behind Act.

Report Card Ratings

Report Card ratings, on the other hand, reflect whether a school as a whole has achieved at a satisfactory level and has made significant improvement in student academic achievement during the past two years. Schools receive an overall rating based on student performance, improvement in student performance, attendance, graduation, and participation. Unlike the AYP designation which is based on the percentage of test scores meeting the state's academic standards, the report card ratings recognize the progress of schools in increasing the number of students exceeding state standards over time, as well as the number of students who are below standard, but making significant progress toward meeting standard. The school report card rating is based on a three-point scale ranging from Outstanding to Needs Improvement and meets the requirements of Oregon law.

Comparison of Ratings

AYP designations and report card ratings provide schools, parents, and communities with different views of schools and districts based on similar data. For schools, districts, and the state to meet AYP, all students as a whole and all demographic subgroups must meet performance targets in each content area, participation requirements, and targets for attendance or graduation. If any one group misses a single target in any one category, this results in a designation of not meeting AYP. In contrast, the report card operates under a compensatory system, with the overall rating based on an average (weighted by subgroups size) of the achievement of all students and of the demographic subgroups with an historic statewide achievement gap. That is, on the report card schools and districts receive ratings with high student performance in one subgroup compensating for lower performance in another. In addition, the report card overall rating includes the percent of students showing significant progress toward meeting standard. With AYP, student performance is based only on the percentage of students meeting standard.

Reporting of AYP and Non-AYP Data

NCLB requires states, districts, and schools to report a variety of data in report cards that are disseminated to parents and available to the general public. In addition to the data that are used to determine the AYP status of a school, district, or the state, additional information about the safety of schools, the quality of the staff, the availability of technology, and data on how well English Language Learners are acquiring proficiency in English is to be disseminated.

Because much of this data is already required by Oregon legislation for school report cards, or supplements data already reported on school and district report cards, the Department produces a consolidated report card meeting both state and federal timelines and requirements.

X. Special Situations

Accountability for All Student Results

Districts in Oregon provide students with a wide variety of educational settings to address the unique learning needs of individual students. Consistent with the guiding principle that all students and schools are included in the state's accountability system, Oregon's accountability system includes measurement of the achievement of all students from these diverse settings, as well as through diverse assessment options.

All public schools that are open on the first school day in May, have resident students, and have operated for two or more years, including charter schools, alternative schools, state operated schools, and correction facilities in Oregon, receive AYP reports each year with AYP designations. An AYP report without an AYP designation will be issued to schools operating only in the current school year.

District-administered programs, as well as other public and private programs including Magnet/Special Programs, Special Education, and Career Technical Education Programs do not receive AYP reports based specifically on the students enrolled in their programs. Data generated by students enrolled in these programs is included in the resident school and/or district determination of AYP based on whether the school or the district initiated student placement in the program. The achievement of these students is also included in the determination of whether the state met AYP. The following link will provide more information about the definitions of schools and programs and how to distinguish between programs from schools: <http://www.ode.state.or.us/pubs/instID/institutions-definitions-081506.pdf>

Students enrolled in private schools, home schooled students, tuition students, first year foreign exchange students, and students in private alternative programs not receiving instruction in core academic areas assessed by the Oregon Statewide Assessments are not included in the determination of AYP.

AYP Reports for New Schools

New schools will receive AYP ratings when they have operated for two years. High schools may have two years of assessment data (from 2009-10 and 2010-11) but only one year of graduation data (from 2009-10, the most current data available). If the school has not administered state assessments in the first two years of operation, AYP determinations will be made based on feeder patterns (see **Schools without Benchmark Grades** below) or on the results of local assessments aligned to state standards. Districts must provide data for any school that does not administer benchmark assessments for which there is no clear feeder pattern. Preliminary AYP designations will be issued in each of these cases, and the Oregon Department of Education will work with districts to ensure that final AYP determinations for these schools are valid based on the data supplied by the district.

