

MARYLAND STATE DEPARTMENT OF EDUCATION

# **IMPLEMENTATION PROCEDURES**

**for Making AYP Determinations  
for No Child Left Behind**

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**UPDATED January 10, 2008**



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## FOREWORD

The *Implementation Procedures for Making AYP Determinations for No Child Left Behind* articulate, in detail, the procedures that the Maryland State Department of Education (MSDE) will follow to meet the accountability requirements of the federal *No Child Left Behind Act of 2001*. This document serves as a procedural reference to MSDE and local school system staff to ensure consistent implementation. In its entirety, the *Implementation Procedures* document explains how Maryland's accountability system will both measure and support the achievement of adequate yearly progress (AYP).

The State Board of Education on April 29, 2003, authorized the State Superintendent of Schools to complete and disseminate procedures that govern Maryland's implementation of its statewide system of accountability for schools, school systems, and the State. This document was first distributed in May 2003. As Maryland moves through the implementation process and the U.S. Department of Education further interprets the requirements of *No Child Left Behind*, the *Implementation Procedures* are revised accordingly.

The Maryland State Department of Education takes pride in its nationally recognized accountability system and looks forward to further improving this accountability system through *No Child Left Behind* implementation. The *Implementation Procedures* satisfy the high accountability standards set by *No Child Left Behind* and assist the State, school systems, and schools in achieving adequate yearly progress for all students. These procedures may be found on the Department's Web site at [www.marylandpublicschools.org](http://www.marylandpublicschools.org).

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for No Child Left Behind  
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**Attachments**

- I. Office of the Attorney General Correspondence (High School Assessments)**
- II. Establishing Standards for Maryland’s School Systems: A Systematic Approach**  
(A copy of this attachment may be obtained by calling the Office of Academic Policy, Maryland State Department of Education, 410-767-0473.)
- III. Proposal: Developing A Modified Maryland School Assessment Based on Modified Achievement Standards for Students with Disabilities**
- IV. AYP Appeals Manual 2007**

# 1. Determining Starting Points

## 1.1. ACADEMIC ASSESSMENTS

### 1.1.1. Assessing All Students

Schools and school systems will test all students and measure progress of those enrolled for the full academic year on the aggregate and by the following subgroups: American Indian, Asian, African American, White, Hispanic, free and reduced-price meals (FARMS), special education, and limited English proficient (LEP). Individual student reports are distributed to parents and indicate the student's actual performance on the assessment.

All students with disabilities are tested. Students pursuing a course of study based on Maryland content standards participate in the administration of Maryland School Assessments and the algebra/data analysis and English 2 end-of-course exams. Students pursuing an alternate course of study based on their Individualized Education Program (IEP) participate in Maryland's alternate assessment, Alt-MSA. Students in excess of the allowable 1%, by definition, will be classified as performing at the basic level and their scores will be combined with the results from the MSA and for determining AYP at the school, LEA and state levels. Following future implementation of a Modified MSA (Mod-MSA\*), Maryland will include the proficient scores from the Mod-MSA in calculating AYP and cap the scores at 2% of the total tested population. The Mod-MSA will be based on modified achievement standards aligned with the State's content standards. In the interim, an appeal process will consider the impact that the planned Mod-MSA would have had on AYP if a modified assessment had been administered. Pending peer review approval from USDE, modified assessments will be administered to qualifying students in high school for the first time in June 2008 and to students in grades 3-8 for the first time in 2009 (school year 2008-09).

Students eligible for taking the modified academic achievement assessments will be counted according to the following criteria:

- Not more than 2% of students at the LEA and state level will be classified as achieving at the proficient or advanced level according to modified academic assessment performance standards. These scores will be combined with the results from the MSA and Alt-MSA for determining AYP at the school, LEA and state levels.
- Students in excess of the allowable 2%, by definition, will be classified as performing at the basic level and their scores will be combined with the results from the MSA and Alt-MSA for determining AYP at the school, LEA and state levels.
- If the LEA or the State exceeds the 2% threshold of proficient or advanced performers on the modified academic achievement assessment, then a procedure will be applied to randomly determine which student scores will be converted to "basic" and attributed back to the school, LEA and/or State for the purposes of calculating AYP.

\*Mod-MSA includes modified high school assessments.

Students with limited English proficiency (LEP) and non-English-proficiency (NEP) are required to participate in assessments. The tests required and the inclusion of scores in Adequate Yearly Progress (AYP) calculations are covered below.

- Reading MSA Requirement—A student enrolled for at least a full calendar year in a U.S. school will meet student participation requirements in reading MSA by taking the English language proficiency assessment. This student would not be included in AYP calculations for performance for the Reading MSA.
- Math MSA Requirement—A student enrolled for at least a full calendar year in a U.S. school meets student participation requirements in math by sitting for the math MSA. The school would not be required to include this student's score when determining AYP for performance. Students participating in the math MSA are eligible to receive appropriate accommodations as determined in their LEP Plan.
- Exited LEP Students—Exited LEP students' scores on MSA reading and math assessments must be included in AYP calculations for the LEP subgroup for two years following their exit from active LEP services.

Test proctors must provide LEP and NEP students with the opportunity to take the assessments with appropriate accommodations, including the following NEP accommodations:

- Test proctors will be required to observe the student as he or she takes the assessment to determine the extent to which the student is able to perform with comfort and in a productive manner.
- If, after attempting several test questions, the proctor finds that the student is unable to complete the test, the proctor will be directed to terminate the student's testing session.
- At the close of testing, the test booklet will then be returned to the vendor for scoring along with all other completed student assessment booklets.
- The student will receive the score achieved during the testing session. The score will be included in AYP calculations for the school in which the student is enrolled as well as the school system and the state if the student meets the full academic year requirement (see 3.3.1).

This procedure will ensure that the student is not subjected to undue stress during the testing situation while permitting an opportunity to at least preliminarily gauge the extent to which the student's language limitations affect his or her ability to perform in the assessment.

### **1.1.2. Measuring Student and School Performance in Grades 3, 4, 5, 6, 7 and 8**

The MSA are administered in grades 3 through 8. In school year 2002-2003, the assessments were administered for the first time in grades 3, 5, and 8. Achievement levels were established by the State Board of Education in July 2003. Starting points were set separately for reading and mathematics at each grade level (3, 5, and 8).

In school year 2003-2004, the assessments were administered for the first time in grades 4, 6, and 7. Achievement levels were established by the State Board of Education in July 2004. Starting points were set separately for reading and mathematics at each grade level (4, 6, and 7). MSA results from grades 4, 6, and 7 were included in 2005 AYP calculations; they were not included in 2004 AYP calculations as the proficiency levels for grades 4, 6, and 7 were set after 2004 AYP calculations were made.

### **1.1.3. Measuring Student and School Performance in High School Reading**

Prior to 2002-2003, Maryland did not administer a reading assessment in the 10 through 12 grade band. Maryland administered the MSA in grade 10 reading in school years 2002-2003 and 2003-2004. This test was also administered in January 2005 to a limited number of students in schools following a 4-period-day schedule. Achievement levels were established by the State Board of Education in July 2003. Starting points were established for grade 10 reading in July 2003 based on results of the first administration.

In August 2004, the State Board of Education authorized the State Superintendent and Maryland State Department of Education to merge the Grade 10 reading MSA with the English Grade 9 High School Assessment to create the English 2 High School Assessment. The English 2 assessment was administered for the first time in May 2005 to students completing their second high-school English credit. (For most students, this is grade 10.) The State Board of Education set performance standards and proficiency levels for the English 2 assessment in 2005. The 2005 AYP starting point was calculated based on combining the May 2005 administration of English 2 results and the limited number of students in the 4-period day schedule taking the reading grade 10 assessment in January 2005. Results from the 2005 English 2 assessment were included in 2005 AYP calculations. In 2006, the AYP starting point was recalculated utilizing only the May 2005 administration of English 2 as the baseline.

The test merger saved the Maryland State Department of Education time and money on test development and scoring and reduced testing time at the high school level by a minimum of three hours of annual instructional time. The English 2 High School Assessment meets the high school reading test requirement associated with the federal No Child Left Behind Act of 2001 and fulfills the English assessment requirement identified in Maryland regulations for graduation requirements.

#### **1.1.3.1. Calculations of Adequate Yearly Progress (AYP) in Reading**

The majority of Maryland students take the English 2 course, and therefore the English 2 assessment, in grade 10. Some students take the English course and assessment earlier. If a student takes the English 2 assessment in a school for which high-school level reading is not included in the school's AYP calculation (e.g., an eighth-grader taking the assessment in a middle school), the student's score and participation will count toward the AYP calculation for reading at the local school, school system and state levels when the student enters high school.



#### **1.1.4. Measuring Student and School Performance in High School Mathematics**

Maryland began using algebra/data analysis—an end-of-course assessment—to measure high school mathematics in the 2005-06 school year. The MSA in algebra/data analysis is based on the tenth-grade level course and is a graduation requirement for all students (Attachment I: Office of the Attorney General correspondence). Achievement levels were established by the State Board of Education in October 2005. Starting points were established for the MSA in algebra/data analysis using the 2004-05 school year algebra/data analysis results. Prior to the 2005-06 school year, Maryland used the end-of-course geometry assessment as the mathematics measure.

##### **1.1.4.1. Calculations of Adequate Yearly Progress (AYP) in High School Math**

The majority of Maryland students take the algebra/data analysis course, and therefore the assessment in algebra/data analysis, in high school. Some students take the algebra/data analysis course and assessment earlier. If a student takes the assessment in algebra/data analysis in a school for which high-school level math is not included in the school's AYP calculation (e.g., an eighth-grader taking the assessment in a middle school), the student's score and participation will count toward the AYP calculation for mathematics at the local school, school system and state levels when the student enters high school.

## **1.2. OTHER ACADEMIC INDICATORS**

### **1.2.1. Elementary and Middle Schools**

**1.2.1.1. Attendance Rate** will be the other academic measure for elementary and middle schools. In order to make AYP decisions and announcements in a timely matter, attendance rates are calculated based on attendance data from the first three quarters of the school year.

#### **1.2.1.2. Setting the Performance Standard for Attendance**

In 1989 Maryland defined the satisfactory school performance standard for attendance in its school accountability program. Schools were deemed to be performing at the satisfactory level if their aggregate attendance rate was 94% or higher. This measure will be used as the other academic measure for AYP. For purposes of AYP, subgroups, schools, school systems, and the state will be expected to achieve a proficiency level of at least 94% at the end of school year 2013-2014. A separate starting point based on 2002 results was set at each grade level for grades 1-12. Disaggregated attendance rates are incorporated into Safe Harbor determinations for elementary and middle schools.

## 1.2.2. High Schools

**1.2.2.1. Graduation Rate** is the other academic measure for high schools as specified in the No Child Left Behind Act of 2001. We use the National Center for Education Statistics synthetic graduation rate formula.

$$(1) \quad GR_i = \frac{G_i}{G_i + D_i + D_{(i-1)} + D_{(i-2)} + D_{(i-3)}}$$

Where:  $GR_i$  is the graduation rate for a given year ( $i$ ) between 2002 and 2014

$G_i$  is the number of students achieving a regular high school diploma (excluding special education certificates, G.E.D.s, and other non-standard diplomas) for year  $i$ .

$D_i$  is the number of dropouts in grade 12 for year  $i$ .

$D_{(i-1)}$  is the number of dropouts in grade 11 for the first previous year ( $i-1$ ).

$D_{(i-2)}$  is the number of dropouts in grade 10 for second previous year ( $i-2$ ).

$D_{(i-3)}$  is the number of dropouts in grade 9 for the third previous year ( $i-3$ ).

### 1.2.2.2. Setting the Performance Standard for Graduation

In July 2003, the State Board of Education established a graduation rate performance standard of 90%. The performance standard represents the expected graduation rate for satisfactory performance for subgroups, schools, LEAs, and the state. The methodology for setting the performance standards was the same as was used to set the attendance standard. For purposes of AYP, subgroups, schools, LEAs and the state will be expected to achieve at least this proficiency level by the end of school year 2013-2014.

Disaggregated graduation rates are incorporated into Safe Harbor determinations for high schools. (Attachment II: Establishing Standards for Maryland's School Systems: A Systematic Approach)

**1.2.2.3. Dropout Rate** is the other academic measure for high schools administering the Alternative MSA (Alt-MSA) as their only performance measure. It is the number and percentage of students who leave school for any reason, except death, before graduation or completion of a Maryland approved educational program and who are not known to enroll in another school or state-approved program during the current school year. The dropout rate is computed by dividing the number of dropouts by the total number of students in grades 9-12 served by the school. The year is defined as July through June and includes students dropping out over the summer and students dropping out of evening high school and other alternative programs. Students who re-enter school during the same year in which they dropped out of school are not counted as dropouts.

### 1.2.2.4. Setting the Performance Standard for Dropout Rate

In 1989 Maryland defined the satisfactory school performance standard for dropouts in its school accountability program. Schools were deemed to be performing at the satisfactory level if their aggregate dropout rate was 3.00%

or lower. This measure will be used as the other academic measure for AYP for schools administering the Alt-MSA as their only assessment. For purposes of AYP, subgroups, schools, school systems, and the state will be expected to achieve a proficiency level of at least 3.00% at the end of school year 2013-2014. Separate starting points based on 2004-2005 school year were set at each grade level of 9-12 (see chart below). Disaggregated dropout rates will be incorporated into Safe Harbor Determinations for High Schools administering the Alt-MSA as their only assessment.

### **AMOs for Dropout Rates**

<b>AMO %</b>	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>	<b>2009-2010</b>	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>
<b>K-12 and 9-12</b>	3.81	3.81	3.81	3.54	3.54	3.54	3.27	3.27	3.27	3.00

## **2. Setting Starting Points for AYP Measures**

Given the wide variation in grade structures in schools, Maryland decided to use a single set of starting points for each unique grade structure. The starting points were computed by averaging the starting points across grades for each AYP component—reading, mathematics, and attendance. Thus, a school’s starting points were calculated by averaging all applicable starting points based on the grade structure and enrollments within grades of the school. This methodology ensures that all schools are held to meeting all appropriate AYP targets.

### **2.1. CALCULATING STARTING POINTS**

#### **2.1.1. Including All Public Schools and School Systems**

Public school regulations apply to all public school students, all public schools, all local public school systems in Maryland, and alternative education programs and schools operated by local school systems, juvenile institutions, nonpublic schools, the Maryland School for the Blind, and the Maryland School for the Deaf, which public school students are attending. Public school student means a student enrolled in a local public school system and attending a public school, an alternative education program, or alternative school operated by a local school system, a juvenile institution, a nonpublic school, the Maryland School for the Blind, or the Maryland School for the Deaf. Data from public school students attending for less than a full academic year (alternative education programs operated by local school systems, juvenile institutions, nonpublic schools, the Maryland School for the Deaf, or the Maryland School for the Blind) are included in the performance reports of the school system. Data from public school students attending for a full academic year alternative schools operated by local school systems, juvenile institutions, nonpublic schools, the Maryland School for the Deaf, or the Maryland School for the Blind are included in the performance reports of the attending school, the school system, and the state.

### **2.1.2. Methods of Calculating Starting Points**

The starting points for academic assessments and attendance rate were determined by the following methodology:

- Compute the percent proficient for each subgroup separately for reading, mathematics, and attendance rate at each grade level using all students. Identify the lowest performing subgroup separately for each AYP component.
- Rank the schools from lowest to highest separately for reading, mathematics, and attendance rate at each grade level. Identify the performance (percent proficient or attendance rate) for the school at the 20<sup>th</sup> percentile in terms of enrollment separately for reading, mathematics, and attendance at each grade level.
- Select the higher of the two as the starting point (SP).

These computations yielded separate starting points for each grade level and AYP component. The grade level starting points were used to compute three starting points – reading, mathematics, and attendance rate for each school.

The starting point for graduation rate was computed using graduates in grade 12 and the annual grade-specific dropout rate for grades 9-12 according to NCES' synthetic completion rate formula. The starting point for graduation rate for schools with grade 12 but without the full complement of grades 9-12 was computed based on the available grades. Starting points for schools with grade structures including two or more assessed grades were computed by taking the weighted average of the grade-specific starting points for reading and mathematics separately and the unweighted average of the grade-specific attendance across all grades.

### **2.1.3. Data Used to Determine the School Specific Starting Points**

The data sources for the components for determining the school specific starting points are summarized in Table A. Reading and mathematics starting points for grades 3, 5, and 8 were based on the 2003 MSA. Reading and mathematics starting points for grades 4, 6, and 7 were based on the 2004 MSA. In the 2005-06 school year, algebra/data analysis replaced geometry as the high school mathematics measure. The starting point for high school math was then recalculated using the 2004-05 school year algebra/data analysis results. The 2005 starting point for high school reading was calculated by combining the May 2005 administration of English 2 results and the limited number of students in the 4-period day schedule taking the reading grade 10 MSA in January 2005. In 2006 the starting point for high school reading was recalculated utilizing the May 2005 administration of English 2 as the baseline.

### **2.1.4. Determining Attendance Rates for Each Grade Level**

Attendance rate starting points for each of the grade levels were determined by the three-step process outlined above. For example, in grade 1 in 2002, economically disadvantaged students (free and reduced-priced meals) had the lowest attendance rate of all subgroups (93.78%). This figure was lower than the attendance rate

(94.18%) of the school at the 20<sup>th</sup> percentile in terms of enrollment. Therefore, 94.18% is established as the starting point for grade 1. Table A includes the source of the starting point determination for attendance by grade level in parentheses.

### 2.1.5. Starting Point Calculations

#### 2.1.5.1. Data Sources for Each Starting Point

Table A summarizes the data sources for each starting point.

Table A  
**Starting Point Determinations for Each Grade Level\***

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance Rate	Graduation Rate
1			94.18 (20 <sup>th</sup> %ile)	
2			94.54 (20 <sup>th</sup> %ile)	
3	2003 MSA	2003 MSA	94.75 (20 <sup>th</sup> %ile)	
4	2004 MSA	2004 MSA	94.64 (20 <sup>th</sup> %ile)	
5	2003 MSA	2003 MSA	94.64 (20 <sup>th</sup> %ile)	
6	2004 MSA	2004 MSA	93.42 (20 <sup>th</sup> %ile)	
7	2004 MSA	2004 MSA	92.92 (20 <sup>th</sup> %ile)	
8	2003 MSA	2003 MSA	92.48 (20 <sup>th</sup> %ile)	
9			91.08 (20 <sup>th</sup> %ile)	80.99 (20 <sup>th</sup> %ile)
10	2005 English 2		92.13 (20 <sup>th</sup> %ile)	
11			91.81 (20 <sup>th</sup> %ile)	
12		2006 Algebra	90.43 (20 <sup>th</sup> %ile)	
Ungraded Elementary			89.03 (20 <sup>th</sup> %ile)	
Ungraded Secondary			87.75 (20 <sup>th</sup> %ile)	

### 2.1.5.2. Typical Elementary Schools With Grades K through 5

For elementary schools with a typical K-5 grade structure, the three starting points applicable to the school are the weighted average of the grade 3, 4, and 5 starting points for reading and mathematics computed separately and the unweighted average of the grade 1-5 attendance rate starting points (Table B).

Table B  
**Starting Points for K-5 Elementary Schools**

<b>Grade</b>	<b>Reading Percent Proficient</b>	<b>Mathematics Percent Proficient</b>	<b>Attendance</b>
1			94.18 (20 <sup>th</sup> %ile)
2			94.54 (20 <sup>th</sup> %ile)
3	2003 MSA	2003 MSA	94.75 (20 <sup>th</sup> %ile)
4	2004 MSA	2004 MSA	94.64 (20 <sup>th</sup> %ile)
5	2003 MSA	2003 MSA	94.64 (20 <sup>th</sup> %ile)
<b>Starting Point</b>	<b>Weighted Average of grades 3, 4, and 5</b>	<b>Weighted Average of grades 3, 4, and 5</b>	<b>94.55 (unweighted average)</b>

### 2.1.5.3. Typical Middle Schools With Grades 6 through 8

For middle schools with the typical grade structure of 6-8, the starting points are the separate starting points for reading and mathematics based on the grade 6,7, and 8 assessments and the unweighted average of the grade 6 through 8 attendance rate starting points (Table C).

Table C  
**Starting Points for Typical Grades 6-8 Middle School**

<b>Grade</b>	<b>Reading Percent Proficient</b>	<b>Mathematics Percent Proficient</b>	<b>Attendance</b>
6	2004 MSA	2004 MSA	93.42 (20 <sup>th</sup> %ile)
7	2004 MSA	2004 MSA	92.92 (20 <sup>th</sup> %ile)
8	2003 MSA	2003 MSA	92.48 (20 <sup>th</sup> %ile)
<b>Starting Point</b>	<b>Weighted Average of grades 6,7, and 8</b>	<b>Weighted Average of grades 6, 7, and 8</b>	<b>92.94 (unweighted average)</b>

**2.1.5.4. Typical High Schools with Grades 9 through 12**

For high schools with the typical 9-12 grade structure, the three starting points are the separate starting points for reading and mathematics based on the English 2 end-of-course assessment, the algebra/data analysis end-of-course assessment, and graduation rate (Table D).

Table D  
**Starting Points for Typical Grades 9-12 High School**

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Graduation Rate
9			80.99 (20 <sup>th</sup> %ile)
10	2005 English 2		
11			
12		2006 Algebra	
<b>Starting Point</b>	<b>2005 English 2</b>	<b>2006 Algebra</b>	<b>80.99 20<sup>th</sup> %ile</b>

**2.1.5.5. Elementary / Middle Schools With Grades K through 8**

For elementary/middle schools with the typical K-8 grade structure, the three starting points were computed by finding the weighted average of the grade 3 through 8 starting points for reading and mathematics separately and the unweighted average of the grade 1 through 8 attendance rate starting points (Table E).

Table E  
**Starting Points for Typical Grades K-8 Schools**

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance
1			94.18 (20 <sup>th</sup> %ile)
2			94.54 (20 <sup>th</sup> %ile)
3	2003 MSA	2003 MSA	94.75 (20 <sup>th</sup> %ile)
4	2004 MSA	2004 MSA	94.64 (20 <sup>th</sup> %ile)
5	2003 MSA	2003 MSA	94.64 (20 <sup>th</sup> %ile)
6	2004 MSA	2004 MSA	93.42 (20 <sup>th</sup> %ile)
7	2004 MSA	2004 MSA	92.92 (20 <sup>th</sup> %ile)
8	2003 MSA	2003 MSA	92.48 (20 <sup>th</sup> %ile)
<b>Starting Point</b>	<b>Weighted Average of grades 3 through 8</b>	<b>Weighted Average of grades 3 through 8</b>	<b>93.95 (unweighted average)</b>

### 2.1.5.6. Schools With Grades K through 12

For elementary/middle/high schools with the typical K-12 grade structure, four starting points are applicable: reading, mathematics, attendance, and graduation rate (Table F).

Table F  
Starting Points for K-12 Schools

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance Rate	Graduation Rate
1			94.18 (20 <sup>th</sup> %ile)	
2			94.54 (20 <sup>th</sup> %ile)	
3	2003 MSA	2003 MSA	94.75 (20 <sup>th</sup> %ile)	
4	2004 MSA	2004 MSA	94.64 (20 <sup>th</sup> %ile)	
5	2003 MSA	2003 MSA	94.64 (20 <sup>th</sup> %ile)	
6	2004 MSA	2004 MSA	93.42 (20 <sup>th</sup> %ile)	
7	2004 MSA	2004 MSA	92.92 (20 <sup>th</sup> %ile)	
8	2003 MSA	2003 MSA	92.48 (20 <sup>th</sup> %ile)	
9			91.08 (20 <sup>th</sup> %ile)	80.99 (20 <sup>th</sup> %ile)
10	2005 English 2		92.13 (20 <sup>th</sup> %ile)	
11			91.81 (20 <sup>th</sup> %ile)	
12		2006 Algebra	90.43 (20 <sup>th</sup> %ile)	
<b>Starting Point</b>	<b>Weighted Average of grades 3 through 8 and English 2</b>	<b>Weighted Average of grades 3 through 8 and Algebra</b>	<b>93.09 (unweighted average)</b>	<b>80.99 (20<sup>th</sup> %ile)</b>

### 2.1.5.7. Atypical Structures

There are three types of schools that present unique challenges: Schools lacking grades in which assessments are administered, high schools without a complete complement of grades 9-12, and alternative high schools administering only the Alt-MSA.

**2.1.5.7.1. Schools lacking assessed grades** are held accountable for student performance based on their students' first assessed grade in the next school the students attend. For example, a K-2 school is held accountable for the academic performance of their students in grade 3 at their subsequent school. The attendance measure is computed based on the unweighted average for each of the grades present in the school. In this example, the attendance measure would be the unweighted average of grade 1 and 2. Thus, a K-2 school's AYP determination in 2003 would be based on the grade 3 performance of students who last



attended the school in school year 2001-2002 and the attendance rate of students in the school in the 2002-2003 school year.

**2.1.5.7.2. High schools lacking the full complement of grades 9-12** fall into two categories: schools with grade 12 and schools without grade 12. For schools with grade 11-12 structures, three starting points were applicable: algebra/data analysis, attendance, and a modified graduation rate based on grades 11 and 12 (Table G). For schools lacking grade 12 but including grade 10, three starting points can be computed: reading, attendance, and geometry (Table H).

Table G  
**Starting Points for Schools with Grade 12**

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance Rate	Graduation Rate
11			91.81 (20 <sup>th</sup> %ile)	80.99 (20 <sup>th</sup> %ile)
12		2006 Algebra	90.43 (20 <sup>th</sup> %ile)	
<b>Starting Point</b>		<b>2006 Algebra</b>	<b>91.12 (unweighted average)</b>	<b>80.99 (20<sup>th</sup> %ile)</b>

Table H  
**Starting Points for Schools without Grade 12**

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance Rate	Graduation Rate
9			91.08 (20 <sup>th</sup> %ile)	
10	2005 English 2		92.13 (20 <sup>th</sup> %ile)	
11			91.81 (20 <sup>th</sup> %ile)	
<b>Starting Point</b>	<b>2005 English 2</b>	<b>2006 Algebra</b>	<b>91.67 (unweighted average)</b>	

**2.1.5.7.3. High schools administering only the Alt-MSA**

A small number of alternative high schools serve student populations for whom the Alt-MSA is the only appropriate assessment. For these schools, graduation rate is not an appropriate other academic indicator for AYP; therefore, the other academic indicator for alternative high schools administering only the Alt-MSA is dropout rate (Table I)

Table I  
**Starting Points for High Schools Administering Only Alt-MSA**

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance Rate	Dropout Rate
9	2004 Alt-MSA	2004 Alt-MSA		
10	2004 Alt-MSA	2004 Alt-MSA		
11	2004 Alt-MSA	2004 Alt-MSA		
12	2004 Alt-MSA	2004 Alt-MSA		
<b>Starting Point</b>	<b>Weighted Average</b>	<b>Weighted Average</b>		<b>(20<sup>th</sup> %ile)</b>

**2.1.5.8. LEAs and the State**

The state and each LEA have four starting points: reading, mathematics, attendance, and graduation rate (Table J). Maryland used the same procedure that was used for elementary/middle/high schools with the typical K-12 grade structure (Table F).

Table J  
**Starting Points for LEAs and the State**

Grade	Reading Percent Proficient	Mathematics Percent Proficient	Attendance Rate	Graduation Rate
1			94.18 (20 <sup>th</sup> %ile)	
2			94.54 (20 <sup>th</sup> %ile)	
3	2003 MSA	2003 MSA	94.75 (20 <sup>th</sup> %ile)	
4	2004 MSA	2004 MSA	94.64 (20 <sup>th</sup> %ile)	
5	2003 MSA	2003 MSA	94.64 (20 <sup>th</sup> %ile)	
6	2004 MSA	2004 MSA	93.42 (20 <sup>th</sup> %ile)	
7	2004 MSA	2004 MSA	92.92 (20 <sup>th</sup> %ile)	
8	2003 MSA	2003 MSA	92.48 (20 <sup>th</sup> %ile)	
9			91.08 (20 <sup>th</sup> %ile)	80.99 (20 <sup>th</sup> %ile)
10	2005 English 2		92.13 (20 <sup>th</sup> %ile)	
11			91.81 (20 <sup>th</sup> %ile)	
12		2006 Algebra	90.43 (20 <sup>th</sup> %ile)	
Ungraded Elementary			89.03 (20 <sup>th</sup> %ile)	
Ungraded Secondary			87.75 (20 <sup>th</sup> %ile)	
<b>Starting Point</b>	<b>Weighted Average of grades 3 through 8 and English 2</b>	<b>Weighted Average of grades 3 through 8 and Algebra</b>	<b>92.41 (unweighted average)</b>	<b>80.99 (20<sup>th</sup> %ile)</b>

### 2.1.6. Accountability for Newly Created Schools in their First Year

Newly created schools are held to the same annual measurable objectives as all schools with the same grade structure and, thus, in the first year of operation, subgroup and school level AYP decisions will be based on comparisons of the school and subgroup performance levels with the statewide annual measurable objectives. Safe Harbor cannot be applied for a newly created school in its first year as there is no previous data for the school.

## 2.2 ENSURING 100% PROFICIENCY BY 2013-2014

Ensuring that 100% of students achieve proficiency by school year 2013-2014 is accomplished by the following methodology:

- **Compute the annual targets so that 100% of students achieve proficiency in reading and mathematics by 2013-2014.** By applying the general formula below separately for reading at grades 3, 4, 5, 6, 7, 8 and mathematics at grades 3, 4, 5, 6, 7, 8, expectations for growth were established.

$$(2) \quad AT_i = SP + \left\{ (Y_i - 2002) \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

Where:  $AT_i$  is the annual target for a given year between 2003 and 2014.