Students enrolled in new or reconfigured schools will be included in the district's AYP determination during the first year of the schools' operation, but the school will not receive an AYP rating. Oregon Department of Education policy states that if the enrollment of a school changes by more than 40% due to boundary changes, consolidation of schools, or changes in benchmark grades in a school, it is considered a new school. Districts must request new

school designations and provide supporting evidence for the designation prior to May 23, 2011. Directions for applying for a new school designation because of boundary changes can be found at: <http://www.ode.state.or.us/search/page/?id=677>.

Very Small Schools and Districts

A number of small schools and districts may not meet minimum cell size requirements for participation, assessments, and attendance or graduation, even after combining four years of data. The Department will contact small schools and districts to request additional data. Early previews (pre-preliminary) of the AYP report available on the secure ODE validation web site for districts will reflect a "Pending" designation status until additional data is provided.

Schools and districts with a "Pending" designation must submit the additional data form prior to August 19, 2011 or receive a "Not Met" AYP overall designation on the Final AYP report. (See Appendix C for a sample letter, and the "AYP Additional Data Template" for submitting additional data: <http://www.ode.state.or.us/search/page/?id=677>.)

For additional assessment data, schools or districts can submit:

- Two additional years OAKS data or
- Local assessments that assess student achievement of state content standards and are reported on a scale aligned with the Oregon Assessment of Knowledge and Skills. The Oregon Department of Education will assist schools and districts in identifying local assessments that meet these criteria.

For additional graduation and attendance data, schools or districts can submit:

- two additional years of attendance or graduation data to reach the minimum cell size or
- data on other academic indicators approved by the Oregon Department of Education.

If a small school or district is still unable to meet the minimum cell size after applying one of the options above, then the school or district may waive the minimum required cell sizes and request an AYP determination with the additional data included as long as there is a minimum count of 15 or more assessments. In this circumstance, academic AYP targets will be based on the margin of error for 42 students.

In rare cases, extremely small schools might have difficulty providing enough tests to meet the minimum of 15 and would need to claim submission of additional data is a hardship and ask to accept available data as reported as long as their participation counts are 6 or more. The school would still need to submit the "AYP Additional Data Template" found at <http://www.ode.state.or.us/search/page/?id=677>) by **August 19, 2011** or receive a "Not Met" AYP overall designation on the Final AYP report. The school can expect contact from the Department to review the claim.

Please note that AYP will be determined for any subgroups that meet the minimum cell size, after including additional assessments or years of data, by following the procedures described above. The additional assessment, attendance, or graduation data beyond the two most current years used to make an AYP determination for a school will not be used in determining the district's AYP designation unless needed to attain the minimum reliable cell size for the district.

Schools without Benchmark Grades

The preliminary designation for the sending school will be the same preliminary designation as the single receiving school into which the largest group of students was promoted, as identified by the district.

During the review period, a district may request review of the preliminary AYP designation for the sending school using one of the alternatives listed below.

- The sending school's attendance plus the results of third grade assessments, of only the students sent to the receiving school by the sending school, may be used to determine AYP. The sending school may choose to limit the identified students to those who attended the sending school for a full academic year.

K-2 Targeted Assistance Schools may also elect to look only at the third grade assessment results of students served by the sending school for any groups designated as not making AYP in the preliminary determination.

- For Kindergarten-only schools: The results of assessments of foundation skills in reading and mathematics that are administered locally and are aligned with the Oregon Statewide Content Standards and have pre-determined, standard passing levels may be used to determine AYP. The Department of Education will provide assistance to districts in identifying and determining which Kindergarten assessments meet these criteria.

For schools without a feeder-receiver pattern described above, local assessments that assess student achievement of state content standards and are reported on a scale aligned with the Oregon Statewide Assessments must be submitted by the district. The Oregon Department of Education will assist schools and districts in identifying local assessments that meet these criteria.

Other Substantive Reasons

Per OAR 581-022-1065, substantive appeals for AYP designations will be considered when:

- the written request from the school district superintendent or the superintendent's designee is received at the Oregon Department of Education (ODE) within 18 calendar days of the public release of preliminary AYP reports;
- the school is determined to not meet AYP based on unique events that could not be predicted and/or controlled by the school or district; and
- the data issue contributing to the substantive appeal could not otherwise be remedied through district corrections of related data.