$SP$  is the starting point for any grade and content combination.

$Y_i$  is the year between 2003 and 2014 for which the annual target is to be computed.

The same general formula was used for reading at grade 10. However, the baseline year was 2003 instead of 2002. Beginning in 2005, the same general formula was used for English 2; the baseline year was 2005. (The 2005 AYP starting points for high school reading were calculated based on combining the May 2005 administration of English 2 results and the limited number of students in the 4-period day schedule taking the reading grade 10 assessment in January 2005. In 2006, AYP starting points were recalculated utilizing only the May 2005 administration of English 2 as the baseline. In school year 2005-06 algebra/data analysis replaced geometry as the high school mathematics measure. The starting points for high school mathematics were recalculated using the 2004-05 school year algebra/data analysis results.)

- Application of the above methodology ensures that at the end of school year 2013-2014 all students must achieve proficiency.

### 3. Setting Intermediate and Annual Measures

#### 3.1 INTERMEDIATE GOALS

Intermediate goals were set for school years 2004-2005, 2007-2008, 2010-2011, and 2013-2014 based on formula 2 page 17 resulting in equal growth expectations over the 12-year period.

- Intermediate Goal 2004-2005:

$$(3) \quad IG_{2005} = SP + \left\{ 3 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Intermediate Goal 2007-2008:

$$(4) \quad IG_{2008} = SP + \left\{ 6 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Intermediate Goal 2010-2011:

$$(5) \quad IG_{2011} = SP + \left\{ 9 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$

- Final Goal 2013-2014

$$(6) \quad FG_{2014} = SP + \left\{ 12 \left[ \frac{(100 - SP)}{(2014 - 2002)} \right] \right\}$$
$$FG_{2014} = 100$$

The intermediate goals for reading grade 10 were computed using the same procedures. However, the baseline year is 2003 instead of 2002. The intermediate goals for English 2 were computed using the same procedures with 2005 as the baseline. The intermediate goals for algebra/data analysis were computed using the same procedures with 2005 as the baseline.

### 3.2. ANNUAL MEASURABLE OBJECTIVES

Except for the 2004-2005 intermediate goal, annual measurable objectives for determining AYP were set as equal increments based on the difference between adjacent intermediate goals for the later intermediate goals. During the implementation period for Maryland's assessment system, the annual measurable objective increases at a non-linear rate between 2002 and 2005 to allow schools and school systems time to adjust their instructional strategies to the new standards and assessments. The annual measurable objectives were determined as follows:

- **2002-2003.** For 2002-2003 subgroups, schools, LEAs, and the state were expected to at least maintain 2001-2002 performance levels. The annual measurable objective was equal to the starting point.
- **2003-2004.** For 2003-2004 the annual measurable objective was one third of the difference between the starting point and the 2004-2005 intermediate goal.

$$(7) \quad AMO_{2004} = SP + \left[ \frac{(IG_{2005} - SP)}{3} \right]$$

- **2004-2005.** For 2004-2005 the annual measurable objective was the 2004-2005 intermediate goal.

$$(8) \quad AMO_{2005} = IG_{2005}$$

Table K  
**Estimated Annual Measurable Objectives (AMO)**  
**For the Typical Elementary, Middle, and High School**  
**2002-2003 through 2013-2014**

The following chart displays the percent of students that must be performing at the proficient level in each of reading and mathematics for a school to achieve the Annual Measurable Objective. The chart first shows targets for the state of Maryland and systems (grades K-12 aggregated); subsequent rows show the targets for the typical K through 5 elementary school, for the typical grades 6 through 8 middle school, and for the typical grades 9 through 12 high school. Schools with different grade configurations are calculated based on the AMOs for the tested grades in the school. At the high school level, new AMOs were published when the high school reading test was replaced with the English 2 test administered beginning in the spring of 2005 and when geometry was replaced with algebra/data analysis in the spring of 2006. Any other test changes made in the years ahead will necessitate additional changes in the AMOs. The AMOs for attendance and graduation rates are also provided.

AMO %	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
MD/System Rdg.	43.4	45.9	54.8	59.6	64.7	69.7	74.8	79.8	84.9	89.9	95.0	100
MD/System Math	30.7	34.6	44.1	47.8	54.3	60.9	67.4	73.9	80.4	87.0	93.5	100
K-5 Rdg.	43.8	46.3	57.8	62.5	67.2	71.8	76.5	81.2	85.9	90.6	95.3	100
K-5 Math	41.4	44.1	53.6	58.8	63.9	69.1	74.2	79.4	84.5	89.7	94.8	100
K-5 Attend.	94.0	94.0	94.0	94.0	94.0	94.0	94.0	94.0	94.0	94.0	94.0	94.0
6-8 Rdg.	43.0	45.6	56.7	61.5	66.3	71.1	75.9	80.8	85.6	90.4	95.2	100
6-8 Math	19.0	22.7	35.8	42.9	50.0	57.2	64.3	71.4	78.6	85.7	92.9	100
6-8 Attend.	92.9	93.0	93.2	93.3	93.4	93.5	93.6	93.6	93.7	93.8	93.9	94.0
K-8 Rdg.	43.5	46.1	57.2	62.0	66.7	71.5	76.2	81.0	85.7	90.5	95.2	100
K-8 Math	33.9	36.9	44.7	50.8	57.0	63.1	69.3	75.4	81.6	87.7	93.9	100
K-8 Attend.	93.6	93.6	93.7	93.7	93.8	93.8	93.8	93.9	93.9	93.9	94.0	94.0
9-12 Rdg.*	42.9	45.5	40.0	45.3	52.2	59.0	65.8	72.7	79.5	86.3	93.2	100
9-12 Math*	20.9	27.5	40.7	29.8	38.6	47.3	56.1	64.9	73.7	82.4	91.2	100
9-12 Attend.	91.4	91.6	92.0	92.2	92.5	92.7	92.9	93.1	93.3	93.6	93.8	94.0
K-12 Rdg.*	The AMOs for K-12 reading and K-12 math are the same as the AMOs for the State.											100
K-12 Math*												100
K-12 Attend.	92.9	93.0	93.1	93.2	93.3	93.4	93.5	93.6	93.7	93.8	93.9	94.0
Grad.	80.99	80.99	83.24	83.24	83.24	85.50	85.50	85.50	87.75	87.75	87.75	90.0

\* In the out years, the AMO targets may undergo some slight adjustment based on test substitution at the high school level, but the pace of improvement should be essentially the same.

### 3.3. DETERMINING ADEQUATE YEARLY PROGRESS

#### 3.3.1. Determining Adequate Yearly Progress for a School, School System, or the State

All schools and school systems are held to the same AYP criteria. A school, school system, or the state is only accountable for student performance proficiency when the student has been enrolled in the respective school, system, or state from September 30 through the first day of testing or any portion of testing, the **Full Academic Year**.

For the end-of-course algebra/data analysis and English 2 assessments, students must be enrolled for the duration of the course: Students taking the course during the fall semester must be continuously enrolled from the September 30 enrollment count through January testing; students taking the course during the spring semester must be continuously enrolled no later than the 5<sup>th</sup> day of that semester through May testing; students taking the course during the summer term must be continuously enrolled from the second school day of the course through August testing; students taking the course during a 180-day term must be continuously enrolled from the September 30 enrollment count through May testing.

For the MSA in algebra/data analysis (high school math) and the English HSA (high school reading), only the scores of first time test-takers are included in AYP calculations. In all other MSA tests, the scores of all students participating in testing will be included in AYP. Students moving among schools in the same system count for system and state AYP. Students moving among systems count for state AYP. Students moving among states do not count for AYP. Maryland's accountability system tracks student enrollment and withdrawals at the school and system level to ensure appropriate school-specific and system-specific accountability for purposes of measuring AYP of students enrolled for the full academic year. Under NCLB, a school is said to make AYP when the following conditions are met:

1. The percentage of students in the aggregate meets or exceeds the annual measurable objective for the other academic indicator (attendance rate or graduation or dropout rate) or if progress is made in the other academic area in the amount of: .01% for graduation rate and dropout rate, .1% for attendance rate. Dropout and graduation rate have precision to two decimal places; attendance rate is published at one decimal point.
2. For students enrolled the full academic year, the percentage in the aggregate achieving at the proficient level separately for reading and mathematics meets or exceeds the annual measurable objectives.
3. The participation rate for the academic assessments in reading and mathematics, computed separately, both in the aggregate and for each subgroup, is 95% or greater.
4. For students enrolled the full academic year, the percentage in each subgroup achieving at the proficient level separately for reading and for mathematics meets or exceeds the annual measurable objective.

Or, for any subgroup failing to meet the annual measurable objective, the percentage of students in that subgroup achieving below the proficient level

decreases by 10%, provided that the subgroup meets or exceeds the annual measurable objective for the applicable other academic indicator or makes progress toward the annual measurable objective for the other academic indicator (Safe Harbor).

### **3.3.2. The 95% Participation Requirement for Academic Assessments**

The participation rate calculation is based on the number of students enrolled on the day of testing. Maryland checks for the 95% participation rate for schools and LEAs in state assessments.

The participation rate is computed for each subgroup, and in the aggregate, for each of the reading and mathematics assessments by dividing the number of students present in each testing group by the number of enrolled students in that group. The participation rate is calculated for each subgroup and for the aggregate separately in each of reading and mathematics assessments where a group includes at least:

- i. 30 students for schools with one grade tested,
- ii. 60 students for schools with two or more grades tested, or
- iii. 60 students for school systems.

Groups not meeting the minimum criteria listed above are not checked for participation rate.

Maryland will use data from the previous two years and the current year to average the participation rate data for a school and/or subgroup. If the average meets or exceeds 95%, the school will meet this AYP requirement. Students will be omitted from the participation rate calculation when such students cannot take the state assessment during the entire testing window, including the make-up dates, because of a significant medical emergency. School systems will maintain appropriate documentation that such students have been determined by a medical practitioner to be incapacitated to the extent they are unable to participate in the appropriate state assessment.

This procedure ensures that subgroups are appropriately included in the participation check, and it protects schools and school systems from the effects of the absences of a few students in very small subgroups.

Students with disabilities pursuing a course of study based on the Maryland content standards must participate in the MSA assessments, including algebra/data analysis, and the end-of-course English 2 assessment, with appropriate accommodations. Their scores will be included in AYP calculations for the school in which the student is enrolled as well as for the school system and the state according to the full academic year criteria. Students with disabilities pursuing a course of study based on alternative goals specified in their IEPs are required to take an alternate assessment. Their scores will be included in AYP calculations for the school in which the student is enrolled as well as for the school system and the state according to the full academic year criteria. No more than 1% of students (by content and grade) at the LEA and State levels can be classified as proficient or advanced by taking the alternative assessment.



In the future, Maryland will implement the Modified-MSA (Mod-MSA) for students with disabilities. The proficient scores from the Mod-MSA will be capped at 2% of the total tested population. Participation rates and performance levels of students with disabilities on the MSA, Alt-MSA, and Mod-MSA are included in AYP determinations. Criteria for identifying students with disabilities for the Mod-MSA are contained in Attachment III.

Students with limited English proficiency (LEP) and non-English proficiency (NEP) who meet full academic year criteria are included in the participation check and will have their scores included for AYP determinations. Test proctors must provide LEP and NEP students with the opportunity to take the assessments with appropriate accommodations, including termination of the exam for any NEP students unable to perform.

In sum, Maryland ensures maximum participation on assessments by requiring 95% participation of all students and subgroups. Maryland enters “basic scores” for the number of students with disabilities taking alternative assessments and earning proficient or advanced scores that exceeds 1% of the student population and for the number of students with disabilities taking the Mod-MSA and earning proficient or advanced scores that exceeds 2% of the total tested population at the LEA and State level.

### **3.3.3. Determining Intermediate Goals and Annual Objectives**

Intermediate goals and annual measurable objectives were determined separately for reading, mathematics, and attendance at each grade level using data at the state level. Each measure, reading, mathematics, and attendance, has a single value for each grade that is applicable to all schools. The intermediate goals and annual measurable objectives for individual schools were computed by averaging the grade specific intermediate goals and annual measurable objectives across the grades present in a school. The averages are unweighted.

Graduation rate intermediate goals and annual objectives were determined for the specific grade structures of schools with grade 12. Currently there are two sets of schools: typical high schools with grades 9-12 and technical high schools with grades 11 and 12.

### **3.3.4. Minimum Group Size for AYP Determinations for Subgroups**

For performance proficiency data only, Maryland uses a minimum subgroup size of 5 and statistical significance tests to ensure that AYP determinations are fair and accurate for subgroups of varying sizes. (See 3.3.7: Determining the Cell Value Significance).

### **3.3.5. Annual Objectives and Intermediate Goals for Which Schools Are Accountable**

Schools with no subgroups of 5 or more members are held accountable for the aggregate performance of students in reading, mathematics, and attendance as long as there are at least five members in the aggregate group. At the other extreme, schools with five or more members in all subgroups are held accountable for the aggregate performance of students in reading, mathematics, and attendance as well as the subgroup performance of students in each of the 8 subgroups separately for reading and mathematics. The maximum case is presented in the unshaded cells in Table L. Most schools have to meet only one of two other academic measures, depending on the school’s grade configuration.

Table L  
**Schools with Typical Grade Structures**  
**Maximum: 19 Performance Measures and 18 Participation Measures**

	Reading		Mathematics		Other Academic Measure
	% Proficient	% Participation	% Proficient	% Participation	
All students					
Am Ind					
Asian					
Af. Am.					
White					
Hispanic					
FARMS					
Sp Ed					
LEP					

Exceptions: high schools with atypical grade structures, K-12 schools, LEAs, and the state. High schools with atypical grade structures are held accountable for the unshaded cells in Tables M and N.

Table M  
**Schools with Grades 11 and 12 Only**  
**Maximum: 11 Performance Measures and 9 Participation Measures**

	Reading	Mathematics		Attendance Rate	Graduation Rate
	% Proficient	% Proficient	% Participation		
All students					
Am Ind					
Asian					
Af. Am.					
White					
Hispanic					
FARMS					
Sp Ed					
LEP					

Table N  
**Schools with Grades 9, 10, and 11 Only**  
**Maximum: 19 Performance Measures and 18 Participation Measures**

	Reading		Mathematics		Attendance Rate
	% Proficient	% Participation	% Proficient	% Participation	
All students					
Am Ind					
Asian					
Af. Am.					
White					
Hispanic					
FARMS					
Sp Ed					
LEP					

K-12 schools, LEAs, and the state are held accountable for a minimum of 4 measures and a maximum of 20 measures depending on the number of subgroups with 5 or more members. The maximum case is presented in the unshaded cells in the Table O.

Table O  
**K-12 Schools, LEAs, and the State**  
**Maximum: 20 Performance Measures and 18 Participation Measures**

	Reading		Mathematics		Attendance Rate	Graduation Rate
	% Proficient	% Participation	% Proficient	% Participation		
All students						
Am Ind						
Asian						
Af. Am.						
White						
Hispanic						
FARMS						
Sp Ed						
LEP						

**3.3.6. Determining Satisfaction of the Annual Measurable Objective**

The decision-making procedure involves four steps:

1. Determine which subgroups have 5 or more members and are therefore applicable for applying step 3.
2. Determine if any of the percent proficient values in the cells in the “All Students” row are significantly less than the annual measurable objective.

3. Determine if any of the percent proficient values in the applicable subgroup cells are significantly less than the annual measurable objective.
4. For each subgroup in which the percent proficient value is significantly less than the annual measurable objective apply the Safe Harbor provision:
  - a. Determine if the subgroup met the annual measurable objective on the other indicator(s), or made progress toward the annual measurable objective.
  - b. If the subgroup has met the annual measurable objective on the other indicators, determine if the percentage of students below proficient decreased by 10%.

Schools, LEAs, and the state will be said to have failed to meet their annual measurable objective if any cell in the “All Student” row is significantly less than the annual measurable objective or if the percent proficient of any subgroup in reading and mathematics is significantly less than the annual measurable objective and safe harbor criteria are not met.

### 3.3.7. Determining Cell Value Significance

Statistical procedures are used in all tests of AYP determinations to ensure that decisions (AYP and safe harbor) take into account inherent measurement error present in all accountability systems and adjust for differences the number of students on which the performance measures are based. The statistical approach adjusts for accuracy of decisions by holding constant the probability of making a classification error over the range of the number of students in a group ( $n$ ). It does so by adjusting the width of the confidence interval as a function of  $n$  and the expected variability of scores within the subgroup, school, LEA, and state. Fairness is ensured by holding the probability of a Type I error constant for all subgroups, schools, LEAs, and the state. The procedure, a one-sample Z test, uses a standard approach for testing the significance of differences between a sample and a known population parameter. The annual measurable objective of percent proficient is the known population parameter of a binomial distribution,  $P$ . The percent proficient value calculated on the performance of students in a subgroup represents  $p$  of a sample drawn from the population. The binomial distribution is normal and therefore the difference between the observed percent proficient and the annual measurable objective ( $p-P$ ) can be transformed to  $Z$ .

$$(9) \quad Z = \frac{p - P}{\sqrt{\frac{P*(1 - P)}{n}}}$$

Where:  $P$ = annual measurable objective (percent proficient)

$p$ = observed percent proficient in a subgroup

$n$ = number of students in a subgroup, school, LEA, or the state.

The null hypothesis for each test is  $H_0: p \geq P$ . The alternative hypothesis is  $H_A: p < P$ . It is a directional hypothesis and is tested with a one tailed test since we are only interested in knowing if the observed percent proficient ( $p$ ) is significantly less than the annual measurable objective ( $P$ ).  $H_0$  will be tested against the conventional probability of making a Type I error ( $\alpha$ ) set at 0.05. Given that multiple tests may be performed for each school  $\alpha$  will be adjusted according to the number of subgroups with 5 or more

members in a school using the Bonferroni procedure. Rejecting  $H_0$  indicates that significantly fewer students achieved at the proficient level than expected by the annual measurable objective.

The Bonferroni procedure holds  $\alpha$  at a constant 0.05 for each test of  $H_0$  given that the number of subgroups and hence the number of statistical tests may vary among schools depending on the number of subgroups with five or more members present. For schools with all subgroups — 5 race/ethnicity, LEP, special education, and FARMS — nine statistical tests are required for each content area (8 subgroups plus all students) to determine if the school and the 8 subgroups met the annual measurable objective. Testing mathematics and reading separately doubles the number of required tests to 18. In addition, attendance rate and/or graduation rate for all students will be tested. This addition increases the number of significance tests for a typical school from 18 to 19. It is common practice that when more than one statistical test is performed to classify a school as meeting or not meeting the AYP criteria, a correction factor will be used. This is necessary because with each test the probability making a Type I error in any one test increases. The correction is made by dividing the selected  $\alpha$  (0.05) by the number of tests that need to be performed for a single school. Thus, for a school with all subgroups  $\alpha$  for each test is 0.0026 (0.05/19).

Statistical tests of the Safe Harbor criteria to determine if the percentage of students within a subgroup performing below the proficient level decreased by 10% from the previous year will be conducted using the same approach. The target value ( $P$ ) is computed as:

$$(10) \quad P = 0.90p_{(i-1)}$$

Where:  $p$  = percent of students performing below proficient in the previous year ( $i-1$ ).  
 $i$  = year.

The statistical test is:

$$(11) \quad Z = \frac{p_i - P_{(i-1)}}{\sqrt{\frac{P_{(i-1)} * (1 - P_{(i-1)})}{n}}}$$

Where:  $P$  = target, a 10% reduction in students performing below proficient in the previous year ( $i-1$ )

$i$  = year

$p$  = percent of students performing below proficient in the year  $i$

$n$  = number of students in a subgroup, school, LEA, or the state.

The null hypothesis is  $H_0: p \geq P$ . The alternative hypothesis is  $H_A: p < P$ .

It is a directional hypothesis and is tested with a one tailed test since we are only interested in knowing if the observed percent below proficient ( $p$ ) is significantly less than the target ( $P$ ).  $H_0$  will be tested against the conventional probability of making a Type I error ( $\alpha$ ) set at 0.05. Given that we have already adjusted for the impact of multiple tests  $\alpha$  will remain at 0.05. Rejecting  $H_0$  indicates that the required 10%

reduction in the number of students at the below proficient level did not occur between the current and previous years.

## **4. Identifying Schools and School Districts in Need of Improvement**

### **4.1. IDENTIFICATION IN THE 2002-2003 SCHOOL YEAR**

Using the 2003 MSA as the baseline, the following criteria were used:

- All Title I schools previously identified for improvement, corrective action or restructuring failing to make progress (according to the old criteria) based on the 2001-2002 SPI were classified as having failed to make progress consistent with NCLB. Schools remained in improvement, corrective action or restructuring status for school year 2002-2003.
- Any Title I school previously identified for improvement, corrective action or restructuring failing to make AYP in school year 2002-2003 was classified as failing to meet AYP for three or more consecutive years. Therefore, these schools were classified as schools in improvement-year two, corrective action or restructuring.
- All Title I schools identified as making progress (according to the old criteria) for the second consecutive year based on the 2001-2002 SPI exited school improvement status as of January 2003.
- All Title I schools identified as making progress (according to the old criteria) based on the 2001-2002 SPI and met AYP in school year 2002-2003 exited school improvement status in school year 2003-2004.
- All schools in which students in the aggregate or in any subgroup performed below baseline and /or failed to meet the 95% participation requirement were classified as having failed to meet AYP for the 2002-2003 school year. (Note that “safe harbor” did not apply since it assumes a linking of MSPAP with MSA.)

### **4.2. IDENTIFICATION IN SUBSEQUENT YEARS**

#### **4.2.1 Schools in Need of Improvement**

Individual schools that do not achieve AYP in all of the categories for which they are accountable are subject to a progression of accountability expectations. Table P reflects the progression of accountability expectations and the placement of schools in the Schools in Need of Improvement continuum when they do not meet the expectations.

Table P  
**School Progression**

Failure to make an AMO in the subgroups of reported areas under reading and mathematics or for the other academic indicator for the first time.	=	<b>Local Attention</b>
Failure again to make an AMO in one or more of the subgroups of the same reported area (reading, mathematics, or other academic indicator) where it failed previously.	=	<b>School Improvement Year 1</b>
Failure again to make any AMO in the same reported area (reading, mathematics, or other academic indicator) after one year in improvement.	=	<b>School Improvement Year 2</b>
Failure to make the AMO in the same reported area (reading, mathematics, or other academic indicator) after two years in improvement.	=	<b>Corrective Action</b>
Failure to make the AMO in the same reported area (reading, mathematics, or other academic indicator) after a full year in corrective action.	=	<b>Restructuring Planning</b>
Failure to make the AMO in the same reported area (reading, mathematics, or other academic indicator) after a full year in restructuring planning status.	=	<b>Restructuring Implementation</b>

A school that is in School Improvement remains at the same School Improvement status if it achieves AYP for one year. A school exits School Improvement only after it achieves AYP for two consecutive years.

The following definitions will be used to determine the School Improvement status of “new” schools that evolve from schools that are already in the restructuring planning or restructuring implementation phase of School Improvement:

- Middle Schools: Only those students who were enrolled in a middle school the previous year will be considered in determining the status of a middle school in improvement. The “new” middle school will assume the School Improvement status of the previous school if:
  - Students in the “new” school were moved as a group from a middle school that was already identified as a School in Improvement
  - 65% of the students in the “new” school came from middle school(s) already in School Improvement or
  - 70% of the students in the “new” school were previously enrolled at schools already in School Improvement.

- High Schools: Only those students who were enrolled in a high school the previous year will be considered in determining the status of a high school in improvement. The “new” high school will assume the School Improvement status of the previous school if:
  - Students in the “new” school were moved as a group from a high school that was already identified as a School in Improvement
  - 65% of the students in the “new” school came from high school(s) already in School Improvement or
  - 70% of the students in the “new” school were previously enrolled at schools already in School Improvement.

#### **4.2.2 School Systems in Need of Improvement**

Local school systems are identified for improvement for failing to meet the AMO for two consecutive years in the same content area (or for failure to progress toward the other academic indicators) in each of the three grade bands (elementary, middle, high) in either the all students group or in one of the subgroups. School systems identified for improvement are subject to a progression of accountability expectations according to Table Q.



Table Q  
**School System Progression**

Failure to meet the AMO in reading and/or math (or progress toward the other academic indicator) in all three grade bands in either the all students group or in one of the subgroups.	=	No status assigned
Failure to meet the AMO for two consecutive years in the same content area (or failing for two consecutive years to progress toward the other academic indicators) in each of the three grade bands (elementary, middle, high) in either the all students group or in one of the subgroups.	=	A system in <b><i>“improvement”</i></b> [Year 1]
Failure to meet the AMO for three consecutive years in the same content area (or failing for two consecutive years to progress toward the other academic indicators) in each of the three grade bands (elementary, middle, high) in either the all students group or in one of the subgroups.	=	A system in <b><i>“improvement”</i></b> [Year 2]
Failure to meet the AMO for four consecutive years in the same content area (or failing for two consecutive years to progress toward the other academic indicators) in each of the three grade bands (elementary, middle, high) in either the all students group or in one of the subgroups.	=	A system in <b><i>“corrective action”</i></b>

At any point along the progression, a local school system can earn a reprieve from the next level by achieving AYP. The local system can exit improvement or corrective action status if the system achieves AYP for two years in a row.

## 5. Accountability System Review and Appeal Process

### 5.1. SYSTEM REVIEW

Maryland will review its procedures every five years or as necessary to ensure that the accountability system continues to address the needs of all students. Content standards, assessments, proficiency levels, intermediate goals, and annual measurable objectives will be reviewed and if necessary appropriate adjustments made. The review will also include a critique of the statistical methodology to ensure that the decisions resulting from these procedures are reliable and valid and are achieving the desired outcome of improving student achievement for all students. Particular attention will be paid to impact on the performance of subgroups.

## **5.2 THE APPEAL PROCESS FOR SCHOOLS AND LEAS**

Before identifying a local school or school system for improvement, the State shall provide an opportunity to review the data on which the proposed identification is based. A school or local school system can appeal its Improvement designation to the Deputy State Superintendent for Academic Policy if there is reason to believe coding or mathematical errors resulted in the identification of the school or school system. Appeals must include appropriate documentation, including photocopies of appropriate student records and a detailed explanation of the rationale for the appeal outlining the suspected source of error. Each year, the Deputy State Superintendent for Academic Policy will send a detailed memo to local school system superintendents outlining the appeal process, documentation requirements, and due dates for school and school system appeals. See Attachment IV.



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### Attachment I

**To:** Local Superintendents of Schools  
**From:** Nancy S. Grasmick  
**Date:** January 17, 2003  
**Re:** Letter of Advice Regarding High School Assessments

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Enclosed is a letter of advice prepared by Valerie Cloutier, Principal Counsel, Maryland State Department of Education. This letter relates directly to our discussion at the January 10 Superintendent's Meeting on ESEA requirements and testing. The letter provides legal advice on applying state regulations for high school level core courses, credits, and assessments.

I thought you would find it useful to review this letter in advance of discussions on ESEA requirements and testing at the extended Superintendent's Meeting planned for February 7.

NSG:lkp



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Maryland State Department of Education  
200 St. Paul Place  
Baltimore, Maryland 21202  
(410) 576-6465

January 10, 2003

TO: Nancy S. Grasmick  
State Superintendent of Schools

FROM: Valerie V. Cloutier  
Principal Counsel, MSDE

SUBJECT: High School Level Core Courses, Credits, Assessments

You have asked for advice on the following matter. Some local school officials are questioning whether all students must take the high school level courses that have the Phase I Maryland High School Assessments attached or whether a student must take a particular High School Assessment only if the student takes the relevant course. An example given is science in which the regulation on specified credits for the Maryland High School Diploma requires “three credits from the earth, life, or physical sciences, or all of the above, in which laboratory experiences are an integral component.” Because biology is not specifically listed, some local school staff believe that they have the discretion to assign three lab courses, none of which includes biology, and still award the student who has not taken biology a Maryland High School Diploma.

Likewise, some local school staff believe that high school level credit may be given for algebra and geometry courses that are not aligned with the Core Learning Goals. They believe further that students who take those courses do not have to take the Maryland High School Assessments in algebra/data analysis and geometry.

With respect to these issues, you indicate that the Core Learning Goals describe the skills and knowledge that are measured on the Maryland High School Assessments at grades 9 - 12.<sup>1</sup>

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<sup>1</sup>The Core Learning Goals are a subset of the Maryland Content Standards from which the voluntary State curriculum is being developed.



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Further, you have advised that all 24 local school superintendents/chief executive officers have certified in writing that the high school level courses for which their systems are giving high school level credit are aligned with the Core Learning Goals.

For the following reasons, I believe that beginning with the 2001-2002 school year, in order to be awarded a Maryland High School Diploma each student who receives high school level credit for English, mathematics, science, and social studies must have preparation in courses aligned with the Core Learning Goals and must take the Maryland High School Assessments in English I, Algebra/Data Analysis, Geometry, Biology, and Government.