Substantive appeals will not be considered when based on:

- problems that could have been avoided based on correcting student level data during the validation window available for each data collection;
- challenges to state policy and rules, federal law, regulations or non-regulatory guidance or provisions described in the State's Accountability Workbook; or
- lack of knowledge of policies outlined in the AYP/Report Card manuals or the Assessment Administration Manual or numbered memos.

The Superintendent of Public Instruction will appoint a committee of at least eight members of the educational community to serve annually to review district requests for substantive appeals of school AYP determinations. The committee will review appeals based on:

- the district's description of the issue;
- the district's history related to the issue; and
- availability of alternatives to mitigate instances of the issue.

School districts must provide in a secure format, a data file containing individual student level data identified by Oregon's Secure Student Identifier (SSID) and a designation of each subgroup required for reports of AYP.

Appeals are due to ODE no later than Friday, August 19, 2011, 12:00 PM (noon). The committee's decision regarding appeals will be final. ODE will publish annually the list of approved appeals by November 15, 2011.

It should be acknowledged that an extraordinary school tragedy that occurs near or during a testing window (e.g., school fire, school shooting) could significantly impact the results of assessments, the participation rate, or the actual testing window. These extraordinary events will be evaluated by both the district and the Oregon Department of Education and considered on an individual basis.

Substantive appeals may be addressed to Cynthia Yee in the Office of Assessment and Information Services.

XI. Accountability for Schools and Districts Designated as Not Meeting AYP

NCLB requires that a state must have a single accountability system and that the states hold schools and districts accountable for the academic achievement of their students. All schools, districts, and the state are accountable for meeting AYP each year. Mandatory consequences contained in the federal law apply only to schools that receive Title I funding. However, all schools and all districts not yet meeting Adequate Yearly Progress targets are expected to improve and school, district, and state plans will be revised to reflect the needs identified in the AYP analysis.

Title I of the No Child Left Behind Act provides funding on a per student basis based upon 2000 census percentages of low-income families in local districts. These funds must be targeted to schools with low-income students and are designed to provide supplemental services to students to assist them in meeting state academic standards. Schools receiving Title I funds and identified as not meeting Adequate Yearly Progress targets in all categories for the first time have one year to address the identified problems and to improve without intervention. The district may use its Title I and other federal funding sources to develop revised school and district improvement plans to address the targeted needs. In addition to Title I funds, districts receive federal funding under the No Child Left Behind Act for:

- professional development, enhancing teacher quality, and improving the use of technology (Title II), and
- improving services to students with limited English skills (Title III).

In addition, many districts receive additional No Child Left Behind Act funding through competitive grants for School Improvement, School-University partnerships, 21st Century Learning Community (after school) program, Math-Science partnership program, and others. Districts also receive other federal funding support in addition to No Child Left Behind in areas of Special Education and Career Technical Education. It is expected that local districts will use these funds to address the areas in need of improvement identified in the AYP analysis.

Under NCLB, schools and districts designated as not meeting AYP in the first year face no sanctions; however, sanctions begin at the end of the second year for Title I schools or districts that are designated as not meeting AYP for the second consecutive year in the same area. Schools that are identified for school improvement (that is, schools not meeting AYP in the same content area for two consecutive years) and their districts have an obligation to provide parents with information about AYP and improvement efforts. Note: ODE has submitted an amendment to the State's Accountability workbook to identify schools for improvement only on the basis of performance in the content areas of English/Language Arts and mathematics and not the other academic indicator of attendance or graduation. These required notifications include the following.

Accountability for Title I Schools

The State is responsible for producing and disseminating district AYP reports as well as any corrective actions taken by the State. The determination of AYP designations for schools and the production of AYP reports are district responsibilities under NCLB. The Oregon Department of Education calculates the AYP designations for schools as a service to districts. Table 9 lists the deadlines and actions for school improvement.

Table 9 Deadlines and Actions for School Improvement

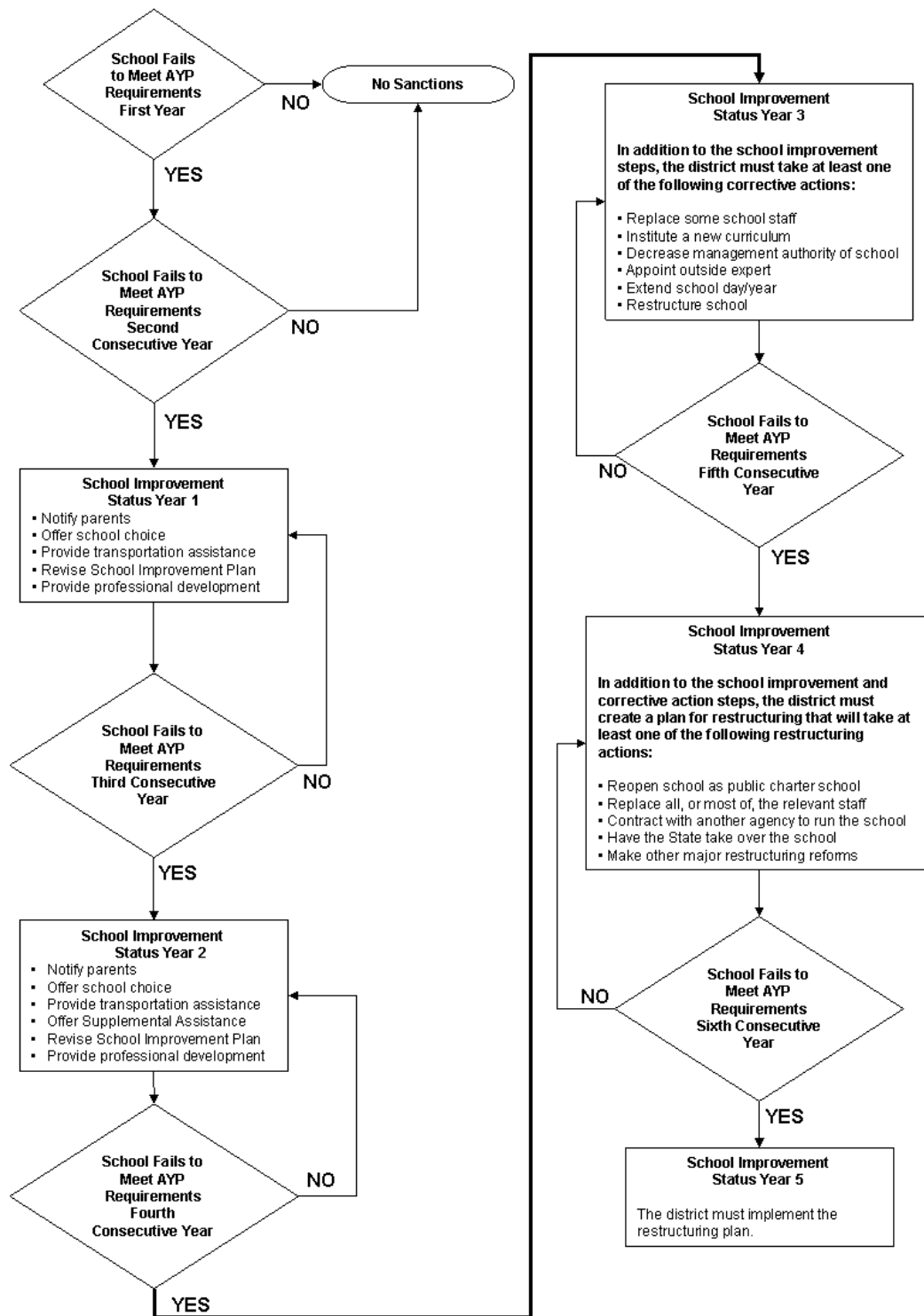
Deadline	Action
"Promptly" after identification for school improvement	<p>In a language the parents can understand, a district shall provide to parents of each student enrolled in a school identified for school improvement, corrective action, or restructuring:</p> <ul style="list-style-type: none"> • an explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the district and the State, • reasons for the identification, • an explanation of what the school identified for school improvement is doing to address the problem of low achievement, • an explanation of what the district or state education agency is doing to help the school address the achievement problem, • an explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement, and • an explanation of the parents' option to transfer their child to another public school or to obtain supplemental educational services for their student.
Before the first day of school	The district must offer public school choice to every student enrolled in the identified school.
After approval by the district of the school improvement plan	The district must publish and disseminate to the parents of each student in the identified school and to the general public, information about any action taken by the school and the district to address the problems that led to identifying the school for improvement. This plan must explain how the school or district will address the problem of low achievement in the school.