It is a well established legal principle that where a statute or regulation to be construed is a part of a statutory or regulatory scheme, the intent and meaning of the statute or regulation is not determined from the statute or regulation alone. Rather, it is to be discerned by considering the statutory provision or the regulation in light of the whole statutory or regulatory scheme. *See, e.g., State v. Crescent Cities Jaycees Foundation*, 330 Md. 460, 468 (1993); *Government Insurance Company v. Insurance Commissioner*, 332 Md. 124, 132 (1993) and cases cited therein. Further, the Maryland Court of Appeals has explained that where statutes or regulations address the same subject matter, they must be read together and harmonized, to the extent possible, both with each other and with other provisions of the statutory or regulatory scheme. *Id.*

With respect to the issues raised by the local school officials, the following provisions in the State Board regulations on graduation requirements are pertinent:

COMAR 13A.03.02.03 Graduation Requirements.

C. Credit Requirements.

(1) A credit under this regulation shall be defined as locally determined clock hours or successful demonstration of established learning outcomes for all original credit instruction.

(2) To be awarded the Maryland High School Diploma a student shall have earned a minimum of 21 credits at the completion of grades 9—12. At least four of these credits shall be earned after the completion of grade 11 unless one of the alternatives in §H or I of this regulation is satisfied.

(3) Specified Credits for Maryland High School Diploma. To be awarded the Maryland High School Diploma, a student shall earn the following specified core credits as part of the 21-credit requirement:



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(a) English—four credits of organized instruction in listening and speaking, reading and literature, and written composition and use of language;

. . . .

(c) Mathematics as follows:

(i) Three credits, one with instruction in fundamental or advanced algebraic concepts and topics and one with instruction in fundamental or advanced geometric concepts and topics;

(ii) Other mathematics instruction may be substituted for the two specified credits by an Admission, Review, and Dismissal Committee as the Individualized Education Plan is developed for identified high school special education students;

. . . .

(f) Science—three credits from the earth, life, or physical sciences, or all of the above, in which laboratory experiences are an integral component;

(g) Social studies—three credits including one credit in United States History, one credit in world history, and one credit in local, State, and national government;

. . . .

E. Maryland High School Assessments.

(1) Beginning with the 2001—2002 school year, to be awarded the Maryland high school diploma all students including middle school students who take high school level courses shall take the Maryland High School Assessment for English I, government, biology, algebra/data analysis, and geometry after the student completes the appropriate course.

(2) Beginning with the 2001-2002 school year, for students entering the ninth grade and middle school students who



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take high school level courses, the student's performance on the Maryland High School Assessments, except for geometry, shall be reported as percentile rankings on the student's transcripts.

In construing these provisions in a manner consistent with the principles of statutory and regulatory construction set out above, I find as follows. Under COMAR 13A.03.02.03C, high school level courses are courses for which specified core credits are awarded. Further, in order to be awarded a Maryland High School Diploma students must earn specified core credits in English, mathematics, science, and social studies as part of the 21-credit requirement. Moreover, beginning with the 2001-2002 school year, in order to receive a Maryland High School Diploma all students including middle school students who take high school level courses must take the Maryland High School Assessments for English I, government, biology, algebra/data analysis, and geometry after the student completes the core credit course.

Given that each student must take three credits of science, all school systems have certified that core credit science courses are aligned with the Core Learning Goals upon which the High School Assessments were developed, and each student must take the biology test after completing the relevant high school level course, it follows that beginning with the 2001-2002 school year, as one of the three science credits each student must take a biology course aligned with the Core Learning Goals and must take the High School Assessment in biology in order to receive a Maryland High School Diploma. The same analysis applies to the mathematics courses and the algebra/data analysis and geometry tests. In effect, the revision to the graduation requirement regulations adding the requirement for taking the Phase I Maryland High School Assessments, modified subsection .03C specifying the core credits.<sup>2</sup>

To summarize:

- (1) Beginning with the 2001-2002 school year, all core courses for which high school level credit is given must be aligned with the Core Learning Goals.
- (2) Beginning with the 2001-2002 school year, in order to get high school level credit for science, one of the three science credits must be in biology; and to get high school level credit in mathematics, one of the three mathematics credits must be in algebra/data analysis and one must be in geometry, with the courses aligned with the Core Learning Goals.
- (3) Beginning with the 2001-2002 school year, in order to be awarded a Maryland High School Diploma, each student including middle school students<sup>2</sup> who take high school level

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<sup>2</sup>The revisions to the State Board regulations on graduation requirements were approved by the State Board in September, 2001; published in the Maryland Register on November 16, 2001; with final notice published in the Maryland Register on March 8, 2002.



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courses must take the Maryland High School Assessments in English I, government, biology, algebra/data analysis, and geometry after the student completes the core credit course.

I hope this analysis is helpful to you. Please call me if you have any questions or need further guidance in this matter. Thank you.

c: Executive Team





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## **Attachment II**

### **Establishing Standards for Maryland's School Systems: A Systemic Approach**

(A copy of this attachment may be obtained by calling the Office of Academic Policy, Maryland State Department of Education, 410-767-0473.)



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### Attachment III

Maryland State Department of Education

Proposal

# Developing A Modified Maryland School Assessment Based on Modified Achievement Standards for Students with Disabilities

Submitted To  
United States Department of Education  
June 15, 2005



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State Superintendent of Schools

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MARYLAND STATE DEPARTMENT OF EDUCATION PROPOSAL  
Developing A Modified Maryland School Assessment Based  
On Modified Achievement Standards for Students with Disabilities

### Introduction

Maryland plans to develop a Modified-Maryland School Assessment (Mod-MSA) for reading and mathematics assessments in grades 3-8. The proposed modified assessments will be on-grade-level versions of the existing MSA and would measure the content standards appropriate to the assigned grade level for a student. However, we anticipate that the content coverage and cognitive demand of the Mod-MSA will be somewhat reduced as appropriate. For each grade level, we will be examining the existing content standards for the MSA and making modifications to those standards. Conceptually, students taking the Mod-MSA will always then be tested on grade level. However, the decision for a student to participate in the Mod-MSA instead of the MSA will always be made through the student's IEP team process.

As with Maryland's content standards development process with other assessments, the modified content standards will be developed with full stakeholder engagement. Our psychometric council has examined the Maryland School Assessment and the research surrounding modified standards and believes that this assessment can be developed, though with some challenge, by the 2006 assessment administrator. Throughout the assessment planning period, we will be exploring the existing research further. However, it currently appears that the assessments developed would essentially be a modified version of the existing grade-level assessments. The psychometric council advises us that the most viable model to be developed under this timeline involves reduced numbers of reading and math objectives with assessments coming from the lower range of cognitive demand.

Students participating in the Mod-MSA would have all of the assessment accommodations available as specified on their IEPs. While the accommodations are the same for all students with disabilities, only those students meeting the narrow eligibility criteria for Mod-MSA would be eligible to participate in the assessment. The special focus of these modifications to the assessment would be to assist the Mod-MSA test taker to access grade-level content in reading and math and demonstrate proficiency.

Maryland's high school students take end-of-course exams as a graduation requirement and to meet NCLB testing requirements. Consequently, we believe that these assessments would not be modified in the same way as the tests in grades three through eight would be modified. At this time, we believe that the High School Assessments would not be modified for students identified for the Mod-MSA assessments in elementary and middle school. It is more likely students will still be expected to demonstrate proficiency or passing on the end-of-course assessments, but perhaps on a fundamentally different (later) timeline than that of the typical high school student.

### Summary of Modified Assessments Proposal



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**We believe that Maryland fully qualifies for the new flexibility because of the work that has been done to ensure accountability for all schools and school systems for NCLB. Maryland has established a minimum group size for subgroup accountability at five students. This minimum group size is the smallest in the nation and truly meets the intent of NCLB that no child is left behind. We believe that you will find this proposal supports our petition for the implementation of an alternate (modified) assessment based on modified achievement standards. Additional information may be found on the MSDE report card website, [www.mdreportcard.org](http://www.mdreportcard.org) or by contacting Dr. Ron Peiffer at 410-767-0473.**



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**We are requesting permission to begin work on the proposed modified assessment and expect that USDE will provide further guidance in this area. As in the past, we will be happy to modify our anticipated course of action in accordance with that forthcoming direction. Meanwhile, we would like to move forward with developing modified academic achievement standards and modified assessments for students with persistent academic disabilities and served under the Individuals with Disabilities Education Act based on our current understanding of USDE intentions.**

**Beginning as early as the 2005-2006 school year and no later than the 2006-2007 school year, Maryland would include the proficient scores from the modified assessments in calculating AYP and cap the scores at 2% of the total population testing proficient as indicated in your May 10, 2005 published papers. While we were awaiting your approval to pursue the development of modified assessments and standards, we began preliminary work on the assessments. Our preparations have included discussions with our psychometric experts, experts on IDEA, and experts in instruction and assessment of students with disabilities.**

**Maryland plans for modified assessments based on modified achievement standards to be in place no later than the 2006-2007 school year. The modified achievement standards will be aligned with the State's content standards, promote access to the general grade level curriculum, and reflect professional judgment on the highest achievement standards possible as required by 34 CFR §200.1(d).**

Maryland has taken an aggressive approach to ensure that students with disabilities have access to the general grade level curriculum and are tested appropriately and that educators maintain high expectations for students with disabilities. Maryland will continue to use alternate assessments based on alternate achievement standards for students with the most significant cognitive disabilities. Proficient scores from these assessments will still be capped at 1% of the total tested population for making AYP decisions.

Details of Maryland's proposal for identification of qualifying students for the Modified MSA (Mod-MSA) are contained in *Attachment A: Identification of Students with Disabilities for the Mod-MSA*.

The following outlines how AYP calculations will be completed once the new assessments are implemented:

- **Proposed Permanent AYP Approach for 2006-2007**
  - To be used as early as spring 2006 and no later than the spring 2007 assessments and after.
  - 97% of students are still tested with MSA.
  - 2% of students would now be tested with the Modified MSA (Mod-MSA).



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- 1% of students would continue to be tested with the Alt-MSA.
- MSA, Mod-MSA, and Alt-MSA results would be combined to determine the percent of students who are proficient in reading and mathematics.

Maryland's responses to the 17 questions contained in the May 10, 2005 USDE publication *Accountability for Students with Disabilities: Accountability Plan Amendments for 2004-2005* follow.



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## I. Core Principles.

The following five core principles, provided in our May 31, 2005 letter to USDE, clearly show Maryland's commitment to a quality assessment and accountability system.

1. **Participation Rates for students with disabilities.** In Maryland ALL students are required to participate in AYP assessments in either the primary or make-up test windows. Students who are absent from both testing windows are assigned the LOSS (lowest obtainable scale score) for the purpose of calculating AYP. Thus, 100% of students are included in accountability decisions. This is a powerful incentive for schools to fully include students with disabilities in instructional programs. Even when those students with disabilities who were assigned the LOSS were subtracted from the participation rate calculation, the participation rate of students with disabilities is 98%.
2. **Availability of alternate assessments.** Maryland's alternate assessment for students with the most significant cognitive disabilities is the Alternate Maryland School Assessment (Alt-MSA). In 2004-2005 the Alt-MSA was administered at grades 3-8 and 10 and student's reading and mathematics performance was determined. Maryland included Alt-MSA assessment technical documentation as part of the State's submission for the USDE Peer Review of state standards and assessments.
3. **Reporting of results from alternate assessments.** Alt-MSA scores in reading and math are used in school, school system, and State accountability decisions and reported on school, school system, and State report cards and on [www.mdreportcard.org](http://www.mdreportcard.org) – the state's online report card. Parent home reports for Alt-MSA are produced and distributed annually. In addition, at the start of the school year schools are asked to include parents in reviewing and identifying "mastery objectives" for their child's reading and math Alt-MSA portfolio and to also include parents in reviewing the end-of-school-year performance of their child on those mastery objectives.
4. **Availability of appropriate accommodations for students with disabilities.** Testing accommodations are described in Maryland's *Requirements for Accommodating, Excusing, and Exempting Students in Maryland Assessment Programs*. This document is available on the Web at <http://marylandpublicschools.org/NR/rdonlyres/5F4F5041-02EE-4F3A-B495-5E4B3C850D3E/3911/AccommodationsDocument200405final1.pdf>. It is reviewed and revised annually by Maryland State Department of Education staff in special education, instruction, and assessment. It is reviewed by the Psychometric Council (Maryland's Technical Advisory Committee) and published as both hard copy and electronic copy. It is used by IEP teams when determining appropriate accommodations. MSDE annually conducts audits of accommodations and monitors implementation during testing.



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5. **Minimum group sizes for making AYP decisions.** Maryland uses **5** as a minimum group size for **ALL** AYP subgroup accountability decisions.





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## II. Student Achievement.

Student performance for students with disabilities for the 2002-2003, 2003-2004, and 2004-2005 school years has shown very good improvements. Please see the following charts outlining performance for students on both the Maryland School Assessment and the Alt-MSA, Maryland's alternative assessment for students with disabilities.

6. Student achievement in reading, for students with disabilities, 2002-2003 school year
7. Student achievement in mathematics, for students with disabilities, 2002-2003 school year
8. Student achievement in reading, for students with disabilities, 2003-2004 school year
9. Student achievement in mathematics, for students with disabilities, 2003-2004 school year

### *Student Performance Summary*

Maryland State Department of Education Special Education Student Performance  
Division of Accountability and Assessment  
Maryland School Assessment  
CRT Scores – Percent Proficient Report

#### Special Education

LEA	LEA Name	Grade	Subject	Special Ed Title	2003	2004	2005
					CRT Prof/Adv. Pct*	CRT Prof/Adv. Pct*	CRT Prof/Adv. Pct*
A	All Public Schools	03	Reading	Non Special Ed	62.4	74.7	78.5
				Special Ed	25	42.9	51.3
			Math	Non Special Ed	68.8	76.2	80.0
				Special Ed	37.1	42.1	49.5
		04	Reading	Non Special Ed		79.0	83.8
				Special Ed		47.3	56.0
			Math	Non Special Ed		73.9	80.1
				Special Ed		38.5	47.3
		05	Reading	Non Special Ed	70.2	72.8	78.0
				Special Ed	35.1	37.7	44.2
			Math	Non Special Ed	59.8	68.0	73.5
				Special Ed	23.3	29.6	36.0
		06	Reading	Non Special Ed		74.0	74.8
				Special Ed		29.2	32.7
			Math	Non Special Ed		55.5	65.0
				Special Ed		14.1	21.6
		07	Reading	Non Special Ed		72.8	71.9
				Special Ed		26.2	28.2
			Math	Non Special Ed		54.8	60.0
				Special Ed		14.5	17.9
		08	Reading	Non Special Ed	65.7	69.8	71.2
				Special Ed	20.1	20.7	27.4
			Math	Non Special Ed	44.2	50.5	56.1
				Special Ed	8.3	10.8	16.9
10	Reading	Non Special Ed	66.3	70.7	71.5		
		Special Ed	21.6	27.1	28.6		



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Note: In 2003 the Alt-MSA was administered at 11<sup>th</sup> grade as MSDE transitioned to all test administrations at 10<sup>th</sup> grade. More information is available on the web at [mdreportcard.org](http://mdreportcard.org)



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### III. Sound State Education Policies.

The May 10 publication from USDE calls for evidence and assurances that the following are in place as a demonstration that the state has implemented alternative assessments and is developing additional modified assessments for a limited group of students with disabilities. The following summarizes Maryland's evidence:

10. Document the technical quality of the alternate assessments for students with the most significant cognitive disabilities, if not previously completed.

**Maryland's assessment system recently underwent the federally mandated peer review process, where the technical quality of all of the State's assessments, including the alternate assessments was reviewed. While we have not yet received the final report of the peer review, we believe we submitted adequate information to demonstrate the technical quality of our alternate assessments. See Enclosed Document: Alternate Maryland School Assessment 2003-2004 Technical Manual.**

11. Develop criteria and guidance for IEP teams regarding the identification of students with the most significant cognitive disabilities and for setting appropriate proficiency expectations for those students.

The Alt-MSA assesses students with significant cognitive disabilities and their attainment of individually selected instructional-level reading and mathematics Mastery Objectives which are aligned with grade-level content Maryland Content Standards. These Mastery Objectives form the framework for the student's reading and mathematics instructional program.

Participation in the Alt-MSA is determined by the Individualized Education Program Team process. Students with disabilities in grades 3-8 and 10 must participate in either MSA or Alt-MSA. The decision as to which assessment is appropriate for an individual student is made by each student's IEP team. A student with a significant cognitive disability will participate in the Alt-MSA if he or she meets each of the following **Alt-MSA Participation Guidelines** criteria:

- The student is learning extended Maryland reading (at emerging, readiness, or functional literacy levels) and extended Maryland mathematics content standards objectives.

**AND**

- The student requires explicit and ongoing instruction in a functional life skills curriculum including personal management, community, recreation/leisure, career/vocational, communication/decision making/interpersonal.

**AND**

- The student requires extensive and substantial modification (reduced complexity of objectives and learning materials, and more time to learn) of general education curriculum. The curriculum differs significantly from that of their non-disabled peers. They learn different objectives, may use different materials, and may participate in different learning activities.



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**AND**

- The student requires intensive instruction and may require extensive supports, including physical prompts, to learn, apply, and transfer or generalize knowledge and skills to multiple settings.

**AND**

- The student requires extensive support to perform and participate meaningfully and productively in daily activities in school, home, community, and work environments.

**AND**

- The student cannot participate in the MSA even with accommodations.
- Students not meeting the criteria above will participate in the Maryland School Assessment, with or without accommodations, as appropriate, based on their IEP.
- Specific additional guidance for Local Accountability Coordinators is provided in the Alt-MSA 2006 Handbook. The MSDE Technical Assistance Bulletin #5 provides information and guidance to local school systems on “Implementing the Alternate Maryland School Assessment, Alt-MSA.” This is distributed to all local school systems and is on the MSDE website.

12. Demonstrate that policies are in place to ensure inclusion of all students in the assessment system, as required by IDEA and NCLB.

Specific guidance is provided to local school systems through the state regulations, COMAR 13A.05.01 and .02. In addition, local accountability coordinators and directors of special education are provided guidance through memos related to participation on a regular basis. Information Update #1 was distributed to local school systems on May 18, 2005 and to nonpublic special education facilities and private schools on May 20, 2005.

Accommodation information is updated annually in the *Requirements for Accommodating, Excusing, and Exempting Students in Maryland Assessment Programs*, Revised in August 20, 2004. This manual provides clarification on student participation and test administration in addition to the use of accommodations for all students, including students with disabilities.

13. Provide training to IEP teams on State assessment guidelines and policies, as required under IDEA and NCLB regulations.

Local school systems are provided training and information through a wide range of opportunities, including:

- ✓October Special Education/Early Intervention Leadership Conference
- ✓Statewide Trainings on Reauthorization of IDEA '04- held on May 18, 20, June 2, and June 6, 2005

Specific training has been provided according to the following schedule:



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**ALTERNATE MARYLAND SCHOOL ASSESSMENT (Alt-MSA)**

**MSDE Training and Support provided to the Baltimore City Public School System from January 2004 to May 2005**

<b>DATE</b>	<b>LOCATION</b>	<b>TOPIC</b>	<b>PARTICIPANTS</b>
January 13, 2004	Paquin School	The Revision of Alt-MSA Mastery Objectives	Teachers/Test Examiners and Support Staff
February 10, 2004	Paquin School	Alt-MSA Work Session	Teachers/Test Examiners and Support Staff
October 1, 2004	BCPSS	Alt-MSA Training	Teachers/Test Examiners and Support Staff
January 18, 2005	Lois T. Murray	Alt-MSA Support	Teachers/Test Examiners
February 7, 2005	Lois T. Murray	Alt-MSA Support	Teachers/Test Examiners

From January 2004 to May 2005	Phone call and e-mail support with the writing of mastery objectives, the administration of the Alt-MSA, and the instructional connection to the content standards from the Reading and Mathematics Voluntary State Curriculum (VSC).	Teachers/Test Examiners and Administrators
-------------------------------	---	--

**Statewide Training and Support provided to all Maryland school systems from January 2004 to May 2005**

<b>DATE</b>	<b>LOCATION</b>	<b>TOPIC</b>	<b>PARTICIPANTS</b>
May 26, 2004	Faulkner Ridge	Alt-MSA Facilitator Meeting	Alt-MSA Facilitators
August 26, 2004	Towson State University	Special School Consortium	Teachers, Administrators and Paraprofessional staff from center based programs.
September 1, 2004	JHU Downtown	Initial 2004 – 2005 Alt-MSA Administration	Local Accountability Coordinators and Alt-MSA



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	Center	and Handbook Training	Facilitators
September 8, 2004	Faulkner Ridge Center	Alt-MSA Training Follow-up session	Alt-MSA Facilitators
October 20, 2004	JHU/CTE	Alt-MSA Facilitator Meeting	Alt-MSA Facilitators
February 9, 2005	Faulkner Ridge Center	Alt-MSA Facilitator Meeting	Alt-MSA Facilitators



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Additional specific site visits include:

- |            |  |
|------------|--|
| January 10 | Baltimore City, Lois T. Murray                           |
| 11         | Howard County  |
| 12         | MSB, Kennedy Krieger                                     |
| 13         | Stedwick ES-Montgomery Co., Margaret Brent, PG           |
| 18         | Lois T. Murray   |
| 24         | Caroline Co  |
| 25         | Wicomico   |
| 26         | Anne Arundel   |
| 27         | Dorchester, Talbot                                       |
| 28         | Harford, Ridge Ruxton-Baltimore Co                       |
| February 1 | Maryland State Board of Education                        |
| 2          | Howard Co; Goucher College-graduate course presentations |
| 3          | Baltimore Co   |
| 8          | Wicomico   |
| 22         | Dorchester   |
| June 6, 8  | LACs and Alt-MSA Facilitators, LEA 24 Schools            |

A Statewide Summer Institute will be convened June 28, 29, 30 targeting Special Schools, Local Accountability Coordinators, and Local Directors of Special Education.

14. Train teachers on instructional interventions, including special education teachers and general education teachers with subject matter expertise, on how to work together, provide access to the general curriculum, and use data to improve student achievement. **The Maryland State Department of Education continues to offer trainings, workshops, online opportunities and ongoing professional development to Maryland general and special education teachers, principals, and other school system leadership to increase both the knowledge and skills needed to accelerate the academic performance of students with disabilities. The focus is on the development of content knowledge, use of effective instructional practices, and use of data to monitor progress.**

**Summarized in *Attachment B: 2005 Workshops, Trainings and Documents re Training on Instructional Interventions for General and Special Education Teachers* are 10 major initiatives that were conducted and/or disseminated during the 2004-2005 school year. These include:**

- 1) Training on the Alternative Maryland School Assessment;
- 2) Training for State Technical Assistants Assigned to Schools in State Improvement;
- 3) Workshops for 27 Low Performing Middle School Teams;



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- 4) **Governor's Academies in Mathematics, English, Government and Biology;**
- 5) **Online Content Modules;**
- 6) **Professional Development Modules in English/Language Arts for Year 2 Improvement Schools (in development);**





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- 7) **Collaborative Leadership Training for Reading, Special Education and Mathematics Supervisors;**
  - 8) **Dissemination of Statewide Surveys on Reading and Mathematics Interventions in Use in Maryland Schools;**
  - 9) ***Passport to Success Demonstration Middle School Project Outreach to 100 Participants as well as Certified Coach Training; and***
  - 10) **Teacher Recruitment and Training.**
15. Conduct outreach to parents of students with disabilities to explain State testing policies. This outreach may take several forms, such as website documents; brochures for parent centers, schools, and districts; or training for parent liaisons. **The Maryland State Department of Education maintains an ongoing program of outreach to parents in Maryland on our assessment program. Three websites provide a significant amount of information to parents:**

- 1) <http://marylandpublicschools.org/> is our main Departmental website with links to other content and downloadable copies of print publications;
- 2) <http://mdreportcard.org/> is the site displaying our school, school system, and state assessment and accountability data. This website is especially designed to provide data in graphical format so that parents and professionals alike can access and understand school performance;
- 3) <http://mdk12.org/> is commonly referred to as our “School Improvement” website. It contains sample test items, content standards, and the Maryland Voluntary State Curriculum.

**Links to some of the specific web content available for parents are as follows:**

- Testing. A page providing a menu of information on testing  
<http://www.marylandpublicschools.org/MSDE/testing/>
- Alt-MSA. A specific page giving detailed information on Alt-MSA  
[http://www.marylandpublicschools.org/MSDE/testing/alt\\_msa/](http://www.marylandpublicschools.org/MSDE/testing/alt_msa/)
- Alt-MSA Handbook  
[http://www.marylandpublicschools.org/MSDE/testing/alt\\_msa/2004\\_2005\\_ALT\\_Handbook](http://www.marylandpublicschools.org/MSDE/testing/alt_msa/2004_2005_ALT_Handbook)
- English Language Arts standards and assessments  
<http://mdk12.org/instruction/curriculum/reading/index.html>



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- Mathematics standards and assessments  
<http://mdk12.org/instruction/curriculum/mathematics/index.html>
- Maryland School Assessments information  
<http://www.marylandpublicschools.org/MSDE/testing/msa/>



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- Parent publications that are available on the web. Most have been distributed widely to parents and school system staffs.  
<http://www.marylandpublicschools.org/MSDE/newsroom/publications/pubsother/>  
**Examples of some of the publications posted are as follows:**
  - i. **Sample MSA Home Reports**
  - ii. **A Parent's Guide to Achievement Matters Most**
  - iii. **Testing in Maryland: A parent's guide to the Maryland School Assessment for grades 3, 5, 8, and 10**
  - iv. **Information Sheet: MSA Reading**
  - v. **Information Sheet: MSA Mathematics**
  - vi. **Maryland School Assessment Questions and Answers**
  - vii. **MSDE Bulletin, various editions**
  
- High School Assessment testing information  
<http://www.marylandpublicschools.org/MSDE/testing/has/>
  - i. **Maryland High School Assessments and Your Child**
  - ii. **A Letter to Parents of Middle School Students, February 2005**
  - iii. **How Will the HSA Affect Me?**
  - iv. **Summary of requirements for the graduating classes of 2005-2008**
  - v. **Summary of requirements for the graduating classes of 2009 and beyond**
  - vi. **Frequently asked questions about high school graduation requirements**
  - vii. **Encouraging Achievement in Your Child**
  - viii. **State Board of Education Resolution (charging a State task force to investigate comparable methods of measuring student achievement in HSA-tested subjects).**
  - ix. **HSA Questions and Answers**
  - x. **For Administrators: What to Look for in High School Classroom Instruction**
  - xi. **High School Assessments: A Conversation with Maryland 2003 Teacher of the Year Darren Hornbeck (A video on High School Assessments that is available on our website.)**

**Meetings and focus groups addressing Statewide Assessment have been convened throughout the State. The State Special Education Advisory Committee includes parents, advocates, and persons with disabilities. In addition, the MSDE convened focus groups to address the impact of statewide assessments and the impact on students with disabilities.**

MSDE implements a concerted outreach to parents of students with disabilities to involve them in the development of support materials and to inform parents and advocates about the Statewide assessment system. Parents are represented on the Alt-MSA Stakeholder



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Advisory Committee. MSDE has developed and made available several resources that parents/guardians may access, including: a brochure that describes the Alt-MSA, a newly released videotape describing Alt-MSA that will be sent to every school, and the Alt-MSA Handbook and content standards that are posted on the MSDE Home Page.

Parents are included in focus groups at the local level to address issues raised through questions to local directors, phone calls to the Division of Special Education/Early



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Intervention Services, and through parent letters. Representatives of the MSDE also meet regularly with members of the PTA. A Parent-Professional Partnership Course is available to parents through a local University to provide training and college credit for parents and professionals from the local level in a trainer of trainer model. An important aspect of this program is an overview of the statewide assessment system.

16. Incorporate appropriately the scores of students with the most significant cognitive disabilities into the State reporting and accountability system.

**Maryland has fully incorporated the results of Alt-MSA administration in both the reporting and accountability systems. This information is displayed at <http://mdreportcard.org/>. AYP calculations for school year 2004-2005 will be available on June 20, 2005. Specific guidance is provided to local school systems through the state regulations, COMAR 13A.05.01 and .02.**

17. Submit all alternate assessments for the Department's peer review process for standards and assessments.

**Maryland submitted its Alt-MSA assessment to the United States Department of Education for peer review earlier this year as required by law. The formal report on the review has not yet been received by the Maryland State Department of Education. Maryland will submit its Mod-MSA for review when developed as per federal guidelines.**

#### Additional Steps

**Maryland additionally commits to the following steps as part of our overall strategy to improve assessments for students with disabilities, in particular for the development of alternate assessments based on modified achievement standards:**

- Develop and formally approve or adopt modified academic achievement descriptors.  
June 2005
  - Meet with MSDE reading, mathematics and special education staff to produce first draft of modified grade level content standards.
  - Assemble and meet with Modified Assessment Test Specifications Committee to review overall plan and draft of modified content standards.
  
- **Stakeholder groups review draft modified content standards.**  
**Complete identification of modified content standards and present to State Board of Education.**
  
- Build a framework, including purpose and scope of alternate assessments based on modified achievement standards, that addresses key questions and issues (e.g., portfolio or multiple choice) and is informed by stakeholder and technical advisory input.  
June 2005



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- MSDE staff met on June 10 with Maryland's Psychometric Council to review psychometric issues associated with a modified assessment, including expanded accommodations and modifications to testing.



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- Meet with MSDE reading, mathematics and special education staff to produce first draft of modified grade level content standards.
- Assemble and meet with Modified Assessment Test Specifications Committee to review overall plan and draft of modified content standards.

July 2005

- Complete identification of modified content standards and present to State Board of Education.
- Review with testing vendor and special education/content staff the grade level assessments in reading or math against modified content standards to determine those assessment questions that are aligned with the modified content standards.
- Complete and publish MSA Test Modifications document along with updated Accommodations document. Particular focus will be on modifications related to reading/accessing grade level content passages.

August 2005

- Complete work with MSA test vendors and Mod-MSA test specifications team on reading and mathematics modified assessments.
- Contract for the development of valid alternate assessments based on modified achievement standards for students with disabilities who need to take a modified assessment (as well as students with the most significant cognitive disabilities, if applicable).

**June 2005**

- Begin meeting with MSA testing vendors to begin discussions on implementation of Mod-MSA including design and out-of-scope contract issues.

July 2005

- Review with testing vendor and special education/content staff the grade level assessments in reading or math against modified content standards to determine those assessment questions that are aligned with the modified content standards.

August 2005

- Complete work with MSA test vendors and Mod-MSA test specifications team on reading and mathematics modified assessments.
- Establish (with diverse stakeholder involvement) and formally approve or adopt modified achievement standards with “cut scores” that differentiate among achievement levels and are aligned with State content standards.

**July 2005**

- Stakeholder groups review draft of modified content standards. (*See Attachment C: Assessment Stakeholder Outreach.*)



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- Complete identification of modified content standards and present to State Board of Education.





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- Document the technical quality of the alternate assessments based on modified achievement standards.

**Fall 2006**

- **Complete Mod-MSA technical report.**
- Demonstrate that policies are in place to ensure inclusion of all students in the assessment system, as required by IDEA and NCLB.

Specific guidance is provided to local school systems through the state regulations, COMAR 13A.05.01 and .02. In addition, local accountability coordinators and directors of special education are provided guidance through memos related to participation on a regular basis. Information Update #1 was distributed to local school systems on May 18, 2005 and to nonpublic special education facilities and private schools on May 20, 2005.

Accommodation information is updated annually in the *Requirements for Accommodating, Excusing, and Exempting Students in Maryland Assessment Programs*, Revised in August 20, 2004. This manual provides clarification on student participation and test administration in addition to the use of accommodations for all students, including students with disabilities.

The complete timeline of activities related to the development of the Modified Maryland School Assessment (Mod-MSA) based on modified achievement standards follows.



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## **Timeline for Development of Modified Maryland School Assessment Mod-MSA**

### **May 2005**

- Met with MSDE staff and LEA special education directors to discuss options
- State Board of Education approves request to design modified assessment.

### **June 2005**

- MSDE staff met on June 10 with Maryland's Psychometric Council to review psychometric issues associated with a modified assessment, including expanded accommodations and modifications to testing.
- Meet with MSDE reading, mathematics and special education staff to produce first draft of modified grade level content standards.
- Assemble and meet with Modified Assessment Test Specifications Committee to review overall plan and draft of modified content standards.
- Begin meeting with MSA testing vendors to begin discussions on implementation of Mod-MSA including design and out-of-scope contract issues.

### **July 2005**

- Stakeholder groups review draft of modified content standards.
- Complete identification of modified content standards and present to State Board of Education.
- Finalize and distribute rubric for identifying students eligible for modified test and begin LEA training.
- Review with testing vendor and special education/content staff the grade level assessments in reading or math against modified content standards to determine those assessment questions that are aligned with the modified content standards.
- Complete and publish MSA Test Modifications document along with updated Accommodations document. Particular focus will be on modifications related to reading/accessing grade level content passages.

### **August 2005**

- LEAs begin to identify "2%" students as per state guidelines.
- Complete work with MSA test vendors and Mod-MSA test specifications team on reading and mathematics modified assessments.

### **September 2005**

- Meet with Local Accountability Coordinators to review Mod-MSA design (LACs manage assessments in each of Maryland 24 school system).
- Begin meetings with school system staff, stakeholder groups, and special education community to ensure familiarity with Mod-MSA.



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**October 2005**

- Vendor reprograms scoring applications for the modified assessments.
- Complete design work on Mod-MSA Examiners Manual and Testing and Coordinating Manual (TACM).



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### **March 2006**

- Administer MSA, Alt-MSA and new Modified assessments: begin scoring.

### **May 2006**

- Distribute Mod-MSA data to standard setting vendor for development of book marking materials.

### **June 2006**

- Calculate AYP as per normal timeline with all but 2% students. Recalculate AYP with 2% students when State Board approves achievement standards.

### **July 2006**

- Complete booking marking for Mod-MSA achievement standards.
- Request State Board of Education approval of standard setting cut scores.
- Complete AYP recalculations; add modified assessment scores to online report card.
- Produce Mod-MSA home reports for distribution to LEA and parents.
- Begin research studies addressing reliability and validity and continue through fall and winter.

### **Fall 2006**

- Complete Mod-MSA technical report.



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#### Attachment A

### **Identification of Students with Disabilities for the Modified-Maryland School Assessment and Interim Plan**

In Maryland, consistent with IDEA and the requirements of the Individuals with Disabilities Education Act and Section 1111 of the Elementary and Secondary Education Act (No Child Left Behind Act), all students with disabilities are included in all general state and district wide assessments. IDEA emphasizes providing students with disabilities access to the general curriculum and to educational reforms as an effective means of ensuring better results. All students, including students with disabilities, are expected to receive instruction consistent with Maryland's Voluntary State Curriculum (VSC), based on the Maryland Content Standards and Core Learning Goals, and must be assessed on their attainment of grade level reading and math content. To determine adequate yearly progress (AYP) under NCLB, all students, including students with disabilities, are assessed in reading and math in grades 3 through 8, and during the high school grade.

**Alternate assessments must be available for those students who cannot participate in the MSA with accommodations as indicated in their IEPs. Any alternate assessments must be available for students with disabilities consistent with the State's academic content standards. The alternate assessments include the following:**

- **Alt-MSA for students with significant cognitive disabilities who are participating on alternate academic achievement standards (limited to reporting 1% of those scoring proficient); or**
- **Mod-MSA (Modified MSA) for students with academic disabilities who with access to the general education curriculum will participate in modified academic content and achievement standards (limited to reporting 2% of those scoring proficient).**

#### **Summary of Revised Federal Policy Alternate Assessments for Students with Disabilities** (Based in U. S. Department of Education documents released 4/7/05 and 5/10/02)

**Policy** "State may develop modified academic achievement standards and use alternate assessments based on those modified achievement standards for students with persistent academic disabilities and served under the Individuals with Disabilities Education Act. States may include proficient scores from such assessments in making adequate yearly progress (AYP) decisions but those scores will be capped at 2.0% of the total tested population. This provision does not limit how many students may be assessed against modified achievement standards."

#### **Maryland's Implementation Procedures:**

Students with disabilities are to participate and progress in the general education curriculum. It is the responsibility of each student's IEP team to consider accommodations, supplementary aids, services, and supports to enable the student to participate and progress in the general curriculum with non-disabled peers to the maximum extent appropriate.



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The Maryland State Department of Education has met with local directors of special education as well as parents and advocates to develop and review the process for identification of students with disabilities who may be eligible to participate in the Mod-MSA. Consistent with the requirements of the individualized education program (IEP) process, the IEP Team would apply the proposed policy (C.1) and the attached rubric (C.2) to a review of the IEPs to determine that



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the students identified as eligible would be identified based on their individual evaluation information and the instructional and service information on their IEPs. To ensure that the students eligible to participate in the Mod-MSA have received access to the general curriculum and content standards, a rigorous process has been developed, reviewed, and revised to reflect the federal guidance.

**Specific types of interventions are to be documented by the IEP Team to ensure direct instruction in reading and mathematics on the Maryland Content Standards, as well as individualized instruction using scientifically based models. In addition, other models of instruction and professional development for staff are to include:**

- Response to interventions models which are research-based and focus on individual instruction for students with disabilities in reading and math;
- Professional development with an emphasis on coaching and mentoring;
- Availability of co-teaching models with general and special education teachers providing access to the general curriculum and core content.



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### *Attachment A.1*

[Proposed Guidelines for Local School Systems]

## **Identification of Students with Disabilities for Participation in Mod-MSA**

The Modified Maryland School Assessment (Mod-MSA) is based on modified academic content standards for students with disabilities. These are students who are not proficient, even with full access to the general education curriculum. These students will be able to be assessed using modified assessments based on those modified academic content standards. Students who participate in the Mod-MSA in grades 3-8 and score proficient will be capped at 2%.

Mod-MSA results are to be reported at three proficiency levels (Basic, Proficient, and Advanced) as part of the State accountability program. Results from the Mod-MSA will be aggregated with those from the MSA and Alt-MSA for accountability purposes.

### **MOD-MSA PARTICIPATION GUIDELINES**

Students with disabilities in grades 3-8 must participate in either MSA, Mod-MSA, or Alt-MSA. Each student's IEP team will make the decision as to which assessment is appropriate for an individual student. A student who will be instructed and assessed using modified academic content standards must meet each of the following criteria:

- The student is learning using modified academic content standards in reading and mathematics.  
**AND**
- The student requires modifications during assessments and instruction, in addition to accommodations. These testing/assessment and instructional modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, paraphrasing of reading passages, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, use of calculator, and spell check.  
**AND**
- The student requires the use of a modified general curriculum. The curriculum for the student is aligned with the Maryland Content Standards for the student's grade level but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.  
**AND**
- The student must have had at least three consecutive years of individualized intensive instruction in reading and mathematics consistent with his/her IEP (beginning with the most recent), and although progress toward grade level standards was made, he/she is not making progress at grade level.





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**AND**

- The student must demonstrate that his/her cannot attain proficiency in actual grade level MSA, even with accommodations.



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### *Attachment A.2*

[For use by school-based IEP Teams]

## IEP Team Decision-Making Model

This decision-making model should be utilized by IEP Teams in schools that did not meet AYP (during the 2004-2005 administration of the MSA) based solely on special education as a subgroup, if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened prior to the end of this current school year. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-MSA. Beginning with the 2005-2006 school year, students who meet the criteria below may be eligible to participate in the Mod-MSA program.

The IEP Team must determine if:

- ✓ The student is learning using modified academic content standards in reading and mathematics.
- ✓ The student requires modifications during assessments and instruction, in addition to accommodations. These testing/assessment and instructional modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, paraphrasing of reading passages, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, use of calculator, and spell check.
- ✓ The student requires the use of a modified general curriculum. The curriculum for the student is aligned with the Maryland Content Standards for the student's grade level, but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.
- ✓ The student must have had at least three consecutive years of individualized intensive instruction in reading and mathematics consistent with his/her IEP, and although progress toward grade level standards was made, he/she is not making progress at grade level.
- ✓ The student must demonstrate that he/she cannot attain proficiency in their actual grade level MSA, even with accommodations.

In addition the IEP Team is required to respond to the following in detail:

- **Alt-MSA:** This student is not eligible to participate in the Alt-MSA.
  - Yes
  - No



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- **General Curriculum:** How the student's disability affects involvement and progress in the general curriculum.



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- List page of IEP that reflects this consideration \_\_\_\_\_
- **Modified General Curriculum:** The goals and objectives on the student’s IEP require a modified general curriculum in:
  - Reading List pages of IEP that reflect modifications \_\_\_\_\_
  - Math List pages of IEP that reflect modifications \_\_\_\_\_
- **Grade Level Proficiency:** The instructional performance grade levels identified on the IEP, as measured by formalized assessment instruments or district-wide assessments that are designed for standardized assessment of achievement, are substantially below grade level.
  - Yes
  - No
- **Content Standards:** The goals on the student’s IEP are aligned with the Maryland Content Standards.
  - Reading List IEP pages that reflect these goals \_\_\_\_\_
  - Math List IEP pages that reflect these goals \_\_\_\_\_
- **General Education Interventions:** The following instruction, general education interventions, and special education and related services have been provided to the student:
  - Instruction in the general education curriculum for \_\_\_\_\_ number of years.
  - Intensive reading interventions have been provided for \_\_\_\_ years.  
List school-based intervention  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Intensive mathematics interventions have been provided for \_\_\_\_ years  
List school-based intervention  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - List related services provided:
 

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____



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- ❑ Student has received special education instruction provided by qualified special education personnel outside the regular classroom for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.
- ❑ One to one special education instruction with qualified special education personnel for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.



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- Resource room instruction by qualified special education personnel for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.
- Other research-based interventions provided to the student, including:  
\_\_\_\_\_  
\_\_\_\_\_
- **Grade Level Progress:** The student made progress toward grade level standards in the following areas and is not performing at grade level in the following areas:
  - Reading
  - Math
- **Instruction:** The student has had at least three years of individualized intensive instruction consistent with the IEP in the following areas:
  - Reading List years that reading goals are included in IEP \_\_\_\_\_
  - Math List years that math goals are included in IEP \_\_\_\_\_
- **Accommodations:** During instruction /assessment the student receives accommodations as indicated on the IEP in the area of:
  - Reading List pages of IEP that reflect accommodations \_\_\_\_\_
  - Math List pages of IEP that reflect accommodations \_\_\_\_\_
- **Supplementary Aids and Services:** The student has been provided with supplementary aids and services as indicated on the IEP in the areas of:
  - Reading List pages of IEP that reflect supplementary aids and services \_\_\_\_\_
  - Math List pages of IEP that reflect supplementary aids and services \_\_\_\_\_

**Students meeting each of the above criteria with supporting documentation and not participating in the Alt-MSA will participate in the Mod-MSA.**

Date: \_\_\_\_\_

Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID #: \_\_\_\_\_

D.O.B. \_\_\_\_\_

IEP Team Chair: \_\_\_\_\_



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Team Members:

General Education Teacher: \_\_\_\_\_



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Special Education Teacher: \_\_\_\_\_

Individual to Interpret Assessment Results: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_

Others: \_\_\_\_\_





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Attachment B

2005 Workshops, Trainings and Documents re Training on Instructional Interventions for General and Special Education Teachers

## Division of Special Education/Early Intervention Services

### Maryland State Department of Education, June 2005

#### 1. 27 Intensive Trainings for Teachers in Student and Teacher Preparation to Administer the Alt-MSA

Sept 1 Alt-MSA rollout to Local Accountability Coordinators and Alt-MSA Facilitators

Sept 2 Alt-MSA rollout to Non-Public schools

Sept 8 Alt-MSA Facilitator meeting

Sept 9 Baltimore County presentation to staff

Sept 15 Frederick Co presentation to staff

Sept 16 Benedictine School presentation to staff

Sept 17 LEA 24 presentation

Sept 21 Dorchester Co planning with staff

Sept 22 Prince George's Co presentation to staff

Sept 23 Southern MD School Psych presentation

Sept 24 LEA 24 presentation

Sept 30 Anne Arundel Co presentation to staff

Oct. 1 Baltimore City presentation to staff

Oct 21 Non-Public Schools presentation to staff

Oct 22 Montgomery County presentation to Placement Unit Staff

Oct 22 Kennedy Krieger meeting with staff

Oct 26 Presentation to Anne Arundel County advisory committee

Oct 27 Children's Guild-presentation to staff

Oct 27 Caroline County presentation to staff

Nov. 4 Howard County teachers presentation

Nov. 9 Montgomery County Education Association (MCEA)

Nov 18 Presentation at Maryland Assessment Group Conference (MAG)

Dec. 1 Somerset-Betsy Reich-Technical Assistance

Dec. 2 Local Directors presentation

Dec 13 Non-Public Schools presentation to Ed Directors

Dec 15 Talbot County presentation to staff

Dec 22 Montgomery County-2 associate superintendents, 3 directors, various supervisors, teacher's union president--planning and technical assistance



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## **2. Training On How To Improve Performance Of Students With Disabilities To The State Technical Assistants Assigned To Work With Schools In State Improvement**

Staff from the Student Achievement and Results Branch provided professional development to 44 Maryland State Department of Education Technical Assistants and LEA School Improvement contact personnel on September 23, 2004. The MSDE Technical Assistants provide direct professional development to teachers and other staff at MSDE identified schools in improvement.

The professional development focused on Maryland School Assessment data and the need to analyze and use data for decision making to improve the academic performance of students with disabilities. Best practices were shared from a school that has successfully identified and implemented strategies to provide differentiated learning experiences for diverse learners. Background information of diversifying instruction and resources for teaching strategies and techniques were shared.

## **3. Training To 27 Low Performing Middle Schools That Are Participating In A State-Funded Program, Known As I-PAS. Improving Proficiency Of All Students**

In April 2005, we provided professional development to more than 75 middle school teachers and administrators from schools participating in the 2004-2005 I-PAS/Challenge program. The outreach focused on using the Voluntary State Curriculum (VSC) to help students with disabilities meet state standards. Participants engaged in guided practice using the VSC to “backmap” to identify pre-requisite skills that need to be taught before students can access the grade-level VSC indicators and objectives. Examples of sample products for assessment limits were provided. School teams engaged in activities evaluated the collaborative practices in place at their school and brainstormed to determine next steps for improving reading. In addition, participants received resource packets detailing specific strategies for accommodations and modifications. A packet of information provided, including resource materials and the curriculum training packet are included. All materials were also sent electronically to all participants.

In addition to providing new knowledge and skills to the participants, the professional development was a trainer-of-trainers activity for some of the schools or local school systems that identified scaffolding and knowledge of prerequisite skills as a need for staff.

## **5. Governor’s Academies Are Available Statewide And Held Regionally.**

Governor’s Academies in the content areas of Mathematics, English, Social Studies (Government), and Science (Biology) are under development and currently accepting registrations from general and special educators to attend two-week academies.

The purposes of the Academies are:



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- to improve participants knowledge of content subject matter and pedagogy to assist students in improving achievement and performance on the HSA.



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- develop a network of teachers who can share instructional strategies and effective lessons
- provide ongoing professional development during the school year with coaching and mentoring provided to participants.

## **6. Online Modules Are Available For Statewide Use**

There are currently two, online web-enhanced “trainer of trainer” modules, one in social studies (American Government), and one in mathematics (Algebra/Data Analysis). Eight districts have been trained and have incorporated the web-enhanced into their instructional delivery process. Social studies is currently identifying their “trainer of trainers” which are to include an instructional technology specialist, a special education teacher, a central office content specialist and other (ELL suggested), as was previously done in math. These modules serve as additional curriculum resources.

## **7. Professional Development Modules Will Be Available For Statewide Use Beginning With Schools In Year Two Of Improvement**

Currently under development are English/language arts instructional modules that engage participants in using the voluntary state curriculum in planning for instruction, making the instruction more accessible to students with disabilities, and strategizing for embedding scaffolded instruction into the planning/instructional delivery process to address diverse learning needs.

## **8. Collaborative Leadership Training**

Collaborative briefings for English/Language Supervisors and Directors/Supervisors of Special Education, and Mathematics Supervisors/ Directors/Supervisors of Special Education were held to provide strategies for; improving accessibility to the general education curriculum for students with disabilities, differentiating instruction to address diverse learning needs, and collaborating for more effective instructional planning and delivery.

Conferences held jointly with Assistant Superintendents of Instruction and Special Education Directors have focused on researched based interventions that are effective with students with disabilities and the evaluation of the impact of professional development provided for staff.

## **9. Survey Of Reading And Math Curriculum Materials In Use For Students With Disabilities**

At the request of local special education directors and our Reading First Office, STAR conducted a web-based survey of which reading interventions were being used by local school systems at the elementary, middle and high school levels. Reports were disseminated to all school systems with additional information about web contacts for the most frequently used reading intervention programs. The report was also distributed to assistant superintendents of instruction at our



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annual joint retreat with instruction and special education leadership from all 24 local school systems. Reading survey is included in this package of information.



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We are currently completing a similar survey of math programs being used at both the core text level and for interventions. This survey also included information about the settings where students with disabilities are receiving math instruction.



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### *Attachment C*

#### **Assessment Stakeholder Outreach**

##### **Representatives of the Maryland State Department of Education**

1. Carol Ann Baglin, Assistant State Superintendent, Div. Special Education/Early Intervention Services (DSE/EIS), Chair
2. Tom Barkley, Transition Specialist, DSE/EIS
3. Sharon Hall, Section Chief, Alternate Maryland School Assessment Program, DSE/EIS
4. Donna R. Riley, Policy & Resource Specialist, DSE/EIS
5. Susan Schaffer, Director, Work Force Technology Center, Division of Rehabilitative Services (DORS)

##### **Representatives of Local School Systems, including General and Special Educators, Administrators, Board Members, Student Services, Guidance Counselors, and Transition Specialists**

6. Ellen Schaefer, Supervisor, Department of Special Education, Montgomery County Public Schools
7. Dr. Karen Salmon, Superintendent Talbot County Public Schools,
8. Mr. James Lupis, Executive Director, Public School Superintendent Association of Maryland (PSSAM)
9. Mr. Allan Gorsuch, Director, Eastern Shore of Maryland Education Consortium
10. Jim Dryden, Executive Director, Maryland Association of Elementary School Principals (MAESP)
11. Clara Floyd, President, Maryland State Teachers Association (MSTA)
12. Michael Galassi, Special Services Vice President, Baltimore Teachers Union (BTU)
13. Sue Ann Tabler, Executive Director, Maryland Association of Secondary School Principals (MASSP)
14. Carl Smith, Executive Director, Maryland Association of Boards of Education (MABE)
15. Stacey Kopnitsky, Executive Director, Maryland Middle School Association (MMSA)
16. Roberta Strosnider, President, Maryland Chapter of Council of Exceptional Children (MD-CEC)
17. Helena Davis, Local School System Transition Specialist, Baltimore City Public Schools
18. Dr. Jodi French, Director, Special Education Services, Cecil County Public Schools
19. Pamela Pencola, Director, Special Education, Frederick County Public Schools
20. Bonnie Walston, Supervisor, Special Education, Wicomico County
21. Diane Black, Director, Special Education, Anne Arundel County Public Schools
22. Bobbie Pedrick, Special Education, Anne Arundel County Public Schools
23. Patty Daley, Coordinator, Special Education, Howard County Public Schools
24. Judy Glass, Director, Special Education, Baltimore County Public Schools



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25. Mr. Wade Blair, Guidance Counselor, Mary Moss Academy, Anne Arundel County Public Schools
26. Cydney Wentsel, Supervisor of Guidance and Counseling, Harford County Public Schools





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### **Representatives of Nonpublic Special Education Facilities**

27. Dorie Flynn, MANSEF
28. Revanette Gilmore, Villa Maria
29. Dr. Addys Karunaratne, Foundation School
30. Dr. Robin Church, Kennedy Krieger School
31. Gabrielle Miller, Kennedy Krieger School

### **Representatives of Advocacy Communities**

32. Dr. Karen Rigamonti, Chairperson, Special Education State Advisory Committee (SESAC)
33. Catriona Johnson, Director, Public Policy Initiatives, Developmental Disabilities Council (DDC) Dr. Carol Quirk, Maryland Coalition for Inclusive Education (MCIE)
34. Diane Sakwa, Families Involved Together, Inc.
35. Leslie Seid-Margolis, Maryland Disability Law Center
36. Jane Walker, Maryland Children's Mental Health Coalition
37. Jim McComb, Maryland Association of Resources for Families and Youth (MARFY)
38. Theresa LeMaster, Parent, U of MD Clinical Law Program – 1/20 only
39. Diane Cheslea, Learning Disabilities Association
40. Linda Spencer, Children and Adults with Attention-Deficit/Hyperactivity Disorder (CHADD) - 1/20 only

### **Representatives of Other State Agencies**

41. Jade Gingerich, Maryland Department of Disabilities (MDOD)
42. Elliott Schoen, Office of the Attorney General



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#### Attachment IV

To: Local Superintendents  
Assistant Superintendents for Instruction, Local Directors of Special Education  
Local Accountability Coordinators, Public Information Officers

From: Nancy S. Grasmick

Date: June 2007

Re: *2007 Maryland AYP Appeals Manual for Elementary, Middle, and High Schools*  
AYP Designations, Appeals Procedures, and File Submission

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#### ***MATERIALS ENCLOSED***

Enclosed is the *2007 Maryland AYP Appeals Manual for Elementary, Middle, and High Schools*, which will guide you through the steps necessary to research, document, and file appeals. This year we are distributing one appeals manual that includes information about appeals procedures for elementary, middle, and high schools. The *2007 Maryland AYP Appeals Manual* comprises the following sections: Background Information on AYP and School Improvement, Directions for Appeals Based on Data and Coding Problems, and Directions for Appeals Based on Medical Emergencies and Special Education (modified assessment appeal), and a special section Procedures for Submitting Student-Level Data Files.

#### ***ELEMENTARY AND MIDDLE SCHOOL AYP APPEALS PROCEDURES***

**You will receive preliminary AYP and Schools in Improvement information directly from MSDE's Division of Accountability and Assessment.** The information will include an embargoed list of the elementary and middle schools in your system that, based on 2007 Maryland School Assessment and Alternate Maryland School Assessment performance and attendance rates, have been identified for School Improvement for the 2007-2008 school year, are exiting School Improvement, or require Local Attention. Schools included in this list are elementary and middle schools only. Please note that the Title I designations are for the 2006-2007 school year. The list will be updated with the 2007-2008 Title I designations as soon as these are available. The list of high schools identified for School Improvement for the 2007-2008 school year will be released to you when the data becomes available.

#### ***Submitting Appeals***

Please submit appeals related to the list of elementary and middle schools so they are **received and signed for by the Office of Academic Policy by the announced deadline**, using the process outlined in the manual. The deadline for appeals for high schools will be announced later when the high school data is available. Please note that this year, local school systems are



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required to submit an electronic file of students who are being appealed on the basis of the modified assessment. Keep in mind, also, that if you are successful in appealing for data coding and/or medical emergencies, you may then want to submit appeals for modified assessments.

**All appeals should be accompanied by a cover letter signed by the superintendent that lists the schools whose AYP status you are appealing. Along with the letter, you must include the completed *Elementary/Middle/High School Appeals Form SY 2006-07* for each school for each type of appeal (page 61 in the manual).**

#### ***HIGH SCHOOL AYP APPEALS PROCEDURES***

The procedures for filing AYP appeals for high schools are included in this 2007 manual. The timetable for filing appeals for high schools will be announced prior to the release of the high school data.

If you have questions on the appeals process, please contact Dr. Ron Peiffer at 410-767-0473 or at [rpeiffer@msde.state.md.us](mailto:rpeiffer@msde.state.md.us). If you have technical questions on AYP results or data file submissions, please contact Dr. Leslie Wilson at 410-767-0073 or at [lewilson@msde.state.md.us](mailto:lewilson@msde.state.md.us). If you have specific questions about Part C of the manual regarding students with disabilities, please contact Dr. Carol Ann Baglin at 410-767-0238 or at [cbaglin@msde.state.md.us](mailto:cbaglin@msde.state.md.us). We hope that this information is helpful to you as you prepare your appeals.

I thank you and your staff in advance for your cooperation as we move forward. If you have any follow-up questions or concerns, please feel free to contact me.

NSG:rap:sks

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Maryland

**Adequate Yearly Progress**

**Appeals Manual**

**For Elementary, Middle, and High**

**Schools 2007**

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June 2007



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### D. Procedures for Submitting Student-Level Data Files

## A.1 Introduction

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The *Maryland Adequate Yearly Progress Appeals Manual for Elementary, Middle, and High Schools 2007* provides you with procedures for developing an appeal to the Maryland State Department of Education for schools for which you think the initial Adequate Yearly Progress (AYP) designation should be revisited. School systems can appeal school AYP designations for three reasons:

- **Coding Errors.** Students are miscoded or attributed to the wrong group, subgroup, or school, or there are data problems. This would include errors in coding participation.
- **Serious Medical Emergency.** A student was unable to take the State assessment or the make-up exams due to a serious medical emergency.
- **Special Education.** Only those schools that did not achieve AYP for special education subgroup only (certain conditions apply) are eligible for this appeal.

Section A of this manual outlines the criteria by which MSDE determines AYP for a school and School Improvement status for the coming year. Note that A.2 outlines the schedule of data releases and other activities regarding AYP and School Improvement over the coming months. Reference charts are also included to aid you in understanding and communicating procedures to school staffs. Sections B and C provide specific directions for determining if the AYP designation for a school should be appealed. Section D provides the procedures that must be followed by the local school system to submit changes to the student-level data file.

Names of Department staff and their contact information are provided in each section for your assistance.

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## A.2 2007 Process for AYP appeals activities

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(Specific dates for the following activities will be announced.)

*Below is the process for the release of the MSA results and AYP for elementary and middle schools..*

The embargoed AYP data file, upon which the preliminary Schools in Improvement list is based, is sent to local accountability coordinators so they can analyze the data and begin working on any appeals of AYP status.

**MSA, Alt-MSA, and attendance data will be released publicly via a news release and published on MSDE's Report Card Web site: [www.mdreportcard.org](http://www.mdreportcard.org).**

The preliminary AYP data and Schools in Improvement list will not be made public at this time, as these are subject to change due to appeals.

School systems likely will not be submitting appeals for most schools and, therefore, should begin as soon as possible to notify parents of students in affected Title I schools of their school choice and supplemental educational services.

**Appeals must be received and signed for in MSDE's Office of Academic Policy by the announced deadline.** Appeals will be processed in the order received.

Local school systems will receive information on the planning requirements for the schools and systems at each level of improvement and specific guidelines for corrective action and restructuring plans.

Public release of AYP data for elementary and middle schools, and public release of elementary and middle Schools in Improvement list. (Please note, the Schools in Improvement list is based on schools operating in the 2006-07 school year.)

*Below is the process that will be followed for the release of the HSA results and AYP for high schools when that information is available.*

School systems can begin work on high school appeals as soon as they receive the data on the High School Assessments in algebra/data analysis, biology, English, and government and preliminary AYP

## A.2 Process for AYP appeals activities

status. The process for submitting appeals for high schools is the same as the process for elementary and middle school appeals.