Title I schools not meeting AYP for one year are not required to implement mandatory sanctions; however, the district is required to provide assurance to the Oregon Department of Education that all federal requirements for implementation of the various provisions of the No Child Left Behind Act are in place. The district will be expected to revise its description of how it will use its federal funding to target the needs of the school or district identified in the AYP analysis. The revision of these plans is due in October. The Oregon Department of Education will monitor program compliance.

The Oregon Department of Education is required by the U.S. Department of Education to establish targets for expected rates of growth for every school in order to close the achievement gap. The Oregon Department of Education will provide technical assistance and support, along with other key partners such as Education Service Districts (ESDs), universities, community-based organizations, and professional organizations. Working in shared accountability partnerships among the Oregon Department of Education, districts, schools, and other partners, the education community will engage in a capacity building process that leads to better understanding of the nature of student achievement in the districts, identification of effective strategies, and development of plans that will lead to student success. The expected outcome is a deeper organizational understanding of how to improve student achievement.

Under NCLB, sanctions begin at the end of the second year for Title I schools or districts designated as not meeting AYP for the second consecutive year. The level of intervention of the required sanctions increases with each subsequent year remaining constant if a school receives an AYP designation of meets and ending when the school receiving two consecutive designations of meets. These sanctions are outlined in **Figure 1**. Additional details about sanctions that apply to Title I schools that are designating as not meeting AYP may be found in **Table 12**.

Figure 1 Flowchart of Sanctions for Schools



(Section 1116 of No Child Left Behind)

Important note: If a Title I school identified for sanctions meets AYP the following year in the area for which the school was identified, then the school stays at the previous year’s sanctions level. After two years of meeting AYP in the areas initiating sanctions, the sanctions will be eliminated.

Accountability for Schools Not Receiving Title I Funds

Even though mandatory sanctions required in the No Child Left Behind Act do not apply to schools not receiving Title I funds, all schools are expected to help all students reach state standards. The Oregon Department of Education is developing policy and processes for schools not yet meeting Adequate Yearly Progress that do not receive federal Title I funds. These include assistance in revising school and district plans to address targets identified in the AYP analysis. While Title I funds may be used only in eligible schools, districts receive federal funds from a number of sources as described on **Table 12**. These funds are available on a district wide basis and should be used to move schools toward meeting the requirements of NCLB.

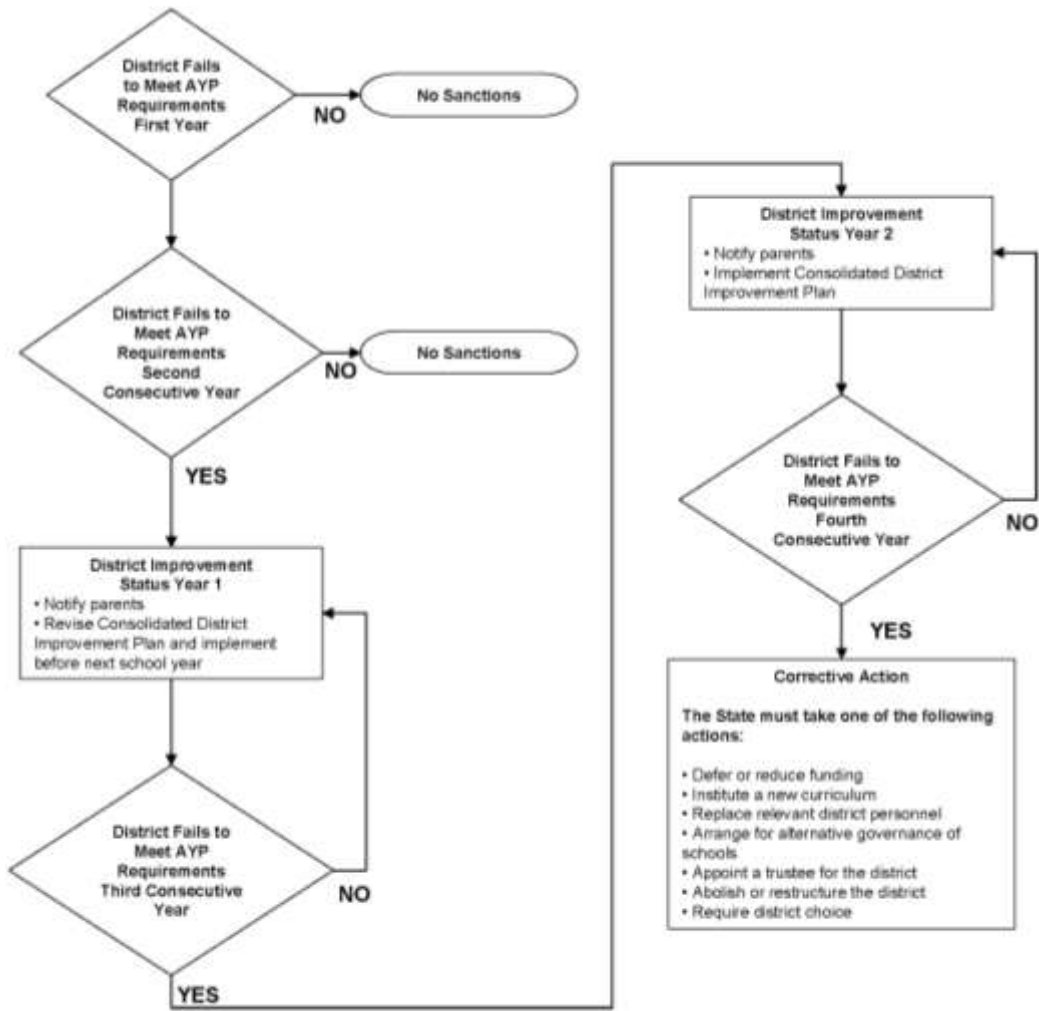
Expected growth targets for all schools will be identified in order for every school to close the achievement gap. The Oregon Department of Education will provide technical assistance to districts, in collaboration with other partners, to develop school and district improvement plans that target these resources to the identified needs. The Oregon Department of Education will offer suggestions for the use of federal funds that provide support for schools not eligible for Title I funds.

Accountability for Districts

Under NCLB, sanctions begin at the end of the second year for Title I districts that are designated as not meeting AYP for a second consecutive year in the same content area. Note: ODE has submitted an amendment to the State's Accountability workbook to identify schools for improvement only on the basis of performance in the content areas of English/Language Arts and mathematics and not the other academic indicator of attendance or graduation. The level of intervention progresses each year the district continues to receive a not meets designation in the same area (see **Figure 2**).

For districts in which AYP is calculated by grade span, the district is designated as not meeting AYP in English/language arts or mathematics only when one or more groups of students do not meet AYP at the elementary grades span, the middle grades span, and the high school grades span. To meet AYP, the district must meet AYP in all grade spans in each content area as well as the other indicator of graduation.

Figure 2 Flowchart of Sanctions for Districts



(Section 1116 of No Child Left Behind)

Important note:

- If a district receiving Title I funds identified for sanctions meets AYP in the area that caused the district to be identified for improvement the following year, then the district stays at the previous year's sanctions level.
- If a district meets AYP in the area that caused the district to be identified for improvement for two consecutive years, the district is no longer identified for improvement or corrective action.

Figure 3 depicts the logic for determining AYP and the multiple requirements a school or district must meet in order to be designated as meeting AYP.

Figure 3 AYP Determination Flowchart