Algebra/data analysis, biology, English, and government HSA data will be released publicly. Preliminary AYP status will not be released publicly at that time.

Deadline for submitting appeals will be announced.

Final AYP status for high schools will be published on the Web and the list of High Schools in Improvement will be released publicly following the conclusion of the appeals process.



## A.3 How MSDE determines a school's AYP status

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### **Achieving Adequate Yearly Progress**

For a school to achieve Adequate Yearly Progress (AYP), it must achieve all of the targets or Annual Measurable Objectives (AMOs) in a particular year. Nineteen group and subgroup checks for AMOs must be met for a school to achieve AYP, and elementary and middle schools must meet the 95% participation requirement. Participation is not a factor at the high school level. The end-of-course High School Assessments used to measure reading and math progress are required for graduation, so participation is considered to be 100%.

Not making AYP does not automatically identify a school for School Improvement. For example, in some instances, a school will not achieve a target in one subject in a particular year. The next year the school may make the target in that subject but miss it in another subject. Such schools will not be identified for School Improvement.

### **Annual Measurable Objectives**

The AMOs for reading performance, math performance, and the other academic indicators increase each year. The AMOs for the current and next years can always be found on the Report Card Web site, [www.mdreportcard.org](http://www.mdreportcard.org). From the page displaying the state, system, or school Adequate Yearly Progress status chart, click on the blue links for reading and math proficiency and the links for attendance, graduation, and/or dropout rate.

### **Entering School Improvement**

Schools that do not meet targets in the same subject for two or more consecutive years are identified for School Improvement. Same subject is defined as reading (participation or performance) or mathematics (participation or performance) or other academic indicator (attendance or graduation rate). See Section A.4 for more information on State School Improvement.

### **95% Participation Requirement for Elementary and Middle Schools**

A 95% participation rate is required. The participation rate calculation is based on the number of students enrolled during the testing window.

Maryland's method for checking and ensuring a 95% participation rate remains unchanged. Participation rate is computed for each subgroup, and in the aggregate, for each of the reading and mathematics assessments by dividing the number of students present in each testing group by the number of enrolled students in that group. The participation rate is calculated for each subgroup and for the aggregate separately in each of reading and mathematics assessments where a group includes at least:

- i. 30 students for schools with one grade tested,
- ii. 60 students for schools with two or more grades tested, or
- iii. 60 students for school systems.

Groups not meeting the minimum criteria listed are not checked for participation rate. (Note the minimum group size (N) for checking performance remains 5.)

**Adequate Yearly Progress Overview**

- To make AYP, a school must meet the annual measurable objective in all 19 cells shown below and elementary and middle schools must meet the 95% participation rate for groups and subgroups.
- A school is identified for School Improvement only if it does not meet targets in the same subject—reading (performance or participation), mathematics (performance or participation), or other academic indicator—for two consecutive years. In high schools, reading and mathematics are measured by the High School Assessment in English and algebra/data analysis, respectively. The “other academic indicator” is attendance for elementary and middle schools and graduation rate for high schools. Some atypical high schools may use dropout rate.

All Students Subgroups of Students		Adequate Yearly Progress		
		Reading (performance and participation)	Mathematics (performance and participation)	Other Academic Indicator
All Students				
Race/ Ethnicity Subgroups	Am. Ind./Native Amer.			
	Asian/Pacific Islander			
	African American			
	White (not of Hispanic origin)			
	Hispanic			
Special Services Subgroups	Special Education			
	Limited English Proficient			
	Free/Reduced Price Meals			

**USING THE SAFE HARBOR PROVISION**

If a school does not meet the AMO for each subgroup, federal rules include a provision called Safe Harbor that still allows a school to make AYP if the school:

- Meets all participation requirements, meets all AMOs in the aggregate, the percentage of students achieving below the proficient level in that subgroup decreases by 10 percent, **and**
- For elementary and middle schools: if the subgroup that did not meet the AMO shows improvement in that subgroup’s attendance rate or meets the attendance AMO.

### A.3 How MSDE determines a school's AYP status

- For high schools: if the subgroup that did not meet the AMO shows improvement in that subgroup's graduation rate or meets the graduation AMO.

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## A.4 How AYP status relates to School Improvement

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### **What should I do with the list of schools NOT achieving AYP?**

Please note the descriptions below and use this reference document to check the status of each school on your list.

### **When does a school NOT achieve AYP?**

A school does not achieve AYP when it does not meet the 95% participation rate requirement for all students and for subgroups, or when it does not achieve...

- the Annual Measurable Objective (AMO), or
- the bottom limit of the confidence interval, or
- Safe Harbor (see page 6)

for any group or subgroup in reading or mathematics, or for overall performance on the other academic indicator (attendance or graduation rate). High schools are not subject to the 95% participation requirement.

A school not achieving AYP does not necessarily go into School Improvement.

### **When does a school move into the School Improvement process?**

A school is placed in School Improvement Year 1 if it does not meet the targets in the same subject for two or more consecutive years. Same subject is defined as reading or mathematics or other academic indicator (attendance or graduation rate). Elementary and middle schools must also meet the 95% participation requirement in the tested area.

- **Reading.** For example, a school that does not achieve the reading AMO for any of the student subgroups for two years in a row will be placed in School Improvement Year 1. An elementary or middle school that does not achieve a reading AMO one year and does not meet the participation requirement in reading the next year would also be placed in School Improvement.
- **Mathematics.** The same would be true if the elementary or middle school did not achieve the mathematics AMO and/or meet the participation requirement in mathematics for two years in a row.
- **Other Academic Indicator.** A school not achieving the AMOs for either attendance or graduation rate or not showing improvement over the previous year will enter the School Improvement process as well.

### **When does a school move out of School Improvement?**

A school can move out of School Improvement only when it makes Adequate Yearly Progress for two consecutive years. To make AYP, an elementary or middle school must meet the 95% participation requirement and achieve all AMOs. (See the chart on page 6.)

Schools changing their AYP status based on 2007 MSA results and attendance will be one of the following:

- **School Improvement Year 1**
  - Newly Assigned Year 1 Schools Missed targets (AMOs) in one or more subgroups in the same subjects two years consecutively (2006 and 2007). These schools are now assigned School Improvement Year 1 status. For example, if a school does not achieve AMOs in special education reading in 2006 and in LEP reading in 2007, the school is assigned to School Improvement Year 1 beginning in the fall of 2007.
  - Holding Year 1 Schools A school will maintain its 2006-2007 status in 2007-2008 if it has achieved the targets in the subject where it previously failed to meet targets.
- **School Improvement Year 2, Corrective Action, and Restructuring Years 1 and 2**
  - Previously Assigned School Improvement Schools Schools that have continued to miss targets in the same subject will be moved to the next stage of School Improvement, or
  - Holding School Improvement Schools A school will be frozen at its 2006-2007 status for 2007-2008 if it has achieved targets in the reported area *where it previously failed to meet the target (AMO)*.
    - Such a school must avoid failing any targets in the future. It must make AYP for two years in order to exit.
- **Schools Exiting School Improvement**
  - A school will exit School Improvement when it makes Adequate Yearly Progress overall for two consecutive years.
- **Schools Requiring Local Attention**
  - Schools Not Achieving AYP for the First Time These are schools that met all AYP targets in 2006 but missed one or more of the targets for the first time in 2007. (These schools must achieve all 2008 AYP targets in the subject in which they failed in 2007.)  
  
or
  - Schools Not Achieving AYP for a Second Year, but Missed the Targets in a Different Subject These are schools that missed targets in one subject only in 2006, are now achieving targets for

#### A.4 How AYP status relates to School Improvement

that same subject in 2007, but are now missing targets in *another* reported area for 2007. These schools are also alerted that they cannot miss additional AMOs in 2008 in the reported area in which they failed to achieve targets in 2007. Again, these schools are *not* placed in School Improvement, but they should be aware of their possible status if continued failures occur.

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## A.5 How schools progress through School Improvement

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### Identification and Progression

Schools that do not meet the targets—Annual Measurable Objectives for performance and, for elementary and middle schools, 95% participation—in the same subject for two or more consecutive years are identified for School Improvement. Same subject is defined as reading, mathematics, or other academic indicator.

A school is held at the previous year’s School Improvement status if it achieves all the targets in the subject for which it was identified for School Improvement. A school exits School Improvement when it achieves all the targets (i.e., makes Adequate Yearly Progress) two years consecutively.

Figure 1 below outlines the five consecutive steps in the School Improvement Process. Schools requiring local attention are shown for contextual purposes only. There is no state requirement for schools requiring local attention.

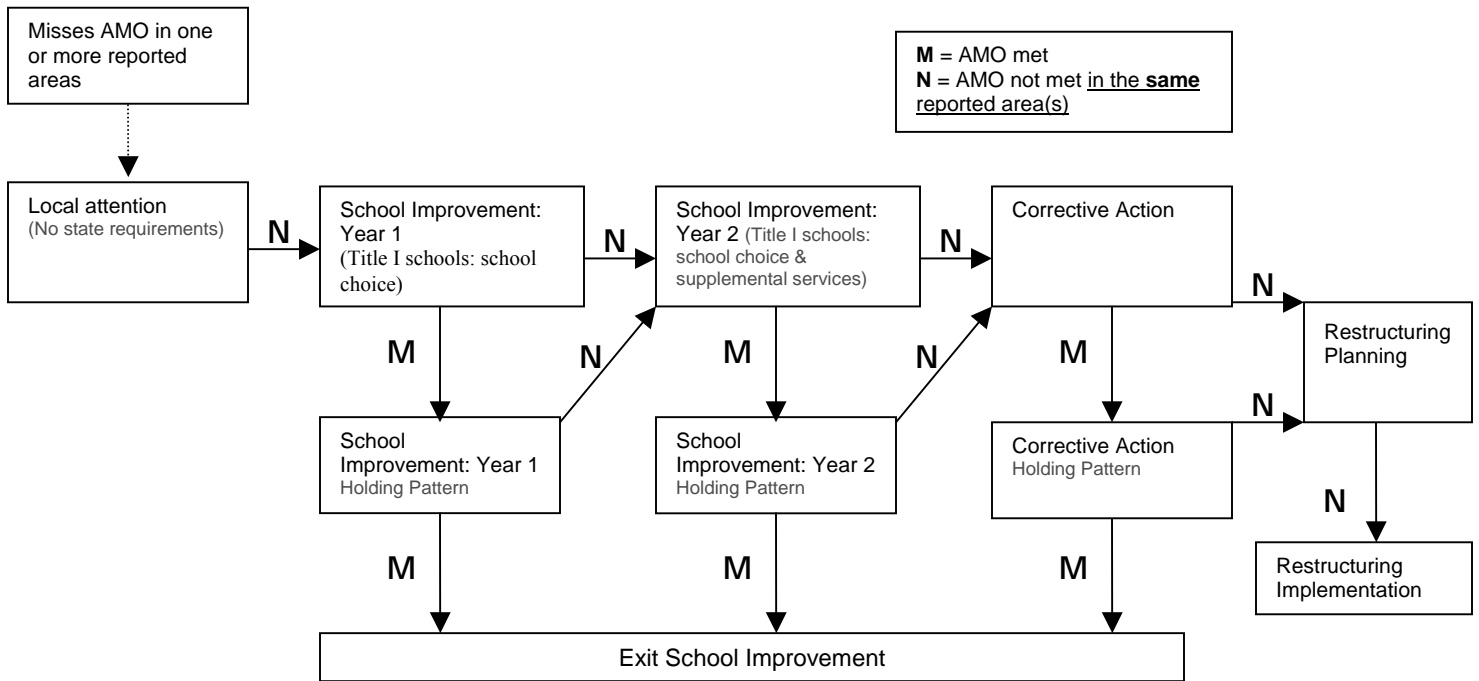
**Figure 1**

Failure to achieve a target in a subject for the first time.	=	<b>Local Attention</b>
Failure to achieve a target in the same subject.	=	<b>School Improvement Year 1</b>
Failure to achieve a target in the same subject after one year in improvement.	=	<b>School Improvement Year 2</b>
Failure to achieve a target in the same subject after two years in improvement.	=	<b>Corrective Action</b>
Failure to achieve a target in the same subject after a full year in corrective action.	=	<b>Restructuring Planning</b>
Failure to achieve a target in the same subject after a full year in restructuring planning.	=	<b>Restructuring Implementation</b>

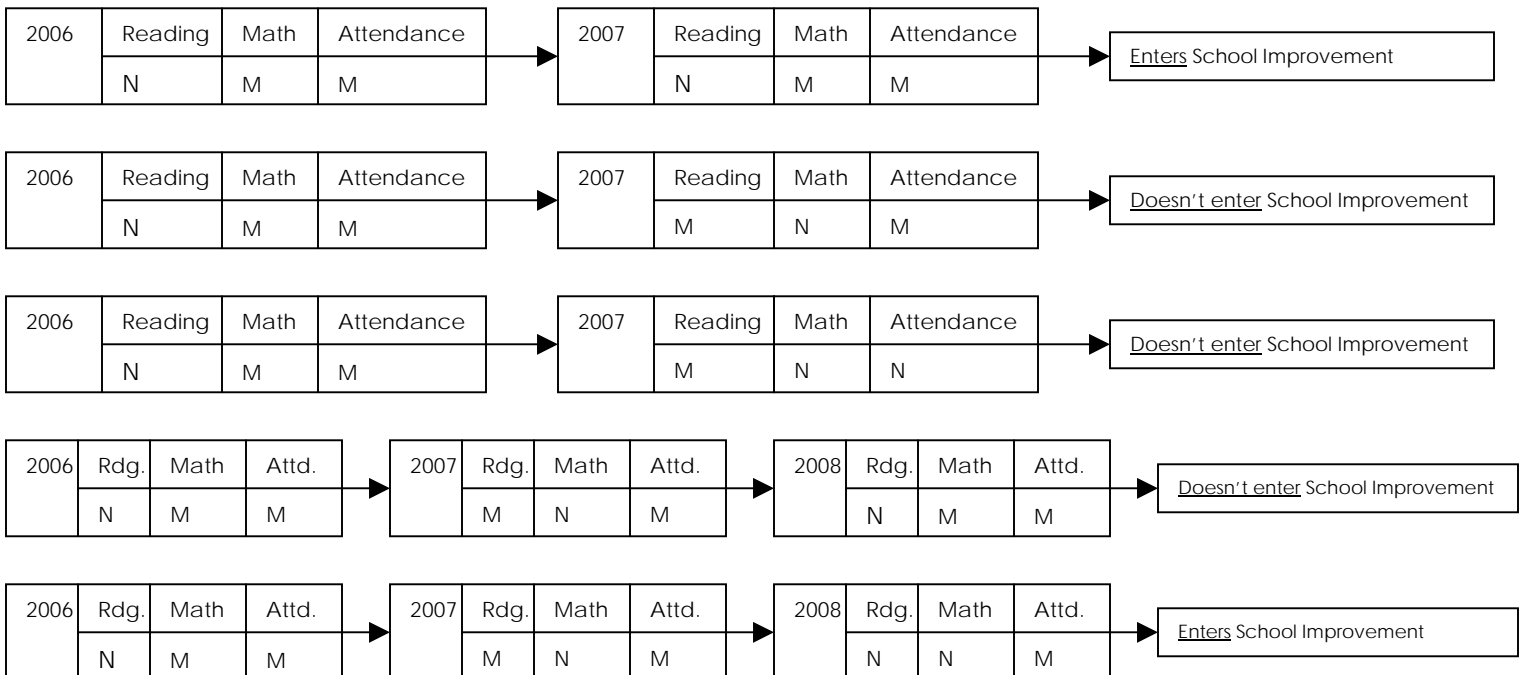
A.5 How schools progress through School Improvement

Figure 2

There are **three reported areas** included in AYP calculations—**reading, math, and other academic indicator** (which is attendance rate for elementary & middle schools and graduation rate for high schools). In order to advance through the School Improvement Process, schools must miss the AMO for all students or for any subgroup of students **in the same reported area** for two consecutive years.



Consider these scenarios . . .





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## A.6 How to plan for remaining 2007 AYP releases

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### **PREPARING FOR THE RELEASE OF DATA FOR ELEMENTARY AND MIDDLE SCHOOLS**

Elementary and Middle Schools It is estimated that the first round of AYP data as described in this manual will be released in early June. At the elementary and middle school levels, we report reading, mathematics, and attendance—the data needed to make AYP designations for those schools. School systems will have 20 days beginning the day the data is released to the local system to file appeals. After the appeal process is completed, MSDE will release the status for elementary and middle schools and the list of elementary and middle schools in improvement.

### **PREPARING FOR THE RELEASE OF DATA FOR HIGH SCHOOLS**

High Schools School systems will begin receiving data on the High School Assessments in algebra/data analysis, biology, English, and government and preliminary AYP data with which to start working on appeals about the end of July. HSA data will be released publicly, but the preliminary AYP data will not. School systems will have 20 days beginning the day the data is released to the local system to file appeals. The HSA scores in biology and government are not used to calculate AYP.

At the conclusion of the final AYP process, MSDE will publish the status for high schools and list of high schools in improvement.

School Systems Once school AYP status is complete, MSDE can determine System Improvement status.

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## B.1 How to appeal a school's 2007 AYP designation

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### LOCAL SCHOOL SYSTEM NEXT STEPS

The following steps should be taken after you receive the list of schools identified for your school system:

1. Review the list of schools and confirm their present (2006-2007) status and the status they will enter in 2007-2008. Schools will be listed as follows:
  - Schools in School Improvement
  - Schools Exiting School Improvement
  - Schools Requiring Local Attention (There is no state requirement for Schools Requiring Local Attention.)

These categories are shown on the "School Progression" chart (A.5).

If you have questions about the placement of any school, please contact the Office of Academic Policy (Sandy Shepherd at 410-767-0476 or [sshepherd@msde.state.md.us](mailto:sshepherd@msde.state.md.us)) to discuss your question.

2. Review the AYP data for each school to determine if the data are correct. The data are available in the data files transmitted to your local accountability coordinator.
3. Determine if you wish to file an appeal with MSDE. In previous years, common errors on which appeals were based included the following state or local errors:
  - *Miscoding* Most discrepancies in data resulted from students whose records were incorrectly attributed to the wrong category. For instance, a regular education student may have been coded improperly and identified inaccurately as a special education student.

## B.1 How to appeal a school's AYP designation

- *Full academic year* For elementary and middle schools, ensure that students included in calculations have been in the school for a full academic year (e.g., enrolled in the school on September 30 of the school year). This is only applicable to elementary and middle schools.
4. Compile documentation for your appeal. If you believe that there are coding or mathematical errors in the identification of any school that merit an appeal, you should compile appropriate documentation to support your appeal. Documentation should include:
- photocopies of appropriate student records,
  - a detailed explanation of the rationale for the appeal outlining the suspected source of error, and
  - other supporting information as appropriate.

**Submit all appeals to Dr. Ronald Peiffer, Deputy State Superintendent for Academic Policy, to ensure receipt at MSDE by close of business on day of the announced deadline. Obtain a signed copy of your system cover letter from the Office of Academic Policy.** If you have any questions about the appeal process, contact Dr. Peiffer at 410-767-0473 or [rpeiffer@msde.state.md.us](mailto:rpeiffer@msde.state.md.us).

## Title I Schools

5. Prepare for Title I requirements. Develop your list of receiving schools to which students may transfer. Parents of students in Title I schools that are identified as newly entering School Improvement Year 1 or continuing in Year 2 or beyond must be offered the choice of transferring their children to one of these schools. More than one school must be offered for School Choice.

Contact Maria Lamb (410-767-0286) in MSDE's Title I office to assist your local staff in ensuring that you meet the requirements associated with this offering.

6. Identify Supplemental Educational Services options. Develop your slate of supplemental educational services options to offer parents of Title I eligible students who are attending schools newly entering or currently in School Improvement Year 2. The local list of options must be developed from the state list of approved supplemental educational services. Questions should be referred to Maria Lamb.

7. Notify Title I parents of options Communicate to parents of affected Title I schools as quickly as possible the options you will offer them for school choice and supplemental educational services. An aggressive communication plan is critical to ensure that all parents are aware of their options under federal law. Maria Lamb will assist local staff in ensuring that they meet the requirements outlined in state and federal law.

## B.2 How to develop the letter for an appeal based on data and coding problems

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There are several possible causes for appeals. The appeal letter should be explicit in its introduction so the MSDE reviewers can understand the cause for the appeal (coding or data problems, medical exemptions, or special education). It is possible that an appeal for any one school may have multiple causes. These directions are specific to appeals letters regarding data and coding problems. Please refer to section C of this manual for additional specifications for letters regarding medical exemptions or special education students.

The format for the appeal letter for data and coding problems is similar to that used in 2006. The letter should come from the local superintendent and include adequate information so MSDE can review the documentation, complete the verification, and act on the request. Be sure to submit the completed *Elementary/Middle/High School Appeals Form 2006-07* for each school (page 61). It is important to include accurate and complete documentation to expedite the review process. As you begin the letter, please adhere to the following:

- The superintendent must sign the appeal. An appeal cannot be filed by a principal of a school or by a central office employee other than the superintendent.
- A school system contact name, phone number, and email address must be included so that MSDE can follow up with additional questions and requests if necessary.
- The letter should include a detailed explanation for the appeal, including a description of the documentation that is enclosed.
- The letter must identify the school number and school name. If the school has changed name or number in the last year, please ensure that changes are cited and explained. If the school grade configuration has changed in the past year, please describe that change to the reader.
- For students whose records are involved in the appeal, it will be critical to have the full names of the students and the student number.
- Data reports and student record cards that support the argument for the appeal and are cited in the body of the letter should be photocopied and attached to the letter.

If you have questions about the structure or details of the appeals letters or attachments, please feel free to contact Leslie Wilson in the Division of Accountability and Assessment at 410-767-0073 or by email at [lewilson@msde.state.md.us](mailto:lewilson@msde.state.md.us). All appeals letters must be received by close of business on the day of the announced deadline.

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## C.1 Appealing AYP based on a medical emergency

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The United States Department of Education granted Maryland permission to omit students from the performance calculation when such students cannot take the State assessment during the entire testing window, including the make-up dates, because of a significant medical emergency.

A significant medical emergency is a significant health impairment that renders the student incapable of participating in ANY academic activities, including state assessments, for the primary and make-up testing window. Examples might include hospitalization for a life-threatening condition or a serious car or other accident. Determination of a “significant medical emergency” must be made by a medical doctor and documentation must be kept available at the district for review.

For the 2007 administration of MSA and for AYP purposes, this year, MSDE will offer school systems the opportunity to identify any such cases where significant medical emergencies have resulted in absence from testing. The school system can file an appeal with MSDE with documentation so that a recalculation of scores and AYP could be pursued. It is expected that school systems maintain appropriate documentation for such students who have been determined by a medical practitioner to be incapacitated to the extent they are unable to participate in the appropriate State assessment. Recognizing medical confidentiality guidelines, appeals letters will be accepted on this topic.

Questions on this issue can be directed to Leslie Wilson at 410-767-0073.

## C.2 How to develop the letter for an appeal based on a medical emergency

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As with the data and coding appeals letters, the letter should come from the local superintendent and include adequate information so that the MSDE can review the documentation, complete the verification, and act on the request. It is important that accurate and complete documentation be included to expedite the review process. Please note that you should file only one letter per school, and the letter should include all of the issues that you wish to resolve via appeal. In addition, please complete the *Elementary/Middle/High School Appeals Form 2006-07* (page 61) for each school and each appeal.

As you begin the letter, please adhere to the following:

- The superintendent must sign the appeal. An appeal cannot be filed by a principal of a school or a central office employee other than the superintendent.
- A school system contact name, phone number, and email address must be included so that MSDE can follow up with additional questions and requests if necessary.
- The letter should include a detailed explanation for the appeal, including a description of the documentation that is enclosed.
- The letter must identify the school number and school name. If the school has changed name or number in the last year, please ensure that changes are cited and explained. If the school grade configuration has changed in the past year, please describe that change to the reader.
- For any student for whom a medical exemption from AYP is requested, it will be critical to have the full name of the student and the student number. Determination of a “significant medical emergency” must be made by a medical doctor and documentation clearly outlining the significant medical emergency causing absence from the test administration is necessary. Dates must be included in documentation so that it is clear that the absence is directly related to the medical emergency. This documentation must be kept available at the district for review.

If you have questions about the structure or details of the appeals letters or necessary attachments, please feel free to contact Leslie Wilson in the Division of Accountability and Assessment at 410-767-0073 or by email at [lewilson@msde.state.md.us](mailto:lewilson@msde.state.md.us). Due date for all appeals letters is by the close of business on the day of the announced dateline.

## C.3 Appealing AYP based on students with disabilities

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### **Background**

MSDE is planning to implement a modified assessment based on grade-level, modified academic achievement standards aligned with the student's academic content standards. In the interim, for 2007, MSDE is giving school systems the opportunity to appeal the AYP status for an individual school if that school did not achieve AYP in the special education subgroup only. Schools failing to achieve AYP for multiple subgroups are not permitted to appeal.

The 2007 interim AYP determination uses a procedure that essentially simulates the impact a modified assessment might have had on AYP results for 2007 only. It permits a school to determine if its failure to achieve AYP in the special education subgroup for reading and mathematics is due to students who would have been eligible to take the modified assessment if it had been in place in the 2006-2007 school year.

Section C5 in this manual contains an explanation and rubric to use in determining if students would have been eligible to take the modified assessment. If a school has not met AYP because of the special education subgroup only, then the school IEP team may review the IEPs for students with disabilities and determine if any student's IEP indicates that the student would have been eligible to take the Mod-MSA or Mod-HSA.

### **Summary of Rules**

If the school meets the following criteria, the local school system may submit an appeal of the school's AYP status with supporting evidence:

- It did not achieve AYP in 2007 for special education subgroup only,
- It has students who would have been eligible to take the modified assessment, and
- The number of students eligible to take the modified MSA (or modified HSA) and not passing the MSA (or HSA) is adequate to have caused the school to achieve AYP had those students achieved a proficient score on the modified assessment.

A detailed rubric identifies the specific instructional record and components that must be present in a student's IEP to substantiate the student's eligibility to take the Mod-MSA or Mod-HSA. The supporting documentation provided by the school's IEP team must be sufficient to substantiate that the student would have been eligible to take the Mod-MSA or the Mod-HSA.



### C.3 Appealing AYP based on students with disabilities

The appeal will be reviewed by MSDE, and if it is determined that documentation is adequate to demonstrate that the students being appealed would have been eligible to take the Mod-MSA or Mod-HSA, and if the AYP recalculation shows that the school now meets AYP, then the school will be declared as making AYP. School Improvement decisions will be made based on existing decision rules using the updated AYP status.

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## C.4 Determining if a school might qualify for the appeal

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Use this worksheet to determine if a school might qualify for an appeal based on students with disabilities who would have been eligible for the Modified Maryland School Assessment (Mod-MSA) or Modified High School Assessment (Mod-HSA).

What you need to complete this sheet:

- ✓ Data from the AYP file provided to Local Accountability Coordinators.
- ✓ The number of students the school has identified as students who would have been eligible for a Mod-MSA or Mod-HSA administration. (See section C.5 of this manual.)

### Directions

- Review the attached example.
- Using the school's 2007 AYP data, enter the required data into the worksheet.
- Complete the calculations
- Based on the decision in Step h, check the appropriate conclusion at the bottom of the sheet (page 23).
- Submit this sheet along with the appeal for any qualifying school.

(Note: Schools with the special education subgroup failing to meet the 2007 AMO for *both* reading (or English) and mathematics (or algebra/data analysis) will require completion of this worksheet for *both* content areas, and are only eligible for an appeal if *both* worksheets result in a "yes" decision for Step 3.)

C.4 Determining if a school might qualify for the appeal

**Example**

LEA: XYZ

School Name: Hopeful Elementary

Content: (check) Reading

Mathematics

**Decision Process**

1. Is the special education subgroup the only subgroup failing to achieve the 2007 AMO or Safe Harbor? If YES, continue. If NO, the school is not eligible for appeal.

2. Computation:

a. Number of students in the special education subgroup =

b. Percentage of students in the special education subgroup scoring proficient =

c. Number of students in the special education subgroup scoring proficient =

d. Bottom of the confidence interval for the special education subgroup (enter with decimal moved 2 places to the left) =

e. (d) X (a) [Bottom of the confidence interval times the number of students in the special education subgroup] =

f. (e) – (c) = Number of students not proficient and possibly contributing to school's failure to meet AYP (result **MUST** be rounded up to next highest integer) =

g. Number of special education students whose IEPs and documentation show they would have been eligible to participate in the modified administration (see section C.5) =

h. If (g) is greater than or equal to (f), the district should file an appeal of AYP status on behalf of the school.

3. Conclusion: File appeal?

**Reminder:** If the school does not meet the 95% participation rate for the special education subgroup, then the school would have to successfully appeal special education participation, in addition to successfully appealing for the Modified Assessment, in order to make overall AYP.

**Worksheet**

**LEA:** \_\_\_\_\_

**School Name:** \_\_\_\_\_

**Content:** (check)    Reading             Mathematics

**Decision Process**

1. Is the special education subgroup the only subgroup failing to achieve the 2007 AMO or Safe Harbor? If YES, continue. If NO, the school is not eligible for appeal.

- 1. Computation:
  - a. Number of students in the special education subgroup =  (a)
  - 2. Percentage of students in the special education subgroup scoring proficient =  (b)
  - 3. Number of students in the special education subgroup scoring proficient =  (c)
  - 4. Bottom of the confidence interval for the special education subgroup (enter with decimal moved 2 places to the left) =  (d)
  - 5. (d) X (a) [Bottom of the confidence interval times the number of students in the special education subgroup] =  (e)
  - 6. (e) – (c) = Number of students not proficient and possibly contributing to school’s failure to meet AYP (result **MUST** be rounded up to next highest integer) =  (f)
  - 7. Number of special education students whose IEPs and documentation show they would have been eligible to participate in the modified administration =  (g)
  - 8. If (g) is greater than or equal to (f), the district should file an appeal of AYP status on behalf of the school.

2. Conclusion: File appeal?             YES             NO

**Reminder:** If the school does not meet the 95% participation rate for the special education subgroup, then the school would have to successfully appeal special education participation, in addition to successfully appealing for the Modified Assessment. in order to make overall AYP.

## C.5 Determining if students meet the criteria for the appeal

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In Maryland, consistent with IDEA and the requirements of the Individuals with Disabilities Education Act and Section 1111 of the Elementary and Secondary Education Act (No Child Left Behind Act), all students with disabilities are included in all general state and district-wide assessments. IDEA emphasizes providing students with disabilities access to the general curriculum. All students, including students with disabilities, are expected to receive instruction consistent with Maryland's Voluntary State Curriculum (VSC), based on the grade-level Maryland Content Standards and Core Learning Goals, and must be assessed consistent with grade-level reading and math content. To determine adequate yearly progress (AYP) under NCLB, all students, including students with disabilities, are assessed in reading and math in grades 3 through 8, and once during the high school grades.

Students with disabilities are expected to participate in the MSA and HSA unless the IEP team determines that even with accommodations, the student is to participate in an alternate assessment. Alternate assessments must be available for those students who cannot participate in the MSA or HSA with accommodations as indicated in their IEPs. The alternate assessments include the following:

- Alt-MSA for students with significant cognitive disabilities who are participating on alternate academic achievement standards (limited to reporting 1% of those scoring proficient); or
- Mod-MSA or Mod-HSA for students with academic disabilities who with access to the general education curriculum will participate in modified academic achievement standards aligned with the student's grade-level academic content standards (limited to reporting 2% of those scoring proficient).

### **Maryland's Implementation Procedures**

Consistent with the requirements of the individualized education program (IEP) process, the IEP Team will apply the policy and the rubric to a review of the IEPs to determine that the students who would have been eligible for the Mod-MSA or Mod-HSA would be identified based on their individual evaluation information and the instructional and service information on their IEPs. To ensure that the students eligible to participate in the Mod-MSA or Mod-HSA have received access to grade-level academic content standards, a rigorous process has been developed, reviewed, and revised to reflect the federal guidance. The Mod-MSA is based on modified achievement standards aligned with the student's grade-level academic content standards for students with disabilities. These are students who are not proficient, even with full access to the general education curriculum. The students who would be eligible would participate in the Mod-MSA in grades 3-8, or the Mod-HSA in the high school grades, and score proficient and will be capped at 2%.

Mod-MSA results are to be reported at three proficiency levels (Basic, Proficient, and Advanced) as part of the State accountability program. Results from the Mod-MSA (or Mod-HSA) will be aggregated with those from the MSA and Alt-MSA (or HSA) for accountability purposes.

**The following forms must be used for IEP meetings**  
**dated prior to and including June 5, 2007.**

## **Criteria for Identifying Students with Disabilities for Participation In a Mod-MSA**

A student who would have been eligible for the Mod-MSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEP. The student would be identified as appropriate for instruction and assessment using modified academic content standards. The student would have been identified as meeting **each** of the following criteria:

- The student is learning using modified academic content standards in reading **and/or** mathematics.

**AND**

- The student requires and receives modifications during assessments and instruction, in addition to specific accommodations. These testing/assessment and instructional modifications may include: reduced complexity of language, paraphrasing of reading passages, reduced number of test items, reduced amount of content to learn, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, and spell check.

**AND**

- The student requires the use of a modified general curriculum that is aligned with the Maryland Content Standards for the student's grade level but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.

**AND**

- The student must have had at least three consecutive years of individualized intensive instruction in reading **and/or** mathematics consistent with his/her IEP (beginning with the most recent year), and although progress toward grade level standards was made, he/she is not yet making progress at grade level.

**AND**

- The student must demonstrate that he/she cannot attain proficiency in actual grade-level MSA, even with the provision of accommodations.

**This criteria document may ONLY be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the revised criteria document dated June 5, 2007 MUST be used for identifying students with disabilities for participation in the Mod-MSA for reading and/or mathematics.**

## **IEP Teams are required to complete the IEP Team Decision-Making Model for each student being considered for appeal.**

This decision-making model must be utilized by IEP Teams in schools that did not meet AYP (during the 2006-2007 administration of the MSA) based solely on special education as a subgroup, if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened to make decisions based upon the 06-07 IEP in effect during the administration of the MSA. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-MSA. Beginning with the 2007-2008 school year, students who meet the criteria below may be eligible to participate in the Mod-MSA program.

### **COMPLETE FOR EACH STUDENT APPEAL IN SPECIAL EDUCATION SUBGROUP**

**(All items must be completed and submitted at time of appeal or the appeal will not be reviewed.)**

Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID#: \_\_\_\_\_

D.O.B. \_\_\_\_\_ Disability Code: \_\_\_\_\_

Check each content area(s) being appealed: \_\_\_\_\_ Reading \_\_\_\_\_ Mathematics

IEP Team Chair: \_\_\_\_\_

***(Team Chair signature verifies that all established criteria were considered.)***

Team Members: **Original Signatures / Titles**

General Education Teacher: \_\_\_\_\_

Special Education Teacher: \_\_\_\_\_

Team Member (Individual Who Is Qualified to Interpret Assessment Results):

\_\_\_\_\_

Parent/Guardian\*: \_\_\_\_\_

Others: \_\_\_\_\_

***\*If the parent does not attend the meeting and sign this form, attach documentation of parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.***



This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be used for identifying students with disabilities for participation in the Mod-MSA for reading and/or mathematics.

### IEP Team Decision-Making Model

The IEP Team must convene and determine if:

- ✓ The student is learning using modified academic content standards in:  
Reading     Yes     No    Mathematics     Yes     No
- ✓ The student requires and receives modifications during instruction and assessments, in addition to accommodations. These instructional and testing/assessment modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, paraphrasing of reading passages, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, and spell check.  
 Yes     No
- ✓ The student requires the use of a modified general curriculum. The curriculum for the student is aligned with the Maryland Content Standards for the student's grade level, but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.     Yes     No
- ✓ The student must have had at least three consecutive years of individualized intensive academic instruction intervention in reading and/or mathematics consistent with his/her IEP, and although progress toward grade-level standards was made, he/she is not making progress at grade level.     Yes     No
- ✓ The student must demonstrate that he/she cannot attain proficiency in his/her actual grade-level MSA, even with the provision of accommodations.  
 Yes     No

In addition, the IEP Team is required to respond to the following:

- **Alt-MSA:** This student is not eligible to participate in the Alt-MSA.  
 Yes     No
- **General Curriculum:** How the student's disability affects involvement and progress in the general curriculum.  
 List page(s) of IEP that reflects this consideration \_\_\_\_\_
- **Modified General Curriculum:** The goals and objectives on the student's IEP require a modified general curriculum in:  
 Reading List page(s) of IEP that reflect modifications \_\_\_\_\_  
 Math List page(s) of IEP that reflect modifications \_\_\_\_\_

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be used for identifying students with disabilities for participation in the Mod-MSA for reading and/or mathematics.

**Grade-Level Proficiency:** The instructional performance grade levels in reading and/or mathematics identified on the IEP, as measured by formalized assessment instruments or district-wide assessments that are designed for standardized assessment of achievement, are substantially below grade level.

Reading     Yes     No                      Mathematics     Yes     No

**If yes,** specify the instructional performance grade levels in reading and/or mathematics identified on the IEP, as measured by formalized assessment instruments or district-wide assessments designed for standardized assessment of achievement, that are substantially below grade level.

Reading \_\_\_\_\_

Math \_\_\_\_\_

**Content Standards:** The goals on the student's IEP are aligned with the Maryland Content Standards.

Reading List IEP page(s) that reflect these goals \_\_\_\_\_

Math List IEP page(s) that reflect these goals \_\_\_\_\_

**Educational Interventions:** The following instruction, general education interventions, and special education and related services for reading and/or mathematics have been provided to the student:

**Reading**

- Instruction in reading in the general education curriculum for \_\_\_\_\_ years.
- List Years \_\_\_\_\_
- Intensive reading interventions have been provided for \_\_\_\_\_ years.
- List Years \_\_\_\_\_
- List specific school-based reading interventions that are individual to the student.

\_\_\_\_\_  
\_\_\_\_\_

Reading goals and objectives have been included in the student's IEP for \_\_\_\_\_ years.

**Math**

- Instruction in math in the general education curriculum for \_\_\_\_\_ years.
- List Years \_\_\_\_\_
- Intensive math interventions have been provided for \_\_\_\_\_ years.
- List Years \_\_\_\_\_
- List specific school-based math interventions that are individual to the student.

\_\_\_\_\_  
\_\_\_\_\_

Math goals and objectives have been included in the student's IEP for \_\_\_\_\_ years.

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be used for identifying students with disabilities for participation in the Mod-MSA for reading and/or mathematics.

List related services provided:

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____

Student has received special education instruction provided by qualified special education personnel **outside** the regular classroom for \_\_\_\_ number of years and \_\_\_\_ hours per day.

Student has received special education instruction with qualified general and special education personnel in a co-taught model for \_\_\_\_ number of years and \_\_\_\_ hours per day.

Other research-based interventions provided to the student, including:

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**Grade-Level Progress:** The student made progress toward grade-level standards and is not performing at grade level in the following area(s):

Reading                       Math

**Instruction:** The student has had at least three consecutive years of individualized, intensive instruction consistent with the IEP in the following area(s):

Reading                       Math

List the most recent three consecutive years that goals are included in the IEP for:

Reading \_\_\_\_\_  
Math \_\_\_\_\_

**Accommodations:** During instruction//assessment the student receives accommodations as indicated on the IEP in the area(s) of:

Reading List page(s) of IEP that reflect accommodations \_\_\_\_\_  
 Math List page(s) of IEP that reflect accommodations \_\_\_\_\_

**Supplementary Aids and Services:** The student has been provided with supplementary aids and services as indicated on the IEP in the area of:

Reading List page(s) of IEP that reflect supplementary aids and services \_\_\_\_\_  
 Math List page(s) of IEP that reflect supplementary aids and services \_\_\_\_\_

**Students not participating in the Alt-MSA who meet each of the above criteria (verified through the appeal process with submitted supporting documentation) are eligible to participate in the Mod-MSA.**

**FOR EACH STUDENT APPEAL TO BE CONSIDERED, ATTACH TWO COPIES OF THE 2006-2007 SCHOOL YEAR IEP (IEP THAT WAS IN PLACE DURING THE ASSESSMENT WINDOW) AND ANY OTHER NEEDED DOCUMENTATION.**

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be used for identifying students with disabilities for participation in the Mod-MSA for reading and/or mathematics.

### **Criteria for Identifying Students with Disabilities for Participation In a Mod-HSA for Algebra/Data Analysis**

A student who would have been eligible for the Mod-HSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEP. The student would be identified as appropriate for instruction and assessment using modified academic content standards. The student would have been identified as meeting **each** of the following criteria:

- The student is learning using modified academic content standards/core learning goals in mathematics.

**AND**

- The student requires and receives modifications during assessments and instruction, in addition to specific accommodations. These testing/assessment and instructional modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, use of a calculator, and spell check.

**AND**

- The student requires the use of a modified general curriculum that is aligned with the Maryland Content Standards/Core Learning Goals for the student's grade level but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.

**AND**

- The student must have had at least three consecutive years of individualized intensive instruction in mathematics consistent with his/her IEP (beginning with the most recent year), and although progress toward grade-level standards was made, he/she is not yet making progress at grade level.

**AND**

- The student must demonstrate that he/she cannot attain proficiency in actual grade-level HSA, even with the provision of accommodations.

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.

**IEP Teams are required to complete the IEP Team Decision-Making Model for each student being considered for appeal.**

This decision-making model must be utilized by IEP Teams in schools that did not meet AYP (during the 2006-2007 administration of the HSA) based solely on special education as a subgroup, if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened to make decisions based upon the 06-07 IEP in effect during the administration of the HSA. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-HSA. Beginning with the 2007-2008 school year, students who meet the criteria below may be eligible to participate in the Mod-HSA program.

**COMPLETE FOR EACH STUDENT APPEAL IN SPECIAL EDUCATION SUBGROUP**

**(All items must be completed and submitted at time of appeal or appeal will not be reviewed.)**

Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID#: \_\_\_\_\_

D.O.B. \_\_\_\_\_ Disability Code: \_\_\_\_\_

IEP Team Chair: \_\_\_\_\_

***(Team Chair signature verifies that all established criteria were considered.)***

Team Members: **Original Signatures / Titles**

General Education Teacher: \_\_\_\_\_

Special Education Teacher: \_\_\_\_\_

Team Member (Individual Who Is Qualified to Interpret Assessment Results):

\_\_\_\_\_

Parent/Guardian\*: \_\_\_\_\_

Others: \_\_\_\_\_

***\*If the parent does not attend the meeting and sign this form, attach documentation of parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.***

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be use for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.

## **IEP Team Decision-Making Model**

The IEP Team must convene and determine if:

- ✓ The student is learning using modified academic content standards/core learning goals in mathematics.       Yes       No
- ✓ The student requires and **receives** modifications during instruction and assessments, in addition to accommodations. These instructional and testing/assessment modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, use of calculator, and spell check.       Yes       No
- ✓ The student requires the use of a modified general curriculum. The curriculum for the student is aligned with the Maryland Content Standards/Core Learning Goals for the student's grade level, but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.       Yes       No
- ✓ The student must have had at least three consecutive years of individualized intensive academic instruction intervention in mathematics consistent with his/her IEP, and although progress toward grade-level standards was made, he/she is not making progress at grade level.       Yes       No
- ✓ The student must demonstrate that he/she cannot attain proficiency in his/her actual grade-level HSA, even with the provision of accommodations.       Yes       No

In addition, the IEP Team is required to respond to the following:

- **Alt-MSA:** This student is **not** eligible to participate in the Alt-MSA.       Yes       No
- **MSA:** This student was **not** proficient in the Grade 8 MSA in mathematics.       Yes       No
- **Algebra/data analysis:** This student passed the Algebra/Data Analysis HSA.       Yes       No
- **General Curriculum:** How the student's disability affects involvement and progress in the general curriculum.

- List page(s) of IEP that reflects this consideration \_\_\_\_\_

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be use for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.

- **Modified General Curriculum:** The goals and objectives on the student's IEP require a modified general curriculum in:

- Math List page(s) of IEP that reflect modifications \_\_\_\_\_

**Grade-Level Proficiency:** The instructional performance grade levels identified on the IEP, as measured by formalized assessment instruments or district-wide assessments that are designed for standardized assessment of achievement, are substantially below grade level.  Yes  No

**If yes,** specify the instructional performance grade levels in mathematics identified on the IEP, as measured by formalized assessment instruments or district-wide assessments that are designed for standardized assessment of achievement, that are substantially below grade level.

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**Content Standards:** The goals on the student's IEP are aligned with the Maryland Content Standards/Core Learning Goals.

- Math List IEP page(s) that reflect these goals \_\_\_\_\_

**Educational Interventions:** The following instruction, general education interventions, and special education and related services for mathematics have been provided to the student:

- Instruction in the general education curriculum for \_\_\_\_\_ years.
- Intensive mathematics interventions have been provided for \_\_\_\_\_ years.
- List Years \_\_\_\_\_
- List specific school-based mathematics interventions that are individual to the student.

- 
- 
- 
- Math goals and objectives have been included in the student's IEP for \_\_\_\_\_ years

- List related services provided:

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____

- Student has received special education instruction provided by qualified special education personnel **outside** the regular classroom for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.

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- Student has received special education instruction with qualified general and special education personnel in co-taught model for \_\_\_ number of years and \_\_\_ hours per day.

**This criteria document may ONLY be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the revised criteria document dated June 5, 2007 MUST be use for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.**

- Other research-based interventions provided to the student, including:

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**Grade-Level Progress:** The student made progress toward grade-level standards and is not performing at grade level in the following area:

- Math

\_\_\_\_\_ Student's course grade in algebra/data analysis (enter letter or percent)

**Instruction:** The student has had at least three consecutive years of individualized, intensive instruction consistent with the IEP in the following area:

- Math

**List the most recent three consecutive years** that goals are included in the IEP.

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**Accommodations:** During instruction/assessment the student receives accommodations as indicated on the IEP in the area of:

- Math List page(s) of IEP that reflect accommodations \_\_\_\_\_

**Supplementary Aids and Services:** The student has been provided with supplementary aids and services as indicated on the IEP in the area of:

- Math

List page(s) of IEP that reflect supplementary aids and services \_\_\_\_\_

**Students not participating in the Alt-MSA who meet each of the above criteria (verified through the appeal process with submitted supporting documentation) are eligible to participate in the Mod-HSA in algebra/data analysis.**

**FOR EACH STUDENT APPEAL TO BE CONSIDERED, ATTACH TWO COPIES OF THE 2006-2007 SCHOOL YEAR IEP (IEP THAT WAS IN PLACE DURING THE ASSESSMENT WINDOW) AND ANY OTHER NEEDED DOCUMENTATION.**



This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.

### **Criteria for Identifying Students with Disabilities for Participation In a Mod-HSA for English 2**

A student who would have been eligible for the Mod-HSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEPs. The student would be identified as appropriate for instruction and assessment using modified academic content standards. The student would have been identified as meeting **each** of the following criteria:

- The student is learning using modified academic content standards in reading/English language arts.

**AND**

- The student requires modifications during assessments and instruction, in addition to specific accommodations. These testing/assessment and instructional modifications may include: reduced complexity of language, paraphrasing of reading passages reduced number of test items, reduced amount of content to learn, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, and spell check.

**AND**

- The student requires the use of a modified general curriculum that is aligned with the Maryland Content Standards/Core Learning Goals for the student's grade level but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.

**AND**

- The student must have had at least three consecutive years of individualized intensive instruction in reading/English language arts consistent with his/her IEP (beginning with the most recent year), and although progress toward grade level standards was made, he/she is not yet making progress at grade level.

**AND**

- The student must demonstrate that he/she cannot attain proficiency in actual grade-level HSA, even with the provision of accommodations.

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be use for identifying students with disabilities for participation in the Mod-HSA for English 2.

**IEP Teams are required to complete the IEP Team Decision-Making Model for each student being considered for appeal.**

This decision-making model must be utilized by IEP Teams in schools that did not meet AYP (during the 2006-2007 administration of the HSA) based solely on special education as a subgroup, if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened to make decisions based upon the 06-07 IEP in effect during the administration of the HSA. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-HSA. Beginning with the 2007-2008 school year, students who meet the criteria below may be eligible to participate in the Mod-HSA program.

**COMPLETE FOR EACH STUDENT APPEAL IN SPECIAL EDUCATION SUBGROUP**

**(All items must be completed and submitted at time of appeal or the appeal will not be reviewed.)**

Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID#: \_\_\_\_\_

D.O.B. \_\_\_\_\_ Disability Code: \_\_\_\_\_

IEP Team Chair: \_\_\_\_\_

***(Team Chair signature verifies that all established criteria were considered.)***

Team Members: **Original Signatures / Titles**

General Education Teacher: \_\_\_\_\_

Special Education Teacher: \_\_\_\_\_

Team Member (Individual Who Is Qualified to Interpret Assessment Results):  
\_\_\_\_\_

Parent/Guardian\*: \_\_\_\_\_

Others: \_\_\_\_\_

***\*If the parent does not attend the meeting and sign this form, attach documentation of parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.***

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be use for identifying students with disabilities for participation in the Mod-HSA for English 2.

## **IEP Team Decision-Making Model**

The IEP Team must convene and determine if:

- ✓ The student is learning using modified academic content standards in reading/English language arts.  
 Yes       No
- ✓ The student requires and receives modifications during instruction and assessments, in addition to accommodations. These instructional and testing/assessment modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, paraphrasing of reading passages, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, and spell check.  
 Yes       No
- ✓ The student requires the use of a modified general curriculum. The curriculum for the student is aligned with the Maryland Content Standards/Core Learning Goals for the student's grade level, but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.     Yes     No
- ✓ The student must have had at least three consecutive years of individualized intensive academic instruction intervention in reading/English language arts consistent with his/her IEP, and although progress toward grade level standards was made, he/she is not making progress at grade level.     Yes       No
- ✓ The student must demonstrate that he/she cannot attain proficiency in his/her actual grade-level HSA, even with the provision of accommodations.  
 Yes     No

In addition, the IEP Team is required to respond to the following:

- **Alt-MSA:** This student is not eligible to participate in the Alt-MSA.  
 Yes     No
- **MSA:** This student was not proficient in the Grade 8 MSA in reading/English language arts.  
 Yes     No

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- **General Curriculum:** How the student's disability affects involvement and progress in the general curriculum.
  - List page(s) of IEP that reflects this consideration \_\_\_\_\_

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be use for identifying students with disabilities for participation in the Mod-HSA for English 2.

- **Modified General Curriculum:** The goals and objectives on the student's IEP require a modified general curriculum in reading/English language arts:
  - List page(s) of IEP that reflect modifications \_\_\_\_\_

**Grade-Level Proficiency:** The instructional performance grade levels in Reading/English Language Arts identified on the IEP, as measured by formalized assessment instruments or district-wide assessments that are designed for standardized assessment of achievement, are substantially below grade level.

- Yes  No

**If yes, specify the instructional performance grade levels in reading/English language arts** identified on the IEP, as measured by formalized assessment instruments or district-wide assessments that are designed for standardized assessment of achievement, that are substantially below grade level.

\_\_\_\_\_

**Content Standards:** The goals on the student's IEP are aligned with the Maryland Content Standards/Core Learning Goals.

- Reading/English Language Arts List IEP page(s) that reflect these goals \_\_\_\_\_

**Educational Interventions:** The following instruction, general education interventions, and special education and related services for reading/English language arts have been provided to the student:

- Instruction in the general education curriculum for \_\_\_\_\_ years.
- Intensive reading/English language arts interventions have been provided for \_\_\_\_\_ years. List Years \_\_\_\_\_
- List specific school-based reading/English language arts interventions that are individual to the student.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- Reading/English language arts goals and objectives have been included in the student's IEP for \_\_\_\_\_ years.

- List related services provided:

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____

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- Student has received special education instruction provided by qualified special education personnel **outside** the regular classroom for \_\_\_ number of years and \_\_\_ hours per day.
- Student has received special education instruction with qualified general and special education personnel in a co-taught model for \_\_\_ number of years and \_\_\_ hours per day.

This criteria document may **ONLY** be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the **revised** criteria document dated June 5, 2007 **MUST** be use for identifying students with disabilities for participation in the Mod-HSA for English 2.

- Other research-based interventions provided to the student, including:

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**Grade-Level Progress:** The student made progress toward grade-level standards and is not performing at grade level in the following area:

- Reading/English Language Arts

\_\_\_\_\_ Student's course grade in English 2 (enter letter or percent)

**Instruction:** The student has had at least three consecutive years of individualized, intensive instruction consistent with the IEP in the following area:

- Reading/English Language Arts

List the most recent three consecutive years that reading/English language arts goals are included in IEP.

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**Accommodations:** During instruction//assessment the student receives accommodations as indicated on the IEP in the area of:

- Reading/English Language Arts

List page(s) of IEP that reflect accommodations \_\_\_\_\_

**Supplementary Aids and Services:** The student has been provided with supplementary aids and services as indicated on the IEP in the area of:

- Reading/English Language Arts

List page(s) of IEP that reflect supplementary aids and services \_\_\_\_\_

**Students not participating in the Alt-MSA who meet each of the above criteria (verified through the appeal process with submitted supporting documentation) are eligible to participate in the Mod-HSA for English 2.**

**FOR EACH STUDENT APPEAL TO BE CONSIDERED, ATTACH TWO COPIES OF THE 2006-2007 SCHOOL YEAR IEP (IEP THAT WAS IN PLACE DURING THE ASSESSMENT WINDOW) AND ANY OTHER NEEDED DOCUMENTATION.**

This criteria document may ONLY be used for IEP meetings dated prior to and including June 5, 2007. Effective June 6, 2007, the revised criteria document dated June 5, 2007 MUST be use for identifying students with disabilities for participation in the Mod-HSA for English 2.

**The following forms must be used for IEP meetings**  
**dated June 6, 2007 or later.**

### **Criteria for Identifying Students with Disabilities for Participation In a Mod-MSA**

A student who would have been eligible for the Mod-MSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEP. The student would be identified as appropriate for instruction and assessment using modified academic achievement standards aligned with the student's grade-level academic content standards. Students pursuing the Mod-MSA are not precluded from completing the requirements for the regular high school diploma. The student would have been identified as meeting **each** of the following criteria:

- The student is learning based on the State's approved grade-level academic content standards for a grade for which the student is enrolled. There must be sufficient objective evidence demonstrating that the student is not likely to achieve grade-level proficiency within the school year covered by his/her IEP.

**AND**

- The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards for the student's grade level during assessments and instruction. In addition, specific accommodations implemented in these testing/assessment and instructional settings may include: test items are less complex, fewer and shorter reading passages, shorter or less difficult questions, and fewer distractors.

**AND**

- The student must have had at least three consecutive years of individualized intensive instruction in reading **and/or** mathematics consistent with his/her IEP (beginning with the most recent year), and although progress toward grade-level standards was made, he/she is not yet making progress at grade level.

**AND**

- The student must demonstrate that he/she cannot attain proficiency in actual grade-level MSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in

response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.

**Revised June 5, 2007**

Effective June 6, 2007, this revised criteria document **MUST** be used for identifying students with disabilities for participation in the Mod-MSA in reading and/or mathematics.

**IEP Teams are required to complete the IEP Team Decision-Making Model for each student being considered for appeal.**

This decision-making model must be utilized by IEP Teams in schools that did not meet AYP (during the 2006-2007 administration of the MSA) based solely on special education as a subgroup, if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened to make decisions based upon the 06-07 IEP in effect during the administration of the MSA. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-MSA. Beginning with the 2007-2008 school year, students who meet the criteria below may be eligible to participate in the Mod-MSA.

**COMPLETE FOR EACH STUDENT APPEAL IN SPECIAL EDUCATION SUBGROUP**

(All items must be completed and submitted at time of appeal or appeal **will not** be reviewed.)

Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID#: \_\_\_\_\_

D.O.B. \_\_\_\_\_ Disability Code: \_\_\_\_\_

IEP Team Chair: \_\_\_\_\_  
(*Team Chair signature verifies that all established criteria were considered.*)

Team Members: **Each Participant Must Sign** - Signatures / Titles

General Education Teacher: \_\_\_\_\_

Special Education Teacher: \_\_\_\_\_

Team Member (Individual Who Is Qualified to Interpret Assessment Results):  
\_\_\_\_\_



Parent/Guardian\*: \_\_\_\_\_

Others: \_\_\_\_\_

***\*If the parent does not attend the meeting and sign this form, attach documentation of parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.***

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-MSA in reading and/or mathematics.**

## **IEP Team Decision-Making Model**

The IEP Team must convene and determine if:

- ✓ The student is learning based on the State's approved grade-level academic content standards for a grade for which the student is enrolled. There must be sufficient data demonstrating that the student is not likely to achieve grade-level proficiency within the school year covered by his/her IEP.

Reading  Yes  No

Mathematics  Yes  No

- ✓ The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards for the student's grade-level during assessments and instruction. In addition, specific accommodations implemented in these testing/assessment and instructional settings may include: test items that are less complex, fewer and shorter reading passages, shorter or less difficult questions, and fewer distractors.

Yes  No

- ✓ The student must have had at least three consecutive years of individualized intensive academic instruction intervention in reading and/or mathematics consistent with his/her IEP, and although progress toward grade-level standards was made, he/she is not making progress at grade level.

Yes  No

- ✓ The student must demonstrate that he/she cannot attain proficiency in actual grade-level MSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.

Yes  No

In addition, the IEP Team is required to respond to the following:

- **Alt-MSA:** This student is eligible to participate in the Alt-MSA. The student does have a significant cognitive disability

Yes                       No

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-MSA in reading and/or mathematics.**

**Grade-Level Academic Content Standards:** The goals and objectives on the student's IEP are based on grade-level academic content standards to support the student's involvement and progress in the general curriculum. The goals address skills specified in the academic content standard for the grade in which the student is enrolled and designed to monitor the student's progress in achieving the standard-based goals.

- Reading List specific page(s) of IEP that reflect modifications \_\_\_\_\_
- Math List specific page(s) of IEP that reflect modifications \_\_\_\_\_

**Grade-Level Proficiency:** The instructional performance grade level(s) in reading and/or mathematics is identified on the IEP, as measured by documented multiple valid and objective measures of the student's performance overtime on a State's general assessment and other assessments to include end-of-course assessments, district assessments, data gathered from classroom assessments or other formative assessments substantially below grade level:

- Reading                       Yes                       No  
Mathematics                 Yes                       No

**If yes, specify the instructional performance grade levels in reading and/or mathematics** identified on the IEP, using objective evidence as measured by documented valid and objective State assessment instruments, end-of-course assessments, district-wide assessments, and data gathered from classroom assessments that are designed for State assessment of achievement, that are substantially below grade level.

MSA Reading Score: \_\_\_\_\_ MSA Math Score: \_\_\_\_\_ Date Administered: \_\_\_\_\_  
Date(s) : \_\_\_\_\_ Reading Measure(s) Used: \_\_\_\_\_  
Date(s) : \_\_\_\_\_ Math Measure Used: \_\_\_\_\_

- Reading List specific IEP page(s) that reflect these goals \_\_\_\_\_
- Math List specific IEP page(s) that reflect these goals \_\_\_\_\_

**Educational Interventions:** The following instruction, general education interventions, and special education and related services for reading and/or mathematics have been provided to the student:

**Reading**

- Instruction in reading in the general education curriculum for \_\_\_\_\_ years.
- List specific school years \_\_\_\_\_
- Intensive reading interventions have been provided for \_\_\_\_\_ years.
- List specific school years \_\_\_\_\_

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- List the specific school-based reading interventions that are individual to the student.

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- Grade-level academic goals and objectives have been included in the student's IEP for \_\_\_ years.

**Revised June 5, 2007**

Effective June 6, 2007, this revised criteria document **MUST** be used for identifying students with disabilities for participation in the Mod-MSA in reading and/or mathematics.

**Math**

- Instruction in math in the general education curriculum for \_\_\_\_\_ years.
- List specific school years \_\_\_\_\_
- Intensive math interventions have been provided for \_\_\_ years.
- List specific school years \_\_\_\_\_
- List the specific school-based math interventions that are individual to the student.

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- Grade-Level Math academic goals and objectives have been included in the student's IEP for \_\_\_\_\_ years.

- List related services provided:

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____

**Special Education Instruction**

- Student has received special education instruction provided by qualified special education personnel **outside** the regular classroom for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.
- Student has received special education instruction with qualified general and special education personnel in a co-taught model for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.
- List other research-based interventions provided to the student, including:

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**Grade-Level Progress:** The student's progress toward grade-level academic content standards in response to appropriate instruction, designed to address the student's individual needs, is such that, even if significant growth occurs, the student will not achieve grade-level proficiency within the year covered by the student's IEP in the following area(s):

- Reading
- Math

**Instruction:** The student has had at least three consecutive years of individualized,

intensive academic instruction consistent with the IEP in the following area(s):

- Reading                                       Math

List the most recent three consecutive years that academic goals are included in the IEP for:

Reading \_\_\_\_\_

Math \_\_\_\_\_

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-MSA in reading and/or mathematics.**

**Accommodations:** During instruction/assessment the student receives accommodations on the IEP in the area(s) of:

Reading    List page(s) of IEP that reflect accommodations \_\_\_\_\_

Math        List page(s) of IEP that reflect accommodations \_\_\_\_\_

**Supplementary Aids and Services:** The student has been provided with supplementary aids and services that are necessary for the student to advance towards attaining his/her annual goals, to be involved and make progress in the general curriculum, and to be educated alongside his or her nondisabled peers as indicated on the IEP in the area of:

Reading    List page(s) of IEP that reflect supplementary aids and services  
\_\_\_\_\_

Math        List page(s) of IEP that reflect supplementary aids and services  
\_\_\_\_\_

**Students not participating in the Alt-MSA who meet each of the above criteria (verified through the appeal process with submitted supporting documentation) are eligible to participate in the Mod-MSA.**

**FOR EACH STUDENT APPEAL TO BE CONSIDERED, ATTACH TWO COPIES OF THE 2006-2007 SCHOOL YEAR IEP (IEP THAT WAS IN PLACE DURING THE ASSESSMENT WINDOW), AND ANY OTHER NEEDED DOCUMENTATION.**

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-MSA in reading and/or mathematics.**

### **Criteria for Identifying Students with Disabilities for Participation In a Mod-HSA for Algebra/Data Analysis**

A student who would have been eligible for the Mod-HSA would be identified based on their individual evaluation information and the instructional and service information on their IEPs. The student would be identified as appropriate for instruction and assessment using modified academic achievement standards aligned with the student's academic content standards in algebra/data analysis. Students pursuing the Mod-HSA are not precluded from completing the requirements for the regular high school diploma. The student would have been identified as meeting **each** of the following criteria:

- The student is learning based on the State's approved academic content standards/core learning goals in algebra/data analysis. There must be sufficient objective evidence demonstrating that the student is not likely to achieve grade-level proficiency within the school year covered by his/her IEP.

**AND**

- The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards/Core Learning Goals in algebra/data analysis for the student during assessments and instruction. In addition, specific accommodations implemented in these testing/assessment and instructional settings may include: test items are less complex, fewer and shorter reading passages, shorter or less difficult questions, and fewer distractors.

**AND**

- The student must have had at least three consecutive years of individualized intensive instruction in mathematics consistent with his/her IEP (beginning with the most recent year), and although progress toward grade-level standards was made, he/she is not yet making progress at grade level.

**AND**

- The student must demonstrate that he/she cannot attain proficiency in the algebra/data analysis HSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic

achievement in response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.**

**IEP Teams are required to complete the IEP Team Decision-Making Model for each student being considered for appeal.**

This decision-making model must be utilized by IEP Teams in schools that did not meet AYP (during the 2006-2007 administration of the HSA) based solely on special education as a subgroup if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened to make decisions based upon the 06-07 IEP in effect during the administration of the HSA. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-HSA. Beginning with the 2007-2008 school year, students who meet the criteria below may be eligible to participate in the Mod-HSA.

**COMPLETE FOR EACH STUDENT APPEAL IN SPECIAL EDUCATION SUBGROUP**

**(All items must be completed and submitted at time of appeal or appeal will not be reviewed.)**

Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID#: \_\_\_\_\_

D.O.B. \_\_\_\_\_ Disability Code: \_\_\_\_\_

IEP Team Chair: \_\_\_\_\_

***(Team Chair signature verifies that all established criteria were considered.)***

Team Members: **Each Participant Must Sign - Signatures / Titles**

General Education Teacher: \_\_\_\_\_

Special Education Teacher: \_\_\_\_\_

Team Member (Individual Who Is Qualified to Interpret Assessment Results):  
\_\_\_\_\_

Parent/Guardian\*: \_\_\_\_\_

Others: \_\_\_\_\_

***\*If the parent does not attend the meeting and sign this form, attach documentation of parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.***

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.**

## **IEP Team Decision-Making Model**

The IEP Team must convene and determine if:

- ✓ The student is learning based on the State's approved grade-level academic content standard /core learning goals in mathematics for a grade for which the student is enrolled. There must be sufficient data demonstrating that the student is not likely to achieve grade-level proficiency within the school year covered by his/her IEP.  
 Yes       No
- ✓ The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards/Core Learning Goals in mathematics for the student's grade-level during assessments and instruction. In addition, specific accommodations implemented these testing/assessment and instructional settings may include: test items that are less complex, fewer and shorter reading passages, shorter or less difficult questions, and fewer distractors.  
 Yes       No
- ✓ The student must have had at least three consecutive years of individualized Intensive academic instruction intervention in mathematics consistent with his/her IEP, and although progress toward grade level standards was made, he/she is not making progress at grade level.  Yes       No
- ✓ The student must demonstrate that he/she cannot attain proficiency in his/her algebra/data analysis HSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.  
 Yes       No

In addition, the IEP Team is required to respond to the following:

- **Alt-MSA:** This student is eligible to participate in the Alt-MSA. The student does have a significant cognitive disability.  
 Yes       No

C.6 How to develop the letter for an appeal based on students with disabilities

- **MSA:** This student was not proficient in the Grade 8 MSA in mathematics.  
 Yes       No
- **Algebra/Data Analysis:** This student passed the algebra//data analysis HSA.  
 Yes       No

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.**

**Grade-Level Academic Content Standards:** The goals and objectives on the student's IEP are based on grade-level academic content standards to support the student's involvement and progress in the general curriculum. The goals address skills specified in the academic content standard for the grade in which the student is enrolled and designed to monitor the student's progress in achieving the standard-based goals.

- Reading List specific page(s) of IEP that reflect modifications \_\_\_\_\_
- Math List specific page(s) of IEP that reflect modifications \_\_\_\_\_

**Grade-Level Proficiency:** The instructional performance in algebra/data analysis is identified on the IEP, as measured by documented multiple valid and objective measures of the student's performance overtime on a State's general assessment and other assessments to include end-of-course assessments, district assessments, data gathered from classroom assessments or other formative assessments substantially below grade level.  Yes       No

**If yes, specify the instructional performance grade levels in mathematics** identified on the IEP, using objective evidence as measured by documented valid and objective State assessment instruments, end-of-course assessments, district-wide assessments, and data gathered from classroom assessments that are designed for State assessment of achievement, that are substantially below grade level.

HSA algebra/data analysis Score: \_\_\_\_\_ Date Administered: \_\_\_\_\_  
Date(s): \_\_\_\_\_ Math Measure Used: \_\_\_\_\_  
Date(s): \_\_\_\_\_ Math Measure Used: \_\_\_\_\_

**Content Standards:** The goals on the student's IEP are aligned with the Maryland Content Standards/Core Learning Goals.

- Math List IEP page(s) that reflect these goals \_\_\_\_\_

**Educational Interventions:** The following instruction, general education interventions, and special education and related services for math have been provided to the student:

- Instruction in the general education curriculum for \_\_\_\_\_ years.
- Intensive mathematics interventions have been provided for \_\_\_\_\_ years.
- List specific school years \_\_\_\_\_
- List the specific school-based math interventions that are individual to the student.

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C.6 How to develop the letter for an appeal based on students with disabilities

Math academic goals and objectives have been included in the student's IEP for \_\_\_\_\_ years.

List related services provided:

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____

**Revised June 5, 2007**

Effective June 6, 2007, this revised criteria document **MUST** be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.

**Special Education Instruction**

Student has received special education instruction provided by qualified special education personnel **outside** the regular classroom for \_\_\_ number of years and \_\_\_ hours per day.

Student has received special education instruction with qualified general and special education personnel in a co-taught model for \_\_\_ number of years and \_\_\_ hours per day.

Other research-based interventions provided to the student, including:

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**Grade-Level Progress:** The student's progress toward grade-level academic content standards in response to appropriate instruction, designed to address the student's individual needs, is such that, even if significant growth occurs, the student will not achieve grade-level proficiency within the year covered by the student's IEP in the following area(s):

Math \_\_\_\_\_ Student's course grade in algebra/data analysis (letter or percent)

**Instruction:** The student has had at least three consecutive years of individualized, intensive academic instruction consistent with the IEP in the following area:

Math

**List the most recent three consecutive years** of math academic goals are included in IEP.

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**Accommodations:** During instruction//assessment the student receives accommodations as indicated on the IEP in the area of:

Math

List page(s) of IEP that reflect accommodations \_\_\_\_\_

**Supplementary Aids and Services:** The student has been provided with supplementary aids and services that are necessary for the student to advance towards attaining his/her annual goals, to be involved and make progress in the general curriculum, and to be educated alongside his or her nondisabled peers as indicated on the IEP in the area of:

Math List specific page(s) of IEP that reflect supplementary aids and services

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**Students not participating in the Alt-MSA who meet each of the above criteria (verified through the appeal process with submitted supporting documentation) are eligible to participate in the Mod-HSA in algebra/data analysis.**

**FOR EACH STUDENT APPEAL TO BE CONSIDERED, ATTACH TWO COPIES OF THE 2006-2007 SCHOOL YEAR IEP (IEP THAT WAS IN PLACE DURING THE ASSESSMENT WINDOW), AND ANY OTHER NEEDED DOCUMENTATION.**

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for algebra/data analysis.**

**Criteria for Identifying Students with Disabilities for Participation  
In a Mod-HSA for English 2**

A student who would have been eligible for the Mod-HSA would be identified based on his/her individual evaluation information and the instructional and service information on his/her IEP. The student would be identified as appropriate for instruction and assessment using modified academic achievement standards aligned with the English 2 academic content standards. Students pursuing the Mod-HSA are not precluded from completing the requirements for the regular high school diploma. The student would have been identified as meeting **each** of the following criteria:

- The student learning is based on the State's approved reading/language arts academic content standards. There must be sufficient objective evidence demonstrating that the student is not likely to achieve proficiency within the school year covered by his/her IEP.

**AND**

- The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards/Core Learning Goals during assessments and instruction. In addition, specific accommodations implemented in these testing/assessment and instructional settings may include: test items are less complex, fewer and shorter reading passages, shorter or less difficult questions, shorter reading passages, and fewer distractors.

**AND**

- The student must have had at least three consecutive years of individualized intensive instruction in reading/language arts consistent with his/her IEP (beginning with the most recent year), and although progress toward course content standards was made, he/she has not yet make sufficient progress to attain proficiency in the English 2 HSA .

**AND**

- The student must demonstrate that he/she cannot attain proficiency in the English 2 HSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in

response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for English 2.**

**IEP Teams are required to complete the IEP Team Decision-Making Model for each student being considered for appeal.**

This decision-making model must be utilized by IEP Teams in schools that did not meet AYP (during the 2006-2007 administration of the HSA) based solely on special education as a subgroup if the local school system determines it will appeal AYP for individual schools. For students with IEPs enrolled in these schools, IEP Team meetings must be convened to make decisions based upon the 06-07 IEP in effect during the administration of the MSA. The purpose of this IEP Team meeting is to utilize the IEP Team Decision-Making Model to consider the student's eligibility and participation in Mod-HSA. Beginning with the 2007-2008 school year, students who meet the criteria below may be eligible to participate in the Mod-HSA.

**COMPLETE FOR EACH STUDENT APPEAL IN SPECIAL EDUCATION SUBGROUP**

**(All items must be completed and submitted at time of appeal or appeal will not be reviewed.)**

Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Name: \_\_\_\_\_ ID#: \_\_\_\_\_

D.O.B. \_\_\_\_\_ Disability Code: \_\_\_\_\_

IEP Team Chair: \_\_\_\_\_

***(Team Chair signature verifies that all established criteria were considered.)***

**Team Members: Each Participant Must Sign - Signatures / Titles**

General Education Teacher: \_\_\_\_\_

Special Education Teacher: \_\_\_\_\_

Team Member (Individual Who Is Qualified to Interpret Assessment Results):  
\_\_\_\_\_

Parent/Guardian\*: \_\_\_\_\_

Others: \_\_\_\_\_

***\*If the parent does not attend the meeting and sign this form, attach documentation of parent notification and informed consent for the meeting along with notification of the decisions of the IEP team that were provided to the parent.***

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for English 2.**

## **IEP Team Decision-Making Model**

The IEP Team must convene and determine if:

- ✓ The student is learning based on the State's approved academic content standards for English 2. There must be sufficient data demonstrating that the student is not likely to achieve proficiency in the academic content standards for English 2 within the school year covered by his/her IEP.  
 Yes       No
  
- ✓ The student requires and receives modified academic achievement standards aligned with the Maryland Academic Content Standards/Core Learning Goals for English 2 during assessments and instruction. In addition, specific accommodations implemented in these testing/assessment and instructional settings may include: test items that are less complex, fewer and shorter reading passages, shorter or less difficult questions, and fewer distractors.  
 Yes       No
  
- ✓ The student must have had at least three consecutive years of individualized intensive academic instruction intervention in reading/language arts consistent with his/her IEP, and although progress toward academic content standards was made, he/she is not achieving proficiency in the academic content standards.  
 Yes       No
  
- ✓ The student must demonstrate that he/she cannot attain proficiency in actual English 2 HSA, even with the provision of accommodations based on documented multiple valid and objective measures of student's progress (or lack of progress). Examples include the end-of-course assessments, district-wide assessments, data gathered from classroom assessments, and other formative assessments that can validate documented academic achievement in response to appropriate instruction. There must be enough time to document the progress (or lack of progress) in response to appropriate instruction.  
 Yes       No

In addition, the IEP Team is required to respond to the following:

- **Alt-MSA:** This student is eligible to participate in the Alt-MSA. The student does have a significant cognitive disability.  
 Yes  
 No

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for English 2.**

**English 2 Academic Content Standards:** The goals and objectives on the student's IEP are aligned with Maryland Content Standards/Core Learning Goals for English 2 to support the student's involvement and progress in the general curriculum. The goals address skills specified in the academic content standard for English 2 and are designed to monitor the student's progress in achieving the standard-based goals.

- List specific page(s) of IEP that reflect English 2 academic content standards
- 

**Grade-Level Proficiency:** The instructional performance grade level(s) in reading/language arts is identified on the IEP, as measured by documented multiple valid and objective measures of the student's performance overtime on a State's general assessment and other assessments to include end-of-course assessments, district assessments, data gathered from classroom assessments or other formative assessments substantially below grade level:

- Yes       No

**If yes, specify the instructional performance grade levels in reading/language arts** identified on the IEP, using objective evidence as measured by documented valid and objective State assessment instruments, end-of-course assessments, district-wide assessments, and data gathered from classroom assessments that are designed for State assessment of achievement, that are substantially below grade level.

MSA Reading Score: \_\_\_\_\_ Date Administered: \_\_\_\_\_

Date(s) : \_\_\_\_\_ Reading Measure(s) Used: \_\_\_\_\_

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- Reading/Language Arts: List IEP page(s) that reflect these goals
- 

**Educational Interventions:** The following instruction, general education interventions, and special education and related services for reading and/or mathematics have been provided to the student:

**Reading/Language Arts**

- Instruction in reading/language arts in the general education curriculum for \_\_\_ years.
- List specific school years \_\_\_\_\_
- Intensive reading interventions have been provided for \_\_\_\_\_ years.
- List specific school years \_\_\_\_\_
- List the specific school-based reading interventions that are individual to the student.

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**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for English 2.**

Reading academic goals and objectives have been included in the student's IEP for \_\_\_\_\_ years.

List related services provided:

Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____
Service _____	Years _____	Frequency _____

**Special Education Instruction**

Student has received special education instruction provided by qualified special education personnel **outside** the regular classroom for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.

Student has received special education instruction with qualified general and special education personnel in a co-taught model for \_\_\_\_\_ number of years and \_\_\_\_\_ hours per day.

List other research-based interventions provided to the student, including:

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**Progress in Academic Content Standards:** The student's progress toward academic content standards in response to appropriate instruction, designed to address the student's individual needs, is such that, even if significant growth occurs, the student will not achieve proficiency in English 2 within the year covered by the student's IEP :

Yes                       No

Student's course grade in English 2 (enter letter for percent): \_\_\_\_\_

**Instruction:** The student has had at least three consecutive years of individualized, intensive academic instruction consistent with the IEP in the following reading/language arts:

Yes                       No

List the most recent three consecutive years that goals are included in the IEP for:

Reading/Language Arts \_\_\_\_\_

**Accommodations:** During instruction/assessment the student receives accommodations on the IEP in the area(s) of:

- Reading

List page(s) of IEP that reflect accommodations \_\_\_\_\_

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for English 2.**

**Supplementary Aids and Services:** The student has been provided with supplementary aids and services that are necessary for the student to advance towards attaining his/her annual goals, to be involved and make progress in the general curriculum , and to be educated alongside his or her nondisabled peers as indicated on the IEP in the area of:

- Reading

List page(s) of IEP that reflect supplementary aids and services \_\_\_\_\_

**Students not participating in the Alt-MSA who meet each of the above criteria (verified through the appeal process with submitted supporting documentation) are eligible to participate in the Mod-MSA.**

**FOR EACH STUDENT APPEAL TO BE CONSIDERED, ATTACH TWO COPIES OF THE 2006-2007 SCHOOL YEAR IEP (IEP THAT WAS IN PLACE DURING THE ASSESSMENT WINDOW), AND ANY OTHER NEEDED DOCUMENTATION.**

**Revised June 5, 2007**

**Effective June 6, 2007, this revised criteria document MUST be used for identifying students with disabilities for participation in the Mod-HSA for English 2.**

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## C.6 How to Develop the Letter for an Appeal Based on Students with Disabilities

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The appeal letter based on special education student participation in modified academic content and achievement standards can be filed as part of the letter for any school for which an appeal is being developed for data and coding problems or for medical exemptions. Please note that you should file **only one letter per school**, and the letter should include all of the issues that you wish to resolve via appeal. The letter must be signed by the Superintendent of Schools. The appeal letter should be explicit in its introduction and content so that the MSDE reviewers can understand the specific areas for the appeal. The following directions are specific to appeals letters regarding special education students. Please refer to section B of this manual for additional specifications for letters regarding data or coding problems and to C.2 for appeals regarding special education students.

As with the data and coding appeals letters and medical exemptions appeals, the letter should come from the local superintendent (or his/her designee) and include adequate information so that the MSDE can review the documentation, complete the verification, and act on the request. It is important that accurate and complete documentation be included to expedite the review process. As you begin the letter, please adhere to the following:

- The superintendent must sign the appeal. An appeal cannot be filed by a principal of a school.
- A school system contact name, phone number, and email address must be included so that MSDE can follow up with additional questions and requests if necessary.
- The letter should include a detailed explanation for the appeal, including a description of the documentation that is enclosed. See C.5 for the Mod-MSA Participation Guidelines and IEP Decision Making Model.
- The letter must identify the school number and school name. If the school has changed name or number in the last year, please ensure that changes are cited and explained. If the school grade configuration has changed in the past year, please describe that change to the reader.
- The letter must contain the total number of special education students per school for whom there is a Special Education (Modified) appeal.



## C.6 How to develop the letter for an appeal based on students with disabilities

- The identities of any students with disabilities not achieving proficient or higher on the MSA whose results are involved in the appeal must be adequately documented. It will be critical to provide the full names of the students and the student numbers. The appropriate records supporting the appeal must be included. A copy of the IEP Decision-Making Model and other documentation as described earlier in this section would be necessary to support the appeal.
- Related data reports, student record cards, and copies of IEPs that support the argument for the appeal and are cited in the body of the letter should be photocopied and attached to the letter.
- All supporting documentation must be completed and submitted at the time of the appeal. If incomplete, the appeal cannot be reviewed and will be returned.

If you have questions about the structure or details of the appeals letters or necessary attachments, please contact Sandy Shepherd in the Office of Academic Policy at 410-767-0476 or at [sshepherd@msde.state.md.us](mailto:sshepherd@msde.state.md.us). If you have specific questions about the technical aspects of the appeal, please contact Carol Ann Baglin at 410-767-0238 or at [cbaglin@msde.state.md.us](mailto:cbaglin@msde.state.md.us). **Due date for all appeal letters is by the close of business on the announced deadline. Deliver to the Office of Academic Policy, MSDE, and obtain a signed copy of your system cover letter.**

This form should be printed on brightly colored paper and completed for each type of appeal (Mod-MSA, Mod-HSA, Coding, etc.) for each school.\*

<b>MSDE USE ONLY</b> Initials _____ MSDE Tracking #: _____ Date Received: _____
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## Elementary/Middle/High School Appeals Form SY 2006-07

LEA Transmittal Date: \_\_\_\_\_

System Name \_\_\_\_\_ System ID Number \_\_\_\_\_

School Name \_\_\_\_\_ School ID Number \_\_\_\_\_

**Type of Appeal:** (check one and include number of students)

- Mod-MSA**
  - Reading Only # of students \_\_\_\_\_
  - Math Only # of students \_\_\_\_\_
  - Both # of students \_\_\_\_\_
- Mod-HSA**
  - Algebra Only # of students \_\_\_\_\_
  - English 2 Only # of students \_\_\_\_\_
  - Both # of students \_\_\_\_\_
- Coding** # of students \_\_\_\_\_
- Medical Emergency** # of students \_\_\_\_\_

\*Examples: Local Elementary School # 0010 has an appeal for both Mod-MSA and Coding. Complete one appeal form for Mod-MSA and one for Coding. Attach appropriate documentation to the appeal form for each type of appeal.

Local High School #0101 has an appeal for both Mod-HSA and Medical Emergency. Complete one appeal form for Mod-HSA and one for Medical Emergency.

<b>MSDE USE ONLY</b> OAP Log <input type="checkbox"/> _____ Transmittal: Spec Ed <input type="checkbox"/> DAA <input type="checkbox"/>  Notification Letter to LEA Superintendent <input type="checkbox"/> Date Sent: _____	Spec Ed Log <input type="checkbox"/> _____ Decision Date: _____ Transmitted to DAA <input type="checkbox"/>	DAA Log <input type="checkbox"/> _____ AYP Met <input type="checkbox"/> Not Met <input type="checkbox"/>
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## D: Procedures for Submitting Student-Level Data Files

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There are two student-level data file submissions indicated below due to the differences in the appeals. The data coding appeal may occur first. The results may then enable the school to meet AYP in all other subgroups except for the special education subgroup. The school would then be eligible to prepare a modified assessment appeal.

### **HSA and MSA Data Coding and Medical Emergency Appeals**

The local school system identifies the data coding changes and medical emergency appeals. To identify the students on a student-level data file for MSDE use, the local school system procedures are:

1. Place on the secured server (Valicert) in the appropriate assessment folder (i.e., the HighSchool or MSA folder) the records of the students. This data file is the appropriate assessment's student-level data file format. *See Appendix A for the secured server instructions.*
  - For MSA, the local school system includes either the reading or mathematics record for the student. Coding errors for MSA include miscoding to wrong group, subgroup, school, and participation coding. *See Appendix B for MSA Layout.*
  - For HSA, the local school system includes either the English or algebra/data analysis record or both contents for the student. Coding errors for HSA including miscoding to wrong group, subgroup, school, and first-time-test-taker flags. (Note: First-time test-takers flag is for either English or algebra/data analysis only.) *See Appendix C for HSA Layout.*
2. The local school system notifies Gayle Scott, Education Accountability Branch, DAA, that the file has been uploaded to Valicert and includes the number of student involved.
3. The local school system prepares the letter and documentation as outlined in the procedures distributed by the Office of Academic Policy.

### **Mod-MSA and Mod-HSA Appeals**

The local school system identifies the special education students eligible for the modified assessment appeals. Please note that for modified assessment appeals the school must not have achieved AYP in 2007 for the special education subgroup **only**. To identify the students on a student-level data file for MSDE use, the local school system procedures are:

1. Place on the secured server (Valicert) in the appropriate assessment folder (i.e., the HighSchool or MSA folder) the records of the students. This data file is the appropriate assessment's student-level data file format. *See Appendix A for the secured server instructions.*
  - For MSA, the local school system includes either the reading or mathematics record or both contents for the student. The content within the data file records indicates the content for which the **ModMSA** appeal approval is being requested. *See Appendix B for MSA Layout.*
  - For HSA, the local school system includes either the English or algebra/data analysis record or both contents for the student. Again, the content within the data file records indicates the content for which the **ModHSA** appeal approval is being requested. *See Appendix C for HSA Layout.*
2. The local school system notifies Gayle Scott, Education Accountability Branch, DAA, that the file has been uploaded to Valicert and includes the number of student involved.
3. The local school system prepares the letter and documentation as outlined in the procedures distributed by the Office of Academic Policy.

## INSTRUCTIONS SUBMITTING AND RETRIEVING FOR THE MODIFIED ASSESSMENT APPEALS

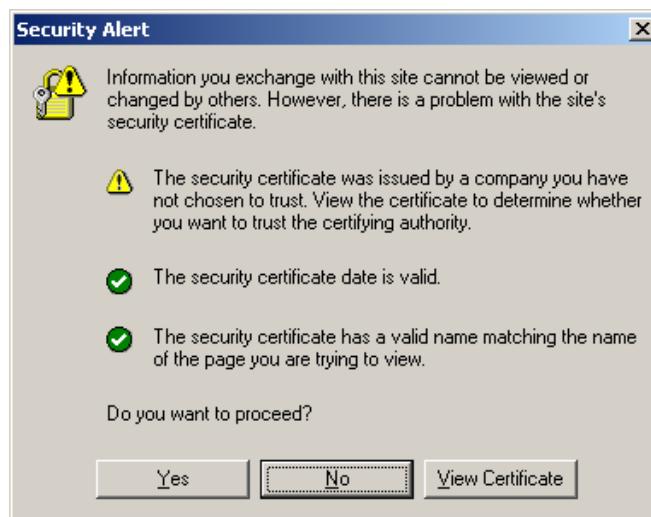
The following pages are instructions for submitting information using the MSDE Secure Transport Application (Valicert). The data collection subject area folder to be used for your file is: **MSA** for Maryland School Assessment and **HighSchool** for the High School Assessment.

### MSDE SECURE TRANSPORT APPLICATION INSTRUCTIONS

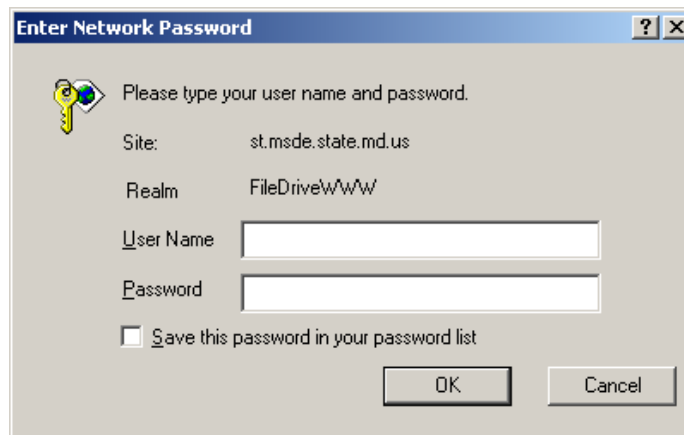
- Open Internet Explorer and access the following address:

<https://st.msde.state.md.us>

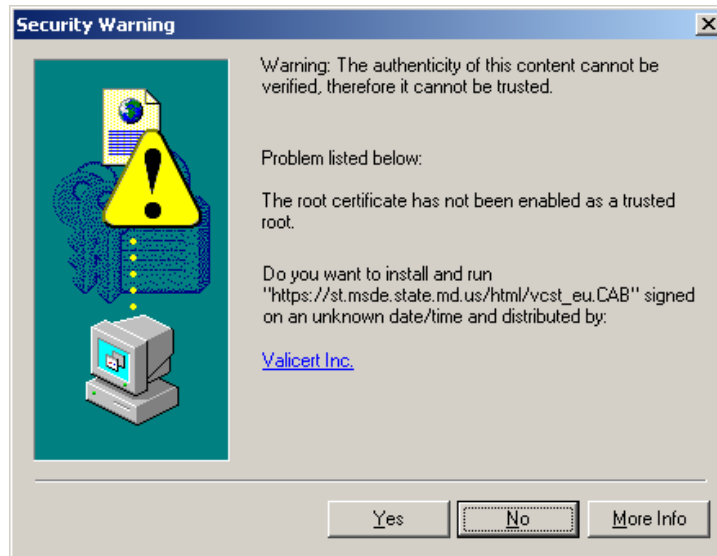
The following Security Alert will appear – click yes to proceed.



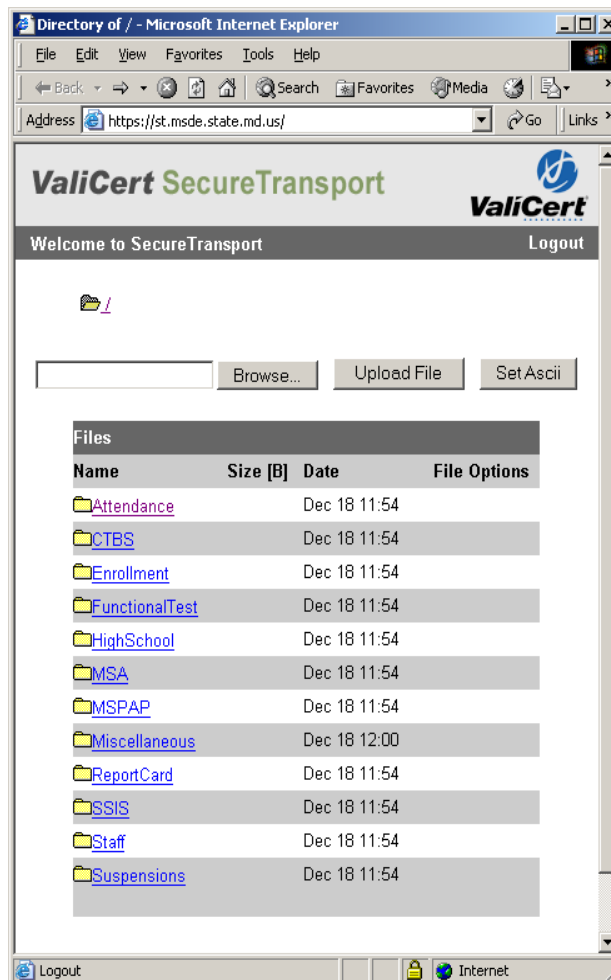
- When prompted with the following authentication window, enter your username and password provided to you by your MSDE contact.



- The first time the site is accessed by your PC, the following Security Warning will appear - click Yes to continue. This installs the Active X component required for guaranteed delivery. This is not a requirement for Netscape Browsers.

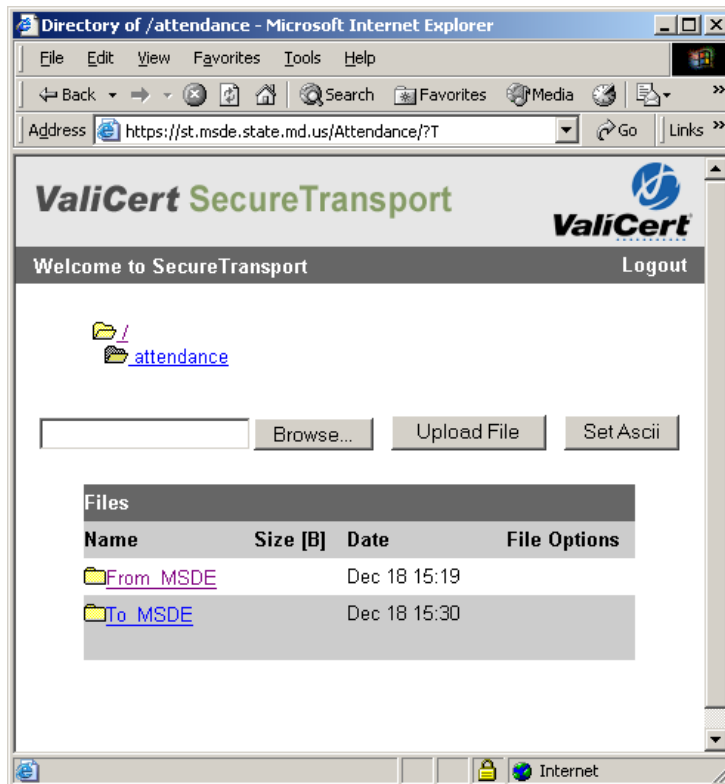


- Click the appropriate subject area—**MSA** for Maryland School Assessment and **HighSchool** for High School Assessment.



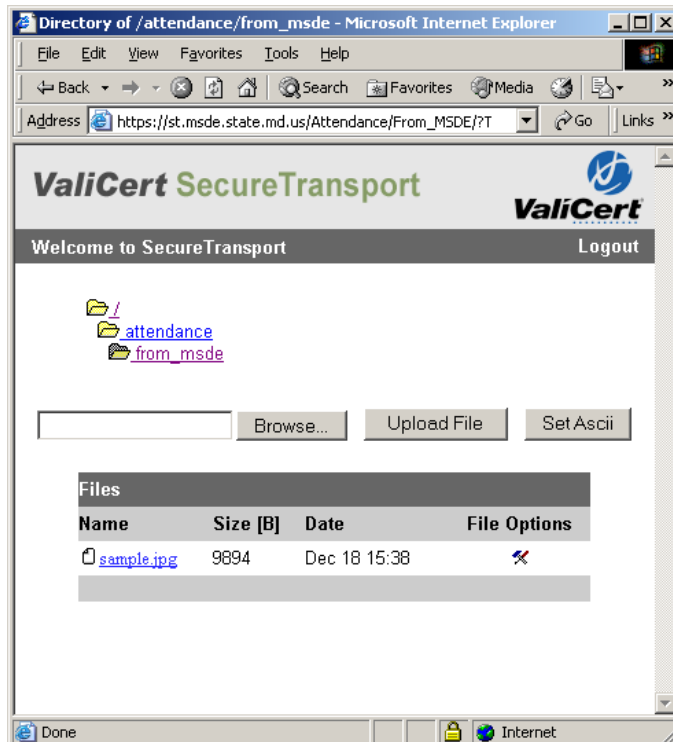
The example shows *Attendance* – please retrieve all data in the appropriate assessment folder.

- To receive a file uploaded from MSDE, click the From\_MSDE link. To upload a file to MSDE, click the To\_MSDE link.



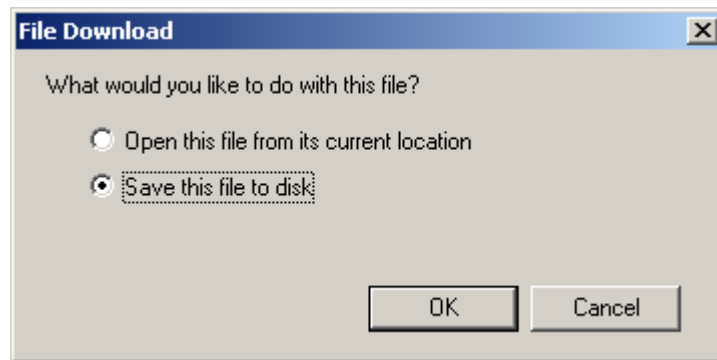
The example shows Attendance – please submit all data in the appropriate assessment folder.

- Any files uploaded by MSDE will be listed in the “Files” section (ex. sample.jpg). To download this file, select the file link under the “Name” column or the tool icon under “File Options” column.

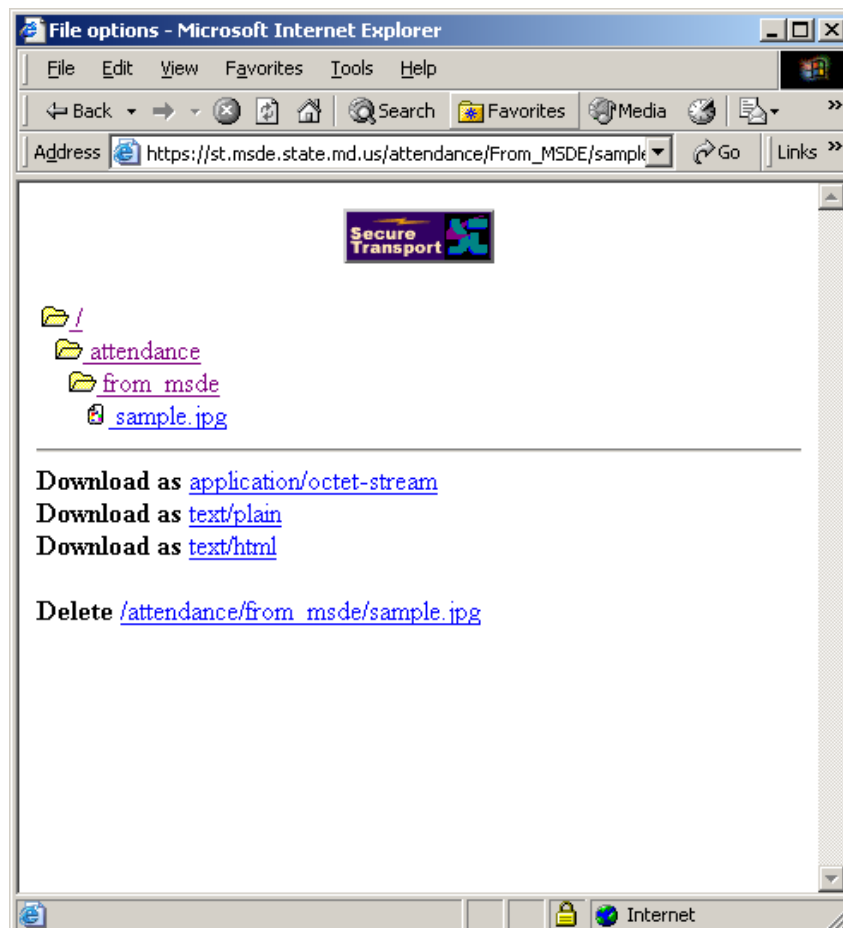


The example shows Attendance – please submit all data in the appropriate assessment folder.

- If you select the file link under “Names”, you will be prompted with the following window – select Save this file to disk and click Ok.

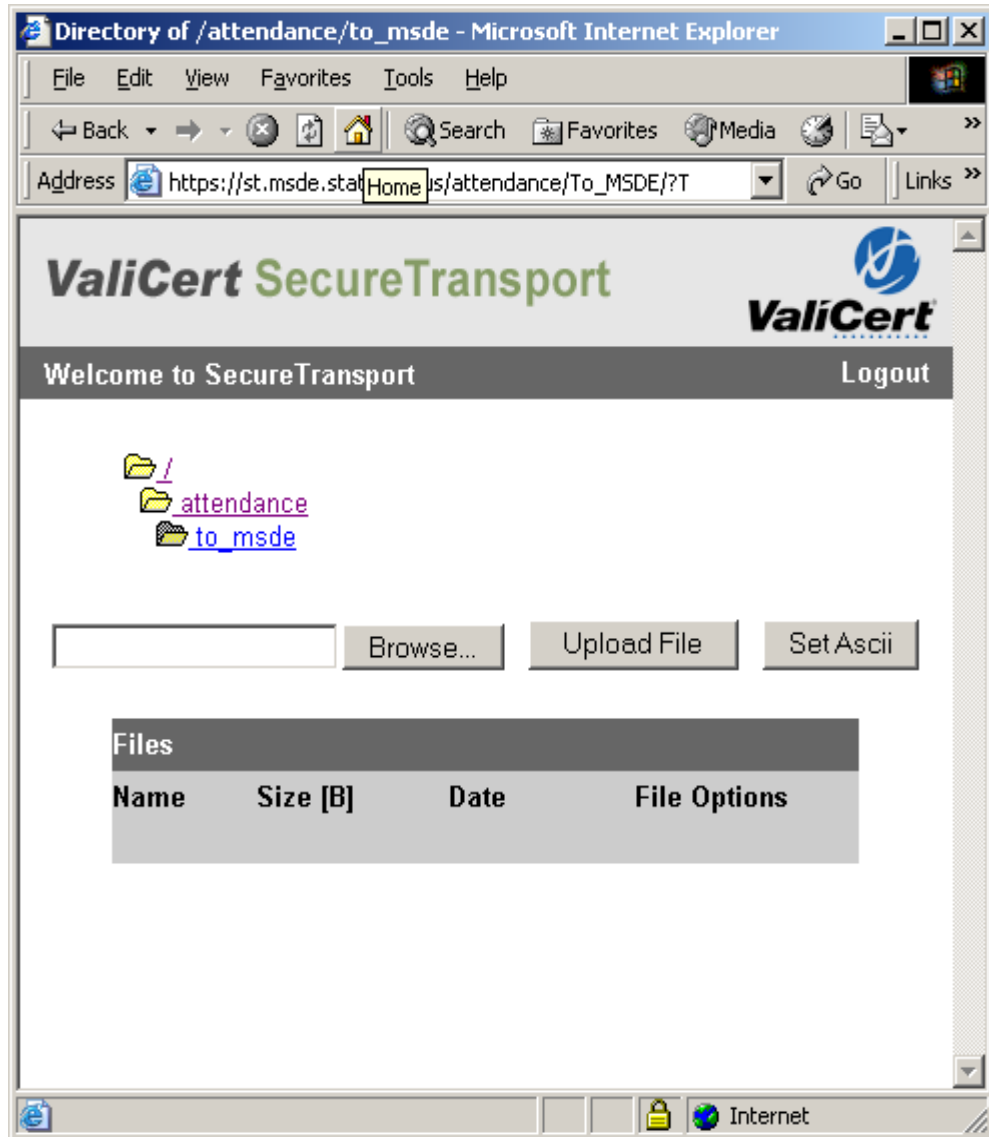


- If you select the tool icon under “File Options”, the following window appears. Download as application/octet-stream allows you to download the file to your hard drive (the same as clicking the file link). Download as text/plain opens the file within your browser in text/plain format. Download as text/html opens the file within your browser in text/html format. The Delete link will delete the file from the server.



The example shows *Attendance* – please submit all data in the appropriate assessment folder.

- To upload a file to MSDE under the To\_MSDE directory, either enter the local path and file name directly in the field to the left of the Browse button or select the Browse button, point to the desired file on your hard disk, and select open which will automatically fill in the path and file information. Click the Upload File button to proceed.



The example shows *Attendance* – please submit all data in the appropriate assessment folder.

- When finished with a session, please select the Logout button located near the top right portion of the screen.



**APPENDIX B**

**Maryland School Assessment 2007  
Master Layout for Local School Systems**

	Len	Beg	End	Type	Description
LEA	2	1	2	C	LEA Number (01-23, 30, 31, 24, and 55)
SCHOOL_NUMBER	4	3	6	C	School Number (Valid MSDE or LEA 24 school)
GRADE	2	7	8	C	Student Grade (03, 04, ,05, 06, 07, 08, 10)
LAST_NAME	14	9	22	C	Student Last Name
FIRST_NAME	9	23	31	C	Student First Name
MIDDLE_NAME	1	32	32	C	Student Middle Initial
PUPIL_NUMBER	9	33	41	C	Student Identification Number
DOB	8	42	49	C	Student's Date of Birth (MMDDYYYY)
GENDER	1	50	50	C	Gender (1 = Male; 2 = Female)
RACE	1	51	51	C	Ethic Code
					1 = American Indian
					2 = Asian/Pacific Islander
					3 = African American
					4 = White
					5 = Hispanic
SPECIAL_EDUCATION	1	52	52	C	Special Education (N = No; Y = Yes; 2 = Code 504)
LEP	1	53	53	C	Limited English Proficient (N = No; Y = Yes; E = Exited (Redesignated LEP))
LEP_BEGIN_DATE	8	54	61	C	LEP Services Began (MMDDYYYY)
LEP_END_DATE	8	62	69	C	LEP Services Ended (MMDDYYYY)
TITLE1	1	70	70	C	Title 1 (N = No; Y = Yes)
FARMS	1	71	71	C	Free and Reduced Meals (N = No; Y = Yes)
MIGRANT	1	72	72	C	Migrant (N = No; Y = Yes)
AYP_ENTRY_STATUS_CODE	2	73	74	C	Student Entry Code (01, 02, 06, 07, 08, 09, 10, 13, 14, 15, 16, 17, 18, 21, 22, 24, 25, 26, 27)
AYP_DATE_OF_ENTRY	8	75	82	C	Date of Entry (MMDDYYYY)
AYP_REPORTING_SYSTEM	2	83	84	C	School System for AYP Reporting (Valid School System)
AYP_REPORTING_SCHOOL	4	85	88	C	School for AYP Reporting (Valid MSDE School)
TEST_GROUP	2	89	90	C	Test Group (00 -99)
BRAILLE_FLAG	1	91	91	C	Braille (0 = No; 1 = Yes) - presently not produced by vendor. Default to blank.
TESTED_WITH_ACCOM	1	92	92	C	Tested with Accommodations (0 = No; 1 = Yes) From student biographical sheet
VERBATIM_RDG_FLAG	1	93	93	C	Verbatim Reading Flag (N = No; Y = Yes) - MSDE Generated
HOME_LEA	2	94	95	C	Home LEA (For use with LEA24 only)
ACCOMMODATIONS_RDG	40	96	135	C	Reading Accommodations (40) (0 = No; 1 = Yes) The verbatim reading accommodations are identified in position 101 for 1-F, position 102 for 1-G, position 107 for 1_M and position 108, for 1-N.
CONTENT_FLAG	1	136	136	C	Content Flag - M=Mathematics; R=Reading
BARCODE	9	137	145	C	Vendor Assigned Student Barcode - Left Justified
FORM	2	146	147	C	A-K for Mathematics (Skipped I) and 01-10 for Reading - Left Justified
LEVEL	2	148	149	C	05, 06, 07, 08, 09, 10, 13, 14, 15, 16, 17, 18, 20
EXCUSED	1	150	150	C	Excused Student (N=N; Y=Yes)

	Len	Beg	End	Type	Description
FILLER (previously MSDE_LOSS_FLAG)	1	151	151	C	MSDE has discontinued the use of this flag. See participation flag.
MSDE_DUP_FLAG	1	152	152	C	MSDE Duplicate (Y=Yes; N=No)
LEP_EXEMPT_RDG	1	153	153	C	LEP Exempt Reading (Y=Yes; N=No) LEP Exempt students are not included in the performance and AYP proficiency reporting. These students are included in the AYP participation calculations.
LEP_EXEMPT_MATH	1	154	154	C	LEP Exempt Mathematics (Y=Yes; N=No) LEP Exempt students are not included in the performance and AYP proficiency reporting. These students are included in the AYP participation calculations.
MSDE IDENTIFIER	10	155	164	C	MSDE Identifier
MSDE USE ONLY	2	165	166	C	MSDE Use Only
<b>CRT CONTENT SCORES</b>					
RD_SS	3	167	169	C	Reading Scale Score (001 - 999)
RD_PL	1	170	170	C	Reading Performance Level (1 = Basic, 2 = Proficient, 3 = Advanced)
MATH_SS	3	171	173	C	Math Scale Score (001 -999)
MATH_PL	1	174	174	C	Math Performance Level (1 = Basic, 2 = Proficient, 3 = Advanced)
<b>CRT OBJECTIVE SCORES</b>					
RDOBJ1_SS	3	175	177	C	General Reading Processes Objective Scale Score
RD0BJ2_SS	3	178	180	C	Informational Reading Processes Objective Scale Score
RDOBJ3_SS	3	181	183	C	Literary Reading Processes Objective Scale Score
FUTURE USE	31	184	214	C	Reserved for Future Use for Objectives
MATHOBJ1_SS	3	215	217	C	Algebra/data analysis, Patterns, or Functions Objective Scale Score
MATHOBJ2_SS	3	218	220	C	Geometry and Measurement Objective Scale Score
MATHOBJ3_SS	3	221	223	C	Statistics and Probability Objective Scale Score
MATHOBJ4_SS	3	224	226	C	Number and Relationships Computation Objective Scale Score
MATHOBJ5_SS	3	227	229	C	Processes of Mathematics Objective Scale Score
FUTURE USE	24	230	253	C	Reserved for Future Use for Objectives
<b>MATHEMATICS STANFORD 10/NRT</b>					
<b>NATIONAL PERCENTILE RANK</b>					
STRAND05	2	254	255	C	Total Mathematics (01-99) (00 = Not Available)
STRAND06	2	256	257	C	Mathematics Problem Solving (01-99) (00 = Not Available)
STRAND07	2	258	259	C	Mathematics Procedures (01-99) (00 = Not Available)
<b>SCALED SCORE</b>					
STRAND05	3	260	262	C	Total Mathematics (01-99) (00 = Not Available)
STRAND06	3	263	265	C	Mathematics Problem Solving (01-99) (00 = Not Available)
STRAND07	3	266	268	C	Mathematics Procedures (01-99) (00 = Not Available)
<b>READING STANFORD 10/NRT</b>					
<b>NATIONAL PERCENTILE RANK</b>					
STRAND 01	2	269	270	C	Total Reading (01-99) (00 = Not Available)
STRAND 02	2	271	272	C	Word Study Skills (01-99) (00 = Not Available)
STRAND 03	2	273	274	C	Reading Vocabulary (01-99) (00 = Not Available)
STRAND 04	2	275	276	C	Reading Comprehension (01-99) (00 = Not Available)

	Len	Beg	End	Type	Description
<b>SCALED_SCORE</b>					
STRAND 01	3	277	279	C	Total Reading (001-999) (000 = Not Available)
STRAND 02	3	280	282	C	Word Study Skills (001-999) (000 = Not Available)
STRAND 03	3	283	285	C	Reading Vocabulary (001-999) (000 = Not Available)
STRAND 04	3	286	288	C	Reading Comprehension (001-999) (000 = Not Available)
ACCOMMODATIONS_MATH	40	289	328	C	Mathematics Accommodations (40) (0 = No; 1 = Yes). The verbatim reading accommodations are identified in position 294 for 1-F, position 295 for 1-G, position 300 for 1-M, and position 301 for 1-N.
NONASSESSED_SCHOOL	4	329	332	C	Student Identified for School with NonAssessed Grade
TEST_SEC_FLAG	1	333	333	C	Test Security Flag
SCHOOL ENDING YEAR	4	334	337	C	School Year (YYYY)
DATE OF CREATION	8	338	345	C	Date File Created (MMDDYYYY)
DEAF_FLAG	1	346	346	C	Deaf/HH flag (N=No, Y=Yes) - MSDE Generated
NO_PRINT_FLAG	1	347	347	C	Y=Yes or Blank If yes, no label printed--absent or no test taken.
FILLER (previously First Time Test Taker for Grade 10 Reading)	1	348	348	C	Filler (previously First Time Test Taker for Grade 10 Reading--discontinued)
AYP_2PERCSWD_PROF_FLAG	1	349	349	C	Y = Yes, N = No. Yes indicates students to be counted as Proficient for AYP under the 2% rule of Students w/ Disabilities
MEDICAL_EMERGENCY_FLAG	1	350	350	C	Y = Yes, N = No. Yes indicates students to be excluded from Performance and AYP Proficiency calculation due to medical emergencies, but will be counted towards AYP Participation
ACCOMMODATED_STUDENT_RDG	1	351	351	C	N = No, Y = Yes Student received any accommodation(s) during the MSA Reading including the verbatim reading accommodations previously noted (required for Federal special education reporting).
ACCOMMODATED_STUDENT_MATH	1	352	352	C	N = No, Y = Yes Student received any accommodation(s) during the MSA Mathematics including the verbatim reading accommodations previously noted (required for Federal special education reporting).
PARTICIPATION_FLAG	1	353	353	C	N = No, Y = Yes If student is indicated as Y for Yes, these students are considered participating in the test and are included in performance, AYP participation, and AYP proficiency reporting. If the student is indicated as N for No, these students are considered as non-participants and are <b>not included</b> in the performance and AYP proficiency reporting. These students are included in the AYP participation calculations. These non-participating students will have a blank in their scale score and proficiency level. <b>Exception:</b> LEP exempt students for both reading and mathematics are not included in the performance and AYP proficiency reporting. They are only included in the AYP participation calculations.

AYP Participation Rate =

$$\frac{Y}{Y+N}$$

Note: Y and N represent the sum of students that are participants (Y) and non-participants (N). The AYP rules for entry status and full academic year also apply to the AYP participation rate.

## APPENDIX C

### High School Assessment 2007 Local Education Agency Student Level File Layout

Field Name	Len	Beg	End	Type	Description
LEA	2	1	2	C	LEA Number 01-24, 30, 31, and 55
SCHOOL_NUMBER	4	3	6	C	School Number
GRADE	2	7	8	C	Test Grade 04, 05, 06, 07, 08, 09, 10, 11 or 12
CONTENT_AREA	2	9	10	C	01 = English 02 = Biology 04 = Government 05 = Algebra/data analysis
SECTION_NUMBER	4	11	14	C	Section Number
PUPIL_NUMBER	9	15	23	C	Pupil Number
LAST_NAME	14	24	37	C	Student's Last Name
FIRST_NAME	9	38	46	C	Student's First Name
MIDDLE_INITIAL	1	47	47	C	Student's Middle Initial
BIRTH_DATE	8	48	55	C	Student's Date of Birth (MMDDYYYY)
GENDER	1	56	56	C	1 = Male, 2 = Female
LEP	1	57	57	C	N = No; Y = Yes, E = Exited within last 2 sch yrs.
SPECIAL_EDUCATION	1	58	58	C	N = No; Y = Yes, 2 = 504
TITLE_1	1	59	59	C	N = No; Y = Yes
FREE_REDUCED_PRICED_MEALS	1	60	60	C	N = No; Y = Yes
RACE	1	61	61	C	Race/Ethnic Code: 1 = American Indian 2 = Asian/Pacific Islander 3 = African American 4 = White 5 = Hispanic
FILLER	2	62	63	C	Previously, accommodations F & G (see accommodations at the end of the layout)
TEST_MO_YEAR	6	64	69	C	072005, 012006, 052006
FORM	3	70	72	C	Form on the Test; Make-Up Forms
LITHO_CODE	9	73	81	C	Litho number from book; right justified, zero filled
BARCODE_NBR	8	82	89	C	Student Barcode Number
INVALID	1	90	90	C	Blank = No; Y= Yes Invalidated by Teacher, MI, or MSDE
SCALE_SCORE	3	91	93	C	Scale Score
PROFICIENCY_LEVEL	1	94	94	C	Proficiency Level ( <b>Algebra and English Only</b> ) 1 = Basic 2 = Proficient 3 = Advanced U = Other subject (use pass flag)
PASS_FLAG	1	95	95	C	Pass/Fail ( <b>all Content Areas</b> ) P = Pass F = Fail

Field Name	Len	Beg	End	Type	Description
SUBSCORE_1_SS	3	96	98	C	Scale Score
SUBSCORE_2_SS	3	99	101	C	Scale Score
SUBSCORE_3_SS	3	102	104	C	Scale Score
SUBSCORE_4_SS	3	105	107	C	Scale Score
SUBSCORE_5_SS	3	108	110	C	Scale Score
SUBSCORE_6_SS	3	111	113	C	Scale Score
LEP_BEGIN_DATE	8	114	121	C	MMDDYYYY
LEP_END_DATE	8	122	129	C	MMDDYYYY
MIGRANT	1	130	130	C	N = No; Y = Yes
FILLER (previously STUDENT_ENTRY_STATUS and DATE_OF_ENTRY)	10	131	140	C	
AYP_REPORTING_SYSTEM	2	141	142	C	<b>Algebra and English Only</b> --01-23, 30, 31
AYP_REPORTING_SCHOOL	4	143	146	C	<b>Algebra and English Only</b>
HOME_LEA	2	147	148	C	<b>LEA 24 Only</b> --01-23, 30, 31, 40
FILLER	10	149	158	C	Filler
FILE_CREATION_DATE	8	159	166	C	Date file was created at MSDE
ADMINISTRATION CODE	1	167	167	C	1 = January, 2 = May, 3 = Summer
TEST_SECURITY_INVALIDATION_CODE	1	168	168	C	Y = Yes, Invalidation by MSDE, N = No
AYP_FIRST_TIME_TEST_TAKER	1	169	169	C	N = No; Y = Yes; for Non-AYP Content Areas: U <b>Valid for Algebra and English Only.</b> Students may repeat the English or Algebra assessments based on the high school requirements.
SCORE_CHANGE_FLAG	1	170	170	C	N = No; Y = Yes. This flag will be set for records with a change in their score.
AYP_2PercSWD_Prof_Flag	1	171	171	C	N = No, Y = Yes. Yes indicates students to be counted as proficient for AYP under 2% rule of Students with Disabilities.
MEDICAL_EMERGENCY_FLAG	1	172	172	C	<b>Valid for Algebra and English Only.</b> Y = Yes. Student <b>had</b> a medical emergency during testing. N = No. Student <b>did not have</b> a medical emergency during testing. U = NonAYP Content Area.
ACCOMMODATED STUDENT	1	173	173	C	N = No, Y = Yes Student received any accommodation(s) during assessment.